

**From:** Gillcash, Robert  
**To:** [lauren\\_kulik@brown.senate.gov](mailto:lauren_kulik@brown.senate.gov)  
**Subject:** DOI Hydrolic Fracturing Rule  
**Date:** Friday, March 20, 2015 11:44:19 AM  
**Attachments:** [03-20-15 HF press release - final \(1\).docx](#)

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Lauren -

Attached is the Press Release from DOI on the new Hydrolic Fracturing rule.

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Robert Gillcash  
Deputy State Director, External Affairs  
Bureau of Land Management, Eastern States  
20 M Street SE. Washington, DC 20003 - Suite 950  
(T) 202-912-7712 | (M) 703-297-0527



OFFICE OF THE SECRETARY  
**U.S. Department  
of the Interior**

[www.doi.gov](http://www.doi.gov)

## News Release

Date: March 20, 2015

Contact: Jessica Kershaw, [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

### **Interior Department Releases Final Rule to Support Safe, Responsible Hydraulic Fracturing Activities on Public and Tribal Lands**

*Fundamental Standards Address Well Integrity, Water Protection, Disclosure of Chemicals*

**WASHINGTON, D.C.** – Following a robust and transparent public process that included more than 1.5 million public comments, Secretary of the Interior Sally Jewell today released final standards that will support safe and responsible hydraulic fracturing on public and American Indian lands. The commonsense standards will improve safety and help protect groundwater by updating requirements for well-bore integrity, wastewater disposal and public disclosure of chemicals.

There are more than 100,000 oil and gas wells on federally managed lands. Of wells currently being drilled, over 90 percent use hydraulic fracturing. The rule applies only to development on public and tribal lands and includes a process so that states and tribes may request variances from provisions for which they have an equal or more protective regulation in place. This will avoid duplication while enabling the development of more protective standards by state and tribal governments. Today's final rule is a major step in the Department of the Interior's agenda to support a balanced, prosperous energy future. Other reforms will also include important measures to target where oil and gas leasing occurs and protect sensitive areas that are too special to drill.

“Current federal well-drilling regulations are more than 30 years old and they simply have not kept pace with the technical complexities of today's hydraulic fracturing operations,” Secretary Jewell said. “This updated and strengthened rule provides a framework of safeguards and disclosure protocols that will allow for the continued responsible development of our federal oil and gas resources. As we continue to offer millions of acres of public lands for conventional and renewable energy production, it is absolutely critical the public have confidence that transparent and effective safety and environmental protections are in place.”

Key components of the rule, which will take effect in 90 days include:

- Provisions for ensuring the protection of groundwater supplies by requiring a validation of well integrity and strong cement barriers between the wellbore and water zones through which the wellbore passes;
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“This rule will protect public health and the environment during and after hydraulic fracturing operations at a modest cost while both respecting the work previously done by the industry, the states and the tribes and promoting the adoption of more protective standards across the country,” said Assistant Secretary for Land and Minerals Management Janice Schneider. “It will be implemented in the most efficient way possible to avoid duplication or unnecessary activities by industry, other regulators, or BLM staff. We know how important it is to get this right.”

The new rule is the culmination of four years of extensive public involvement to bring onshore oil and gas drilling regulations into the 21st century. The BLM published both a draft rule and a supplemental draft rule, held regional forums and numerous stakeholder meetings on the proposal and reviewed more than 1.5 million public comments.

BLM staff studied state and tribal regulations and consulted with state and tribal regulators, industry, environmental experts, and the public, including communities affected by oil and gas operations. In many instances, provisions in the new rule are similar to or based on existing state or tribal rules and industry best practices. The result of this careful consultation is a rule that will enhance environmental protection in a thoughtful and cost-effective way. BLM estimates the new rule will cost less than one-fourth of 1 percent of the cost of drilling a well, based on the Energy Information Administration’s average per well cost of \$5.4 million.

“This rule was informed and shaped by the technical expertise, interests and concerns of all of our partners, and builds on the work of states and tribes to ensure best practices on a nationwide basis,” said BLM Director Neil Kornze. “The new regulations are essential to our mutual efforts to protect the environment and the communities that depend on vital water, land and wildlife resources. This rule is good government.”

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To view the final rule, [click here](#).

###

**From:** Gillcash, Robert  
**To:** [steve\\_kittredge@portman.senate.gov](mailto:steve_kittredge@portman.senate.gov)  
**Subject:** HF Press Release  
**Date:** Friday, March 20, 2015 11:47:29 AM  
**Attachments:** [03-20-15 HF press release - final \(1\).docx](#)

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Steve -

Thanks for taking my call.

-Bob

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###

**From:** Herrera, Theresa  
**To:** [david\\_williams@tomudall.senate.gov](mailto:david_williams@tomudall.senate.gov); [alex\\_eubanks@heinrich.senate.gov](mailto:alex_eubanks@heinrich.senate.gov); [mariana.padilla@mail.house.gov](mailto:mariana.padilla@mail.house.gov); [joe.baca@mail.house.gov](mailto:joe.baca@mail.house.gov); [joseph.casados@mail.house.gov](mailto:joseph.casados@mail.house.gov); [michele\\_jacquez-ortiz@tomudall.senate.gov](mailto:michele_jacquez-ortiz@tomudall.senate.gov); [calvert\\_curley@tomudall.senate.gov](mailto:calvert_curley@tomudall.senate.gov); [jim\\_dumont@heinrich.senate.gov](mailto:jim_dumont@heinrich.senate.gov); [patricia\\_dominquez@heinrich.senate.gov](mailto:patricia_dominquez@heinrich.senate.gov); [jennifer.manzanares@mail.house.gov](mailto:jennifer.manzanares@mail.house.gov); [pamela.garcia@mail.house.gov](mailto:pamela.garcia@mail.house.gov); [brian.lee@mail.house.gov](mailto:brian.lee@mail.house.gov); [pete.valencia@mail.house.gov](mailto:pete.valencia@mail.house.gov); [elizabeth\\_driggers@tomudall.senate.gov](mailto:elizabeth_driggers@tomudall.senate.gov); [dara\\_parker@heinrich.senate.gov](mailto:dara_parker@heinrich.senate.gov); [joe.martinez@mail.house.gov](mailto:joe.martinez@mail.house.gov); [mary.morris@mail.house.gov](mailto:mary.morris@mail.house.gov); [beverly\\_allen-ananins@tomudall.senate.gov](mailto:beverly_allen-ananins@tomudall.senate.gov); [diane\\_ventura@heinrich.senate.gov](mailto:diane_ventura@heinrich.senate.gov); [tim.keithley@mail.house.gov](mailto:tim.keithley@mail.house.gov); [ron.wilmot@mail.house.gov](mailto:ron.wilmot@mail.house.gov)  
**Cc:** [Lisa Morrison](mailto:Lisa.Morrison)  
**Subject:** DOI News Release re Hydraulic Fracturing  
**Date:** Friday, March 20, 2015 11:51:02 AM  
**Attachments:** [03-20-15 HF press release - final.docx](#)

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Attached is the subject document

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Public Affairs Specialist  
New Mexico State Office | Bureau of Land Management  
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###

**From:** Gillcash, Robert  
**To:** [david.rardin@mail.hose.gov](mailto:david.rardin@mail.hose.gov); [sarah.poulton@mail.house.gov](mailto:sarah.poulton@mail.house.gov)  
**Subject:** HF Press Release  
**Date:** Friday, March 20, 2015 11:53:11 AM  
**Attachments:** [03-20-15 HF press release - final \(1\).docx](#)

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Attached is a Press Release from the Department of Interior announcing the new Hydraulic Fracking rule. Knowing your interest in the Wayne NF, I wanted to make certain you got this.

-Bob

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Deputy State Director, External Affairs  
Bureau of Land Management, Eastern States  
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To view the final rule, [click here](#).

###

**From:** Kulik, Lauren (Brown)  
**To:** [Gillcash, Robert](mailto:Gillcash,Robert)  
**Subject:** RE: DOI Hydrolic Fracturing Rule  
**Date:** Friday, March 20, 2015 11:55:15 AM

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Got it. Thanks!

**From:** Gillcash, Robert [mailto:[rgillcash@blm.gov](mailto:rgillcash@blm.gov)]  
**Sent:** Friday, March 20, 2015 11:44 AM  
**To:** Kulik, Lauren (Brown)  
**Subject:** DOI Hydrolic Fracturing Rule

Lauren -

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Robert Gillcash  
Deputy State Director, External Affairs  
Bureau of Land Management, Eastern States  
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(T) 202-912-7712 | (M) 703-297-0527

**From:** Smurthwaite, Donald  
**To:** [john.revier@mail.house.gov](mailto:john.revier@mail.house.gov)  
**Subject:** DOI Fracking News Release  
**Date:** Friday, March 20, 2015 12:00:09 PM  
**Attachments:** [Hydraulic Fracturing NR.docx](#)

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John,

Here's the news release, in case you're interested.

I zipped through things pretty fast, so here's my contact information:

[dsmurthw@blm.gov](mailto:dsmurthw@blm.gov)

373-4016

Thanks. I'll be talking with Randy in a few minutes and pass on that you say hey.



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**From:** Gillcash, Robert  
**To:** [tom.hassenboehler@mail.house.gov](mailto:tom.hassenboehler@mail.house.gov); [mark.ratner@mail.house.gov](mailto:mark.ratner@mail.house.gov)  
**Subject:** HF Press Release  
**Date:** Friday, March 20, 2015 12:01:09 PM  
**Attachments:** [03-20-15 HF press release - final \(1\).docx](#)

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There are more than 100,000 oil and gas wells on federally managed lands. Of wells currently being drilled, over 90 percent use hydraulic fracturing. The rule applies only to development on public and tribal lands and includes a process so that states and tribes may request variances from provisions for which they have an equal or more protective regulation in place. This will avoid duplication while enabling the development of more protective standards by state and tribal governments. Today's final rule is a major step in the Department of the Interior's agenda to support a balanced, prosperous energy future. Other reforms will also include important measures to target where oil and gas leasing occurs and protect sensitive areas that are too special to drill.

“Current federal well-drilling regulations are more than 30 years old and they simply have not kept pace with the technical complexities of today's hydraulic fracturing operations,” Secretary Jewell said. “This updated and strengthened rule provides a framework of safeguards and disclosure protocols that will allow for the continued responsible development of our federal oil and gas resources. As we continue to offer millions of acres of public lands for conventional and renewable energy production, it is absolutely critical the public have confidence that transparent and effective safety and environmental protections are in place.”

Key components of the rule, which will take effect in 90 days include:

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To view the final rule, [click here](#).

###

**From:** Gillcash, Robert  
**To:** [adrielle.churchill@mail.house.gov](mailto:adrielle.churchill@mail.house.gov)  
**Subject:** HF Press Release  
**Date:** Friday, March 20, 2015 12:08:23 PM  
**Attachments:** [03-20-15\\_HF\\_press\\_release - final \(1\).docx](#)

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Adrielle -

Thanks for taking my call. I fairly certain this is a duplicate of the DOI email, but just in case here it is again.

Cheers,

-Bob

--

Robert Gillcash  
Deputy State Director, External Affairs  
Bureau of Land Management, Eastern States  
20 M Street SE. Washington, DC 20003 - Suite 950  
(T) 202-912-7712 | (M) 703-297-0527



OFFICE OF THE SECRETARY  
**U.S. Department  
of the Interior**

[www.doi.gov](http://www.doi.gov)

## News Release

Date: March 20, 2015

Contact: Jessica Kershaw, [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

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###

**From:** Ellis-Wouters, Lesli  
**To:** [Petty, Catherine](#); [Rowell, Kathlene \(Sullivan\)](#); [Henrick, Sonia \(Murkowski\)](#)  
**Subject:** Fwd: DOI Press Release for Distribution: Interior Department Releases Final Rule to Support Safe, Responsible Hydraulic Fracturing Activities on Public and Tribal Lands  
**Date:** Friday, March 20, 2015 12:10:05 PM

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All,  
In case you have not seen this yet, it was released this morning at the Department.



March 20, 2015  
Contact: Jessica Kershaw, [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

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***Lesli J. Ellis-Wouters***  
Chief, Office of Communications  
Bureau of Land Management, Alaska  
222 W. 7th Ave.  
Anchorage, AK 99513  
(907) 271-4418

**From:** Gillcash, Robert  
**To:** [chris.jones@mail.house.gov](mailto:chris.jones@mail.house.gov)  
**Subject:** HF Press Release  
**Date:** Friday, March 20, 2015 12:13:27 PM  
**Attachments:** [03-20-15 HF press release - final \(1\).docx](#)

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Chris -

You may have already received this, but attached is the DOI Press Release regarding the new Hydraulic Fracturing Rule announced this morning.

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Robert Gillcash  
Deputy State Director, External Affairs  
Bureau of Land Management, Eastern States  
20 M Street SE. Washington, DC 20003 - Suite 950  
(T) 202-912-7712 | (M) 703-297-0527



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Date: March 20, 2015

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To view the final rule, [click here](#).

###

**From:** Gillcash, Robert  
**To:** [philip\\_moore@boozman.senate.gov](mailto:philip_moore@boozman.senate.gov)  
**Subject:** DOI Hydraulic Fracturing Rule  
**Date:** Friday, March 20, 2015 12:18:41 PM  
**Attachments:** [03-20-15 HF press release - final \(1\).docx](#)

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Philip -

You may have already received this, but attached is the Department of Interior's Press Release announcing the new rule on Hydraulic Fracturing.

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Robert Gillcash  
Deputy State Director, External Affairs  
Bureau of Land Management, Eastern States  
20 M Street SE. Washington, DC 20003 - Suite 950  
(T) 202-912-7712 | (M) 703-297-0527



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###

**From:** Gillcash, Robert  
**To:** [Kulik, Lauren \(Brown\)](#)  
**Subject:** Re: DOI Hydrolic Fracturing Rule  
**Date:** Friday, March 20, 2015 12:23:45 PM

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Oooooops... I was typing just a bit too fast. I invented a new way to spell HYDRAULIC.

- Bob

On Fri, Mar 20, 2015 at 11:54 AM, Kulik, Lauren (Brown)  
<[Lauren\\_Kulik@brown.senate.gov](mailto:Lauren_Kulik@brown.senate.gov)> wrote:

Got it. Thanks!

**From:** Gillcash, Robert [mailto:[rgillcash@blm.gov](mailto:rgillcash@blm.gov)]  
**Sent:** Friday, March 20, 2015 11:44 AM  
**To:** Kulik, Lauren (Brown)  
**Subject:** DOI Hydrolic Fracturing Rule

Lauren -

Attached is the Press Release from DOI on the new Hydrolic Fracturing rule.

--

Robert Gillcash  
Deputy State Director, External Affairs  
Bureau of Land Management, Eastern States  
20 M Street SE. Washington, DC 20003 - Suite 950

(T) 202-912-7712 | (M) 703-297-0527

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Bureau of Land Management, Eastern States

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**From:** Gillcash, Robert  
**To:** [david.rardin@mail.house.gov](mailto:david.rardin@mail.house.gov)  
**Subject:** Hydraulic Fracturing Rule  
**Date:** Friday, March 20, 2015 12:30:00 PM  
**Attachments:** [03-20-15 HF press release - final \(1\).docx](#)

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David -

You may already have this, but Nick Bush suggested I send this along anyway. Attached is the DOI Press Release on the new Hydraulic Fracturing Rule.

--

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**From:** Gillcash, Robert  
**To:** [Kulik, Lauren \(Brown\)](#)  
**Subject:** Re: DOI Hydrolic Fracturing Rule  
**Date:** Friday, March 20, 2015 12:43:45 PM  
**Attachments:** [03-20-2015-HF Rule Fact Sheet.docx](#)

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I just got this and thought I would pass it along...

On Fri, Mar 20, 2015 at 11:54 AM, Kulik, Lauren (Brown)  
<[Lauren\\_Kulik@brown.senate.gov](mailto:Lauren_Kulik@brown.senate.gov)> wrote:

Got it. Thanks!

**From:** Gillcash, Robert [mailto:[rgillcash@blm.gov](mailto:rgillcash@blm.gov)]  
**Sent:** Friday, March 20, 2015 11:44 AM  
**To:** Kulik, Lauren (Brown)  
**Subject:** DOI Hydrolic Fracturing Rule

Lauren -

Attached is the Press Release from DOI on the new Hydrolic Fracturing rule.

--

Robert Gillcash  
Deputy State Director, External Affairs  
Bureau of Land Management, Eastern States  
20 M Street SE. Washington, DC 20003 - Suite 950

(T) 202-912-7712 | (M) 703-297-0527

--

Robert Gillcash  
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# BLM FACT SHEET

U.S. Department of the Interior • Bureau of Land Management • Washington, D.C., Office • 1849 C Street N.W. • Washington, D.C.

## Final Hydraulic Fracturing Rule

### Timeline

- November 2010 -- First Department of the Interior forum on hydraulic fracturing
- April 2011 -- The BLM held three regional forums in Arkansas, Colorado and North Dakota attended by more than 600 members of the public
- November 2011 -- National Gas Subcommittee of the Secretary of Energy's Advisory Board recommends that the BLM undertake a rulemaking to ensure well integrity, water protection, and adequate public disclosure
- May 11, 2012 -- The BLM publishes a draft rule drawing 177,000 public comments
- May 24, 2013 -- The BLM publishes a supplemental draft rule drawing 1.35 million comments
- March 20, 2015 -- The BLM publishes a final rule

### Key Issues

Like the draft and supplemental draft rules, the final regulations seek to:

- Ensure that wells are properly constructed to protect groundwater;
- Make certain that fluids that flow back to the surface as a result of hydraulic fracturing operations are managed in an environmentally responsible way;
- Provide public disclosure of the chemicals and additives used in hydraulic fracturing fluids as well as information such as the geology, depth, location and water use of the operation; and
- Improve measures to prevent cross-well contamination, commonly called "frack hits."

### How the Final Rule Addresses These Issues

#### **Protects groundwater by requiring:**

- Strong cement barriers between the wellbore carrying fracturing fluids/hydrocarbons and the groundwater zones through which the wellbore passes.
- Operators to monitor cementing and submit a report verifying monitoring 48 hours prior to beginning hydraulic fracturing operations for all wells. The report should contain specific parameters of the cement job. For intermediate or production casing strings, the operator must either circulate cement to the surface or run a Cement Evaluation Log ("CEL") demonstrating that there is at least 200 feet of adequately bonded cement isolation between the zone to be fracked and the deepest water zone.
- Operators to follow specific best practices, including demonstrating that the wellbore casing is adequate on each and every well, not just a sample (or "type") well.
- Protective standards, including cement returns and pressure testing on each well.
- An approved remediation plan for wells where cementing does not meet the standards and a CEL on all remediated wells.

**Manages fluids by:**

- Treating all recovered fluids from hydraulic fracturing operations in the same way, and requiring a standard of care for interim storage adequate to prevent damage to surface or groundwater and wildlife from any toxicity.
- Requiring interim storage of all produced water in rigid enclosed, covered or netted above-ground tanks, subject to very rare and limited exceptions in which lined pits could be used (with a leak detection system). Replaces current practice that allows for the use of pits or tanks in all cases for interim storage.

**Provides for public disclosure of chemicals by:**

- Requiring chemical disclosure to the BLM through the website FracFocus, or other designated online database, within 30 days of completion of hydraulic fracturing operations.
- Requiring the filing with the BLM of affidavits signed by a corporate officer or the equivalent responsible official of the operator to provide justification for any claim of a trade secret. The BLM retains the right to obtain any information withheld as a trade secret and to review that claim. The affidavit must also identify and provide contact information for the owner of the withheld information, if it is not the operator.
- Requiring operators to retain information that is withheld for the life of the well, or 7 years on Federal lands or 6 years on Indian lands, whichever is longer.

**Prevents frack hits by:**

- Requiring operators to submit information to the BLM so that the agency can determine the potential for cross-well contamination, commonly called “frack hits,” where the force of one fracking operation affects other nearby wells.
  - Operators must submit a map showing the trajectory of the proposed wellbore into which hydraulic fracturing fluids are to be injected and all existing wellbore trajectories within one-half mile of any portion of the proposed wellbore trajectory including the horizontal drilling. The true vertical depth of each wellbore identified on the map must also be indicated.
  - Operators will also provide information to the BLM on the location of the operations, geology, water resources, location of other wells or natural fractures or fissures in the area, and fracturing plans (including the estimated length, height, and total vertical depths of the fractures) for the operation in their application for permit to drill (APD).

**Cost to Operators**

The BLM estimates that the cost of the rule could reach about \$11,400 per operation or about \$32 million a year based on projected activity of 2,800 wells per year on Federal and Indian lands. On average, this expense equates to less than one-fourth of 1 percent of the cost of drilling a well, based on an estimated cost of \$5.4 million per well from the Energy Information Agency.

**From:** Gillcash, Robert  
**To:** [adrielle.churchill@mail.house.gov](mailto:adrielle.churchill@mail.house.gov)  
**Subject:** Re: HF Press Release  
**Date:** Friday, March 20, 2015 12:45:16 PM  
**Attachments:** [03-20-2015-HF Rule Fact Sheet.docx](#)

---

Adrielle -

I just received this and thought I would pass it along.

- Bob

On Fri, Mar 20, 2015 at 12:08 PM, Gillcash, Robert <[rgillcash@blm.gov](mailto:rgillcash@blm.gov)> wrote:

Adrielle -

Thanks for taking my call. I fairly certain this is a duplicate of the DOI email, but just in case here it is again.

Cheers,

-Bob

--

Robert Gillcash  
Deputy State Director, External Affairs  
Bureau of Land Management, Eastern States  
20 M Street SE. Washington, DC 20003 - Suite 950  
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**From:** Feldgus, Steve  
**To:** ["jcmoran@blm.gov"](mailto:jcmoran@blm.gov)  
**Subject:** Another fracking Q  
**Date:** Friday, March 20, 2015 1:24:18 PM

---

if a state were to get a statewide variance for a certain regulatory provision in the HF rule, does that mean that BLM permit reviewers would not review that portion of the fracking application (either in the NOI or the APD)? Could a state apply for a variance that says the state permit reviewers would handle the specific review for a portion of the rule, like the MIT or the well construction? So, for example, if a state got a variance allowing a higher pressure for the MIT, would BLM not review the results of the MIT?

Thanks,

--Steve

**From:** Moran, Jill  
**To:** [Feldgus, Steve](mailto:Steve.Feldgus@mail.house.gov)  
**Subject:** Re: Another fracking Q  
**Date:** Friday, March 20, 2015 1:26:46 PM

---

Hi Steve,

I want to run this by the program - but will call you shortly. Also, I want to talk to you about your other question regarding states with fracking regs.

Thanks,  
Jill

On Fri, Mar 20, 2015 at 1:23 PM, Feldgus, Steve <[Steve.Feldgus@mail.house.gov](mailto:Steve.Feldgus@mail.house.gov)> wrote:  
if a state were to get a statewide variance for a certain regulatory provision in the HF rule, does that mean that BLM permit reviewers would not review that portion of the fracking application (either in the NOI or the APD)? Could a state apply for a variance that says the state permit reviewers would handle the specific review for a portion of the rule, like the MIT or the well construction? So, for example, if a state got a variance allowing a higher pressure for the MIT, would BLM not review the results of the MIT?

Thanks,

--Steve

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Feldgus, Steve  
**To:** "[Moran, Jill](#)"  
**Subject:** RE: Another fracking Q  
**Date:** Friday, March 20, 2015 2:02:20 PM

---

Great, thanks. Mind you, I think the sentence "if a state got a variance allowing a higher pressure for the MIT" makes no sense whatsoever, but I'm trying to game this out within the messaging that's been developed.

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Friday, March 20, 2015 1:27 PM  
**To:** Feldgus, Steve  
**Subject:** Re: Another fracking Q

Hi Steve,

I want to run this by the program - but will call you shortly. Also, I want to talk to you about your other question regarding states with fracking regs.

Thanks,  
Jill

On Fri, Mar 20, 2015 at 1:23 PM, Feldgus, Steve <[Steve.Feldgus@mail.house.gov](mailto:Steve.Feldgus@mail.house.gov)> wrote:  
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Thanks,

--Steve

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Moses-Nedd, Cynthia  
**To:** [Slade, Amanda](mailto:Slade.Amanda)  
**Cc:** [Helfrich, Devin](mailto:Helfrich,Devin); [p2wilkin@blm.gov](mailto:p2wilkin@blm.gov); [mtharris@blm.gov](mailto:mtharris@blm.gov); [cbwalker@blm.gov](mailto:cbwalker@blm.gov)  
**Subject:** Re: quick call w/ blm director kornze  
**Date:** Friday, March 20, 2015 5:58:57 PM

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Thanks much, Amanda. Director Kornze will contact Congressman Lowenthal over the weekend to discuss the hydraulic fracturing rule BLM published today.

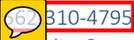
Thanks again for your assistance. Enjoy your weekend!  
Cynthia

\*\*\*\*\*

Cynthia Moses-Nedd  
DOI-BLM Liaison to State & Local Government  
Washington, DC  
(202) 912-7446 Ofc  
(202) 821-9410 Cell

On Fri, Mar 20, 2015 at 5:50 PM, Slade, Amanda <[Amanda.Slade@mail.house.gov](mailto:Amanda.Slade@mail.house.gov)> wrote:

Hi Patrick,

The best number for him to reach Rep. Lowenthal is . We're having a staff dinner now, but is Director Kornze available at 8PM? Also, do you know what the call's regarding?

Thanks,

Amanda B. Slade  
Executive Assistant & Legislative Aide | Congressman Alan Lowenthal  
108 Cannon House Office Building, Washington, DC 20515  
Office: (202) 225-7924 | Fax: (202) 225-7926

---

**From:** Moses-Nedd, Cynthia [mailto:[cnedd@blm.gov](mailto:cnedd@blm.gov)]  
**Sent:** Friday, March 20, 2015 05:31 PM  
**To:** Helfrich, Devin; Slade, Amanda  
**Cc:** Wilkinson, Patrick <[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)>; Maritiza Harris <[mtharris@blm.gov](mailto:mtharris@blm.gov)>; Claudia Walker <[cbwalker@blm.gov](mailto:cbwalker@blm.gov)>  
**Subject:** Re: quick call w/ blm director kornze

Thanks Patrick.

Devin & Amanda,  
Your assistance is greatly appreciated.

Best,  
Cynthia

\*\*\*\*\*

Cynthia Moses-Nedd  
DOI-BLM Liaison to State & Local Government  
Washington, DC  
(202) 912-7446 Ofc  
(202) 821-9410 Cell

On Fri, Mar 20, 2015 at 4:58 PM, Wilkinson, Patrick <[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)> wrote:

Hi Devin and Amanda - BLM Director Kornze was hoping to connect w/ Congressman Lowenthal yet today if possible. Is there a number where he can be reached? We have tried your main office number but can't get through there.

Thanks,  
Patrick  
ps - And we are still on for our meeting next Wed afternoon too.

--  
Patrick Wilkinson  
U.S. Department of the Interior  
Bureau of Land Management  
Legislative Affairs Division (WO 620)

Phone: (202) 912-7429  
Fax: (202) 245-0050

**From:** Feldgus, Steve  
**To:** ["Moran, Jill"](#)  
**Subject:** FYI - Fracking Question  
**Date:** Monday, March 23, 2015 10:08:54 AM

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This is way too long, but wanted you to see where we're potentially going with some questions on the fracking rule. And obviously the italicized lines are simply my personal projection of what the answers might be. Can talk more about this later this week.

Director Kornze, do BLM drilling regulations preempt state rules?

*No, they do not.*

BLM has existing well construction rules, correct?

*That is correct.*

And the states where companies drill on BLM lands... do they all have well construction rules as well?

*They all do.*

If a state has a stronger well construction rule than BLM, say they require more cement than BLM does, for example, do companies follow the BLM rule or the state rule.

*In that case they would follow the state rule.*

Companies automatically follow the stronger rule, that's what you're saying?

*That is correct.*

Do companies or states need to apply for a variance to follow the stronger rule?

*No.*

They just follow the stronger rule.

*That is correct.*

Does the hydraulic fracturing rule work differently than your existing rules?

*No.*

If states have stronger fracking regulations than BLM, companies will continue to follow the state rules? Let's say a state has a higher required pressure for a casing test, or requires better water

storage tanks than what's in the BLM rule. Companies would automatically follow those requirements in that state, correct?

*That is correct.*

And they won't need to apply for a variance in order to be able to do that?

*No, there's no need for a variance.*

Let's take the case of a hypothetical state that has stronger requirements for everything in the BLM rule. Would a driller in that state have to do anything different to meet the requirements of the BLM rule?

*No. By following the state rule, they would be in compliance with the BLM rule. They would still need to submit the required information to BLM, however, which they currently do not do.*

Ok, so, in a state with stronger requirements across the board, leaving aside letting BLM know what's going on, a company wouldn't have to operate any differently?

*No, there would be no difference in how a company operates.*

Would they need a variance in order to get away with that?

*No. Just by following the rules of that state, they'd be in compliance with the BLM rule.*

But not all states with federal oil and gas leases have fracking regulations, right?

*That's correct – 32 (or so) states have active federal oil and gas leases, but only 15 (or so) states have fracking regulations.*

So in states that don't have fracking regulations, this new rule could have a real impact, right?

*That is correct.*

And in every state, whether they have regulations or not, they have to provide additional information to the BLM. The industry has argued this it will be a huge bureaucratic burden for BLM to review all this new information. Do you agree with that?

*No. We estimate that the new rule will add only four hours of additional review time for each application.*

Four hours.

*Four hours.*

That doesn't sound like a huge burden. But seems like you'll be getting some extremely valuable information. For example, can you tell me exactly how many wells were started on BLM lands last year?

2,544.

Sounds very exact. Now, can you tell me exactly how many of those wells were fracked?

*We estimate that approximately 90 percent of those wells are fracked.*

You're estimating that.

*Yes, we're estimating that.*

You don't know exactly how many wells are fracked.

*No, we do not.*

Why not?

*Companies have not been required to inform us if they're going to be using hydraulic fracturing on public lands. But with this new rule, they will have to do that.*

Seems reasonable. Can you also tell me how many of the 2,544 wells drilled on public land last year had cementing problems?

*No we cannot.*

Why not?

*Companies have not been required to inform us if they have cementing problems. But under this new rule, they will have to do that.*

You don't even know how many wells had problems with the cementing. You're responsible for protecting public lands. Don't you think it's important that you know what wells had problems during their construction?

*We do. That's why we're requiring companies to tell us that information in this new rule.*

So let me sum this up: it sounds like this rule updates woefully inadequate regulations, sets a baseline for protecting public lands in states that don't have fracking regulations, and will effectively not require companies to do anything new in states that already have strong regulations, even without a variance. For the life of me, I can't understand why the oil and gas industry has any problem with this at all.



**From:** Feldgus, Steve  
**To:** [jcmoran@blm.gov](mailto:jcmoran@blm.gov)  
**Subject:** Potential Qs for Thursday  
**Date:** Tuesday, March 24, 2015 4:36:53 PM  
**Attachments:** [Qs - BLM-FS - Draft - Tuesday.docx](#)

---

Hi Jill,

Will give you a call in a minute if you're around.

Thanks,

--Steve

**BLM-Forest Service FY16 Budget Hearing  
March 26, 2015**

**Questions**

**One Long Fracking Question .....2**

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## One Long Fracking Question

Director Kornze, do BLM drilling regulations preempt state rules?

*No, they do not.*

Does your new fracking rule preempt state rules?

*No, it does not.*

Do companies follow state regulations when they're on BLM lands?

*Yes they do.*

So BLM is just setting a baseline with the fracking rule, and states are free to set higher standards?

*That is correct.*

Do operators or states need variances to make that happen?

*No.*

But if a state has weaker regulations, or no regulations, companies have to follow the new BLM rules, right?

*Yes.*

Going back a step, let's say a state has a higher required pressure for a casing test, or requires better water storage tanks than what's in the BLM rule. Companies would automatically follow those requirements in that state, correct?

*That is correct.*

And they won't need to apply for a variance in order to be able to do that?

*No, there's no need for a variance.*

Let's take the case of a hypothetical state that has stronger requirements for everything in the BLM rule. Would a driller in that state have to do anything different to meet the requirements of the BLM rule?

*No. By following the state rule, they would be in compliance with the BLM rule. They would still need to submit the required information to BLM, however, which they currently do not do.*

Ok, so, in a state with stronger requirements across the board, leaving aside letting BLM know what's going on, a company wouldn't have to operate any differently?

*No, there would be no difference in how a company operates.*

Would they need a variance in order to get away with that?

*No. Just by following the rules of that state, they'd be in compliance with the BLM rule.*

But not all states with federal oil and gas leases have fracking regulations, right?

*That's correct – 32 (or so) states have active federal oil and gas leases, but only 15 (or so) states have fracking regulations.*

So in states that don't have fracking regulations, this new rule could have a real impact, right?

*That is correct.*

And in every state, whether they have regulations or not, they have to provide additional information to the BLM. The industry has argued this it will be a huge bureaucratic burden for BLM to review all this new information. Do you agree with that?

*No. We estimate that the new rule will add only four hours of additional review time for each application.*

Four hours.

*Four hours.*

That doesn't sound like a huge burden. But seems like you'll be getting some extremely valuable information. For example, can you tell me exactly how many wells were started on BLM lands last year?

*2,544.*

Sounds very exact. Now, can you tell me exactly how many of those wells were fracked?

*We estimate that approximately 90 percent of those wells are fracked.*

You're estimating that.

*Yes, we're estimating that.*

You don't know exactly how many wells are fracked.

*No, we do not.*

Why not?

*Companies have not been required to inform us if they're going to be using hydraulic fracturing on public lands. But with this new rule, they will have to do that.*

Seems reasonable. Can you also tell me how many of the 2,544 wells drilled on public land last year had cementing problems?

*No we cannot.*

Why not?

*Companies have not been required to inform us if they have cementing problems. But under this new rule, they will have to do that.*

You don't even know how many wells had problems with the cementing. You're responsible for protecting public lands. Don't you think it's important that you know what wells had problems during their construction?

*We do. That's why we're requiring companies to tell us that information in this new rule.*

So let me sum this up: it sounds like this rule updates woefully inadequate regulations, sets a baseline for protecting public lands in states that don't have fracking regulations, and will effectively not require companies to do anything new in states that already have strong regulations, even without a variance. For the life of me, I can't understand why the oil and gas industry has any problem with this at all.

## **Fracking Rule: State Preemption**

Director Kornze, do BLM drilling regulations preempt state rules?

*No, they do not.*

Does your new fracking rule preempt state rules?

*No, it does not.*

Do companies follow state regulations when they're on BLM lands?

*Yes they do.*

So BLM is just setting a baseline with the fracking rule, and states are free to set higher standards?

*That is correct.*

Do operators or states need variances to make that happen?

*No.*

So this fracking rule is really just an update to your existing rules, which companies and states have been dealing with for decades?

*That is correct.*

**Fracking Rule: Low cost; nothing new**

Director Kornze, you estimate that your hydraulic fracturing rule will add about \$11,000 to the cost of drilling a well, which is only about two-tenths of a percent of the cost of drilling a well, at most. How is that possible?

*Most of the requirements in the rule are already industry standards, or already required by the states where most drilling occurs.*

So companies are already doing most, if not all, of the requirements that you have in your fracking rule?

*That is correct.*

That makes me wonder what the point of this rule is at all. It doesn't sound like you're raising the bar – it sounds like you're letting industry set the bar.

*In some states that is the case, but in states that don't have hydraulic fracturing rules, this rule establishes crucial baseline protections. Also, the existing BLM fracturing regulations are 30-years old and desperately needed an update.*

Well, I'm disappointed that your agency didn't take the chance to set a really protective standard, but I'm also left wondering what all the complaints are about. It makes no sense to complain about a rule that makes you do what you're already doing.

## **Fracking Rule: Information**

Director Kornze, can you tell me exactly how many wells were started on BLM lands last year?

2,544.

Now, can you tell me exactly how many of those wells were fracked?

*We estimate that approximately 90 percent of those wells are fracked.*

You're estimating that.

*Yes, we're estimating that.*

You don't know exactly how many wells are fracked.

*No, we do not.*

Why not?

*Companies have not been required to inform us if they're going to be using hydraulic fracturing on public lands. But with this new rule, they will have to do that.*

Seems reasonable. Can you also tell me how many of the 2,544 wells drilled on public land last year had cementing problems?

*No we cannot.*

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*Companies have not been required to inform us if they have cementing problems. But under this new rule, they will have to do that.*

You don't even know how many wells had problems with the cementing. You're responsible for protecting public lands. Don't you think it's important that you know what wells had problems during their construction?

*We do. That's why we're requiring companies to tell us that information in this new rule.*

### **Fracking Rule: BLM Workload**

Director Kornze, there's been some talk that the fracking rule will create a huge bureaucratic burden for BLM. Do you agree with that? How much longer will each permit review take under the new rule?

*No. We estimate that the new rule will add only four hours of additional review time for each application.*

Four hours.

*Four hours.*

That doesn't sound like a huge burden.

### **Fracking Rule: Compared to Existing Regulations**

Director Kornze, when were BLM's old regulations on fracking put on the books?

*Late 80s.*

And what did they say?

*Only that companies have to get approval from BLM to perform "nonroutine fracturing jobs".*

### **Fracking Rule: Point of the Rule?**

Director Kornze, it's very easy to show that the complaints you're hearing from the industry are completely overblown. Almost every state with significant fracking activity on public land has their own fracking regulations, and your rules reflect current industry practice. The cost to industry will be minimal, and the so-called paperwork burden is negligible. Their complaints reflect their hatred of all regulations. We get it. But I'm left to wonder – what's the advantage of issuing this rule? What extra protection do you provide to public lands because of this rule?

### **Fracking Rule: FracFocus**

Director Kornze, I share the strong concerns that a lot of people have about FracFocus, and I'm a little concerned about the fact that it's a feature of your new fracking rule. The recent announcement by FracFocus of making their data available in machine-readable format is good, but are they addressing all the shortcomings raised by the Secretary of Energy's Advisory Board? And what sort of assurances do we have that they will make the changes they're promising, and that the BLM and the public will have continued access to this data even if FracFocus goes belly-up?

### **Inspection Fees**

Director Kornze, you have a proposal in your budget to make the industry pay for the cost to inspect their operations. That's probably surprising to a lot of people. Drivers pay for their own vehicle inspections. Homebuyers pay for their own home inspections. But the industry gets taxpayers to pick up the tab. So I wholeheartedly support this proposal. I understand there may be some other benefits to charging this fee besides simply taking the burden of the American taxpayers – could you describe those?

*The fee provides an additional incentive for companies to properly plug and abandon wells, particularly since they'd pay a higher fee the more wells there are on a site.*

## **Onshore Production and Ft. Berthold**

The rhetoric on oil and gas production on public lands from the Majority has shifted a bit recently. Some of them now acknowledge that oil production on federal lands is increasing – in the Rocky Mountain States it has increased by over 40 percent since President Obama took office – but they'll say it's not increasing fast enough! The increase on private lands has been a lot greater, they'll point out. Is it possible this has anything to do with where the resources are?

*Absolutely. The big shale plays in the country – the Bakken, Eagle Ford, Marcellus, etc. – are largely on non-Federal lands, as the head of the Energy Information Administration has repeatedly pointed out.*

Let's look at one place in particular – the Ft. Berthold Indian Reservation in North Dakota. Who approves drilling permits for Ft. Berthold?

*The BLM.*

And what has been the increase in oil produced from tribal lands since 2008?

*It has more than quadrupled – it's up 466%.*

Is that more or less than the rest of the nation?

*Considerably more. Total national oil production is up about 84% since 2008.*

So the BLM approves the permits, and they're able to support an increase in production of over 460 percent? I don't think the issue here is with the BLM.

## Onshore Royalty Rates

Director Kornze, I understand the Bureau is close to publishing an Advance Notice of Proposed Rulemaking to look at potential changes to onshore oil and gas royalty rates – is that correct?

*Yes. We recently sent the ANPR to the Office of Management and Budget.*

Thank you for doing that. I joined dozens of my colleagues on a letter last summer asking for that to happen, so I'm glad that you're moving forward on this. The current onshore royalty rate is 12.5 percent. Isn't that kind of low for a royalty rate?

*Yes. Most state and private royalty rates are between 18.75 and 25 percent.*

And the royalty rate offshore is also higher than the federal onshore rate, isn't it?

*Yes. It's 18.75 percent for most leases.*

Has the offshore rate always been at that level?

*No. It was at 12.5 percent for decades, then President Bush raised it to 16.67 percent in 2007 and 18.75 percent in 2008.*

Some members of the Majority have expressed their concern that raising the royalty rate results in a drop in production and overall revenue. Do you know if the Department saw that offshore after the royalty rate was raised?

*No. There was a drop in production after the huge offshore fireball and oil spill [she won't say that], but production is going back up and projected to continue rising to record levels in 2016.*

Did the Department have to undergo a rulemaking to raise the offshore royalty rate?

No.

Why not?

*Because the offshore regulations provide the authority to change the royalties for each offshore sale. The onshore regulations set the royalty at exactly 12.5, so a regulatory change is needed.*

This seems like the Bureau tied its own hands when it wrote these regulations many years ago. It seems to me that the onshore royalty rate should, at a minimum, be the same as the offshore royalty rate. But I hope you will give yourself the flexibility to change the rates more quickly when conditions warrant.

*We certainly will welcome that comment when the ANPR is published.*

And if I can ask about rental rates— those are very low as well, aren't they?

*They are \$1.50 an acre for the first five years of a lease, and \$2 an acre for the second five years.*

A buck fifty an acre? So I could go downstairs and get myself a cup of coffee, or I could reserve the mineral rights on an acre of public land for a year?

*Well, it's a little more complicated than that...*

I'm sure, I'm sure, but still, that's just mind-boggling. I hope you look at rental rates at the same time you're looking at royalties.

## Leasing, Drilling, and Shut-Ins

Director Kornze, there's been a lot of debate here about whether the Department is issuing enough leases, or approving enough permits, to satisfy industry's demand. So I want to make sure I'm clear on some of the stats here. How many acres of new leases did BLM offer last year?

*Just under 1.2 million acres. [Offshore: 2.1 million; Total: 3.3 million]*

So how many total acres onshore are currently under lease?

*Approx. 34.6 million acres. [Offshore: 32.2 million; Total: 66.8 million, roughly the size of the State of Colorado]*

And how many of those acres are currently producing oil and gas?

*About 12.7 million, or 37%. [Offshore: 5 million (15%); Total: 17.7 million (26%)]*

So it sounds like oil and gas companies have access to tens of millions of acres of public land that they haven't gotten around to producing on yet.

How about drilling permits? How many drilling permits did the BLM approve last year?

*3,769 (just Federal; including Indian lands it's 4,389)*

And how many wells did companies start drilling on public lands?

*2,544*

So with all this concern that BLM isn't issuing permits fast enough, they were still able to approve 1,200 more permits than companies even used last year? How many total permits are there out there that companies are holding on to but not using?

*As of the end of Fiscal Year 2014, BLM had approved 5,919 permits that companies had not begun drilling on yet.*

Companies are holding onto nearly 6,000 approved drilling permits they could use as soon as they want, and they're waiting? Well, forgive me if I'm not too sympathetic to complaints that BLM isn't getting these things out the door fast enough.

When companies don't drill on their permits, does that seem to be related to so-called onerous federal regulations and bureaucratic red tape, or is that a business decision made by the company based on economics?

*We find that companies make individual drilling decisions based on economics and the location of the greatest resource.*

Right, it's about economics. And right now, with the price of oil low, companies would rather speculate than drill – they'd rather sit on their leases and drilling permits until the price of oil rises. Just last week there was an article titled, "Top drillers say they'll sit on wells until prices go back up." In it, the CEO of one of the largest oil and gas companies in America said, "We're intentionally holding production back in 2015, because we believe it's the prudent thing to do."

That's their choice. For them, as you would expect, profits are the most important thing, so they're going to sit on these wells until the price goes up. And companies across the country are making the same decisions – don't lease, don't drill, don't produce. Yet you're pressured by the Majority to constantly lease more, permit more, produce more. I don't think that's the right strategy at any price, but it's particularly ridiculous now.

## **BLM Permit Timing Rationale**

Are states or private landholders statutorily required to consider multiple uses of the land?

*No*

Are states or private landholders statutorily required to conduct NEPA reviews on drilling proposals?

*No*

Now, I know that to the Majority, this is horrible: Exhibit A and B for why the states should be allowed to seize public lands. But I think these are good things, and exactly what the American people demand for their public lands. These lands belong to all Americans, and they want the federal government to consider other values besides who's writing the largest check for the drilling rights. They want us to consider where people should be able to hunt, or fish, or bask in the scenic beauty of our iconic landscapes. They want there to be an open process that allows for public input. If that means the oil and gas companies have to wait a little bit before drilling for oil, so be it.

## **Electronic Permit Submission**

Director Kornze, what's the timeline for rolling out the electronic permit submission system that the BLM is working on? And what potential impact is this going to have on permit review times?

## **Coal & Solid Mineral Tracking System**

Director Kornze, the proposal in the budget for \$2.2 million to create an electronic coal and solid mineral tracking system makes me wonder – how are you tracking them now? Do you not have a computerized system for keeping track of coal leases?

## **Orphaned Wells & Bonding**

Director Kornze, one month ago the Wall Street Journal had an article about how companies can just up and walk away from wells they own—making them so-called ‘orphaned’ wells—and then it’s up to the state or BLM, which really means the taxpayers, to clean these things up. The article mentions that the only money a company needs to have on file with the BLM is \$10,000 per well, or \$150,000 to cover all the wells a company owns nationwide, which could be thousands of wells. This is clearly a wildly insufficient amount of money to dissuade a company from just walking away if their costs get too high. What is the BLM doing to try to fix this situation, and make sure taxpayers aren’t left holding the bag?

## **Competitive Leasing for Renewable Energy**

As you know, Director Kornze, the competitive leasing process is the best way to ensure that the taxpayers are receiving fair market value for the use of their lands. For example, look at the recent Dry Lake solar energy zone pilot competitive sale. This single sale brought in \$5.8 million, nearly the same amount brought in by all solar projects the previous year. Could you tell us a bit about what the Bureau is doing to expand competitive leasing for renewable energy.

*[He will describe the Draft Competitive Leasing rule for Wind and Solar]*

What concerns me is that this rule only goes halfway, and doesn’t address how revenues are shared. The Public Lands Renewable Energy Development Act, which I cosponsored last congress, directs new revenues to state and local governments, as well as conservation efforts. Does the Bureau support legislation to share new revenues from renewable leasing with the states and counties who host these new developments?

*[He will likely express qualified support for the legislation but seek to work with Congress to come up with a legislative solution to the issue.]*

## **Royalty-Free Gas**

Director Kornze, while some of my colleagues have talked about what they consider to be unfair subsidies given to the renewable energy industry, I think it's only fair to point out some of the subsidies that the oil and gas industry receives. Of course there are many. But I would like to focus on royalty-free gas consumed by operators within the area of their lease – so called “beneficial use gas.” This gas is about 2% of all the gas sold, which doesn't sound like much, but it could bring in tens of millions of dollars in royalties per year. Is it true that beneficial use gas is always royalty free? And are there any limits?

*Yes, always royalty free. It has to be, regardless of volume, due to law. Mineral Leasing Act says royalty on gas “removed or sold” from lease.*

Well, I think is a loophole that is too easy to exploit. This is a resource that belongs to the American people, and they deserve to get their fair share of that, whether or not a company decides to use it within the somewhat arbitrary boundaries of a lease.

## **Alaska: Greater Mooses' Tooth**

Director Kornze, I'm a little concerned about the recent approval your agency gave to ConocoPhillips to construct a road and a well pad in the National Petroleum Reserve in Alaska. Particularly concerning is how this could signal the start of an entire spider web of roads leading throughout the Reserve. How seriously did your agency consider requiring the well pad without roads, which has been done elsewhere on the North Slope? Why didn't you require them to go with this roadless option, and why did you approve a road that goes right through the supposedly off-limits Fish Creek setback area?

**From:** Feldgus, Steve  
**To:** "[jcmoran@blm.gov](mailto:jcmoran@blm.gov)"  
**Cc:** "[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)"  
**Subject:** Fw: Hearing Memo -- Ov Budget Hrg 03.26.15  
**Date:** Tuesday, March 24, 2015 6:14:25 PM  
**Attachments:** [image001.png](#)  
[Hearing Memo -- Ov Budget Hrg 03 26 15.pdf](#)

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**From:** Schafle, Matt  
**Sent:** Tuesday, March 24, 2015 06:00 PM  
**To:** Natural Resources Repubs EMR LAs; Natural Resources Repub EMR Schedulers; Natural Resources Dems EMR LAs; Natural Resources Dem EMR Schedulers; Natural Resources Republican Press; Hall, Dan; Taft, Tammy; Johnson, Edward; Cox, William; Digest, Committee  
**Cc:** All Staff - Natural Resources Cmte  
**Subject:** Hearing Memo -- Ov Budget Hrg 03.26.15

All,

Attached is the hearing memo for Thursday's Subcommittee on Energy and Mineral Resources budget hearing titled "*Effect of the President's FY 2016 Budget and Legislative Proposals for the Bureau of Land Management and the U.S. Forest Service's Energy and Minerals Programs on Private Sector Job Creation, Domestic Energy and Minerals Production and Deficit Reduction.*"

Testimony for Thursday can be found [HERE](#) when made available. Please check back periodically.

Please contact the subcommittee with any questions at 5-9297.

Thank you,

**Matt Schafle**  
**Subcommittee on Energy and Mineral Resources**  
**Committee on Natural Resources**  
1333 Longworth House Office Building  
Washington, D.C. 20515  
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# Subcommittee on Energy and Mineral Resources

Doug Lamborn, Chairman

## Hearing Memo

March 24, 2015

**To:** All Natural Resource Committee Members

**From:** Subcommittee on Energy and Minerals Staff (x5-9297)

**Hearing:** Oversight budget hearing titled the *“Effect of the President’s FY 2016 Budget and Legislative Proposals for the Bureau of Land Management and the U.S. Forest Service’s Energy and Minerals Programs on Private Sector Job Creation, Domestic Energy and Minerals Production and Deficit Reduction.”*

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The Subcommittee on Energy and Mineral Resources hearing will take place on **Thursday, March 26<sup>th</sup> at 9:30 A.M. in Room 1324 Longworth House Office Building**. This hearing will focus on the budget proposals put forward by the U.S. Bureau of Land Management and the U.S. Forest Service, with particular focus on each entity’s leasing activities, as well as their exploration and production of energy.

### Policy Overview

- The regulatory and legislative proposals put forth by the Bureau of Land Management seek to increase fees and further burden energy production on federal lands at a time when oil and gas prices are at record lows.
- The hydraulic fracturing rule finalized on March 20, 2015 is duplicative of existing state regulations and will further discourage and delay production on federal lands.
- Although oil production has increased on *onshore* federal lands, this has occurred despite the actions of this administration, as the BLM currently averages the number amount of new leases for the least amount of acreage compared to the prior three administrations.
- The U.S. Forest Service has decreased by over 50% the amount of mineral applications it has processed since 2009, which in turn has led to a 30% drop in the number of mineral operations it administers.
- The Obama Administration seeks to cut the budget of key programs within the U.S. Forest Service, which will decrease the agency’s responsiveness to develop lease plans on national forests and national grasslands – and could lead to a decrease of \$42 million in revenue for the U.S. Treasury.
- Since 2009, coal production on federal lands has fallen from approximately 460 million tons produced annually to 400 million tons, while natural gas produced has decreased from 3.167 trillion cubic feet to 2.477 trillion cubic feet.

## **Witnesses Invited**

### **Neil Kornze**

Director, Bureau of Land Management

### **Tom Tidwell**

Chief, U.S. Forest Service

## **Hearing Focus**

This hearing will focus on the spending priorities outlined in the President's FY 2016 budget justifications for the U.S. Bureau of Land Management (BLM) and the U.S. Forest Service (USFS). It will examine how the agencies' projected activities and spending priorities will affect energy production in our nation.

Currently, *onshore* federal production of oil on BLM managed lands has increased from 104 million barrels in FY 2009 to 148 million barrels in FY 2014.<sup>1</sup> That said, the increase in oil production is not indicative of the Obama Administration's policies, but despite them. Indeed, of the 46,183 currently active federal leases only 9,922 (**21.5%**) at most were approved under this Administration.<sup>2</sup> Supporting this is the calculation that the average age of current active leases is at the very least 12.6 years. Therefore, it is conclusive that the majority of the leases currently in effect and producing on federal lands were signed under prior administrations, and that the increase in production is more a testament to those administrations' desire to offer leases and the sheer resilience of those lessees who have achieved production.

The proposed budgets will be used to enforce and implement the costly regulations, such as the BLM's hydraulic fracturing rule and the proposed increase in royalty rates for new onshore leases, which are poised to arrive at a time when oil and natural gas prices are at 5-year lows. BLM's own estimate for compliance with the final hydraulic fracturing rule indicated a cost to industry of over \$32 million per year.<sup>3</sup> Independent estimates have suggested the rule could cost over \$300 million per year.<sup>4</sup> These regulations could strike a crippling blow to the industry that has been at the heart of the nation's oil and gas boom, helping with recovery from the economic downturn.

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<sup>1</sup> This number excludes tribal lands. Office of Natural Resources Revenue, Sales Volume by Sales Year from FY 2009 to FY 2014 for Federal Onshore Statistics, <http://statistics.onrr.gov/reporttool.aspx>.

<sup>2</sup> Bureau of Land Management, Summary of Onshore Oil and Gas Statistics 1988 - 2014, [http://www.blm.gov/style/medialib/blm/wo/MINERALS\\_REALTY\\_AND\\_RESOURCE\\_PROTECTION\\_/energy/oil\\_gas\\_statistics/data\\_sets.Par.69959.File.dat/summary.pdf](http://www.blm.gov/style/medialib/blm/wo/MINERALS_REALTY_AND_RESOURCE_PROTECTION_/energy/oil_gas_statistics/data_sets.Par.69959.File.dat/summary.pdf).

<sup>3</sup> Bureau of Land Management, Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands, at 328, [http://www.blm.gov/pgdata/etc/medialib/blm/wo/Communications\\_Directorate/public\\_affairs/news\\_release\\_attachments.Par.6134.File.tmp/HF-Final-Agency-Draft.pdf](http://www.blm.gov/pgdata/etc/medialib/blm/wo/Communications_Directorate/public_affairs/news_release_attachments.Par.6134.File.tmp/HF-Final-Agency-Draft.pdf).

<sup>4</sup> <http://www.westernenergyalliance.org/wp-content/uploads/2013/07/Final-Economic-Analysis-of-the-BLM-Fracing-Rule-Revision.pdf>.

This hearing will ensure that the BLM and USFS are held accountable for their funding requests, that this funding is allocated in a way that promotes energy development on federal lands, and that safe operations continue without duplicative and overly bureaucratic new regulations.

**Bureau of Land Management (BLM)**

FY15 President’s Request	\$1.113 Billion
FY15 Enacted	\$1.212 Billion
<b>FY16 President’s Request</b>	<b>\$1.352 Billion</b>

The BLM and its 9,745 employees exclusively manage over 247.2 million acres of land and nearly 700 million acres (approximately one third) of the nation’s on-shore mineral estate.<sup>5</sup> The BLM’s jurisdiction allows it to dictate uses of public lands for activities such as recreation, wildlife and open space, but also requires the BLM to ensure the production of energy and minerals, forage, forest products, and other goods to the Nation.

BLM has requested an increase of \$140 million for FY 2016 over the FY 2015 enacted amount.<sup>6</sup> This funding increase includes:

- \$3 million (+25 full time equivalents (FTEs)) for Oil and Gas Pilot/Project Offices to implement the hydraulic fracturing regulation, and reduce the backlog of applications for permit to drill (“APD”).<sup>7</sup>
- \$6.874 million (+15 FTEs) for the initiation of new oil and gas inspection fees, which the BLM anticipates to generate \$48.0 million in collections at a cost to industry.<sup>8</sup>
- \$37 million (+20 FTEs) for the implementation of Sage-Grouse Conservation Plans, which aim to restore and conserve habitat across 27 priority areas in 11 states.<sup>9</sup>

**Decreased Leases for Decreased Acreage**

For BLM’s *Oil and Gas Management sub-activity*, the BLM seeks total \$66.796 million and 372 FTEs.<sup>10</sup> This sub-activity is responsible for oil and gas management, including leasing, and inspections on BLM managed land.

As the charts on the following page demonstrate, the BLM has issued on average **56.4%** fewer leases per year than were issued during the Clinton Administration for **53.0%** less acreage. As evidenced by these percentages BLM has continued to diminish its offerings of leases and available acreage. These limited offerings have led to a decrease from FY 2009 to FY 2014 in

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<sup>5</sup> U.S. Bureau of Land Management, FY2016 Budget Justification, at I-2.

<sup>6</sup> *Id.* at I-10.

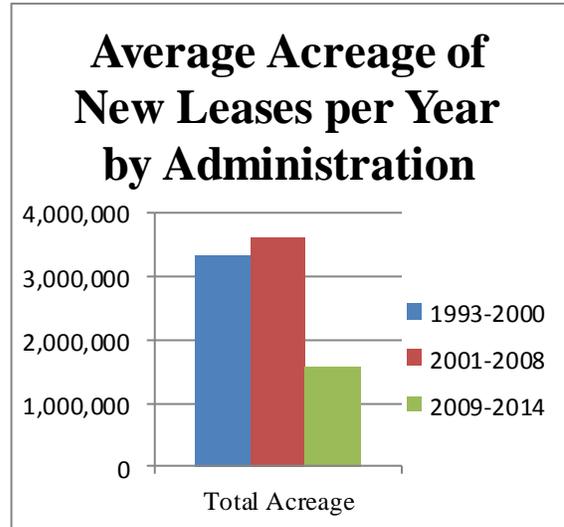
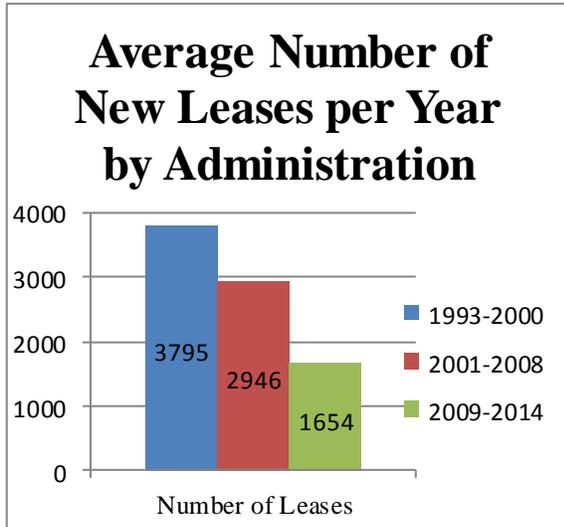
<sup>7</sup> *Id.* at VII-97.

<sup>8</sup> *Id.* at VII-98, VII-99.

<sup>9</sup> *Id.* at VII-64.

<sup>10</sup> *Id.* at VII-95.

active leases from 53,431 in to 46,183, and a decrease in acreage leased from 45,364,991 to 34,592,450. Likewise, the total number of APDs approved for federal land has fallen from 4,487 to 3,769 and the number of new wells spud each year has fallen from 3,267 in FY 2009 to 2,544 in FY 2014.<sup>11</sup> The budget justification does not propose anything to counter this troubling trend.



Source: Bureau of Land Management, Summary of Onshore Oil and Gas Statistics 1988 - 2014

A common argument forwarded by the Obama Administration in defense of the plunging acreage is that industry is not interested in leasing the land offered; for instance, in FY 2014 only 919,738 acres of a total 5,683,736 received bids.<sup>12</sup> This argument is overly broad and excludes two key considerations: 1) whether those areas available for lease have economically recoverable resources; and 2) whether regulatory certainty exists in the areas available for lease.

For instance, 4,458,146 of the acres offered in FY 2014 were in the “National Petroleum Reserve – Alaska,” an area that has yet to produce under any federal regime, despite being offered for lease since 1999.<sup>13</sup> Compared to the acreage in Wyoming that was offered by BLM – a state that has a high potential for economically recoverable resources, and the only approved Greater Sage Grouse management plan – it is understandable why there exists such disparity in the percentage of lands receiving bids. Excluding the NPRA acreage, the BLM in FY 2014 only offered 1,225,590 acres, of which 674,085 (55.0%) received bids.

<sup>11</sup> Bureau of Land Management, Summary of Onshore Oil and Gas Statistics 1988 - 2014, [http://www.blm.gov/style/medialib/blm/wo/MINERALS\\_REALTY\\_AND\\_RESOURCE\\_PROTECTION\\_/energy/oil\\_gas\\_statistics/data\\_sets.Par.69959.File.dat/summary.pdf](http://www.blm.gov/style/medialib/blm/wo/MINERALS_REALTY_AND_RESOURCE_PROTECTION_/energy/oil_gas_statistics/data_sets.Par.69959.File.dat/summary.pdf).

<sup>12</sup> Bureau of Land Management, Oil and Gas Lease Sales, Fiscal Year 2014, [http://www.blm.gov/style/medialib/blm/wo/MINERALS\\_REALTY\\_AND\\_RESOURCE\\_PROTECTION\\_/energy/oil\\_gas\\_statistics/data\\_sets.Par.97646.File.dat/O&G%20Lease%20Sale%20Results%20FY2014.pdf](http://www.blm.gov/style/medialib/blm/wo/MINERALS_REALTY_AND_RESOURCE_PROTECTION_/energy/oil_gas_statistics/data_sets.Par.97646.File.dat/O&G%20Lease%20Sale%20Results%20FY2014.pdf).

<sup>13</sup> See Bureau of Land Management, BLM Approves Greater Mooses Tooth Unit Oil and Gas Development Project in Alaska, [http://www.blm.gov/st/en/info/newsroom/2015/february/nr\\_02\\_13\\_2015.html](http://www.blm.gov/st/en/info/newsroom/2015/february/nr_02_13_2015.html).

*BLM Lease Totals for Fiscal Year 2014*

<b>BLM State Office</b>	<b>Total Receipts</b>	<b>Acreage Offered</b>	<b>Acreage Receiving Bids</b>	<b>Percentage Receiving Bids</b>
Eastern States	\$1,003,773	20,386	20,226	99.2%
Nevada	\$2,185,469	595,093	147,363	24.8%
Utah	\$6,362,825	185,571	88,610	47.7%
Wyoming	\$38,842,312	288,864	287,573	99.6%
New Mexico (+TX and OK)	\$126,452,586	63,792	63,792	100.0%
Montana/Dakotas	\$24,083,163	53,995	53,195	98.5%
Colorado	\$719,102	17,889	13,326	74.5%
Alaska	\$2,885,153	4,458,146	245,293	5.5%
<b>TOTAL:</b>	<b>\$202,534,383</b>	<b>5,683,736</b>	<b>919,378</b>	<b>16.2%</b>

*Source: Bureau of Land Management,  
Oil and Gas Lease Sales FY 2014*

Furthermore, once a producer has obtained a lease, it takes anywhere from four years (for small to medium sized projects) to nine years (for large projects) to go through the environmental review as required by the National Environmental Policy Act (NEPA). On top of this, the average length of time to obtain an approval for an APD was 227 days in FY 2014 – for comparison, it takes about 30 days for a state to approve an APD.<sup>14</sup> Thus, due to the overly burdensome regulations promoted by the BLM, it can take five years – at a minimum – for a producer to be able to drill a producing well.

### More Money for Less Mining

The BLM proposes a \$1.273 million increase in its Coal Management sub-activity, bringing the total requested for FY 2016 to \$10.868 million.<sup>15</sup> This increase comes despite the decrease in production of coal on federal lands.

Currently, the BLM operates 309 federal coal leases covering 474,025 acres of land, an overall increase in both number of leases and acreage from FY 2009.<sup>16</sup> Despite this uptick, the amount of coal mined on federal land has decreased from 462 million tons of coal in FY 2009 to 402 million tons of coal in FY 2014.

Furthermore, the FY 2016 budget request for Mining Law Administration is \$39,696,000 and 319 FTEs.<sup>17</sup> The budget assumes the program’s operating cost will be fully offset by revenue from mining claim maintenance and location fees. Claim location and maintenance fees were

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<sup>14</sup> Bureau of Land Management, Average Application for Permit to Drill (APD) Approval Timeframes: FY 2005 – FY 2014, [http://www.blm.gov/wo/st/en/prog/energy/oil\\_and\\_gas/statistics/apd\\_chart.html](http://www.blm.gov/wo/st/en/prog/energy/oil_and_gas/statistics/apd_chart.html).

<sup>15</sup> U.S. Bureau of Land Management, FY2016 Budget Justification, at VII-109.

<sup>16</sup> *Id.* at VII-109 to VII-110.

<sup>17</sup> *Id.* at VII-195.

adjusted per law according to the Consumer Price Index for the assessment year beginning September 1, 2014, from \$34 - \$37 (location) and \$140 - \$155 (maintenance) per claim. This adjustment led to the dropping of 48,867 claims, at a cost to the federal government of more than \$8.5 million in revenue.<sup>18</sup>

### Burdensome Legislative Proposals

The BLM has several legislative proposals affecting all areas of its jurisdiction, including: the enactment of *oil and gas inspection fees* and a *hardrock abandoned mine land (“AML”) fund*.

The legislative proposal for *oil and gas inspection fees* would require lessees to pay a fee to the BLM for inspection activities. The proposed fee would start at \$700 for each lease or unit of land with no active or inactive wells, and increase to \$9,800 for those leases that have over 50 active or inactive wells.<sup>19</sup>

The *hardrock abandoned mine land fund* would levy a fee on the production of hardrock minerals on both public and private lands. The revenues from this fee would be split between federal and non-federal land actions, with the non-federal funds being directed at the discretion of the secretary to states and tribes.<sup>20</sup>

These and other legislative proposals should be disregarded until the BLM demonstrates effective implementation of legislation that it has supported. For instance, the Helium Stewardship Act was passed to ensure privatization of the federal government’s helium reserve through a *competitive*, market-driven process. BLM held its first helium auction on July 30, 2014, which generated \$14.9 million for the U.S. Treasury. This auction represented 10% of the amount to be sold for delivery in FY 2015.<sup>21</sup> Subsequent to this auction, the BLM offered for sale the remaining 90% of the helium to be delivered in FY 2015, but limited its purchase only to a select group of helium users. BLM asserts this limitation was done pursuant to BLM’s interpretation of the Act. However, this misinterpretation led to a result in direct conflict with the inherent purpose of the act, which was to promote competition and wider access to the federal helium reserve. Instead, BLM’s interpretation cut in half the number of helium purchasers from the prior year.

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<sup>18</sup> *Id.* at VII-196.

<sup>19</sup> *Id.* at VII-99.

<sup>20</sup> *Id.* at VII-151.

<sup>21</sup> Bureau of Land Management, First Federal Helium Auction Generates Over \$14 Million for US Treasury, [http://www.blm.gov/nm/st/en/info/news\\_releases0/2014/july/first\\_federal\\_helium.html](http://www.blm.gov/nm/st/en/info/news_releases0/2014/july/first_federal_helium.html).

## U.S. Forest Service (USFS)

FY15 President's Request	\$6.456 Billion
FY15 Enacted	\$5.547 Billion
<b>FY16 President's Request</b>	<b>\$6.489 Billion</b>

The USFS's FY 2016 Budget Justification seeks an increase in \$942 million over the FY 2015 enacted amount and an increase of 151 FTEs.<sup>22</sup> Although the USFS manages 10% of the continental land base, and cooperates with the BLM in the development of the resources found thereunder, the overall increase of the USFS's budget is not reflected in the programs charged with managing resource development on national forests and national grasslands.

For FY 2016, the USFS seeks an 8% decrease of \$5.734 million (and 13 FTEs) for its Minerals and Geology Management budget line item, and an 8% decrease of \$6.129 million for the Landownership Management line item.<sup>23</sup> The USFS's budget justification provides that for "every appropriated dollar invested in the Forest Service minerals and geology budget returned \$7.35 to the Treasury from leasable mineral revenues alone."<sup>24</sup> Thus, the proposed cuts to these key areas could cost the treasury over \$42 million. These calculations do not include the amount of money states will lose due to their 25% or 50% share of resource revenue produced from USFS lands. Finally, natural resource production on USFS lands contributes nearly \$8 billion annually to the nation's economy, and provides for 56,000 jobs throughout the country.<sup>25</sup>

In FY 2013, the coal produced from USFS lands comprised 25% of total production in the United States.<sup>26</sup> However, that production is on the decline and under attack. Recent court cases, and the heightened classification of public land as "*No Surface Occupancy*," threatens production of coal on USFS land, and calls into question whether the USFS will continue to provide 25% of all coal production.

Like the BLM, the USFS has seen a stark decrease in the number of mineral operations it administers and the number of mineral applications it processes. As the chart demonstrates, the total number of mineral operations administered has decreased from 14,613 in FY2009 to 10,175 in FY 2014, while the number of mineral applications processed has decreased from 11,187 in FY 2009 to 5,722 in FY 2014.<sup>27</sup> The proposed cuts by the administration will only continue this downward trend and will not clarify the confused state of resource production on federal lands.

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<sup>22</sup> U.S. Forest Service, FY2016 Budget Justification, at B-1, C-1.

<sup>23</sup> *Id.* at 175, 184.

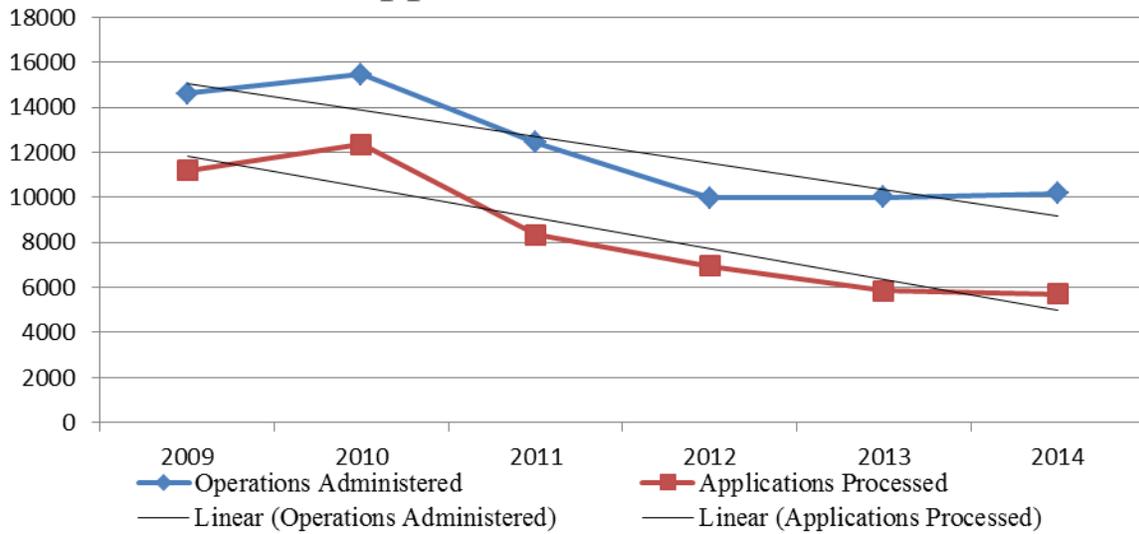
<sup>24</sup> *Id.* at 180.

<sup>25</sup> *Id.*, at 179.

<sup>26</sup> *Id.* at 180.

<sup>27</sup> *Id.*, at 175.

## U.S. Forest Service Mineral Operations Administered and Applications Processed



*Source: U.S. Forest Service,  
FY 2010, 2011, 2012, 2013, 2014, 2015, 2016 Budget Justifications*

**From:** Feldgus, Steve  
**To:** [Patrick Wilkinson \(p2wilkin@blm.gov\)](mailto:p2wilkin@blm.gov)  
**Subject:** Lowenthal's statement  
**Date:** Thursday, March 26, 2015 12:18:31 PM  
**Attachments:** [Statement - BLM-FS - ASL - final.docx](#)

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**Opening Statement**  
**Ranking Member Alan S. Lowenthal**  
**Energy and Mineral Resources Subcommittee Oversight Hearing on**

*Effect of the President's FY 2016 Budget and Legislative Proposals for the Bureau of Land Management and the U.S. Forest Service's Energy and Minerals Programs on Private Sector Job Creation, Domestic Energy and Minerals Production and Deficit Reduction*

**March 26, 2015**

Thank you very much, Mr. Chairman. And thank you, Director Kornze and Chief Tidwell, for making your second trips to this room in one week. With agencies that have such broad and complex missions as your own, there is plenty for all of us to be interested in, and we appreciate you both taking the time to be here again.

One of the things that I know there is a particularly great deal of interest in is the Bureau of Land Management's recently released rule on hydraulic fracturing. Now, after having heard the industry's complaints about this rule, and if I knew nothing else about it, I would think that this rule was an earthshattering change, so to speak, in the way that BLM and industry did business, and that there was going to be a huge crackdown on fracking on public lands.

Frankly, that might not be so bad.

But that is just not true. I have been studying this rule, and the complaints are so overblown that I have to wonder what color the sky is in their world.

Because, in the real world, this rule is just a modest update to existing BLM regulations to reflect how the industry operates today.

I challenge the industry to point to the requirements in this rule that they don't already do. Even for the closed tanks requirement, most companies on federal land already do that too.

Then there is the complaint that this rule steps all over the states' authority to regulate fracking.

Except, it doesn't.

Forget the state variance provision in the rule. Even without that, there is no conflict between state and federal regulations.

Because federal rules do not preempt state rules, even on federal land.

If a state rule is stronger, and many of them are, companies will follow the state rule. End of discussion.

Right now, the states and BLM both regulate well construction, surface disturbance, how to handle produced water, and many other components of oil and gas drilling.

Yet somehow, companies and states are able to deal with that situation, and the sky does not fall.

The new BLM rule is just an extension and update of the existing 30-year-old rules.

I know that much of the industry, and many of the states, and many of my colleagues on the other side of the aisle would prefer that BLM just had no rules whatsoever regulating oil and gas activities. Leave it all up to the states.

But that's not responsible. That's not what we are here to do. We are here to weigh the public interest on America's public lands. That's the PUBLIC INTEREST, and that's ALL AMERICANS, not only the interest of one industry, no matter how generous their campaign donations may be.

So let's think about this: BLM has been entrusted by Congress to oversee and manage public lands differently than private or state lands.

Private and state lands do not have to be managed for the multiple uses, multiple values, and future generations that our shared public lands require.

There is no statutory responsibility for states or private landowners, as BLM does, to protect the scientific, scenic, historical, water resource, ecological, recreational, or environmental values of the lands that they own.

There is no guarantee of public input through the National Environmental Policy Act for activities that happen on private or state lands.

So yes, BLM does have a more complex job, because BLM does have those responsibilities, and more. So for BLM not to develop commonsense rules to manage oil and gas development on public lands would be a gross dereliction of its statutory duty, and a breach of trust with the American people.

The furor over this new rule will die down, and the industry will eventually admit – if not by word, then by action – that this rule really doesn't change anything, and is probably a really good business practice.

But I hope we never lose sight of the fact that public lands are not private lands. They are special: they are owned by all American people, and are deserving of a higher standard of care.

Thank you Mr. Chairman, I yield back.

**From:** Marino, Meghan (Daines)  
**To:** [jconnell@blm.gov](mailto:jconnell@blm.gov)  
**Cc:** [Patrick J. Wilkinson](#)  
**Subject:** Meeting in Montana next week?  
**Date:** Thursday, April 02, 2015 1:02:09 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

---

Hi Jamie,

Hope you are well. I will be in Montana next week, in Billings, and, am wondering if someone would be available to meet with me to discuss a few priorities (Sage Grouse, HF Rule, WSA Releases in NDAA Lands Package).

I'm pretty free most of the day on Thursday April 9<sup>th</sup>. Does sometime that day work?

Thanks and hope to catch up.

**Meghan Marino**

Senior Policy Advisor

U.S. Senator Steve Daines (MT)

202.224.2651 (o) | 202.228.1176 (d)

[www.daines.senate.gov](http://www.daines.senate.gov)











**From:** Al Nash  
**To:** [Meghan\\_Marino@daines.senate.gov](mailto:Meghan_Marino@daines.senate.gov)  
**Subject:** Re: Meeting in Montana next week?  
**Date:** Thursday, April 02, 2015 7:13:25 PM

---

Hello, Meghan!

I'm the new Chief of Communications for the BLM Montana/Dakotas State Office.... just in my second week on the job. Previously, I was with the NPS as the Chief of Public Affairs at Yellowstone.

Jamie asked me to reply to your inquiry.

She - along with much of the rest of the management team - will be in Red Lodge on Thursday. If your travels take you that direction, Jamie would be happy to take time to meet with you.

Otherwise, she will be back in Billings on Friday and would work to meet with you then or even over the weekend if that works for you.

**Al Nash**  
Chief of Communications  
Montana/Dakotas State Office  
Bureau of Land Management  
Office 406.890.5260  
Cell 406.690.0790  
Email [al\\_nash@blm.gov](mailto:al_nash@blm.gov)

-----

From: "Marino, Meghan (Daines)" <[Meghan\\_Marino@daines.senate.gov](mailto:Meghan_Marino@daines.senate.gov)>  
Date: April 2, 2015 at 11:02:00 AM MDT  
To: "[jconnell@blm.gov](mailto:jconnell@blm.gov)" <[jconnell@blm.gov](mailto:jconnell@blm.gov)>  
Cc: "Patrick J. Wilkinson" <[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)>  
Subject: Meeting in Montana next week?

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I'm pretty free most of the day on Thursday April 9th. Does sometime that day work?

Thanks and hope to catch up.

Meghan Marino  
Senior Policy Advisor  
U.S. Senator Steve Daines (MT)  
202.224.2651 (o) | 202.228.1176 (d)  
[www.daines.senate.gov](http://www.daines.senate.gov)

**From:** Moran, Jill  
**To:** [lucy\\_murfitt@energy.senate.gov](mailto:lucy_murfitt@energy.senate.gov)  
**Cc:** [Lara Douglas](#)  
**Subject:** Request for Briefing on HR Rule  
**Date:** Wednesday, April 08, 2015 1:40:55 PM

---

Lucy,

I am following up on Lara's voice mail yesterday regarding a potential briefing on the BLM's hydraulic fracturing rule. We would like to hold the briefing during the week of April 20 and were hoping you may be able to assist us in setting that up.

Please give me a call at your earliest convenience, or let me know if there is someone else I should work with on this.

Thanks!

Jill

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Murfitt, Lucy (Energy)  
**To:** [Moran, Jill](#)  
**Cc:** [Lara Douglas](#)  
**Subject:** Re: Request for Briefing on HR Rule  
**Date:** Thursday, April 09, 2015 7:36:21 PM

---

We can certainly look at coordinating a Briefing on the BLM fracturing rule. I will be back in the office next week. Who would BLM be sending to do the briefing?

---

**From:** <Moran>, Jill <[jcmoran@blm.gov](mailto:jcmoran@blm.gov)>  
**Date:** Wednesday, April 8, 2015 at 1:40 PM  
**To:** Lucy Murfitt <[lucy\\_murfitt@energy.senate.gov](mailto:lucy_murfitt@energy.senate.gov)>  
**Cc:** "[ledouglas@blm.gov](mailto:ledouglas@blm.gov)" <[ledouglas@blm.gov](mailto:ledouglas@blm.gov)>  
**Subject:** Request for Briefing on HR Rule

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Thanks!

Jill

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Douglas, Lara  
**To:** [Murfitt, Lucy \(Energy\)](#)  
**Cc:** [Moran, Jill](#)  
**Subject:** Re: Request for Briefing on HR Rule  
**Date:** Thursday, April 09, 2015 9:09:44 PM

---

Hi Lucy,

We are tentatively planning to bring Linda Lance, BLM Deputy Director for Programs and Policy and David Haines, Deputy Assistant Secretary for Lands and Minerals (assuming we can schedule for a time when both are available), along with one or two others. We were hoping to hold the briefing in the Capitol visitors center to accommodate potentially high levels of interest, and we were hoping SENR majority would be willing to host us. We obviously want to get something scheduled early enough to get a room and to give people adequate notice - so if you think next week will be soon enough, that's great - or we can reach out to someone else on your staff (or to HNR) tomorrow if you would recommend we try and schedule it right away.

Thanks!

Lara

Lara Douglas  
Legislative Affairs Division  
Bureau of Land Management  
(202) 912-7173  
[ledouglas@blm.gov](mailto:ledouglas@blm.gov)

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Thanks!

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Legislative Affairs Specialist

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**From:** Moran, Jill  
**To:** [lucy\\_murfitt@energy.senate.gov](mailto:lucy_murfitt@energy.senate.gov)  
**Cc:** [Lara Douglas](#)  
**Subject:** Fwd: Request for Briefing on HR Rule  
**Date:** Monday, April 13, 2015 12:06:26 PM

---

Hi Lucy,

If possible, we would like to schedule the briefing for Thursday, April 23 from 10:30 to 11:30 in the Capitol Visitors Center.

Please let me know if you are able to assist us, or if there is someone else I should work with on this request.

Thanks for your help-  
Jill  
(202) 912-7411

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

**From:** **Douglas, Lara** <[ledouglas@blm.gov](mailto:ledouglas@blm.gov)>  
**Date:** Thu, Apr 9, 2015 at 9:09 PM  
**Subject:** Re: Request for Briefing on HR Rule  
**To:** "Murfitt, Lucy (Energy)" <[Lucy\\_Murfitt@energy.senate.gov](mailto:Lucy_Murfitt@energy.senate.gov)>  
**Cc:** "Moran, Jill" <[jcmoran@blm.gov](mailto:jcmoran@blm.gov)>

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**From:** Murfitt, Lucy (Energy)  
**To:** [Moran, Jill](#)  
**Cc:** [Lara Douglas](#); [Gray, Spencer \(Energy\)](#); [Thompson, Chelsea \(Energy\)](#)  
**Subject:** RE: Request for Briefing on HR Rule  
**Date:** Monday, April 13, 2015 12:15:09 PM

---

Hi Jill -

We like to have these sponsored jointly, Majority and Minority, so I am adding Spencer Gray. I am also ccing Chelsea Thompson, a staff assistant on the Majority who will check to see if we can get a room on that date for that time.

Once Chelsea hears back and we know this is okay with Spencer, we'll get it squared away.

Thanks, Lucy 224-2878

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Monday, April 13, 2015 12:06 PM  
**To:** Murfitt, Lucy (Energy)  
**Cc:** Lara Douglas  
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**To:** [Murfitt, Lucy \(Energy\)](#); [Moran, Jill](#)  
**Cc:** [Lara Douglas](#); [Thompson, Chelsea \(Energy\)](#)  
**Subject:** RE: Request for Briefing on HR Rule  
**Date:** Monday, April 13, 2015 1:17:04 PM

---

Good on our end, thanks.

---

**From:** Murfitt, Lucy (Energy)  
**Sent:** Monday, April 13, 2015 12:15 PM  
**To:** Moran, Jill  
**Cc:** Lara Douglas; Gray, Spencer (Energy); Thompson, Chelsea (Energy)  
**Subject:** RE: Request for Briefing on HR Rule

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202.912.7411

--

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Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Moran, Jill  
**To:** [Thompson, Chelsea \(Energy\)](mailto:Thompson.Chelsea@energy.senate.gov)  
**Subject:** Re: Event Description  
**Date:** Monday, April 13, 2015 2:29:18 PM

---

Will this work?

The Bureau of Land Management would provide a briefing to congressional staff, followed by a question and answer session, on the agency's final hydraulic fracturing rule.

On Mon, Apr 13, 2015 at 2:19 PM, Thompson, Chelsea (Energy)

<[Chelsea\\_Thompson@energy.senate.gov](mailto:Chelsea_Thompson@energy.senate.gov)> wrote:

**Copy-pasted from the CVC Room Reservation System Guidelines:**

**EVENT DESCRIPTION**

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- How the event relates to Senate business

A description does not have to be lengthy to be effective. The following are hypothetical examples that include the above elements.

- Members of the Senate will be invited to brief the group on the Healthy Hunger-Free Kids Act. Will be open to all Congressional Members and their staff. The purpose of the briefing is to share success stories around updates to school food programs coming out of the Healthy Hunger-Free Kids Act, and to highlight new research coming out of the Kids Safe and Healthful Foods project demonstrating the need for upgrading kitchen equipment and infrastructure in schools.
- The American Energy Society would brief the Senator and staff on trends in renewable energy. This relates to the Senator's work on S.\_\_\_\_\_. We expect Senate staff and industry officials in attendance.
- This is a dinner meeting with the Jones Group where multiple Senators, staff, and industry representatives will discuss recent legislation on tax reform, specifically S.\_\_\_\_\_.

**Chelsea Thompson**

*Majority Staff Assistant*

U.S. Senate Committee on Energy and Natural Resources

Senate Dirksen 308

(202) 224-2179

--

Jill Moran

Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Thompson, Chelsea (Energy)  
**To:** [Moran, Jill](mailto:Moran, Jill)  
**Subject:** RE: Event Description  
**Date:** Monday, April 13, 2015 2:56:16 PM

---

Perfect! I am going to add a mention of DOI here, maybe I will say “the Department of the Interior’s final hydraulic...” instead of just “the agency” – is that okay with you?

**From:** Moran, Jill [mailto:jcmoran@blm.gov]  
**Sent:** Monday, April 13, 2015 2:28 PM  
**To:** Thompson, Chelsea (Energy)  
**Subject:** Re: Event Description

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**Chelsea Thompson**

*Majority Staff Assistant*

U.S. Senate Committee on Energy and Natural Resources

Senate Dirksen 308

(202) 224-2179

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Moran, Jill  
**To:** [Thompson, Chelsea \(Energy\)](mailto:Thompson.Chelsea@energy.gov)  
**Subject:** Re: Event Description  
**Date:** Monday, April 13, 2015 3:55:37 PM

---

works for me- thanks!

On Mon, Apr 13, 2015 at 2:56 PM, Thompson, Chelsea (Energy)  
<[Chelsea.Thompson@energy.senate.gov](mailto:Chelsea.Thompson@energy.senate.gov)> wrote:

Perfect! I am going to add a mention of DOI here, maybe I will say “the Department of the Interior’s final hydraulic...” instead of just “the agency” – is that okay with you?

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Monday, April 13, 2015 2:28 PM  
**To:** Thompson, Chelsea (Energy)  
**Subject:** Re: Event Description

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**Chelsea Thompson**

*Majority Staff Assistant*

U.S. Senate Committee on Energy and Natural Resources

Senate Dirksen 308

(202) 224-2179

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Jill Moran

Bureau of Land Management

Legislative Affairs Specialist

202.912.7411

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Thompson, Chelsea (Energy)  
**To:** [Moran, Jill](#)  
**Subject:** RE: Event Description  
**Date:** Monday, April 13, 2015 4:11:00 PM

---

What physical address should I use for your office?

20 M St SE  
Washington, DC

Or

1849 C St NW # 5665  
Washington, DC

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Monday, April 13, 2015 3:56 PM  
**To:** Thompson, Chelsea (Energy)  
**Subject:** Re: Event Description

works for me- thanks!

On Mon, Apr 13, 2015 at 2:56 PM, Thompson, Chelsea (Energy)  
<[Chelsea\\_Thompson@energy.senate.gov](mailto:Chelsea_Thompson@energy.senate.gov)> wrote:

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**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Monday, April 13, 2015 2:28 PM  
**To:** Thompson, Chelsea (Energy)  
**Subject:** Re: Event Description

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**Chelsea Thompson**

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U.S. Senate Committee on Energy and Natural Resources

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(202) 224-2179

--

Jill Moran

Bureau of Land Management

Legislative Affairs Specialist

202.912.7411

--

Jill Moran

Bureau of Land Management

Legislative Affairs Specialist

202.912.7411

**From:** Moran, Jill  
**To:** [Thompson, Chelsea \(Energy\)](#)  
**Subject:** Re: Event Description  
**Date:** Monday, April 13, 2015 4:16:58 PM

---

The C Street address.

Thanks-

On Mon, Apr 13, 2015 at 4:10 PM, Thompson, Chelsea (Energy) <[Chelsea\\_Thompson@energy.senate.gov](mailto:Chelsea_Thompson@energy.senate.gov)> wrote:

What physical address should I use for your office?

1. 20 M St SE  
Washington, DC

Or

1849 C St NW # 5665  
Washington, DC

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Monday, April 13, 2015 3:56 PM  
**To:** Thompson, Chelsea (Energy)  
**Subject:** Re: Event Description

works for me- thanks!

On Mon, Apr 13, 2015 at 2:56 PM, Thompson, Chelsea (Energy) <[Chelsea\\_Thompson@energy.senate.gov](mailto:Chelsea_Thompson@energy.senate.gov)> wrote:

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**Chelsea Thompson**

*Majority Staff Assistant*

U.S. Senate Committee on Energy and Natural Resources

Senate Dirksen 308

(202) 224-2179

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Jill Moran

Bureau of Land Management

Legislative Affairs Specialist

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--

Jill Moran

Bureau of Land Management

Legislative Affairs Specialist

202.912.7411

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Thompson, Chelsea (Energy)  
**To:** [Murfitt, Lucy \(Energy\)](#); [Moran, Jill](#)  
**Cc:** [Lara Douglas](#); [Gray, Spencer \(Energy\)](#)  
**Subject:** RE: Request for Briefing on HR Rule  
**Date:** Monday, April 13, 2015 7:06:45 PM

---

Hey everyone,

I have officially submitted the room request and will keep you posted on further developments (approval/denial of request) moving forward.

Thanks!

**Chelsea Thompson**  
*Majority Staff Assistant*  
U.S. Senate Committee on Energy and Natural Resources  
Senate Dirksen 308  
(202) 224-2179

---

**From:** Murfitt, Lucy (Energy)  
**Sent:** Monday, April 13, 2015 12:15 PM  
**To:** Moran, Jill  
**Cc:** Lara Douglas; Gray, Spencer (Energy); Thompson, Chelsea (Energy)  
**Subject:** RE: Request for Briefing on HR Rule

Hi Jill -

We like to have these sponsored jointly, Majority and Minority, so I am adding Spencer Gray. I am also ccing Chelsea Thompson, a staff assistant on the Majority who will check to see if we can get a room on that date for that time.

Once Chelsea hears back and we know this is okay with Spencer, we'll get it squared away.

Thanks, Lucy 224-2878

**From:** Moran, Jill [<mailto:jcmoran@blm.gov>]  
**Sent:** Monday, April 13, 2015 12:06 PM  
**To:** Murfitt, Lucy (Energy)  
**Cc:** Lara Douglas  
**Subject:** Fwd: Request for Briefing on HR Rule

Hi Lucy,

If possible, we would like to schedule the briefing for Thursday, April 23 from 10:30 to 11:30 in the Capitol Visitors Center.

Please let me know if you are able to assist us, or if there is someone else I should work with on this request.

Thanks for your help-  
Jill  
(202) 912-7411

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

**From:** Douglas, Lara <[ledouglas@blm.gov](mailto:ledouglas@blm.gov)>  
**Date:** Thu, Apr 9, 2015 at 9:09 PM  
**Subject:** Re: Request for Briefing on HR Rule  
**To:** "Murfitt, Lucy (Energy)" <[Lucy\\_Murfitt@energy.senate.gov](mailto:Lucy_Murfitt@energy.senate.gov)>  
**Cc:** "Moran, Jill" <[jcmoran@blm.gov](mailto:jcmoran@blm.gov)>

Hi Lucy,

We are tentatively planning to bring Linda Lance, BLM Deputy Director for Programs and Policy and David Haines, Deputy Assistant Secretary for Lands and Minerals (assuming we can schedule for a time when both are available), along with one or two others. We were hoping to hold the briefing in the Capitol visitors center to accommodate potentially high levels of interest, and we were hoping SENR majority would be willing to host us. We obviously want to get something scheduled early enough to get a room and to give people adequate notice - so if you think next week will be soon enough, that's great - or we can reach out to someone else on your staff (or to HNR) tomorrow if you would recommend we try and schedule it right away.

Thanks!

Lara

Lara Douglas  
Legislative Affairs Division  
Bureau of Land Management  
(202) 912-7173  
[ledouglas@blm.gov](mailto:ledouglas@blm.gov)

On Thu, Apr 9, 2015 at 7:36 PM, Murfitt, Lucy (Energy) <[Lucy\\_Murfitt@energy.senate.gov](mailto:Lucy_Murfitt@energy.senate.gov)> wrote:

We can certainly look at coordinating a Briefing on the BLM fracturing rule. I will be back in the office next week. Who would BLM be sending to do the briefing?

---

**From:** <Moran>, Jill <[jcmoran@blm.gov](mailto:jcmoran@blm.gov)>  
**Date:** Wednesday, April 8, 2015 at 1:40 PM  
**To:** Lucy Murfitt <[lucy\\_murfitt@energy.senate.gov](mailto:lucy_murfitt@energy.senate.gov)>  
**Cc:** "[ledouglas@blm.gov](mailto:ledouglas@blm.gov)" <[ledouglas@blm.gov](mailto:ledouglas@blm.gov)>  
**Subject:** Request for Briefing on HR Rule

Lucy,

I am following up on Lara's voice mail yesterday regarding a potential briefing on the BLM's hydraulic

fracturing rule. We would like to hold the briefing during the week of April 20 and were hoping you may be able to assist us in setting that up.

Please give me a call at your earliest convenience, or let me know if there is someone else I should work with on this.

Thanks!

Jill

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

--

**Jill Moran**  
**Bureau of Land Management**  
**Legislative Affairs Specialist**  
**202.912.7411**

**From:** Rardin, David  
**To:** [rgillcash@blm.gov](mailto:rgillcash@blm.gov)  
**Cc:** [Poulton, Sarah](#)  
**Subject:** RE: BLM/ Wayne National Forest  
**Date:** Wednesday, April 15, 2015 11:09:01 AM

---

Hi Bob – I wanted to quickly follow up with you regarding Sarah’s email below. Any information regarding the status of the EOI’s would be very helpful. Also, if the recent BLM fracking rule affects these EOI’s in any way, that information would helpful as well.

Thank you,

Dave

David Rardin  
Legislative Assistant  
Congressman Bill Johnson (OH-06)  
202.225.5705

---

**From:** Poulton, Sarah  
**Sent:** Tuesday, March 17, 2015 4:00 PM  
**To:** [rgillcash@blm.gov](mailto:rgillcash@blm.gov)  
**Cc:** Smullen, Mike; Rardin, David  
**Subject:** RE: BLM/ Wayne National Forest

Hi Bob,

Wanted to touch base with you on the status of the EOIs I sent over last month. If you need any additional information from us, please let me know.

Thanks,

Sarah Poulton  
District Director  
Congressman Bill Johnson OH-6  
P: 330-337-6951  
F: 330-337-7125

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---

**From:** Poulton, Sarah  
**Sent:** Friday, February 20, 2015 3:25 PM  
**To:** 'rgillcash@blm.gov'

**Cc:** Smullen, Mike; Rardin, David ([David.Rardin@mail.house.gov](mailto:David.Rardin@mail.house.gov))

**Subject:** FW: BLM/ Wayne National Forest

Bob,

Thanks again for your help. See below email for the EOIs. Let me know if you need any further information.

Thanks,

Sarah Poulton  
District Director  
Congressman Bill Johnson OH-6  
P: 330-337-6951  
F: 330-337-7125

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

---

**From:** Amy Adams [<mailto:Aadams@eclipseresources.com>]

**Sent:** Monday, February 16, 2015 4:34 PM

**To:** Poulton, Sarah

**Cc:** Marty Byrd

**Subject:** RE: BLM/ Wayne National Forest

Sarah,

The EOI numbers are as follows:

1635

1637

1638

1639

Please let me know if you need additional information. I also have the full packets, example attached. These were submitted by Holland Services on our behalf.

Amy R. Adams  
Land Manager, Operations  
Eclipse Resources  
2121 Old Gatesburg Road  
Suite 110  
State College, PA 16803  
Main Office: (814) 308-9754

Direct Line: (814) 409-7011

Cell: (817) 226-0239

---

**From:** Marty Byrd

**Sent:** Monday, February 16, 2015 4:15 PM

**To:** Amy Adams

**Subject:** FW: BLM/ Wayne National Forest

---

**From:** Poulton, Sarah [<mailto:Sarah.Poulton@mail.house.gov>]

**Sent:** Friday, January 30, 2015 10:23 AM

**To:** Marty Byrd

**Subject:** BLM/ Wayne National Forest

Hi Marty,

I was given your contact by OOGA regarding an issue we've been working for a few months involving parcels on the Wayne National Forest. Basically, your company and SOOGA reached out to us, frustrated with the permitting process on federal land. In order for us to move forward with the request, we need the EOI numbers for each of your parcels in the Wayne, since everything prior to 2014 remains private. If you have any questions or concerns, please give me a call: -525-9062.

Thanks,

Sarah Poulton

District Director

Congressman Bill Johnson OH-6

P: 330-337-6951

F: 330-337-7125

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**From:** Moran, Jill  
**To:** [Thompson, Chelsea \(Energy\)](#)  
**Subject:** Re: Briefing Announcement/Invites  
**Date:** Thursday, April 16, 2015 2:24:50 PM  
**Attachments:** [Invite.docx](#)

---

Hi Chelsea,

I've attached the text for the announcement. Thank you for sending this out. We would like it to go Senate Energy LAs as well. We would also like to send notification to House Natural Resources Committee staff and member LAs - We can do this on our own unless you have a preferred method.

Thanks again-  
Jill

On Thu, Apr 16, 2015 at 1:40 PM, Thompson, Chelsea (Energy)

<[Chelsea.Thompson@energy.senate.gov](mailto:Chelsea.Thompson@energy.senate.gov)> wrote:

Yes please do! I haven't sent the invite around yet because I was waiting to here back from ya.

---

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Thursday, April 16, 2015 01:33 PM  
**To:** Thompson, Chelsea (Energy)  
**Subject:** Re: Briefing Announcement/Invites

Hi Chelsea,

Sorry I am just getting back to you - I would like to provide some text if it is not too late. Please let me know.

Thanks for your help with this-  
Jill

On Wed, Apr 15, 2015 at 11:26 AM, Thompson, Chelsea (Energy)

<[Chelsea.Thompson@energy.senate.gov](mailto:Chelsea.Thompson@energy.senate.gov)> wrote:

Hi Jill,

Typically, in hopes of getting as many people to attend/be aware of (at least) briefings sponsored by the Committee, I circulate an email announcement to senate energy LA's (or committee la's only if that's preferred, its totally up to you). Please see the examples of announcements I have sent in the past and provide me with the information I will need to put your event invite/announcement together (2 examples listed as EX. 1 and EX. 2):

**EX. 1:**

**The Senate Committee on Energy & Natural Resources  
encourages you to attend a joint staff briefing on the  
issue of  
*Changes to Defense Nuclear Waste Disposition*  
Friday, April 17, 2015**

**10:00 a.m.**

**SD-366**

On March 24, 2015, President Obama issued a Presidential Memorandum titled, *Disposal of Defense High-Level Radioactive Waste in a Separate Repository*. This action is a shift from nuclear waste policy first set in place in 1985 that dictated that high level defense wastes and spent nuclear fuel would be comingled in a single repository – designated by Congress to be Yucca Mountain.

This briefing will provide background on defense waste and nuclear waste disposition and an explanation of the Administration’s recent actions.

**Presentations will be offered by:**

***John Kotek, Principal Deputy Assistant Secretary, Office of Nuclear Energy***

**For additional information, please contact Brianne Miller (4-5269), or Rory Stanley (4-0883).**

**EX. 2:**

**The Senate Committee on Energy & Natural Resources  
encourages you to attend a joint-sponsored briefing on the issue  
of**

***Cybersecurity***

**Monday, March 9, 2015**

**2:00 p.m.**

**SD-366**

The electric grid is often cited as the nation’s most critical infrastructure. The Chairman and Ranking Member of the Senate Energy and Natural Resources Committee invite you to a bipartisan briefing on the security of the electric grid that will explore how existing regulations and new partnerships are helping to advance cybersecurity for this industry.

The briefing is for staff handling energy, cybersecurity, and homeland defense issues, and

will feature representatives from the government agencies, regulatory bodies, and the electric utility industry who all share a responsibility to protect the North American electric grid. This partnership is bringing government and industry together to deploy new tools that improve situational awareness and information sharing, while plans and exercises are helping to coordinate response to incidents. The briefers will discuss the existing regulatory structure, the new initiatives, and the role proposed legislation will play in improving cybersecurity for this, and all, critical infrastructure sectors.

**Presentations will be offered by:**

**Patricia Hoffman**, Assistant Secretary, Office of Electricity Delivery & Energy Reliability, U.S. Department of Energy

**Mike Bardee**, Office Director, Office of Electric Reliability, Federal Energy Reliability Commission

**Gerry Cauley**, President & CEO, North American Electric Reliability Corporation

**Joy Ditto**, Senior Vice President, Legislative & Political Affairs, American Public Power Association

**Scott Aaronson**, Director, Governmental Affairs, Edison Electric Institute

**For additional information, please contact Kellie Donnelly (4-9360), or David Gillers (4-2209).**

**Chelsea Thompson**

*Majority Staff Assistant*

U.S. Senate Committee on Energy and Natural Resources

Senate Dirksen 308

(202) 224-2179

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

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Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**The Senate Committee on Energy & Natural Resources  
encourages you to attend a joint staff briefing on the issue of  
*Hydraulic Fracturing on Federal and Indian Lands***

**Thursday, April 23, 2015**

**10:30 a.m.**

**Room?**

On March 26, 2015, the Bureau of Land Management (BLM) published its final rule for hydraulic fracturing on Federal and Indian lands in the Federal Register. The rule, effective on June 24, 2015, updates the BLM's requirements for well-bore integrity, wastewater disposal and public disclosure of chemicals.

The briefing will provide background on the regulations, followed by a question and answer session.

**Presentations will be offered by:**

**David Haines, *Deputy Assistant Secretary for Land and Minerals, Department of the Interior***

**Linda Lance, *Deputy Director for Programs and Policy, Bureau of Land Management***

**For additional information, please contact xxx.**

**From:** Thompson, Chelsea (Energy)  
**To:** [Moran, Jill](#)  
**Subject:** FW: Draft Invite for BLM Brief  
**Date:** Thursday, April 16, 2015 3:11:06 PM

---

Hey Jill,

First of all: thanks so much for whipping-up such a great invite. Makes my job a teensy bit easier ☺!

Below (bottom of email chain) is the draft version of what I would like to circulate. Nothing is different from what you sent me earlier minus the addition of the room number and staff contact info.

Now, I am just waiting for Lucy/Spencer to get back to me regarding which number(s) I may use for this... so once that happens, I will circulate on the senate side. I will ask Lucy about what the best way of getting this to relevant house staff is and will follow-up with you after I get an answer.

Thanks!

**Chelsea Thompson**  
*Majority Staff Assistant*  
U.S. Senate Committee on Energy and Natural Resources  
Senate Dirksen 308  
(202) 224-2179

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**From:** Thompson, Chelsea (Energy)  
**Sent:** Thursday, April 16, 2015 2:46 PM  
**To:** Murfitt, Lucy (Energy); Gray, Spencer (Energy)  
**Subject:** Draft Invite for BLM Brief

**Lucy & Spencer:**

**Let me know if this is okay with you both – I received the info used below from Jill Moran (who has been my main point of contact on this event) so I know she is okay with it herself. I guess mostly, what I want to know is: are you okay with me listing your ext. #'s on here or would you rather I refer people to the main office (4-4971).**

**Thanks!**

**- Chels**

**The Senate Committee on Energy & Natural Resources**  
encourages you to attend a joint staff briefing on the issue of  
*Hydraulic Fracturing on Federal and Indian Lands*

**Thursday, April 23, 2015**

**10:30 a.m.**

**SVC-215**

On March 26, 2015, the Bureau of Land Management (BLM) published its final rule for hydraulic fracturing on Federal and Indian lands in the Federal Register.

The rule, effective on June 24, 2015, updates the BLM's requirements for well-bore integrity, wastewater disposal and public disclosure of chemicals.

The briefing will provide background on the regulations, followed by a question and answer session.

**Presentations will be offered by:**

**David Haines, *Deputy Assistant Secretary for Land and Minerals, Department of the Interior***

**Linda Lance, *Deputy Director for Programs and Policy, Bureau of Land Management***

**For additional information, please contact Lucy Murfitt (4-2878) or Spencer Gray (4-4608).**

**From:** Moran, Jill  
**To:** [Thompson, Chelsea \(Energy\)](mailto:Thompson.Chelsea@energy.gov)  
**Subject:** Re: FW: Draft Invite for BLM Brief  
**Date:** Thursday, April 16, 2015 5:39:55 PM

---

Great - Thanks, Chelsea!

On Thu, Apr 16, 2015 at 3:10 PM, Thompson, Chelsea (Energy)

<[Chelsea.Thompson@energy.senate.gov](mailto:Chelsea.Thompson@energy.senate.gov)> wrote:

Hey Jill,

First of all: thanks so much for whipping-up such a great invite. Makes my job a teensy bit easier ☺!

Below (bottom of email chain) is the draft version of what I would like to circulate. Nothing is different from what you sent me earlier minus the addition of the room number and staff contact info.

Now, I am just waiting for Lucy/Spencer to get back to me regarding which number(s) I may use for this... so once that happens, I will circulate on the senate side. I will ask Lucy about what the best way of getting this to relevant house staff is and will follow-up with you after I get an answer.

Thanks!

**Chelsea Thompson**  
*Majority Staff Assistant*  
U.S. Senate Committee on Energy and Natural Resources  
Senate Dirksen 308  
(202) 224-2179

---

**From:** Thompson, Chelsea (Energy)  
**Sent:** Thursday, April 16, 2015 2:46 PM  
**To:** Murfitt, Lucy (Energy); Gray, Spencer (Energy)  
**Subject:** Draft Invite for BLM Brief

**Lucy & Spencer:**

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**For additional information, please contact Lucy Murfitt (4-2878) or Spencer Gray (4-4608).**

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Thompson, Chelsea (Energy)  
**To:** [Thompson, Chelsea \(Energy\)](#)  
**Cc:** [Murfitt, Lucy \(Energy\)](#); [Gray, Spencer \(Energy\)](#); [Moran, Jill](#); [Lara Douglas](#); [Ripchensky, Darla \(Energy\)](#); [Huffnagle, Jason \(Energy\)](#)  
**Subject:** BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands  
**Date:** Thursday, April 16, 2015 5:55:09 PM

---

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**For additional information, please contact Lucy Murfitt (4-2878) or Spencer Gray (4-4971).**

**From:** Moran, Jill  
**To:** [Bill.Cooper@mail.house.gov](mailto:Bill.Cooper@mail.house.gov); [Steve Feldgus](#)  
**Cc:** [Patrick Wilkinson](#); [Lara Douglas](#)  
**Subject:** HF Rule Briefing April 23  
**Date:** Friday, April 17, 2015 11:18:14 AM

---

Bill and Steve,

Following is an announcement for our April 23 briefing on the Hydraulic Fracturing Rule at the Capitol Visitors Center. Would you mind sharing it with Committee Staff, Committee LAs, and others as appropriate?

Please call me if you have any questions.

Thank you for your assistance,  
Jill

--  
Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

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**For additional information, please contact Lucy Murfitt (4-2878) or**

**Spencer Gray (4-4971).**

**From:** Moran, Jill  
**To:** [Vecera, Andrew](#); [MacGregor, Kate](#)  
**Subject:** Fwd: HF Rule Briefing April 23  
**Date:** Friday, April 17, 2015 11:33:46 AM

---

Andrew and Kate,

I sent the following to Bill but wanted to copy you both as an FYI.

Thank you and give me a call if you have any questions.

Jill

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

**From:** Moran, Jill <[jcmoran@blm.gov](mailto:jcmoran@blm.gov)>  
**Date:** Fri, Apr 17, 2015 at 11:18 AM  
**Subject:** HF Rule Briefing April 23  
**To:** [Bill.Cooper@mail.house.gov](mailto:Bill.Cooper@mail.house.gov), Steve Feldgus <[steve.feldgus@mail.house.gov](mailto:steve.feldgus@mail.house.gov)>  
**Cc:** Patrick Wilkinson <[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)>, Lara Douglas <[ledouglas@blm.gov](mailto:ledouglas@blm.gov)>

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**For additional information, please contact Lucy Murfitt (4-2878) or Spencer Gray (4-4971).**

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Moran, Jill  
**To:** [Thompson, Chelsea \(Energy\)](mailto:Thompson.Chelsea@energy.gov)  
**Subject:** Re: BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands  
**Date:** Friday, April 17, 2015 11:37:54 AM

---

Thanks, Chelsea!

Just an FYI - I copied the announcement in an email to HNR subcommittee staff directors Bill Cooper and Steve Feldgus.

On Thu, Apr 16, 2015 at 5:54 PM, Thompson, Chelsea (Energy)  
<[Chelsea.Thompson@energy.senate.gov](mailto:Chelsea.Thompson@energy.senate.gov)> wrote:

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**For additional information, please contact Lucy Murfitt (4-2878) or Spencer Gray (4-4971).**

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Thompson, Chelsea (Energy)  
**To:** [Moran, Jill](mailto:Moran, Jill)  
**Subject:** RE: BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands  
**Date:** Friday, April 17, 2015 11:39:14 AM

---

Perfect! Thanks for letting me know 😊

**From:** Moran, Jill [mailto:jcmoran@blm.gov]  
**Sent:** Friday, April 17, 2015 11:38 AM  
**To:** Thompson, Chelsea (Energy)  
**Subject:** Re: BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands

Thanks, Chelsea!

Just an FYI - I copied the announcement in an email to HNR subcommittee staff directors Bill Cooper and Steve Feldgus.

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**Linda Lance, Deputy Director for Programs and Policy, Bureau of Land  
Management**

**For additional information, please contact Lucy Murfitt (4-2878) or**

**Spencer Gray (4-4971).**

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Feldgus, Steve  
**To:** ["Moran, Jill"; Cooper, Bill](#)  
**Cc:** [Patrick Wilkinson](#); [Lara Douglas](#)  
**Subject:** RE: HF Rule Briefing April 23  
**Date:** Friday, April 17, 2015 12:50:59 PM

---

Just sent it to the Dem staff. Thanks!

**From:** Moran, Jill [mailto:jcmoran@blm.gov]  
**Sent:** Friday, April 17, 2015 11:18 AM  
**To:** Cooper, Bill; Feldgus, Steve  
**Cc:** Patrick Wilkinson; Lara Douglas  
**Subject:** HF Rule Briefing April 23

Bill and Steve,

Following is an announcement for our April 23 briefing on the Hydraulic Fracturing Rule at the Capitol Visitors Center. Would you mind sharing it with Committee Staff, Committee LAs, and others as appropriate?

Please call me if you have any questions.

Thank you for your assistance,  
Jill

--

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Bureau of Land Management  
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**For additional information, please contact Lucy Murfitt (4-2878) or  
Spencer Gray (4-4971).**

**From:** Moran, Jill  
**To:** [Thompson, Chelsea \(Energy\)](mailto:Thompson.Chelsea@energy.gov)  
**Subject:** Re: Briefing Logistics  
**Date:** Monday, April 20, 2015 4:39:45 PM

---

Hi Chelsea,

It's been a while since we've held a briefing in the CVC - Do you have any advice on the best way to get our folks in the room? Ideally, I would like to avoid potentially long lines in order to make sure we have ample time to set up.

Thanks!  
Jill

On Fri, Apr 17, 2015 at 11:38 AM, Thompson, Chelsea (Energy)  
<[Chelsea\\_Thompson@energy.senate.gov](mailto:Chelsea_Thompson@energy.senate.gov)> wrote:

Perfect! Thanks for letting me know ☺

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Friday, April 17, 2015 11:38 AM  
**To:** Thompson, Chelsea (Energy)  
**Subject:** Re: BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands

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Jill Moran

Bureau of Land Management

Legislative Affairs Specialist

202.912.7411

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Thompson, Chelsea (Energy)  
**To:** [Moran, Jill](#)  
**Cc:** [Huffnagle, Jason \(Energy\)](#)  
**Subject:** FW: Briefing Logistics  
**Date:** Monday, April 20, 2015 4:42:17 PM

---

Jill,

I am not the most familiar with the CVC myself either so I am forwarding your question along to the Exec. Assistant, Jason Huffnagle (copied here) and deferring to him on this as he is the one who usually handles this stuff for our office.

Thanks!

- Chels

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Monday, April 20, 2015 4:40 PM  
**To:** Thompson, Chelsea (Energy)  
**Subject:** Re: Briefing Logistics

Hi Chelsea,

It's been a while since we've held a briefing in the CVC - Do you have any advice on the best way to get our folks in the room? Ideally, I would like to avoid potentially long lines in order to make sure we have ample time to set up.

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Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**From:** Wilkinson, Patrick  
**To:** [Black, Jonathan \(Tom Udall\)](#)  
**Cc:** [Jill Moran](#); [Lara E. Douglas](#)  
**Subject:** Fwd: BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands  
**Date:** Tuesday, April 21, 2015 7:21:43 PM

---

jonathan,  
fyi on the following if you'd like to attend.  
patrick

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

**From:** **Thompson, Chelsea (Energy)** <[Chelsea\\_Thompson@energy.senate.gov](mailto:Chelsea_Thompson@energy.senate.gov)>  
**Date:** Thu, Apr 16, 2015 at 5:54 PM  
**Subject:** BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands  
**To:** "Thompson, Chelsea (Energy)" <[Chelsea\\_Thompson@energy.senate.gov](mailto:Chelsea_Thompson@energy.senate.gov)>  
**Cc:** "Murfitt, Lucy (Energy)" <[Lucy\\_Murfitt@energy.senate.gov](mailto:Lucy_Murfitt@energy.senate.gov)>, "Gray, Spencer (Energy)" <[Spencer\\_Gray@energy.senate.gov](mailto:Spencer_Gray@energy.senate.gov)>, "Moran, Jill" <[jcmoran@blm.gov](mailto:jcmoran@blm.gov)>, Lara Douglas <[ledouglas@blm.gov](mailto:ledouglas@blm.gov)>, "Ripchensky, Darla (Energy)" <[Darla\\_Ripchensky@energy.senate.gov](mailto:Darla_Ripchensky@energy.senate.gov)>, "Huffnagle, Jason (Energy)" <[Jason\\_Huffnagle@energy.senate.gov](mailto:Jason_Huffnagle@energy.senate.gov)>

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--

Patrick Wilkinson  
U.S. Department of the Interior  
Bureau of Land Management  
Legislative Affairs Division (WO 620)  
Phone: (202) 912-7429  
Fax: (202) 245-0050

**From:** Wilkinson, Patrick  
**To:** [Feldgus, Steve](mailto:Steve.Feldgus@mail.house.gov)  
**Cc:** [Moran, Jill](mailto:Moran, Jill); [Cooper, Bill](mailto:Cooper, Bill); [Lara Douglas](mailto:Lara Douglas); [Vecera, Andrew](mailto:Vecera, Andrew); [kate.macgregor@mail.house.gov](mailto:kate.macgregor@mail.house.gov)  
**Subject:** Re: HF Rule Briefing April 23  
**Date:** Tuesday, April 21, 2015 7:37:41 PM

---

hi bill and steve,  
checking back on this briefing invitation. did you send to all committee LAs or just e/m LAs?  
thx,  
patrick

On Fri, Apr 17, 2015 at 12:50 PM, Feldgus, Steve <[Steve.Feldgus@mail.house.gov](mailto:Steve.Feldgus@mail.house.gov)> wrote:

Just sent it to the Dem staff. Thanks!

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Friday, April 17, 2015 11:18 AM  
**To:** Cooper, Bill; Feldgus, Steve  
**Cc:** Patrick Wilkinson; Lara Douglas  
**Subject:** HF Rule Briefing April 23

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Jill Moran

Bureau of Land Management

Legislative Affairs Specialist

202.912.7411

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Patrick Wilkinson  
U.S. Department of the Interior  
Bureau of Land Management  
Legislative Affairs Division (WO 620)  
Phone: (202) 912-7429  
Fax: (202) 245-0050

**From:** Gruber, Benjamin  
**To:** [Liam Forsythe@heitkamp.senate.gov](mailto:Liam_Forsythe@heitkamp.senate.gov)  
**Cc:** [Patrick J. Wilkinson](mailto:Patrick.J.Wilkinson); [Lara E. Douglas](mailto:Lara.E.Douglas)  
**Subject:** Fwd: BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands  
**Date:** Tuesday, April 21, 2015 7:51:29 PM

---

Liam,  
FYI on the following if you'd like to attend.  
Ben

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

**From:** **Thompson, Chelsea (Energy)** <[Chelsea\\_Thompson@energy.senate.gov](mailto:Chelsea_Thompson@energy.senate.gov)>  
**Date:** Thu, Apr 16, 2015 at 5:54 PM  
**Subject:** BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands  
**To:** "Thompson, Chelsea (Energy)" <[Chelsea\\_Thompson@energy.senate.gov](mailto:Chelsea_Thompson@energy.senate.gov)>  
**Cc:** "Murfitt, Lucy (Energy)" <[Lucy\\_Murfitt@energy.senate.gov](mailto:Lucy_Murfitt@energy.senate.gov)>, "Gray, Spencer (Energy)" <[Spencer\\_Gray@energy.senate.gov](mailto:Spencer_Gray@energy.senate.gov)>, "Moran, Jill" <[jcmoran@blm.gov](mailto:jcmoran@blm.gov)>, Lara Douglas <[ledouglas@blm.gov](mailto:ledouglas@blm.gov)>, "Ripchensky, Darla (Energy)" <[Darla\\_Ripchensky@energy.senate.gov](mailto:Darla_Ripchensky@energy.senate.gov)>, "Huffnagle, Jason (Energy)" <[Jason\\_Huffnagle@energy.senate.gov](mailto:Jason_Huffnagle@energy.senate.gov)>

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**For additional information, please contact Lucy Murfitt (4-2878) or  
Spencer Gray (4-4971).**

--

**Benjamin E. Gruber**  
Senior Legislative Affairs Specialist  
U.S. Department of the Interior  
Bureau of Land Management  
(202) 912-7430

**From:** Gruber, Benjamin  
**To:** [Janelle DiLuccia@tester.senate.gov](mailto:Janelle_DiLuccia@tester.senate.gov)  
**Cc:** [Patrick J. Wilkinson](#); [Lara E. Douglas](#); [Jill Moran](#)  
**Subject:** Fwd: BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands  
**Date:** Tuesday, April 21, 2015 7:56:14 PM

---

Janelle,  
FYI on the following if you'd like to attend.  
Ben

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

**From:** **Thompson, Chelsea (Energy)** <[Chelsea\\_Thompson@energy.senate.gov](mailto:Chelsea_Thompson@energy.senate.gov)>  
**Date:** Thu, Apr 16, 2015 at 5:54 PM  
**Subject:** BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands  
**To:** "Thompson, Chelsea (Energy)" <[Chelsea\\_Thompson@energy.senate.gov](mailto:Chelsea_Thompson@energy.senate.gov)>  
**Cc:** "Murfitt, Lucy (Energy)" <[Lucy\\_Murfitt@energy.senate.gov](mailto:Lucy_Murfitt@energy.senate.gov)>, "Gray, Spencer (Energy)" <[Spencer\\_Gray@energy.senate.gov](mailto:Spencer_Gray@energy.senate.gov)>, "Moran, Jill" <[jcmoran@blm.gov](mailto:jcmoran@blm.gov)>, Lara Douglas <[ledouglas@blm.gov](mailto:ledouglas@blm.gov)>, "Ripchensky, Darla (Energy)" <[Darla\\_Ripchensky@energy.senate.gov](mailto:Darla_Ripchensky@energy.senate.gov)>, "Huffnagle, Jason (Energy)" <[Jason\\_Huffnagle@energy.senate.gov](mailto:Jason_Huffnagle@energy.senate.gov)>

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**Thursday, April 23, 2015**  
**10:30 a.m.**  
**SVC-215**

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**From:** DiLuccia, Janelle (Tester)  
**To:** "[begruber@blm.gov](mailto:begruber@blm.gov)"  
**Cc:** "[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)"; "[LEDouglas@blm.gov](mailto:LEDouglas@blm.gov)"; "[jcmoran@blm.gov](mailto:jcmoran@blm.gov)"  
**Subject:** Re: Fwd: BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands  
**Date:** Tuesday, April 21, 2015 8:03:25 PM

---

Hi Ben,

Thanks for flagging this. I think I should be able to attend.

Best,

Janelle

---

**From:** Gruber, Benjamin [mailto:[begruber@blm.gov](mailto:begruber@blm.gov)]  
**Sent:** Tuesday, April 21, 2015 07:55 PM  
**To:** DiLuccia, Janelle (Tester)  
**Cc:** Patrick J. Wilkinson <[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)>; Lara E. Douglas <[LEDouglas@blm.gov](mailto:LEDouglas@blm.gov)>; Jill Moran <[jcmoran@blm.gov](mailto:jcmoran@blm.gov)>  
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(202) 912-7430

**From:** Douglas, Lara  
**To:** [Ed Cox](#)  
**Subject:** Fwd: BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands  
**Date:** Tuesday, April 21, 2015 8:05:45 PM

---

Hi Ed,

I'm not sure who all this got distributed to, but wanted to make sure you're aware in case you want to attend. Great seeing you today!

Lara

Lara Douglas  
Legislative Affairs Division  
Bureau of Land Management  
(202) 912-7173  
[ledouglas@blm.gov](mailto:ledouglas@blm.gov)

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

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**From:** Cox, Ed (Hatch)  
**To:** ["ledouglas@blm.gov"](mailto:ledouglas@blm.gov)  
**Subject:** Re: Fwd: BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands  
**Date:** Tuesday, April 21, 2015 8:07:45 PM

---

Thanks Lara! Great seeing you today too! Enjoy your evening!

---

**From:** Douglas, Lara [mailto:[ledouglas@blm.gov](mailto:ledouglas@blm.gov)]  
**Sent:** Tuesday, April 21, 2015 08:05 PM  
**To:** Cox, Ed (Hatch)  
**Subject:** Fwd: BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands

Hi Ed,

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Lara

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Bureau of Land Management  
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[ledouglas@blm.gov](mailto:ledouglas@blm.gov)

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**For additional information, please contact Lucy Murfitt (4-2878) or Spencer Gray (4-4971).**

**From:** Douglas, Lara  
**To:** [Babington, Sean \(Agriculture\)](#); [Sherman, Laura \(Bennet\)](#)  
**Subject:** Fwd: BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands  
**Date:** Tuesday, April 21, 2015 8:08:22 PM

---

Hi Laura and Sean,

FYI regarding this briefing in case either or both of you want to attend.

Lara

Lara Douglas  
Legislative Affairs Division  
Bureau of Land Management  
(202) 912-7173  
[ledouglas@blm.gov](mailto:ledouglas@blm.gov)

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**From:** Feldgus, Steve  
**To:** "[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)"  
**Subject:** Re: HF Rule Briefing April 23  
**Date:** Tuesday, April 21, 2015 8:19:24 PM

---

I sent it to all Dems, and then the Rs sent it to all LAs.

---

**From:** Wilkinson, Patrick [mailto:[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)]  
**Sent:** Tuesday, April 21, 2015 07:37 PM  
**To:** Feldgus, Steve  
**Cc:** Moran, Jill <[jcmoran@blm.gov](mailto:jcmoran@blm.gov)>; Cooper, Bill; Lara Douglas <[ledouglas@blm.gov](mailto:ledouglas@blm.gov)>; Vecera, Andrew; MacGregor, Kate  
**Subject:** Re: HF Rule Briefing April 23

hi bill and steve,  
checking back on this briefing invitation. did you send to all committee LAs or just e/m LAs?  
thx,  
patrick

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**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Friday, April 17, 2015 11:18 AM  
**To:** Cooper, Bill; Feldgus, Steve  
**Cc:** Patrick Wilkinson; Lara Douglas  
**Subject:** HF Rule Briefing April 23

Bill and Steve,

Following is an announcement for our April 23 briefing on the Hydraulic Fracturing Rule at the Capitol Visitors Center. Would you mind sharing it with Committee Staff, Committee LAs, and others as appropriate?

Please call me if you have any questions.

Thank you for your assistance,

Jill

--

Jill Moran

Bureau of Land Management

Legislative Affairs Specialist

202.912.7411

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--

Patrick Wilkinson  
U.S. Department of the Interior  
Bureau of Land Management  
Legislative Affairs Division (WO 620)  
Phone: (202) 912-7429  
Fax: (202) 245-0050

**From:** Patrick Wilkinson  
**To:** [Feldgus, Steve](mailto:Steve.Feldgus@blm.gov)  
**Subject:** Re: HF Rule Briefing April 23  
**Date:** Tuesday, April 21, 2015 9:12:40 PM

---

Thx. All committee las? Ie compared to just las of subc?

Sent from my iPhone

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**To:** "[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)"  
**Subject:** Re: HF Rule Briefing April 23  
**Date:** Tuesday, April 21, 2015 9:17:35 PM

---

Yep. We never send anything to just subcmte LAs since all members are welcome at any hearing. (And if I ever want to just send to EMR subcommittee LAs for whatever reason, I do it by hand because it's probably super-minor and all the leadership offices are on the All-LAs lists.)

---

**From:** Patrick Wilkinson [mailto:[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)]  
**Sent:** Tuesday, April 21, 2015 09:12 PM  
**To:** Feldgus, Steve  
**Subject:** Re: HF Rule Briefing April 23

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Patrick Wilkinson  
U.S. Department of the Interior  
Bureau of Land Management  
Legislative Affairs Division (WO 620)  
Phone: (202) 912-7429  
Fax: (202) 245-0050

**From:** Forsythe, Liam (Heitkamp)  
**To:** [Gruber, Benjamin](#)  
**Subject:** RE: BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands  
**Date:** Tuesday, April 21, 2015 10:08:12 PM

---

Thanks for highlighting this Ben.

I have it on my calendar and hope to make it to the briefing.

Liam

**From:** Gruber, Benjamin [mailto:begruber@blm.gov]  
**Sent:** Tuesday, April 21, 2015 7:51 PM  
**To:** Forsythe, Liam (Heitkamp)  
**Cc:** Patrick J. Wilkinson; Lara E. Douglas  
**Subject:** Fwd: BRIEFING (4/23): Hydraulic Fracturing on Federal and Indian Lands

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**Cc:** "Murfitt, Lucy (Energy)" <[Lucy\\_Murfitt@energy.senate.gov](mailto:Lucy_Murfitt@energy.senate.gov)>, "Gray, Spencer (Energy)" <[Spencer\\_Gray@energy.senate.gov](mailto:Spencer_Gray@energy.senate.gov)>, "Moran, Jill" <[jemoran@blm.gov](mailto:jemoran@blm.gov)>, Lara Douglas <[ledouglas@blm.gov](mailto:ledouglas@blm.gov)>, "Ripchensky, Darla (Energy)" <[Darla\\_Ripchensky@energy.senate.gov](mailto:Darla_Ripchensky@energy.senate.gov)>, "Huffnagle, Jason (Energy)" <[Jason\\_Huffnagle@energy.senate.gov](mailto:Jason_Huffnagle@energy.senate.gov)>

**The Senate Committee on Energy & Natural Resources**  
**encourages you to attend a joint staff briefing on the issue of**  
***Hydraulic Fracturing on Federal and Indian Lands***  
**Thursday, April 23, 2015**  
**10:30 a.m.**  
**SVC-215**

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**For additional information, please contact Lucy Murfitt (4-2878) or Spencer Gray (4-4971).**

--

**Benjamin E. Gruber**  
Senior Legislative Affairs Specialist  
U.S. Department of the Interior  
Bureau of Land Management  
(202) 912-7430

**From:** Huffnagle, Jason (Energy)  
**To:** [jcmoran@blm.gov](mailto:jcmoran@blm.gov)  
**Subject:** RE: Briefing Logistics  
**Date:** Wednesday, April 22, 2015 11:24:24 AM  
**Attachments:** [EVERYDAY LETTER \(Autosaved\).doc](#)  
**Importance:** High

---

Jill,

I believe the attached will answer your questions. As you will notice, I need a list of names with the folks that are expected to attend the event. I apologize for the short notice, but I need this by noon today.

Best,

Jason Huffnagle  
Republican Executive and Legislative Assistant  
U.S. Senate Committee on Energy and Natural Resources  
Senate Dirksen 304  
[jason\\_huffnagle@energy.senate.gov](mailto:jason_huffnagle@energy.senate.gov)  
(202) 224-2845

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**Sent:** Monday, April 20, 2015 4:42 PM  
**To:** Moran, Jill  
**Cc:** Huffnagle, Jason (Energy)  
**Subject:** FW: Briefing Logistics

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- Chels

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--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

Hello Jason,

This is Jamie from the Senate Appointment Desk in the CVC. April 23, you have reserved SVC215 from 10:30-11:30 for the Department of the Interior, Bureau of Land Management. I am writing to inform you that we will need a list of all people coming in for this function who do not possess a Congressional ID. Please submit your list the day before your event by 12:00 pm. Thank you.

Please send us your list in a Microsoft Excel Spreadsheet. The only information needed on the spreadsheet is:

**Column A First Name**

**Column B Last Name**

**NO OTHER INFORMATION IN THE SPREADSHEET PLEASE!**

In the e-mail, with the Spreadsheet attachment, please put the name of the function, room number, date, time, and any other pertinent information needed. Please e-mail the information to the following:

[Jamie\\_sims@saa.senate.gov](mailto:Jamie_sims@saa.senate.gov)

[Randall\\_Hopkins@saa.senate.gov](mailto:Randall_Hopkins@saa.senate.gov)

[Sunsara\\_Washington@saa.senate.gov](mailto:Sunsara_Washington@saa.senate.gov)

Also, make your **Official Business Visitors** Aware of the following:

- Access to the room will not be allowed until the time of the reservation.
- Please inform the officer outside they are here for **Official Business** to avoid the tourist lines.
- Please refer them to website: **visitthecapitol.gov** to view the list of prohibited items.

Thank you and please call me at 202 224 7506 if you have any questions.

Jamie Sims

Senate Appointment Desk

**From:** Moran, Jill  
**To:** [Huffnagle, Jason \(Energy\)](#)  
**Subject:** Re: Briefing Logistics  
**Date:** Wednesday, April 22, 2015 12:01:17 PM

---

Jason,  
The people attending from Department of the Interior are:

David Haines  
Linda Lance  
Patrick Wilkinson  
Jill Moran  
Steven Wells  
David Blackstun

Thanks!

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**From:** Huffnagle, Jason (Energy)  
**To:** [Moran, Jill](#)  
**Subject:** RE: Briefing Logistics  
**Date:** Wednesday, April 22, 2015 12:16:26 PM

---

Thanks!

**From:** Moran, Jill [mailto:jcmoran@blm.gov]  
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**From:** Moran, Jill  
**To:** [Huffnagle, Jason \(Energy\)](#)  
**Subject:** Re: Briefing Logistics  
**Date:** Wednesday, April 22, 2015 5:17:56 PM

---

Jason,  
We have one other individual we would like to bring - is it possible to get him added?  
Thanks,  
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**From:** Rey\_Adame@blm.gov  
**To:** [pati\\_smith@thomas.senate.gov](mailto:pati_smith@thomas.senate.gov)  
**Subject:** Fw: To Merry Gamper re CSM EMFI tour 8/10  
**Date:** Wednesday, April 29, 2015 8:43:14 AM  
**Attachments:** [EMFI 2007 Participants 0723.doc](#)  
[EMFI 2007 Summary Itinerary 0723.doc](#)

---

Good morning,

Here is the latest. The 'Salazar' to which we were originally told was coming on the tour was a state rep. not the U.S. Senator. Now, it looks as if he's not participating, but there are others on the list of which you should know.

Thanks,

Rey Adame  
Public Affairs Officer  
Bureau of Land Management  
Rock Springs, Pinedale, and Kemmerer Field Offices  
(307) 352-0399 (307) 352-0329 (fax)  
[rey\\_adame@blm.gov](mailto:rey_adame@blm.gov)

----- Forwarded by Rey Adame/RSFO/WY/BLM/DOI on 07/24/2007 09:35 AM -----

Merry  
Gamper/PFO/WY/BLM  
/DOI To  
Rey Adame/RSFO/WY/BLM/DOI@BLM  
07/24/2007 08:25 cc  
AM Bill Lanning/PFO/WY/BLM/DOI@BLM,  
Chuck Otto/PFO/WY/BLM/DOI@BLM  
Subject  
Fw: To Merry Gamper re CSM EMFI  
tour 8/10

I have spoken with Tom this morning. Now that we know that this schedule will work I will be drafting up an agenda based on conversations I've had with Bill and Tom. We still need to contact Encana and Questar to firm things up. I did notice that Rep. Salazar's office is no longer on the list...

Rey, this is the latest and greatest of the information I have.

--Merry

Merry E Gamper  
Supervisory Natural Resource Specialist

1625 West Pine  
PO Box 768  
Pinedale, WY 82941  
(307)367-5313(p)  
(307)367-5329(f)

----- Forwarded by Merry Gamper/PFO/WY/BLM/DOI on 07/24/2007 08:19 AM -----

Betty  
Gifford/PFO/WY/BL  
M/DOI  
To  
Merry Gamper/PFO/WY/BLM/DOI@BLM,  
07/24/2007 08:13 AM Bill Lanning/PFO/WY/BLM/DOI@BLM,  
Chuck Otto/PFO/WY/BLM/DOI@BLM  
cc  
Subject  
Fw: To Merry Gamper re CSM EMFI  
tour 8/10

----- Forwarded by Betty Gifford/PFO/WY/BLM/DOI on 07/24/2007 08:12 AM -----

"TOM Sladek"  
 tasladek@msn.com  
>  
To  
Pinedale\_WYMail@BLM.gov  
07/23/2007 11:37 AM cc  
tasladek@msn.com,  
gbaughma@mines.edu  
Subject  
To Merry Gamper re CSM EMFI tour  
8/10

23 July 2007

Dear Merry,

Thanks for meeting Gary Baughman and me in Pinedale. We think the

itinerary

you suggested will allow us to tour both Jonah and the Anticline on Friday August 10.

As we discussed, we'll spend Thursday night in Rock Springs and will plan to leave early enough to meet you and Bill Lanning at the Luman Road Cutoff at about 9:00 AM on Friday. We'll tour the Jonah Field, ending at about 11:00

at the well-known boat launching ramp, where we will stop to discuss what we have seen and to have a picnic lunch. We need to be on our way to Grand Teton National Park around 2:00, so we would have perhaps 2-1/2 hours to tour Questar's operations in the Pinedale Anticline.

I asked Diana Hoff at Questar if she could coordinate with this schedule, possibly meeting us at the Luman Road Cutoff, or the boat ramp, or in Pinedale, or at a Questar field site. I hope this works, because we would really like to see as many operations as possible.

Attached is a draft list of participants and a summary schedule for the trip. We expect to pick up a few more people and maybe lose one or two before we hit the road on August 6. It's an interesting group, with most of the political forces in the energy development debate represented in one form or another.

I'll be in touch again after Diana responds. Thank you very much for your most valuable assistance.

Tom Sladek

(See attached file: EMFI 2007 Participants 0723.doc)(See attached file: EMFI 2007 Summary Itinerary 0723.doc)

**2007 EMFI Participants (7/23/2007)**

<b>LAST NAME</b>	<b>FIRST NAME</b>	<b>TITLE</b>	<b>AFFILIATION</b>
Adams	Wendy	Legislative Assistant	Office of Rep. Udall (D-CO)
Alberg	Jeanette	Area Representative	Office of Sen. Allard (R-CO)
Alexander	Kristina	Legislative Attorney	Congressional Research Service
Barron	Dan	Legislative Assistant	Senate Committee on Environment & Public Works; Senator Inhofe's (R-OK) personal staff
Boak	Jeremy	Project Manager	Colorado Energy Research Institute
Brindle	Todd	Superintendent, Big Thicket National Preserve	National Park Service
Dallafior	Michelle	Professional Policy Staff (Energy & Environment Subcommittee)	House Committee on Science & Technology (Majority)
Intihar	Cruz (Gabby)	Program Analyst/Engineer	U.S. Department of Energy
Johansson	Robert	Policy Analyst	Office of Management and Budget
Johnson	David	Program Analyst	Office of Indian Energy and Economic Development
Kislear	Jordan	Program Analyst/General Engineer	U.S. Department of Energy
Kropschot	Susan	Mineral Resources Program	U.S. Geological Survey
Lohse	Clint	Research Assistant	Office of Sen. Enzi (R-WY)
Macke	Brian	Director	Colorado Oil and Gas Conservation Commission
Marshall	Debra	Senior Policy Advisor	House Select Committee on Energy Independence and Global Warming (Minority)
McDonald	Christine	Analyst	Office of Management & Budget
Nazzaro	Robin M.	Director, Natural Resources & Environment	Government Accountability Office
Nedd	Mike	Assistant Director: Minerals, Realty, and Resource Protection Directorate	Bureau of Land Management
Sabbaghian	Maryam		House Committee on Natural Resources (Minority)
Sares	Matt	Deputy Director	Colorado Geological Survey
Toft	Mark	Policy Analyst	Wyoming Governor Freudenthal's Office
White	Al	Representative of House District 57	Colorado House of Representatives
White	Tammy	Budget Analyst	U.S. Bureau of Reclamation

# 2007 ENERGY & MINERALS FIELD INSTITUTE

OFFICE OF SPECIAL PROGRAMS & CONTINUING EDUCATION  
COLORADO SCHOOL OF MINES, GOLDEN, COLORADO 80401

SUMMARY ITINERARY & SUPPORTER CONTACT INFORMATION  
PREPARED 23 JULY 2007

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## Monday 8/6/07

### **Renewable Energy & Fuels**

National Renewable Energy Laboratory, Golden CO (Tour)  
Host - Kerry Masson 303-275-4083 [Kerry\\_Masson@nrel.gov](mailto:Kerry_Masson@nrel.gov)

### **An Introduction to Mining**

Colorado School of Mines Edgar Experimental Mine, Idaho Springs CO (Tour)  
Host - Bob Cooper 303-567-2911 [rkcooper@mines.edu](mailto:rkcooper@mines.edu)

### **Overnight Lodging**

Hotel Colorado, Glenwood Springs CO: 970-945-6511 [hotelcolorado.com](http://hotelcolorado.com)

## Tuesday 8/7/07

### **Natural Gas Production from Tight Gas Sands**

Bill Barrett Corporation (Presentation & Tour)  
Host - Duane Zavadil 303-312-8128 [DZavadil@billbarrettcorp.com](mailto:DZavadil@billbarrettcorp.com)

### **Energy Development in the Rocky Mountain West**

Battlement Mesa Activity Center (Panel Discussion)  
Catering Manager - Fran Storm: 970-285-9480 [fstorm@bmesa.com](mailto:fstorm@bmesa.com)

Panelist - Steve Bennett, USBLM Glenwood Springs: 970-947-2813 [steve\\_bennett@co.blm.gov](mailto:steve_bennett@co.blm.gov)

Panelist - Keith Lambert, City of Rifle: 970-625-5122 [klambert@rifleco.org](mailto:klambert@rifleco.org), [lambert2004@msn.com](mailto:lambert2004@msn.com)

Panelist - Bob Elderkin, Rimrock Arabians: 970-876-2295 [rimrock@rof.net](mailto:rimrock@rof.net)

### **The Paraho Oil Shale Technology**

Shale Tech International, Rifle CO (Tour)  
Host - Ed Cooley: 970-65-3193 [ed.cooley@shaletechnologies.com](mailto:ed.cooley@shaletechnologies.com)

### **Energy Activities (Past & Present) on the Roan Plateau (Tour)**

Guide - Steve Bennett, USBLM Glenwood Springs: 970-947-2813 [steve\\_bennett@co.blm.gov](mailto:steve_bennett@co.blm.gov)

### **Overnight Lodging**

Holiday Inn, Craig CO: 970-824-4000 [holidayinn.com](http://holidayinn.com)

Wednesday 8/8/07

**Aboveground Coal Mining**

Trapper Mining Inc., Trapper Coal Mine, Craig CO (Tour)  
Host – Forrest Luke: 970-824-4401 [Forrest@TrapperMine.com](mailto:Forrest@TrapperMine.com)

**Coal-Fired Electricity Production**

Tri-State Generation & Transmission Association, Craig Station, Craig CO (Tour)  
Host – Marve Weible: 970-824-4411 [mweible@tristategt.org](mailto:mweible@tristategt.org)

**Overnight Lodging**

Weston Plaza Hotel, Vernal UT: 435-789-9550 [www.go-utah.com/weston-plaza](http://www.go-utah.com/weston-plaza)

Thursday 8/9/07

**Hydroelectric Power & Recreation**

U.S.Bureau of Reclamation Flaming Gorge Dam, Daggett County UT (Tour)  
Host – Steve Hulet: 435-885-3231 [SHulet@uc.usbr.gov](mailto:SHulet@uc.usbr.gov)

**Underground Mining**

Solvay Chemicals Inc. Green River Trona Mine, Green River WY (Tour)  
Host – Bryan Mortimer: 307-875-6500 [Bryan.Mortimer@Solvay.com](mailto:Bryan.Mortimer@Solvay.com)  
FMC Green River Trona Mine, Green River WY (Tour)  
Host – Richard Kramer: 307-875-2580 [Richard.Kramer@FMC.com](mailto:Richard.Kramer@FMC.com)

**Overnight Lodging**

Best Western Outlaw Inn, Rock Springs WY: 307-362-6623 [www.bestwesternwyoming.com](http://www.bestwesternwyoming.com)

Friday 8/10/07

**Natural Gas Production in Wyoming**

Jonah Field and the Pinedale Anticline (Tour)  
Host – Bill Lanning, USBLM Pinedale WY: 307-367-5318 [Pinedale\\_WYMail@BLM.gov](mailto:Pinedale_WYMail@BLM.gov)  
Host – Merry Gamper USBLM Pinedale WY: 307-367-5313 [Pinedale\\_WYMail@BLM.gov](mailto:Pinedale_WYMail@BLM.gov)  
Host – Diana Hoff, Questar Exploration & Production Co., Denver CO: 303-887-2047 [diana.hoff@questar.com](mailto:diana.hoff@questar.com)

**Overnight Lodging**

Jackson Lake Lodge, Grand Teton National Park WY: 406-862-8190

Saturday 8/11/07

Discussion & Wrapup  
Park Tour  
Transport to Jackson Airport  
Bus to Golden

**From:** Senator Jeff Bingaman  
**To:** [HENRY GALLEGOS](#)  
**Subject:** July Mailing  
**Date:** Wednesday, April 29, 2015 8:50:07 AM

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[United States Senator From New Mexico Jeff Bingaman](#)



**NEWSLETTER UPDATE FROM U.S. SENATOR JEFF BINGAMAN - JULY 30, 2007**

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## A Step Toward Clean Energy

Last month the [Senate](#) began to move our nation toward energy independence by putting us on a path to the clean production of fuels and power.

By a 65-27 vote, we passed a bill that will significantly ramp up the use of the homegrown biofuels that will replace gasoline, and require that the vehicles we drive get 10 more miles out of every gallon of fuel.

The [Clean Energy Act of 2007](#), which was shaped by the [Senate Energy and Natural Resources Committee](#) that I chair, also takes another major step toward reducing our dependence on fossil fuels by requiring a reduction in overall U.S. oil consumption of 2.5 million barrels per day by 2016, escalating to a savings of 10 million barrels per day by 2031.

As we dial back our use of fossil fuels, the bill requires that we turn increasingly toward renewable fuel supplies, such as wind and solar power. And it does so in a way that protects the environment because it requires that the actual production of renewable energies be 20 percent cleaner than the energy we're using today.

It also will allow us to continue to use coal - a domestic source of energy which the United States has in abundance - by finding ways to capture and store the dangerous carbon dioxide it emits. Carbon is one of the most common greenhouse gases that is contributing to global warming.

I believe the federal government should lead by example, and this bill would guarantee just that. If enacted, this bill would require the federal government to reduce by 20 percent the amount of petroleum its fleet of vehicles consumes and to purchase at least 15 percent of its electricity from renewable resources. And it would make dramatic improvements in the efficiency of federal buildings.

This is a good bill that puts us on a path to energy



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### AT A GLANCE

- [June Body](#)
- [Global Warming](#)
- [Your Comments](#)
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independence. But the truth is, it would have been stronger had the minority party not blocked consideration of two key proposals. The first was a \$30 billion package of incentives for the production of renewable energy. The second was a plan that would have required that utility companies produce 15 percent of their energy through renewable resources.

Because these two provisions are essential to a comprehensive energy package, I will continue to press for their passage as we move into negotiations with the House of Representatives.

My goal is to produce a bill to send to the president that taps into America's limitless capacity for innovation, and does so in a way that makes us more energy independent. We can -- and should -- lead the world in developing new technologies that will produce clean, alternative energy and help address the threat of global warming.

### Global Warming

I have also introduced bipartisan legislation designed to stop the advance of global warming while protecting the U.S. economy and American consumers. The [Low Carbon Economy Act](#) is an economy-wide mandatory cap-and-trade program that would set an annual target on the amount of carbon that could be put into the atmosphere, and also allow firms to buy, sell, and trade carbon credits. The target is designed to cut emissions by at least sixty percent by 2050.

Funds raised through the sale of carbon credits would be invested in new low-emission energy technologies that would be employed by industry to further reduce the level of greenhouse gases. In short, the bill would promote a decisive transition to new, lower-carbon technologies, and do so at a cost that the economy would be prepared to absorb.

This bipartisan approach strikes the right balance and would return the U.S. to a position of global leadership.

### Comments

Name

Comments

In which county do you live?

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**Welcome to My Second Session Summer Interns**

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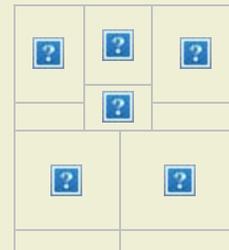
- [US Senate](#)
- [The CLEAN Energy Act](#)
- [Senate Committee on Energy & Natural Resources](#)
- [Low Carbon Economy Act](#)
- [US Capitol Virtual Tour](#)
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### Other Relevant Links

- [NM Environment Department](#)
- [Los Alamos National Labs](#)
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- [Intergovernmental Panel on Climate Change](#)
- [University Corporation for Atmospheric Research](#)
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### NEWS BY REGION

Click on your region of the state to see how my work in the Senate is impacting the area where you live.



\*This comments box gives you a quick and easy way to share your feedback on this story. Your message will be reviewed but will not receive a response.



The second group of summer interns in my Washington and New Mexico offices began their internship last month, and they are working hard on behalf of New Mexico. Through the internship, these students are learning about the [U.S. Senate](#) and how the work that is done here affects our state and the country.

Interns are generally undergraduate students from New Mexico. The interns in my Washington office have been working closely with members of my legislative staff to research policy issues, attend hearings, and lead tours of the [U.S. Capitol building](#) to visitors from New Mexico. The interns in my state offices have been assisting my field and constituent services staff on office projects and helping with front office duties. New Mexico has much to be proud of in these excellent students.

An internship in one of my offices is a valuable learning opportunity for students interested in government or in exploring how public policy affects their field of interest. If you would like to participate in a future internship, please visit the [internship section](#) of [my website](#) for further information. The application deadline for the fall internship program is August 17.

### **Capitol Tours**

If you plan to visit Washington, DC this spring or summer, let my staff arrange [tours of the U.S. Capitol](#) for you and your group. Please call my Washington office at (202) 224-5521 to make arrangements. My office can also help arrange tours of the White House, but please note that such tours are in extremely high demand and usually require considerable lead time to arrange. For those tickets, please contact my office at least four to six months in advance of your trip and, if possible, be flexible in the dates you can visit. White House tickets are allocated by the White House on a first-come, first-served basis.

### **Constituent Services**

My state offices offer assistance to New Mexicans who are having difficulty working with federal agencies. My staff can help with veterans and military services, social security concerns, immigration, housing, and many other issues. Please use the clickable map of the state in the sidebar to find the office closest to you.

[More about Constituent Services](#)

**Comments?**

Replies to this email are returned to an un-monitored mailbox. If you want to reach me, you can send me an e-mail at [senator\\_bingaman@bingaman.senate.gov](mailto:senator_bingaman@bingaman.senate.gov) or visit the "[Contact Me](#)" section of my website to send an e-form or to get an address or phone number for one of my local offices. As always, I welcome your feedback on anything contained in this e-newsletter.

Sincerely,



Jeff Bingaman  
United States Senator

**Bingaman Office Locations**

<p><b>Albuquerque</b> Suite 130 625 Silver Avenue, SW Albuquerque, NM 87102 (505) 346-6601</p>	<p><b>Washington, D.C.</b> 703 Hart Senate Office Bldg. United States Senate Washington, D.C. 20510 (202) 224-5521</p>	<p><b>Roswell</b> Suite 300 200 East Fourth Street Roswell, NM 88201 (505) 622-7113</p>
<p><b>Las Cruces</b> 148 Loretto Towne Centre 505 South Main Las Cruces, NM 88001 (505) 523-6561</p>	<p><b>Las Vegas</b> 118 Bridge Street, Suite 3 P.O. Box 1977 Las Vegas, NM 87701 (505) 454-8824</p>	<p><b>Santa Fe</b> Suite 101 119 East Marcy Santa Fe, NM 87501 (505) 988-6647</p>

Image used in header: Courtesy of the New Mexico Tourism Department, Jim Stein (Photographer)

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**From:** Moran, Jill  
**To:** [darla\\_ripchensky@energy.senate.gov](mailto:darla_ripchensky@energy.senate.gov)  
**Cc:** [lucy\\_murfitt@energy.senate.gov](mailto:lucy_murfitt@energy.senate.gov); [heidi\\_hansen@energy.senate.gov](mailto:heidi_hansen@energy.senate.gov); [spencer\\_gray@energy.senate.gov](mailto:spencer_gray@energy.senate.gov); [Patrick Wilkinson](#); [Lara Douglas](#)  
**Subject:** BLM Testimony  
**Date:** Wednesday, April 29, 2015 4:25:05 PM  
**Attachments:** [BLM Statement Hydraulic Fracturing Rule.Final.docx](#)

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Darla et al,

Attached is Director Kornze's testimony for tomorrow's hearing.

Thank you,  
Jill

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**Statement of  
Neil Kornze  
Director  
Bureau of Land Management, U.S. Department of the Interior  
Senate Energy and Natural Resources Committee  
Subcommittee on Public Lands, Forests, and Mining**

***“Bureau of Land Management’s Final Hydraulic Fracturing Rule”***

**April 30, 2015**

Chairman Barrasso, Ranking Member Wyden, and Members of the Subcommittee, thank you for the opportunity to discuss the Bureau of Land Management’s (BLM) final hydraulic fracturing regulations and their application to Federal, tribal, and Indian trust mineral resources. The BLM oil and gas program’s highest priority is ensuring that the operations it authorizes on public and tribal lands are safe and environmentally responsible. This rule is critical to meeting that responsibility as we continue to offer millions of acres of public land for minerals development each year.

The BLM’s rule establishes a consistent set of requirements designed to prevent problems in these complex hydraulic fracturing operations before they occur. It also will provide as much information as possible to the public about these operations that affect their public lands. The goals of the rule – safe and environmentally responsible operation and resource protection – are goals that we know the BLM shares with industry, states, tribes, and the American public. The expertise brought to these issues by those who participated in the rulemaking process was essential to producing a rule that will achieve these goals, and we are very appreciative of the time and skill invested by all concerned.

**Background**

The BLM is responsible for protecting the resources and managing the uses of our nation’s public lands, which are located primarily in 12 western states, including Alaska. The BLM administers more land – over 245 million surface acres – than any other Federal agency. The BLM also manages approximately 700 million acres of onshore Federal mineral estate throughout the nation, including the subsurface estate overlain by properties managed by other Federal agencies such as the Department of Defense and the U.S. Forest Service. In addition, the BLM, together with the Bureau of Indian Affairs (BIA), provides permitting and oversight services under the Indian Mineral Leasing Act of 1938 to approximately 56 million acres of land held in trust by the Federal government on behalf of tribes and individual Indian owners. The BLM works closely with surface management agencies, including the BIA and tribal governments, in the management of these subsurface resources. We are also mindful of our agency’s responsibility for stewardship of public land resources and Indian trust assets that generate substantial revenue for the U.S. Treasury, the states, tribal governments, and individual Indian owners.

In support of President Obama’s all-of-the-above energy strategy, the BLM is committed to promoting safe, responsible, and environmentally sustainable domestic oil and gas production in

a manner that will protect consumers, human health, and the environment, and reduce our dependence on foreign oil. Secretary Jewell has made it clear that as we expand and diversify our energy portfolio, the development of conventional energy resources from BLM-managed lands will continue to play a critical role in meeting the nation's energy needs and fueling our economy.

In Fiscal Year (FY) 2014, onshore Federal oil and gas royalties exceeded \$3 billion, approximately half of which were paid directly to the states in which the development occurred. In FY 2014, tribal oil and gas royalties exceeded \$1 billion with all of those revenues paid to the tribes or individual Indian owners of the land on which the development occurred.

The BLM works diligently to fulfill its role in securing America's energy future, coordinating closely with partners across the country to ensure that development of oil and gas resources occurs in the right places and that those projects are managed safely and responsibly. In recent years, the BLM has overseen a significant increase in oil production from public lands, while also supporting continued natural gas production. Oil production from Federal and Indian lands in 2014 rose twelve percent from the previous year and is now up 81 percent since 2008 – 113 million barrels per year in 2008 to 205 million barrels per year today. For comparison, nationwide oil production over the same period increased 73 percent. The BLM is proud to be a leader in this area, and continues to make public lands available for oil and gas development in excess of industry demand. Additionally, today the BLM has responsibility for more than 100,000 existing oil and gas wells.

### **Hydraulic Fracturing Technology**

Hydraulic fracturing involves the injection of fluid under high pressure to create or enlarge fractures in the rocks containing oil and gas so that the fluids can flow more freely into the wellbore and thus increase production. The number of wells on BLM-managed public lands and on Indian lands that are stimulated by hydraulic fracturing techniques has increased steadily in recent years. Of wells currently being drilled, over 90 percent use modern hydraulic fracturing techniques for well completion.

These new well completions are typically significantly more complex than the wells drilled in the past. Modern hydraulic fracturing operations are often considerably deeper and coupled with relatively new horizontal drilling techniques, unlike those that occurred in the past which were used on a relatively small scale to complete or to re-complete wells. The increasingly common combination of long lateral well bores with hydraulic fracturing today has facilitated larger-scale operations that allow greater access to shale oil and gas resources across the country, sometimes in areas that have not previously or only recently experienced significant oil and gas development.

### **Hydraulic Fracturing Rulemaking Considerations**

The Mineral Leasing Act of 1920 (MLA), as amended, directs the Secretary of the Interior to lease Federal oil and gas resources, and authorizes her to regulate the resulting oil and gas operations on those leases. The BLM has used this authority to develop regulations governing all aspects of oil and gas operations, including requirements related to surface-disturbing activities, production measurement, and well construction. The Indian Mineral Leasing Act

extends this regulatory authority and the resultant rules to Indian oil and gas leases on trust lands (except those lands specifically excluded by statute). Finally, the Federal Land Policy and Management Act of 1976 (FLPMA) directs the BLM to manage the public lands using the principles of multiple use and sustained yield and to take any action necessary to prevent unnecessary or undue degradation. In fulfilling these objectives, FLPMA requires the BLM to manage public lands in a manner that protects the quality of their resources, including ecological, environmental, and water resources. On net, this statutory regime requires the BLM to balance responsible development with protection of the environment and public safety. The BLM works hard to ensure the appropriate balance is struck and that the applicable regulations and requirements are applied and enforced fairly and consistently across all the lands where the BLM has oversight responsibilities.

Prior to the issuance of the hydraulic fracturing rule, the BLM's rules on oil and gas operations were last updated over 30 years ago, and had not kept pace with the significant technological advances in hydraulic fracturing techniques and the tremendous increase in its use. The new rule is the culmination of four years of work by the BLM that began in November 2010 when it held its first public forum on this topic. Since that time, the BLM has published two proposed rules and held numerous meetings with the public and state officials, as well as many tribal consultations and meetings. The public comment period was open for a cumulative period of more than 210 days, during which time the BLM received and analyzed comments from more than 1.5 million individuals and groups. During this period, the BLM also studied state and tribal regulations, and consulted with state and tribal agencies, industry, and the public, including communities affected by oil and gas operations.

### **Hydraulic Fracturing Rule Requirements**

Informed by the experience of its experts and the technical expertise and concerns of state regulators, tribes, industry, and the public, the BLM's hydraulic fracturing rule strengthens its existing oversight procedures and provides all stakeholders with additional assurance that operations are being carried out safely and responsibly.

Key components of the rule include provisions for ensuring the protection of groundwater supplies through requirements related to wellbore integrity. These include the placement of strong cement barriers between the wellbore and any potentially usable water zones through which the wellbore passes, which protects groundwater both from hydraulic fracturing fluids during drilling and from hydrocarbon contamination during production. The rule requires the interim storage of recovered waste fluids from the hydraulic fracturing operation in tanks in order to minimize the potential for produced water spills that put air, water, and wildlife at risk. Additional measures requiring companies to submit more detailed information on the geology, depth, and location of preexisting wells prior to drilling will lower the risk of cross-well contamination, which has become more prevalent as the prevalence of horizontal drilling has increased. To increase transparency, as much of this information as possible will be made available to the public. Finally, the rule requires companies to publicly disclose information about the chemicals used in their hydraulic fracturing processes on public lands within 30 days of completing the operations.

These requirements were developed based on BLM's experience and technical expertise and work done by states, tribal authorities, and industry. During the four years the BLM spent preparing the rule, it benefited from the expertise of state and tribal regulators, and many provisions of the final rule reflect existing state standards. None of these requirements impose undue delays, costs, or procedures on operators.

### **Work with States & Tribes**

The BLM has established and maintained regulations governing oil and gas operations on public lands for decades, and has worked successfully with operators, tribes and state governments to avoid duplication and delay in the enforcement and monitoring of these regulations. The implementation of the recently issued hydraulic fracturing rule will continue this longstanding practice while also ensuring the BLM satisfies its obligations to ensure federal standards are met. As explained above, the rule builds upon and updates the BLM's existing regulations to address an evolving technology, in order to provide consistent parameters for the conduct of hydraulic fracturing operations on BLM-managed public lands nationwide and Indian trust lands.

Of the 32 states with the potential for oil and gas development on federally managed mineral resources, slightly more than half have rules in place that address hydraulic fracturing, and those rules vary widely from state to state. Recognizing the expertise and experience that state and tribal authorities possess and consistent with its standard practice of ensuring the efficient implementation of its rules, the BLM will work with states and tribes that have standards in place for hydraulic fracturing that meet or exceed those set by the BLM's rule to establish variances from those aspects of the BLM rule. Following BLM approval of a variance, the BLM and the state or tribe will enforce the more protective requirement. In addition, the BLM will continue its coordination with states and tribes to establish or review and strengthen existing agreements related to oil and gas regulation and operations.

The BLM's overall intent for these coordination efforts is to minimize duplication and maximize efficiency, while also ensuring the applicable federal standards are met. As this rule is implemented, the BLM will continuously work with states, tribes, and operators to maximize coordination and efficiency.

### **Implementing the Rule**

The final hydraulic fracturing rule will be effective on June 24, 2015. Implementation of the rule is expected to cost industry about \$11,400 per hydraulic fracturing operation. On average, this expense equates to no more than one-quarter of one percent of the cost of drilling a well. This is a modest cost, especially in light of public interest in ensuring that these operations are conducted in an environmentally sound and safe manner. The BLM is aware that industry, states, tribes, and the public share the same goal of safeguarding local communities, water quality, wildlife, and other resources from potential harm. For this reason, the BLM rule not only incorporates requirements from existing state and tribal rules, but industry best practices as well. In many cases operators have voluntarily undertaken the best practices reflected in the BLM's rule. The rule ensures that those practices are maintained and adopted by all. As result, the rule achieves a cost-effective path towards consistent permitting requirements and disclosure protocols for hydraulic fracturing operations.

The BLM has taken a number of steps both internally and externally to prepare for the implementation of the rule in advance of its effective date. Internally, recognizing the central role wellbore integrity plays in maintaining safe operations, the BLM partnered with the Society of Petroleum Engineers to add more technical training for the BLM's engineers that emphasizes cementing and other critical aspects of hydraulic fracturing operations. As the BLM implements the rule, it will continue to offer, develop and refine these technical training modules. Guidance will also be issued to State and Field Offices through formal Instruction Memorandum to ensure the rule is implemented in the most efficient and consistent way possible.

Externally, the BLM has undertaken outreach efforts to states, operators, trade associations, and other interested stakeholders. The BLM State Offices are in the process of meeting with their state counterparts, undertaking state-by-state comparisons of regulatory requirements in order to identify opportunities for variances, and to establish Memorandums of Understanding (MOUs) that will realize efficiencies and allow for successful implementation of the rule. To date, the BLM has scheduled or is scheduling meetings with: the North Dakota Industrial Commission; the Wyoming Oil and Gas Commission; and the states of Alaska, California, Colorado, New Mexico, Nevada, and Utah. The BLM will be presenting the rule at the Interstate Oil and Gas Compact Commission's next meeting.

Similarly, communication with industry is also ongoing. Our offices are reaching out to local or regional industry organizations and local operators to address their questions related to the implementation process. On April 7, 2015, BLM Washington hosted a general industry outreach session that over 200 people participated in to explain the rule and answer questions about its implementation. Similar sessions have been set up or will be set up at the local level. The BLM's Carlsbad NM Field Office provided a presentation to the local working group for the SE NM New Mexico Oil and Gas Association on April 9, 2015. BLM State and Field Offices are working to coordinate similar opportunities with associations representing producers in Wyoming, Utah, Colorado, Montana, and North Dakota. Finally, we are also working closely with the Ground Water Protection Council (GWPC) to finalize a MOU that will ensure that the chemical disclosures provided by industry can be easily searched and downloaded from the GWPC's publicly available hydraulic fracturing database, FracFocus.

### **Conclusion**

The BLM's hydraulic fracturing rule provides a much needed update to the BLM's existing regulations. It establishes commonsense standards governing modern hydraulic fracturing operations that reflect the technological advancement of the process over time. These new regulations are essential to our efforts to protect the environment and local communities, while also ensuring the continued conscientious development of our federal oil and gas resources. Thank you for the opportunity to present this testimony. I will be pleased to answer any questions you may have.

**From:** Wilkinson, Patrick  
**To:** [David Brooks](mailto:David.Brooks@blm.gov)  
**Cc:** [Lara E. Douglas](mailto:Lara.E.Douglas@blm.gov)  
**Subject:** Fwd: BLM Testimony  
**Date:** Wednesday, April 29, 2015 4:33:09 PM  
**Attachments:** [BLM Statement Hydraulic Fracturing Rule.Final.docx](#)

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david,  
just fyi below (spencer is on the email)

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

**From:** Moran, Jill <[jcmoran@blm.gov](mailto:jcmoran@blm.gov)>  
**Date:** Wed, Apr 29, 2015 at 4:24 PM  
**Subject:** BLM Testimony  
**To:** [darla\\_ripchensky@energy.senate.gov](mailto:darla_ripchensky@energy.senate.gov)  
**Cc:** [lucy\\_murfitt@energy.senate.gov](mailto:lucy_murfitt@energy.senate.gov), [heidi\\_hansen@energy.senate.gov](mailto:heidi_hansen@energy.senate.gov), [spencer\\_gray@energy.senate.gov](mailto:spencer_gray@energy.senate.gov), Patrick Wilkinson <[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)>, Lara Douglas <[ledouglas@blm.gov](mailto:ledouglas@blm.gov)>

Darla et al,

Attached is Director Kornze's testimony for tomorrow's hearing.

Thank you,  
Jill

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Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

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Patrick Wilkinson  
U.S. Department of the Interior  
Bureau of Land Management  
Legislative Affairs Division (WO 620)  
Phone: (202) 912-7429  
Fax: (202) 245-0050

**Statement of  
Neil Kornze  
Director  
Bureau of Land Management, U.S. Department of the Interior  
Senate Energy and Natural Resources Committee  
Subcommittee on Public Lands, Forests, and Mining**

***“Bureau of Land Management’s Final Hydraulic Fracturing Rule”***

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The BLM works diligently to fulfill its role in securing America's energy future, coordinating closely with partners across the country to ensure that development of oil and gas resources occurs in the right places and that those projects are managed safely and responsibly. In recent years, the BLM has overseen a significant increase in oil production from public lands, while also supporting continued natural gas production. Oil production from Federal and Indian lands in 2014 rose twelve percent from the previous year and is now up 81 percent since 2008 – 113 million barrels per year in 2008 to 205 million barrels per year today. For comparison, nationwide oil production over the same period increased 73 percent. The BLM is proud to be a leader in this area, and continues to make public lands available for oil and gas development in excess of industry demand. Additionally, today the BLM has responsibility for more than 100,000 existing oil and gas wells.

### **Hydraulic Fracturing Technology**

Hydraulic fracturing involves the injection of fluid under high pressure to create or enlarge fractures in the rocks containing oil and gas so that the fluids can flow more freely into the wellbore and thus increase production. The number of wells on BLM-managed public lands and on Indian lands that are stimulated by hydraulic fracturing techniques has increased steadily in recent years. Of wells currently being drilled, over 90 percent use modern hydraulic fracturing techniques for well completion.

These new well completions are typically significantly more complex than the wells drilled in the past. Modern hydraulic fracturing operations are often considerably deeper and coupled with relatively new horizontal drilling techniques, unlike those that occurred in the past which were used on a relatively small scale to complete or to re-complete wells. The increasingly common combination of long lateral well bores with hydraulic fracturing today has facilitated larger-scale operations that allow greater access to shale oil and gas resources across the country, sometimes in areas that have not previously or only recently experienced significant oil and gas development.

### **Hydraulic Fracturing Rulemaking Considerations**

The Mineral Leasing Act of 1920 (MLA), as amended, directs the Secretary of the Interior to lease Federal oil and gas resources, and authorizes her to regulate the resulting oil and gas operations on those leases. The BLM has used this authority to develop regulations governing all aspects of oil and gas operations, including requirements related to surface-disturbing activities, production measurement, and well construction. The Indian Mineral Leasing Act

extends this regulatory authority and the resultant rules to Indian oil and gas leases on trust lands (except those lands specifically excluded by statute). Finally, the Federal Land Policy and Management Act of 1976 (FLPMA) directs the BLM to manage the public lands using the principles of multiple use and sustained yield and to take any action necessary to prevent unnecessary or undue degradation. In fulfilling these objectives, FLPMA requires the BLM to manage public lands in a manner that protects the quality of their resources, including ecological, environmental, and water resources. On net, this statutory regime requires the BLM to balance responsible development with protection of the environment and public safety. The BLM works hard to ensure the appropriate balance is struck and that the applicable regulations and requirements are applied and enforced fairly and consistently across all the lands where the BLM has oversight responsibilities.

Prior to the issuance of the hydraulic fracturing rule, the BLM's rules on oil and gas operations were last updated over 30 years ago, and had not kept pace with the significant technological advances in hydraulic fracturing techniques and the tremendous increase in its use. The new rule is the culmination of four years of work by the BLM that began in November 2010 when it held its first public forum on this topic. Since that time, the BLM has published two proposed rules and held numerous meetings with the public and state officials, as well as many tribal consultations and meetings. The public comment period was open for a cumulative period of more than 210 days, during which time the BLM received and analyzed comments from more than 1.5 million individuals and groups. During this period, the BLM also studied state and tribal regulations, and consulted with state and tribal agencies, industry, and the public, including communities affected by oil and gas operations.

### **Hydraulic Fracturing Rule Requirements**

Informed by the experience of its experts and the technical expertise and concerns of state regulators, tribes, industry, and the public, the BLM's hydraulic fracturing rule strengthens its existing oversight procedures and provides all stakeholders with additional assurance that operations are being carried out safely and responsibly.

Key components of the rule include provisions for ensuring the protection of groundwater supplies through requirements related to wellbore integrity. These include the placement of strong cement barriers between the wellbore and any potentially usable water zones through which the wellbore passes, which protects groundwater both from hydraulic fracturing fluids during drilling and from hydrocarbon contamination during production. The rule requires the interim storage of recovered waste fluids from the hydraulic fracturing operation in tanks in order to minimize the potential for produced water spills that put air, water, and wildlife at risk. Additional measures requiring companies to submit more detailed information on the geology, depth, and location of preexisting wells prior to drilling will lower the risk of cross-well contamination, which has become more prevalent as the prevalence of horizontal drilling has increased. To increase transparency, as much of this information as possible will be made available to the public. Finally, the rule requires companies to publicly disclose information about the chemicals used in their hydraulic fracturing processes on public lands within 30 days of completing the operations.

These requirements were developed based on BLM's experience and technical expertise and work done by states, tribal authorities, and industry. During the four years the BLM spent preparing the rule, it benefited from the expertise of state and tribal regulators, and many provisions of the final rule reflect existing state standards. None of these requirements impose undue delays, costs, or procedures on operators.

### **Work with States & Tribes**

The BLM has established and maintained regulations governing oil and gas operations on public lands for decades, and has worked successfully with operators, tribes and state governments to avoid duplication and delay in the enforcement and monitoring of these regulations. The implementation of the recently issued hydraulic fracturing rule will continue this longstanding practice while also ensuring the BLM satisfies its obligations to ensure federal standards are met. As explained above, the rule builds upon and updates the BLM's existing regulations to address an evolving technology, in order to provide consistent parameters for the conduct of hydraulic fracturing operations on BLM-managed public lands nationwide and Indian trust lands.

Of the 32 states with the potential for oil and gas development on federally managed mineral resources, slightly more than half have rules in place that address hydraulic fracturing, and those rules vary widely from state to state. Recognizing the expertise and experience that state and tribal authorities possess and consistent with its standard practice of ensuring the efficient implementation of its rules, the BLM will work with states and tribes that have standards in place for hydraulic fracturing that meet or exceed those set by the BLM's rule to establish variances from those aspects of the BLM rule. Following BLM approval of a variance, the BLM and the state or tribe will enforce the more protective requirement. In addition, the BLM will continue its coordination with states and tribes to establish or review and strengthen existing agreements related to oil and gas regulation and operations.

The BLM's overall intent for these coordination efforts is to minimize duplication and maximize efficiency, while also ensuring the applicable federal standards are met. As this rule is implemented, the BLM will continuously work with states, tribes, and operators to maximize coordination and efficiency.

### **Implementing the Rule**

The final hydraulic fracturing rule will be effective on June 24, 2015. Implementation of the rule is expected to cost industry about \$11,400 per hydraulic fracturing operation. On average, this expense equates to no more than one-quarter of one percent of the cost of drilling a well. This is a modest cost, especially in light of public interest in ensuring that these operations are conducted in an environmentally sound and safe manner. The BLM is aware that industry, states, tribes, and the public share the same goal of safeguarding local communities, water quality, wildlife, and other resources from potential harm. For this reason, the BLM rule not only incorporates requirements from existing state and tribal rules, but industry best practices as well. In many cases operators have voluntarily undertaken the best practices reflected in the BLM's rule. The rule ensures that those practices are maintained and adopted by all. As result, the rule achieves a cost-effective path towards consistent permitting requirements and disclosure protocols for hydraulic fracturing operations.

The BLM has taken a number of steps both internally and externally to prepare for the implementation of the rule in advance of its effective date. Internally, recognizing the central role wellbore integrity plays in maintaining safe operations, the BLM partnered with the Society of Petroleum Engineers to add more technical training for the BLM's engineers that emphasizes cementing and other critical aspects of hydraulic fracturing operations. As the BLM implements the rule, it will continue to offer, develop and refine these technical training modules. Guidance will also be issued to State and Field Offices through formal Instruction Memorandum to ensure the rule is implemented in the most efficient and consistent way possible.

Externally, the BLM has undertaken outreach efforts to states, operators, trade associations, and other interested stakeholders. The BLM State Offices are in the process of meeting with their state counterparts, undertaking state-by-state comparisons of regulatory requirements in order to identify opportunities for variances, and to establish Memorandums of Understanding (MOUs) that will realize efficiencies and allow for successful implementation of the rule. To date, the BLM has scheduled or is scheduling meetings with: the North Dakota Industrial Commission; the Wyoming Oil and Gas Commission; and the states of Alaska, California, Colorado, New Mexico, Nevada, and Utah. The BLM will be presenting the rule at the Interstate Oil and Gas Compact Commission's next meeting.

Similarly, communication with industry is also ongoing. Our offices are reaching out to local or regional industry organizations and local operators to address their questions related to the implementation process. On April 7, 2015, BLM Washington hosted a general industry outreach session that over 200 people participated in to explain the rule and answer questions about its implementation. Similar sessions have been set up or will be set up at the local level. The BLM's Carlsbad NM Field Office provided a presentation to the local working group for the SE NM New Mexico Oil and Gas Association on April 9, 2015. BLM State and Field Offices are working to coordinate similar opportunities with associations representing producers in Wyoming, Utah, Colorado, Montana, and North Dakota. Finally, we are also working closely with the Ground Water Protection Council (GWPC) to finalize a MOU that will ensure that the chemical disclosures provided by industry can be easily searched and downloaded from the GWPC's publicly available hydraulic fracturing database, FracFocus.

### **Conclusion**

The BLM's hydraulic fracturing rule provides a much needed update to the BLM's existing regulations. It establishes commonsense standards governing modern hydraulic fracturing operations that reflect the technological advancement of the process over time. These new regulations are essential to our efforts to protect the environment and local communities, while also ensuring the continued conscientious development of our federal oil and gas resources. Thank you for the opportunity to present this testimony. I will be pleased to answer any questions you may have.

**From:** Senator John Barrasso  
**To:** [Marion Mahaffey](#)  
**Subject:** Barrasso Report  
**Date:** Sunday, May 03, 2015 11:46:05 AM

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Dear Friend,

The EPA and the U.S. Army Corps of Engineers (USACE) are once again overreaching and trying to expand the Clean Water Act in an extreme way. Instead of working to preserve beautiful rivers, like our Snake River and Wind River, these agencies are seeking to regulate agriculture water, irrigation ditches, isolated ponds and other non-navigable waters as "Waters of the U.S." I've heard from so many people across our state who are concerned that the EPA's proposal would hurt Wyoming residents, their land and their businesses.

This week, along with a bipartisan group of senators, I introduced the Federal Water Quality Protection Act. This bill will protect America's waterways - and America's farmers, ranchers and landowners. If you are interested in learning more information about our bill, please click [here](#).

By striking the right balance, we'll keep our waterways safe and pristine and allow them to be used as natural resources.

Best Wishes,



Senator John Barrasso, M.D.

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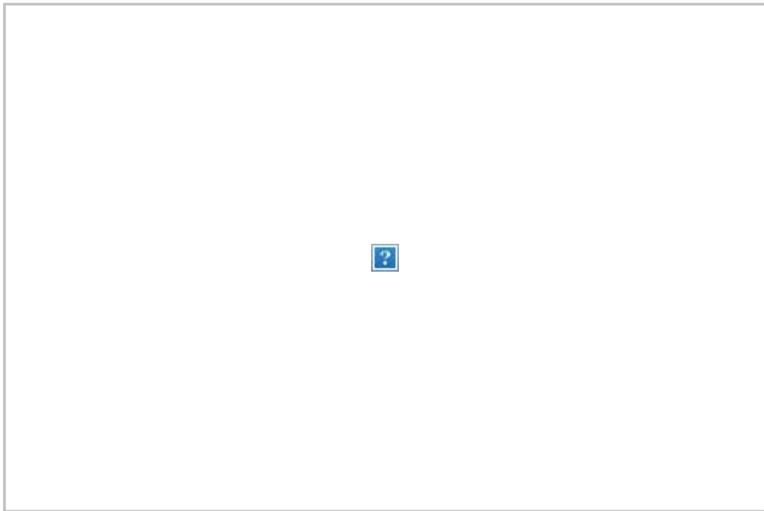
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“In Wyoming, about 47 percent of the surface estate and 67 percent of the mineral estate is owned by the federal government. This means that decisions made in Washington have an extraordinary impact on the people of Wyoming,” said Barrasso. “It’s hard to find someone who understands this reality more than Wyoming’s Oil and Gas Supervisor Mark Watson. I want to thank him for sharing his firsthand experiences with our committee today.”

Click [here](#) to read more...

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*“These regulations—and those that the Administration has already imposed— have put Wyoming and the West at an even greater disadvantage to other areas of the country. If BLM wants to be a good neighbor to the*



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*people of Wyoming and other western states, I think it must not only listen to their concerns, but be responsive to them.”*

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The hearing featured testimony from BLM Director Neil Kornze, Wyoming Oil and Gas Agency Supervisor Mark Watson, Earthworks Energy Program Director Bruce Baizel and Western Energy Alliance Vice President of Government and Public Affairs Kathleen Sgamma. [Click here](#) for more information on their testimony.

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*Bipartisan bill will direct EPA and Army Corps of Engineers to issue a revised WOTUS rule that protects traditional navigable water from water pollution, while*

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The bipartisan legislation will ensure the protection of traditional navigable waters of the United States. It also protects farmers, ranchers and private landowners by directing the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers to issue a revised “Waters of the United States” (WOTUS) rule that does not include things such as isolated ponds, ditches, agriculture water, storm water, groundwater, floodwater, municipal water supply systems, wastewater management systems, and streams without enough flow to carry pollutants to navigable waters.

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## **Barrasso Delivers Remarks on Iran Bill and Terrorism Certification Amendment**

*“It’s important for Congress and the American people to have their say on any final deal. It is just as important that the oversight we provide be meaningful – and that Congress state clearly that we will not tolerate Iran’s support of terrorism.”*

April 28, 2015

WASHINGTON, D.C. – Today, U.S. Senator John Barrasso (R-Wyo.) delivered the following remarks on the Senate floor about the bipartisan Iran Nuclear Agreement Review Act. Barrasso also talked about an amendment he introduced to the bill to require the president to certify that Iran is not directly supporting acts of terrorism against our country or against an American citizen anywhere in the world.

Click [here](#) to read more...

## Senate Advances Bill to Ensure Open EPA Science

### *Senate EPW Committee passed Secret Science Reform Act*

April 28, 2015

WASHINGTON D.C. – Today, U.S. Senators John Barrasso (R-WY) and David Vitter (R-LA) praised the Senate Environment and Public Works (EPW) Committee for passing the Secret Science Reform Act (S. 544). Barrasso, Vitter and EPW Committee Chairman Jim Inhofe (R-OK) introduced the bill in February to ensure future Environmental Protection Agency (EPA) regulations are based on the best available science. Similar legislation passed the House in the 113th Congress with bipartisan support.

“As a doctor, I know that the best data and research are thoroughly tested, reproducible and publicly available,” said Barrasso. “Today the Committee voted to require the EPA to give Americans direct access to the science used to justify regulations that impact everything from jobs to our environment. Our bill will give Americans more confidence that the EPA’s policies will deliver the environmental and public health benefits that the agency has promised.”

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## Barrasso Calls for Oversight of Uranium Trader Following Former DOE Official Poneman Appointment

### *Senator sends letter to Secretary Moniz in response to Department of Energy testimony before the House Oversight and Government Reform Committee.*

April 23, 2015

WASHINGTON, D.C. – Today, U.S. Senator John Barrasso (R-WY) sent a letter to Energy Secretary Moniz in response to the Department of Energy’s (DOE) testimony at yesterday’s hearing before the House Oversight and Government Reform Committee.

At the hearing, a DOE official indicated that DOE does not review uranium contracts involving the Traxys Group, a uranium commodities trader, which recently appointed former Deputy Secretary of Energy Daniel Poneman to its Board of Directors.

Since 2011, DOE has transferred roughly \$900 million of publicly-owned uranium which has financially benefitted Traxys.

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## Barrasso: Under Republican Leadership, the U.S. Senate is Working Again

*"Voters across the country said that they were tired of gridlock, and they were tired of the lack of action... Republicans have responded – and we're working hard to make the United States Senate accountable again to the people who sent us here."*

April 23, 2015

WASHINGTON, D.C. – Today, U.S. Senator John Barrasso (R-Wyo.) delivered the following remarks on the Senate floor about legislative accomplishments in the new Republican-led Senate. Barrasso highlights how the Senate has passed a number of important bipartisan bills and amendments and is finally working again for the American people.

Click [here](#) to read more...

## Senators Reintroduce Bipartisan Alternative Fuels Bill

*Bill would allow the U.S. military and federal agencies to purchase transportation fuel produced from coal, oil shale and oil sands.*

April 21, 2015

WASHINGTON, DC – Today, U.S. Senators John Barrasso (R-WY), Joe Manchin (D-WV), Heidi Heitkamp (D-ND) and others reintroduced the bipartisan North American Alternative Fuels Act. The bill would repeal section 526 of the Energy Independence and Security Act (EISA) of 2007 which prohibits the federal government, including the U.S. military, from purchasing fuel produced from coal, oil shale and oil sands.

“Our nation’s military should have access to any and all fuel sources it needs to achieve its mission,” said Senator Barrasso. “Instead of giving preference to oil imported from overseas, Washington should look to North American coal, oil shale and oil sands, all of which provide an affordable, abundant and alternative source of fuel. In addition to increasing cost effectiveness options for the government, it will also increase America’s energy security.”

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## In Case You Missed It....

## County 10: Barrasso and others reintroduce bipartisan alternative fuels bill

April 24, 2015

Today, U.S. Senators John Barrasso (R-WY), Joe Manchin (D-WV), Heidi Heitkamp (D-ND) and others re-introduced the bipartisan North American Alternative Fuels Act. The bill would repeal section 526 of the Energy Independence and Security Act (EISA) of 2007 which prohibits the federal government, including the U.S. military, from purchasing fuel produced from coal, oil shale and oil sands.

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## K2 Radio: Wyoming Delegation Tries to Head Off Federal Protection

April 28, 2015

CHEYENNE, Wyo. (AP) — Wyoming's congressional delegation but not the state's governor say they support a legislative effort to block federal protection of the greater sage grouse for at least six years.

Sens. Mike Enzi and John Barrasso are co-sponsoring a bill from Sen. Cory Gardner of Colorado. Rep. Cynthia Lummis is co-sponsoring a similar bill by Rep. Chris Stewart of Utah.

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## Senator Barrasso TV:

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[Sen. Barrasso Introduces Bi-Partisan Federal Water Quality Protection Act](#)

[Sen. Barrasso on FOX "America's Newsroom" with Bill Hemmer](#)

[Barrasso: It's a Fact, Obamacare is Hurting Millions of Americans](#)

[Barrasso Discusses Iran Nuclear Agreement Review Act](#)

[Sen. Barrasso on FOX Business "Cavuto" with Neil Cavuto](#)

[Sen. Barrasso on CNN "Smerconish" with Michael Smerconish](#)

[Sen. Barrasso on FOX News "On the Record" with Greta Van Susteren](#)

## Wyoming Office Hours and Locations:

Senator Barrasso has five state offices located in Cheyenne, Casper, Sheridan, Rock Springs and Riverton. These offices are open Monday through Friday and their addresses and contact info can be found at the bottom of this e-mail. Wyoming residents who cannot make it to one of the state offices should take advantage of meeting with field representatives from our offices in the following towns:

**Glenrock:** May 12th, 9:30 AM – 10:30 AM at the Glenrock Town Hall – Council Chambers

**Lusk:** May 12th, Noon – 1:00 PM at the Lusk Town Hall – City Council Chambers

**Douglas:** May 12th, 3:00 PM – 4:00 PM at the Douglas City Hall – Council Chambers

#### OFFICE LOCATIONS

**Casper Office:**  
100 East B Street  
Suite 2201  
Casper, WY 82602  
Main: 307-261-6413

**Rock Springs Office:**  
1575 Dewar Drive (Commerce Bank)  
Suite 218  
Rock Springs, WY 82901  
Main: 307-362-5012

**Cheyenne Office:**  
2120 Capitol Avenue  
Suite 2013  
Cheyenne, WY 82001  
Main: 307-772-2451

**Sheridan Office:**  
2 North Main Street  
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Main: 307-672-6456

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324 East Washington Avenue  
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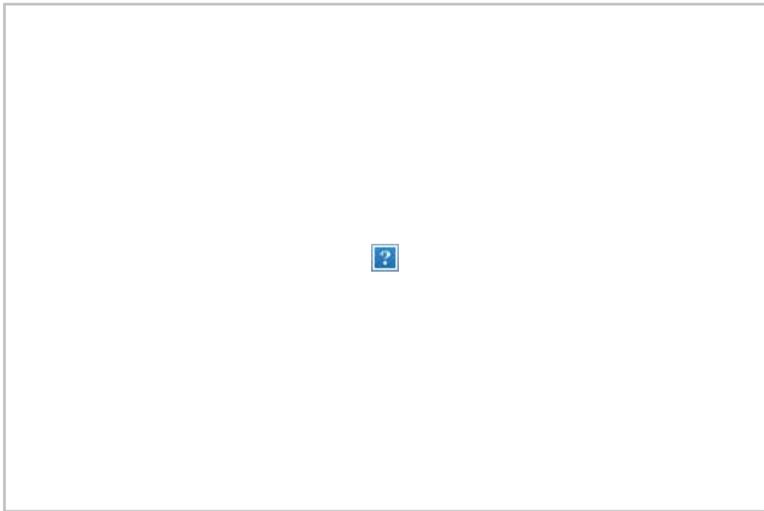
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Main: 307-261-6413

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Suite 218  
Rock Springs, WY 82901  
Main: 307-362-5012

**Cheyenne Office:**  
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Suite 2013  
Cheyenne, WY 82001  
Main: 307-772-2451

**Sheridan Office:**  
2 North Main Street  
Suite 206  
Sheridan, WY 82801  
Main: 307-672-6456

**Riverton Office:**  
324 East Washington Avenue  
Riverton, WY 82501  
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Dear Friend,

The EPA and the U.S. Army Corps of Engineers (USACE) are once again overreaching and trying to expand the Clean Water Act in an extreme way. Instead of working to preserve beautiful rivers, like our Snake River and Wind River, these agencies are seeking to regulate agriculture water, irrigation ditches, isolated ponds and other non-navigable waters as "Waters of the U.S." I've heard from so many people across our state who are concerned that the EPA's proposal would hurt Wyoming residents, their land and their businesses.

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By striking the right balance, we'll keep our waterways safe and pristine and allow them to be used as natural resources.

Best Wishes,



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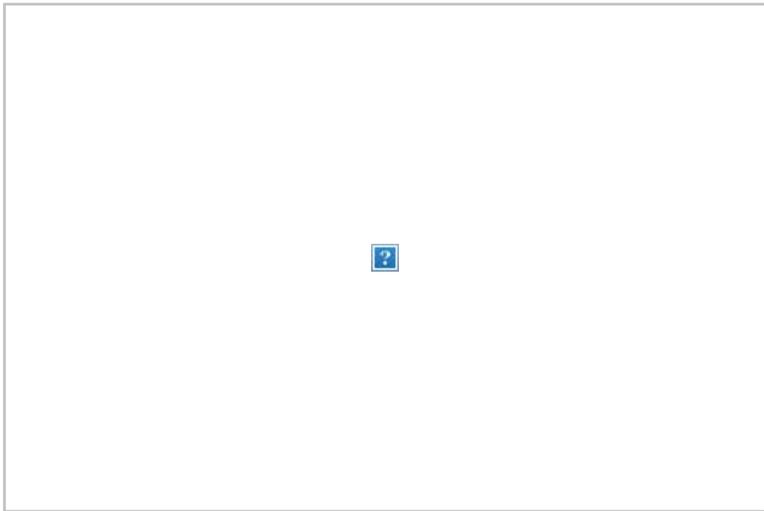
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Rock Springs, WY 82901  
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Cheyenne, WY 82001  
Main: 307-772-2451

**Sheridan Office:**  
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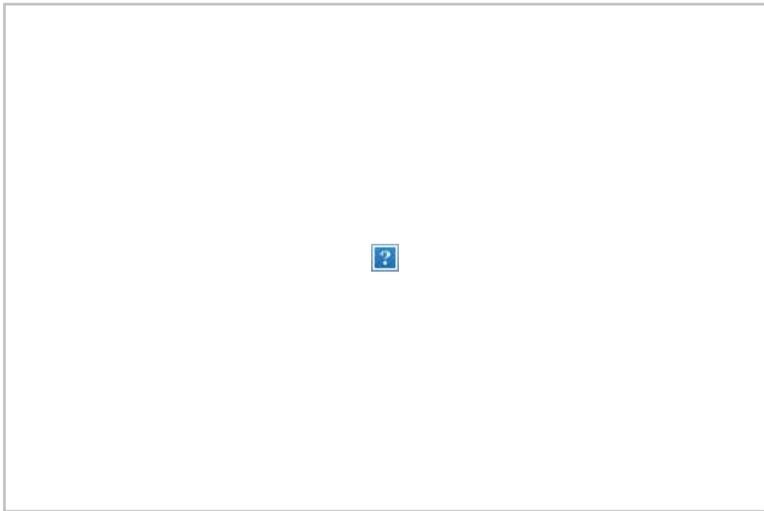
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Main: 307-261-6413

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Suite 218  
Rock Springs, WY 82901  
Main: 307-362-5012

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Suite 2013  
Cheyenne, WY 82001  
Main: 307-772-2451

**Sheridan Office:**  
2 North Main Street  
Suite 206  
Sheridan, WY 82801  
Main: 307-672-6456

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324 East Washington Avenue  
Riverton, WY 82501  
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Dear Friend,

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By striking the right balance, we'll keep our waterways safe and pristine and allow them to be used as natural resources.

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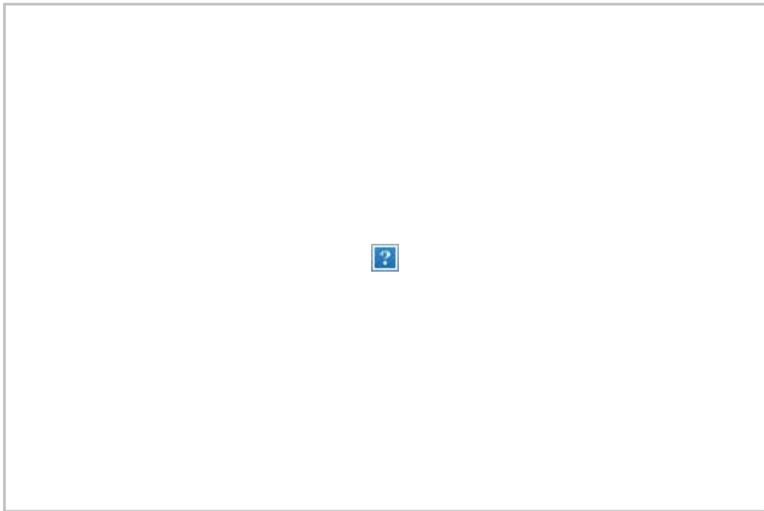
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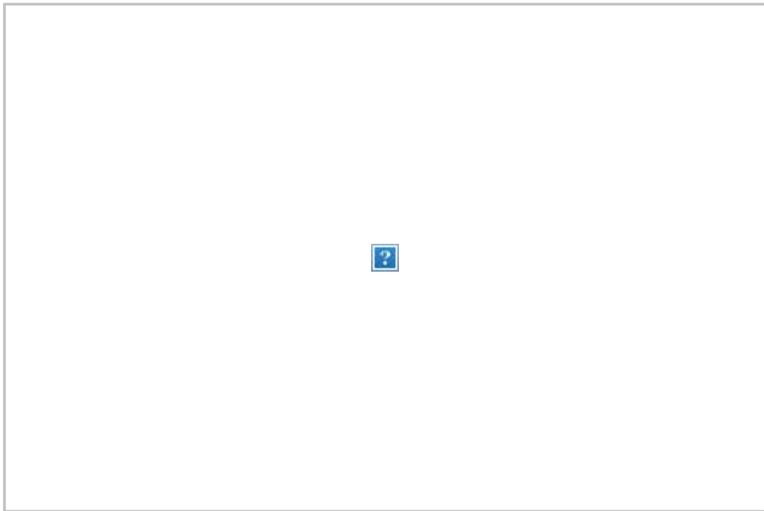
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Main: 307-261-6413

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Rock Springs, WY 82901  
Main: 307-362-5012

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Cheyenne, WY 82001  
Main: 307-772-2451

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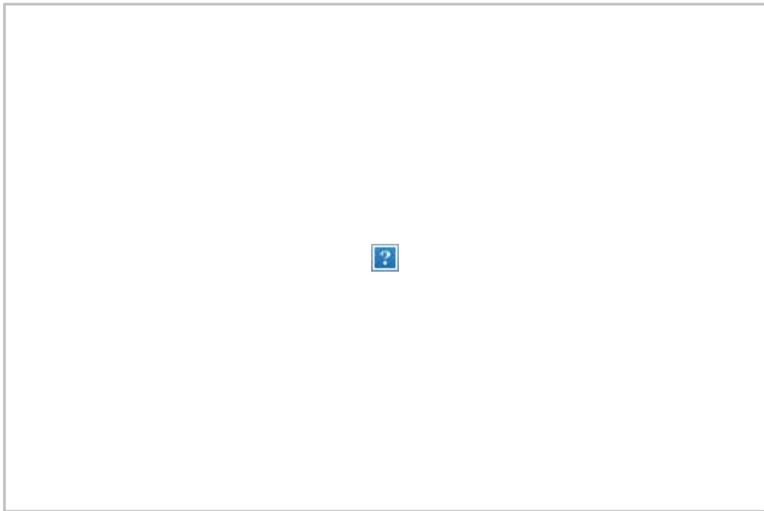
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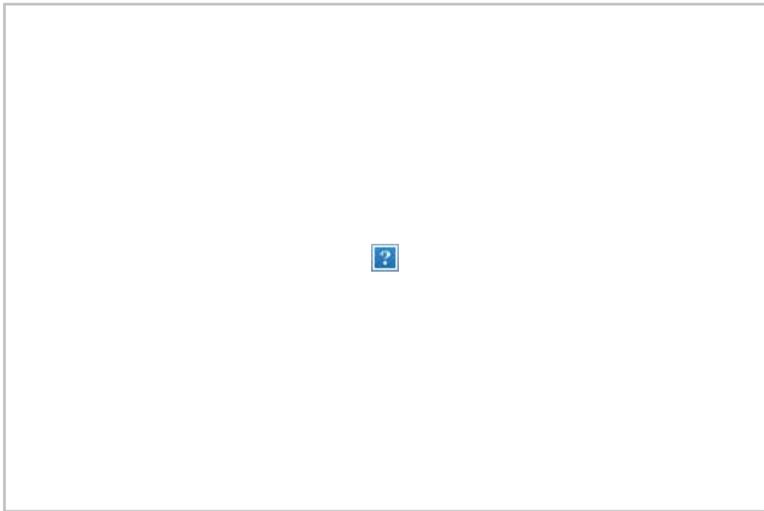
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Main: 307-261-6413

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Suite 218  
Rock Springs, WY 82901  
Main: 307-362-5012

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Cheyenne, WY 82001  
Main: 307-772-2451

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Suite 206  
Sheridan, WY 82801  
Main: 307-672-6456

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Riverton, WY 82501  
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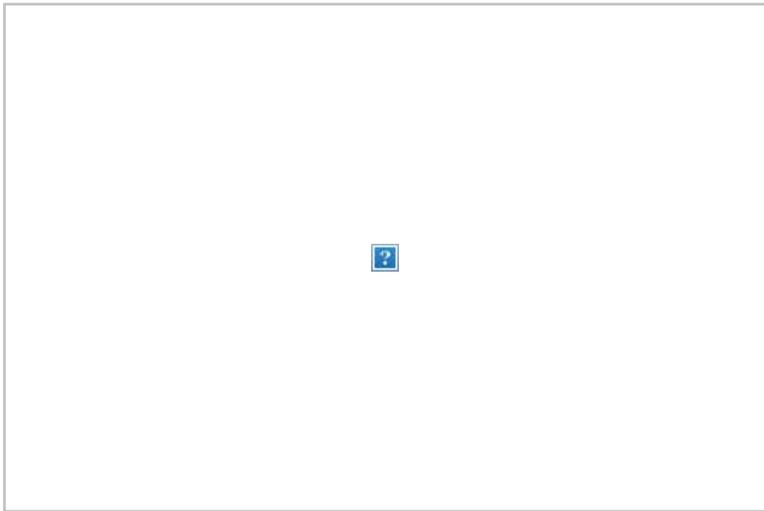
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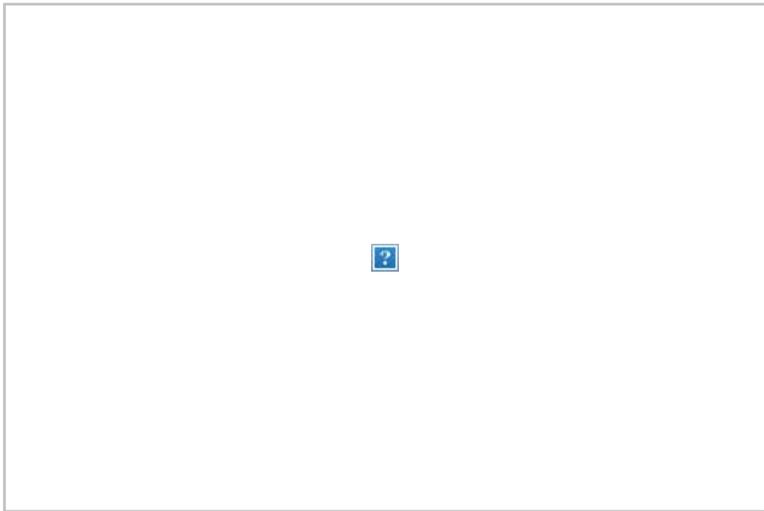
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100 East B Street  
Suite 2201  
Casper, WY 82602  
Main: 307-261-6413

**Rock Springs Office:**  
1575 Dewar Drive (Commerce Bank)  
Suite 218  
Rock Springs, WY 82901  
Main: 307-362-5012

**Cheyenne Office:**  
2120 Capitol Avenue  
Suite 2013  
Cheyenne, WY 82001  
Main: 307-772-2451

**Sheridan Office:**  
2 North Main Street  
Suite 206  
Sheridan, WY 82801  
Main: 307-672-6456

**Riverton Office:**  
324 East Washington Avenue  
Riverton, WY 82501  
Main: 307-856-6642

**Washington, DC Office:**  
307 Dirksen Senate Office Building  
Washington, DC 20510  
Main: 202-224-6441  
Tollfree: 866-235-9553

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**From:** Senator John Barrasso  
**To:** [cwertz@](mailto:cwertz@)  
**Subject:** Barrasso Report  
**Date:** Sunday, May 03, 2015 11:58:33 AM

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May 03, 2015

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[John Barrasso - United States Senator, Wyoming](#)



Dear Friend,

The EPA and the U.S. Army Corps of Engineers (USACE) are once again overreaching and trying to expand the Clean Water Act in an extreme way. Instead of working to preserve beautiful rivers, like our Snake River and Wind River, these agencies are seeking to regulate agriculture water, irrigation ditches, isolated ponds and other non-navigable waters as "Waters of the U.S." I've heard from so many people across our state who are concerned that the EPA's proposal would hurt Wyoming residents, their land and their businesses.

This week, along with a bipartisan group of senators, I introduced the Federal Water Quality Protection Act. This bill will protect America's waterways - and America's farmers, ranchers and landowners. If you are interested in learning more information about our bill, please click [here](#).

By striking the right balance, we'll keep our waterways safe and pristine and allow them to be used as natural resources.

Best Wishes,



Senator John Barrasso, M.D.

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[Click here to check out Senator Barrasso's photo gallery.](#)

#### What issues are you most interested in?

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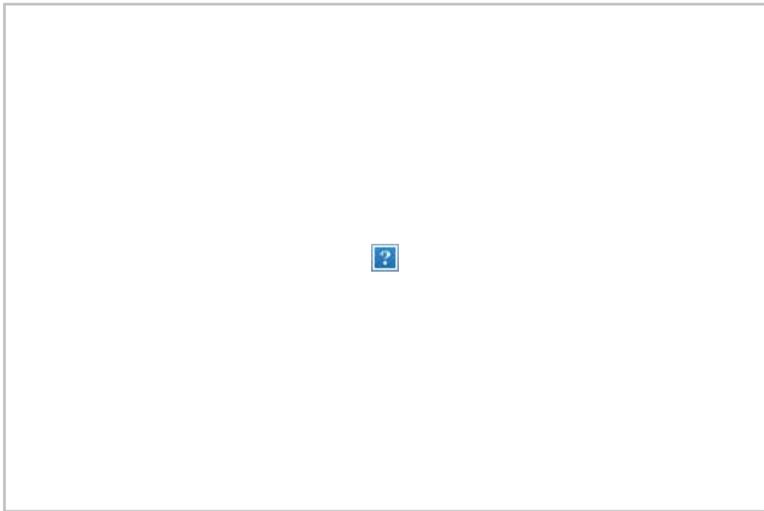
Foreign Affairs

Healthcare

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Senator Barrasso met with Wyoming’s Academic Bowl Team of Deaf and Hard-of-Hearing high school students. The team stopped by the senator’s office when they were in D.C. for the Gallaudet University National Academic Bowl competition.

# Senator Barrasso News

## WY Oil and Gas Supervisor Testifies Before Senate on BLM Fracking Rule

April 30, 2015

WASHINGTON, DC – Today, U.S. Senator John Barrasso (R-Wyo.) welcomed Wyoming Oil and Gas Supervisor Mark Watson before the Senate Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining. Senator Barrasso, who chairs the subcommittee, invited Supervisor Mark Watson to testify about the Bureau of Land Management’s (BLM) final hydraulic fracturing rule.

“In Wyoming, about 47 percent of the surface estate and 67 percent of the mineral estate is owned by the federal government. This means that decisions made in Washington have an extraordinary impact on the people of Wyoming,” said Barrasso. “It’s hard to find someone who understands this reality more than Wyoming’s Oil and Gas Supervisor Mark Watson. I want to thank him for sharing his firsthand experiences with our committee today.”

Click [here](#) to read more...

## Barrasso Chairs Subcommittee Hearing on BLM’s Fracking Rule

*“These regulations—and those that the Administration has already imposed— have put Wyoming and the West at an even greater disadvantage to other areas of the country. If BLM wants to be a good neighbor to the*



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*people of Wyoming and other western states, I think it must not only listen to their concerns, but be responsive to them.”*

April 30, 2015

WASHINGTON, D.C.— Today, U.S. Senator John Barrasso (R-WY), Chairman of the Senate Energy & Natural Resources Subcommittee on Public Lands, Forests, and Mining, delivered the following opening statement at the first subcommittee hearing of the year on the Bureau of Land Management’s (BLM) final hydraulic fracturing rule.

The hearing featured testimony from BLM Director Neil Kornze, Wyoming Oil and Gas Agency Supervisor Mark Watson, Earthworks Energy Program Director Bruce Baizel and Western Energy Alliance Vice President of Government and Public Affairs Kathleen Sgamma. [Click here](#) for more information on their testimony.

Click [here](#) to read more...

## Barrasso Highlights Bipartisan Bill to Protect America’s Waterways

*“This bill says Yes to clean water – and No to extreme bureaucracy. It will give the Environmental Protection Agency the direction it needs – the direction to write a strong and reasonable rule, that truly protects America’s waterways. One that keeps Washington’s hands off of the things like irrigation ditches, isolated ponds, and groundwater.”*

April 30, 2015

WASHINGTON, D.C. – Today, U.S. Senator John Barrasso (R-Wyo.) delivered the following remarks on the Senate floor about the bipartisan Federal Water Quality Protection Act (S. 1140) that he introduced today. The bill would direct the Environmental Protection Agency and Army Corps of Engineers to issue a revised “waters of the United States” (WOTUS) rule that protects traditional navigable water from water pollution, while also protecting farmers, ranchers and private landowners.

Click [here](#) to read more...

## Senators Introduce Bipartisan Bill to Protect Navigable Waters in the United States

*Bipartisan bill will direct EPA and Army Corps of Engineers to issue a revised WOTUS rule that protects traditional navigable water from water pollution, while*

*also protecting farmers, ranchers and private landowners.*

April 30, 2015

WASHINGTON, DC – Today, U.S. Senators John Barrasso (R-WY), Joe Donnelly (D-IN), Jim Inhofe (R-OK), Heidi Heitkamp (D-ND), Pat Roberts (R-KS) and Joe Manchin (D-WV), led a bipartisan group of senators in introducing the Federal Water Quality Protection Act (S. 1140).

The bipartisan legislation will ensure the protection of traditional navigable waters of the United States. It also protects farmers, ranchers and private landowners by directing the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers to issue a revised “Waters of the United States” (WOTUS) rule that does not include things such as isolated ponds, ditches, agriculture water, storm water, groundwater, floodwater, municipal water supply systems, wastewater management systems, and streams without enough flow to carry pollutants to navigable waters.

Click [here](#) to read more...

## **Barrasso: It’s a Fact, Obamacare is Hurting Millions of Americans**

*“Republicans will continue to come to the floor to offer the facts about how the health care law has harmed American families. We will continue to offer solutions that deliver the real reform people have been asking for all along.”*

April 29, 2015

WASHINGTON, D.C. – Today, U.S. Senator John Barrasso (R-Wyo.) delivered the following remarks on the Senate floor about how the President’s health care law is hurting millions of Americans. Barrasso also responded to Senate Minority Leader Harry Reid’s (D-NV) recent comments about the law.

Click [here](#) to read more...

## **Barrasso Delivers Remarks on Iran Bill and Terrorism Certification Amendment**

*“It’s important for Congress and the American people to have their say on any final deal. It is just as important that the oversight we provide be meaningful – and that Congress state clearly that we will not tolerate Iran’s support of terrorism.”*

April 28, 2015

WASHINGTON, D.C. – Today, U.S. Senator John Barrasso (R-Wyo.) delivered the following remarks on the Senate floor about the bipartisan Iran Nuclear Agreement Review Act. Barrasso also talked about an amendment he introduced to the bill to require the president to certify that Iran is not directly supporting acts of terrorism against our country or against an American citizen anywhere in the world.

Click [here](#) to read more...

## Senate Advances Bill to Ensure Open EPA Science

### *Senate EPW Committee passed Secret Science Reform Act*

April 28, 2015

WASHINGTON D.C. – Today, U.S. Senators John Barrasso (R-WY) and David Vitter (R-LA) praised the Senate Environment and Public Works (EPW) Committee for passing the Secret Science Reform Act (S. 544). Barrasso, Vitter and EPW Committee Chairman Jim Inhofe (R-OK) introduced the bill in February to ensure future Environmental Protection Agency (EPA) regulations are based on the best available science. Similar legislation passed the House in the 113th Congress with bipartisan support.

“As a doctor, I know that the best data and research are thoroughly tested, reproducible and publicly available,” said Barrasso. “Today the Committee voted to require the EPA to give Americans direct access to the science used to justify regulations that impact everything from jobs to our environment. Our bill will give Americans more confidence that the EPA’s policies will deliver the environmental and public health benefits that the agency has promised.”

Click [here](#) to read more...

## Barrasso Calls for Oversight of Uranium Trader Following Former DOE Official Poneman Appointment

### *Senator sends letter to Secretary Moniz in response to Department of Energy testimony before the House Oversight and Government Reform Committee.*

April 23, 2015

WASHINGTON, D.C. – Today, U.S. Senator John Barrasso (R-WY) sent a letter to Energy Secretary Moniz in response to the Department of Energy’s (DOE) testimony at yesterday’s hearing before the House Oversight and Government Reform Committee.

At the hearing, a DOE official indicated that DOE does not review uranium contracts involving the Traxys Group, a uranium commodities trader, which recently appointed former Deputy Secretary of Energy Daniel Poneman to its Board of Directors.

Since 2011, DOE has transferred roughly \$900 million of publicly-owned uranium which has financially benefitted Traxys.

Click [here](#) to read more...

## Barrasso: Under Republican Leadership, the U.S. Senate is Working Again

*"Voters across the country said that they were tired of gridlock, and they were tired of the lack of action... Republicans have responded – and we're working hard to make the United States Senate accountable again to the people who sent us here."*

April 23, 2015

WASHINGTON, D.C. – Today, U.S. Senator John Barrasso (R-Wyo.) delivered the following remarks on the Senate floor about legislative accomplishments in the new Republican-led Senate. Barrasso highlights how the Senate has passed a number of important bipartisan bills and amendments and is finally working again for the American people.

Click [here](#) to read more...

## Senators Reintroduce Bipartisan Alternative Fuels Bill

*Bill would allow the U.S. military and federal agencies to purchase transportation fuel produced from coal, oil shale and oil sands.*

April 21, 2015

WASHINGTON, DC – Today, U.S. Senators John Barrasso (R-WY), Joe Manchin (D-WV), Heidi Heitkamp (D-ND) and others reintroduced the bipartisan North American Alternative Fuels Act. The bill would repeal section 526 of the Energy Independence and Security Act (EISA) of 2007 which prohibits the federal government, including the U.S. military, from purchasing fuel produced from coal, oil shale and oil sands.

“Our nation’s military should have access to any and all fuel sources it needs to achieve its mission,” said Senator Barrasso. “Instead of giving preference to oil imported from overseas, Washington should look to North American coal, oil shale and oil sands, all of which provide an affordable, abundant and alternative source of fuel. In addition to increasing cost effectiveness options for the government, it will also increase America’s energy security.”

Click [here](#) to read more...

## In Case You Missed It....

## County 10: Barrasso and others reintroduce bipartisan alternative fuels bill

April 24, 2015

Today, U.S. Senators John Barrasso (R-WY), Joe Manchin (D-WV), Heidi Heitkamp (D-ND) and others re-introduced the bipartisan North American Alternative Fuels Act. The bill would repeal section 526 of the Energy Independence and Security Act (EISA) of 2007 which prohibits the federal government, including the U.S. military, from purchasing fuel produced from coal, oil shale and oil sands.

Click [here](#) to read more...

## K2 Radio: Wyoming Delegation Tries to Head Off Federal Protection

April 28, 2015

CHEYENNE, Wyo. (AP) — Wyoming's congressional delegation but not the state's governor say they support a legislative effort to block federal protection of the greater sage grouse for at least six years.

Sens. Mike Enzi and John Barrasso are co-sponsoring a bill from Sen. Cory Gardner of Colorado. Rep. Cynthia Lummis is co-sponsoring a similar bill by Rep. Chris Stewart of Utah.

Click [here](#) to read more...

## Senator Barrasso TV:

[Barrasso Chairs Subcommittee Hearing on BLM's Fracking Rule](#)

[Sen. Barrasso Introduces Bi-Partisan Federal Water Quality Protection Act](#)

[Sen. Barrasso on FOX "America's Newsroom" with Bill Hemmer](#)

[Barrasso: It's a Fact, Obamacare is Hurting Millions of Americans](#)

[Barrasso Discusses Iran Nuclear Agreement Review Act](#)

[Sen. Barrasso on FOX Business "Cavuto" with Neil Cavuto](#)

[Sen. Barrasso on CNN "Smerconish" with Michael Smerconish](#)

[Sen. Barrasso on FOX News "On the Record" with Greta Van Susteren](#)

## Wyoming Office Hours and Locations:

Senator Barrasso has five state offices located in Cheyenne, Casper, Sheridan, Rock Springs and Riverton. These offices are open Monday through Friday and their addresses and contact info can be found at the bottom of this e-mail. Wyoming residents who cannot make it to one of the state offices should take advantage of meeting with field representatives from our offices in the following towns:

**Glenrock:** May 12th, 9:30 AM – 10:30 AM at the Glenrock Town Hall – Council Chambers

**Lusk:** May 12th, Noon – 1:00 PM at the Lusk Town Hall – City Council Chambers

**Douglas:** May 12th, 3:00 PM – 4:00 PM at the Douglas City Hall – Council Chambers

#### OFFICE LOCATIONS

**Casper Office:**  
100 East B Street  
Suite 2201  
Casper, WY 82602  
Main: 307-261-6413

**Rock Springs Office:**  
1575 Dewar Drive (Commerce Bank)  
Suite 218  
Rock Springs, WY 82901  
Main: 307-362-5012

**Cheyenne Office:**  
2120 Capitol Avenue  
Suite 2013  
Cheyenne, WY 82001  
Main: 307-772-2451

**Sheridan Office:**  
2 North Main Street  
Suite 206  
Sheridan, WY 82801  
Main: 307-672-6456

**Riverton Office:**  
324 East Washington Avenue  
Riverton, WY 82501  
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307 Dirksen Senate Office Building  
Washington, DC 20510  
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**From:** Wells, Steven  
**To:** [Hawbecker, Karen](#); [Richard McNeer](#); [Ben Nussdorf](#); [Douglas, Nicholas -FS](#); [Steve Feldgus](#); [Michael Worden](#); [Eric Olson](#); [Jackie Madson](#)  
**Subject:** Re: Litigation Hold in Lawsuits Challenging Hydraulic Fracturing Rule  
**Date:** Monday, May 04, 2015 11:55:00 AM  
**Attachments:** [2015.05.02 IPAA v. Jewell litigation hold memo.docx](#)

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All, as former HF rule PMs, this is the official memo for any records that you may have in your possession from the time of your tenure in the rulemaking. It sounds like there are no additional records, but we need to ask and let us know if you have any to provide. Thank you again for your time, and your past service in helping BLM,  
steve

On Sat, May 2, 2015 at 10:31 AM, Hawbecker, Karen <[karen.hawbecker@sol.doi.gov](mailto:karen.hawbecker@sol.doi.gov)> wrote:

On March 20 and March 26, 2015, Independent Petroleum Association of America, Western Energy Alliance, and the State of Wyoming filed complaints against the Department of the Interior in the U.S. District Court for the District of Wyoming. The States of Colorado and North Dakota have also joined in the litigation. The suits challenge BLM's final hydraulic fracturing (HF) rule. I am writing to remind you of your legal obligation to immediately take all reasonable steps to preserve documents and data that are related to or in any way relevant to this litigation. The administrative record is due to be filed no later than June 24, 2015.

The attached memorandum provides more information about the above-referenced lawsuits, as well as detailed guidance about the types of documents that should be preserved. Also, as noted in the memorandum, we are requesting that you distribute the attached memorandum to any and all personnel in your office who might have any information related or relevant to preparation of the HF rule.

Please ensure that your personnel take appropriate action and document the steps they take to comply with this memorandum. We are also asking your assistance in producing the relevant documentation as soon as possible.

As explained in the attached memorandum, please confirm your receipt and understanding of the litigation hold by sending an email to Richard McNeer

([Richard.McNeer@sol.doi.gov](mailto:Richard.McNeer@sol.doi.gov)) and Eric Olson ([ecolson@blm.gov](mailto:ecolson@blm.gov)) no later than Friday, May 8, that includes the statement at the end of the memorandum. Please contact Richard McNeer if you have any questions related to this litigation hold or to your obligation to preserve potentially relevant documents. If you identify relevant documents, please inform them of their existence and preserve and produce them as described in the memorandum.

Thank you for your cooperation.

Karen Hawbecker  
Associate Solicitor  
Division of Mineral Resources  
Office of the Solicitor  
U.S. Department of the Interior  
1849 C Street N.W. MS 5358  
Washington, D.C. 20240

Office: (202) 208-4146  
Mobile: (703) 568-7572  
[karen.hawbecker@sol.doi.gov](mailto:karen.hawbecker@sol.doi.gov)

--

Steve Wells, BLM

*Division Chief, Fluid Minerals*

*p 202.912.7143*

*c 202.329.4551*

[s1wells@blm.gov](mailto:s1wells@blm.gov) [www.blm.gov/bmp](http://www.blm.gov/bmp)

*As I was walking that ribbon of highway, I saw above me that endless skyway: I saw below me that golden valley: This land was made for you and me. - Woody Guthrie*

# United States Department of the Interior



## *OFFICE OF THE SOLICITOR*

*Washington, D.C. 20240*

### **Attorney-Client Privileged Communication**

May 2, 2015

Memorandum

**TO:** Michael Connor, Deputy Secretary  
Janice Schneider, Assistant Secretary, Land and Minerals Management  
David Haines, Deputy Assistant Secretary, Land and Minerals Management  
Elizabeth Klein, Associate Deputy Secretary  
Neil Kornze, Director, BLM  
Jon Raby, Acting Chief of Staff, BLM  
Linda Lance, Planning Executive, BLM  
Phil Allard, Special Assistant, Office of the Director, BLM  
Michael Nedd, Assistant Director, Minerals & Realty, BLM  
Karen Mouritsen, Deputy Assistant Director, Minerals & Realty, BLM  
Eric Olson, Senior Litigation Specialist, BLM  
Celia Boddington, Assistant Director, Communications, BLM  
Timothy Spisak, Senior Advisor, Conventional Energy, BLM  
Steve Wells, Chief, Fluid Minerals, BLM  
Subijoy Dutta, Petroleum Engineer, BLM  
James Tichenor, Mineral Economist, BLM  
Richard Estabrook, Petroleum Engineer, BLM  
Don Judice, Petroleum Engineer, BLM  
William Lambert, Petroleum Engineer, BLM  
John Ajak, Petroleum Engineer, BLM  
Jerry Dickenson, Petroleum Engineer, BLM  
Al McKee, Petroleum Engineer, BLM  
Adrienne Brumley, Petroleum Engineer, BLM  
John Pecor, Petroleum Engineer, BLM  
Mark Lawyer, Office of the Executive Secretariat  
Ian Senio, Chief, Division of Regulatory Affairs, BLM  
Richard Cardinale, Chief of Staff, ASLM,  
Bryce Barlan, Program Analysis Officer, BLM  
Hilary Tompkins, Solicitor  
Jack Haugrud, Principal Deputy Solicitor  
Edward Keable, Deputy Solicitor, General Law  
Dennis Daugherty, Assistant Solicitor, Division of Mineral Resources  
Silvia Riechel, Assistant Solicitor, Division of Mineral Resources  
Timothy Murphy, Assistant Solicitor, Division of General Law

**Attorney-Client Privileged Communication**

Litigation Hold – *Silver Buckle Mines, Inc. vs. U.S.*, No. 2013-476 (C.F.C.)

2

Rachel Spector, Attorney, Division of General Law  
Stephen Simpson, Attorney, Division of Indian Affairs  
Cindy Cafaro, Departmental FOIA Officer

**FROM:** Karen Hawbecker, Associate Solicitor  
Division of Mineral Resources

**RE:      **Litigation Hold and Retention of Records Required****  
*Independent Petroleum Ass'n of America v. Jewell*, Case No. 15-cv-41-F (D. Wyo.),  
filed March 20, 2015; and *State of Wyoming v. U.S. Dept. of the Interior*, Case No.  
15-cv-43-S (D. Wyo.), filed March 26, 2015.

Please be advised that the Office of the Solicitor requires your assistance with respect to preserving agency information in the above-referenced lawsuits.

On March 20 and March 26, 2015, Independent Petroleum Association of America, Western Energy Alliance, and the State of Wyoming filed complaints against the Department of the Interior in the U.S. District Court for the District of Wyoming. The States of Colorado and North Dakota have also joined in the litigation. The suits challenge BLM's final hydraulic fracturing (HF) rule.

The local rules for the Wyoming District require filing of an administrative record within 90 days after complaint is filed. In this case, the administrative record is due to be filed no later than June 24, 2015. Consequently, we are writing to remind you of your legal obligation to preserve documents and data that are related to or in any way relevant to the preparation of the HF rule. We are also requesting your assistance in gathering the relevant documentation as soon as possible.

The HF rulemaking commenced with publication of the initial notice of proposed rulemaking on May 11, 2012, at 77 Fed. Reg. 22,7691. The rulemaking, though, was preceded by the Department's public forums on hydraulic fracturing, outreach to tribes, and review of studies, reports and recommendations from other agencies or other entities. A supplemental proposed rule was published at 78 Fed. Reg. 31,636 (May 24, 2013). The BLM's final HF rule was published on March 26, 2015 (80 Fed. Reg. 16,128). The Federal Register published a notice correcting two errors in the rule's implementation schedule on March 30, 2015 (80 Fed. Reg. 16,577). The HF rule creates new procedural requirements and substantive standards for oil and gas operators that hydraulically fracture oil and gas wells on Federal or Indian lands.

Please forward these instructions to any and all personnel in your office who might have any information related or relevant to preparation of the hydraulic fracturing rule and copy Richard McNeer ([Richard.McNeer@sol.doi.gov](mailto:Richard.McNeer@sol.doi.gov)) and Eric Olson ([ecolson@blm.gov](mailto:ecolson@blm.gov)) on that communication. Please also ensure that you and your personnel take appropriate action and document the steps taken to comply with this memorandum.

**Attorney-Client Privileged Communication**

The documents and data to be preserved include not only paper documents, maps, videos, calendars, charts, and similar items, but also all electronically stored information, such as emails, audio recordings, videotape, instant messages, word processing files, spreadsheets, databases, calendars, telephone logs, contact manager information, and Internet usage files. Potential sources of this information include paper files, computer hard drives, laptop computers, CDs/DVDs, thumb drives, PDAs, Blackberry devices, and any other location where paper documents or electronic data is stored. Sources of potentially relevant information may also include personal computers or personal email accounts you use or have access to at home, or anywhere else. Please note that electronically stored information must be preserved in its original electronic form, so that all information contained in it, including metadata, is preserved and available for inspection.

In order to comply with the Department's legal obligations, you need to immediately take reasonable steps to **preserve all documents and information related to or in any way relevant to agency actions identified above, and suspend deletion, overwriting, or any other possible destruction of such information**. Effective immediately, all routine destruction efforts under existing document management and email policies must be suspended for all such information. Instead, this information should be stored in such a manner as to be safely retained and accessible in case of future litigation. This obligation also extends to records maintained in off-site storage facilities and to the files and documents of any departing employees.

Supervisors must immediately notify the appropriate technical personnel responsible for operating the systems that store potentially relevant electronic records, or who are responsible for storing paper or other hard-copy records, of the need to preserve the records. Please direct these individuals that they are not to destroy any potentially relevant records until advised by the Office of the Solicitor that they may resume normal destruction of records in accordance with records retention schedules. Supervisors must also identify any current or past employees who might have relevant documents who are not listed on this memorandum. If possible, please provide a phone number and e-mail address for those not listed on this memorandum.

**What must you do to comply with this notice if you have potentially relevant documents?**

- **Search.** Search now and identify all sources of information related to this matter as soon as possible, including all types of hard copy documents and electronically stored information.
  - **Search terms should include, at a minimum, the following: hydraulic fracturing, hydrofracturing, hydro-fracking, hydrofracking, fracking, HF rule, FracFocus.**
  - **The search time frame for most documents is May 11, 2012 through March 26, 2015. However, because the preamble to the final rule refers to the public forums that began in late 2010, and to meetings with tribal representatives that also predated the publication of the initial notice of proposed**

**rulemaking, anyone likely to have access to documents related to those forums or meetings needs to preserve them.**

If you identify relevant documents, please inform Richard McNeer ([Richard.McNeer@sol.doi.gov](mailto:Richard.McNeer@sol.doi.gov)) and Eric Olson ([ecolson@blm.gov](mailto:ecolson@blm.gov)) that the documents exist and preserve them as discussed above. Additionally, if your office does **not** have any relevant or related documents, please affirmatively inform them of that fact.

- **Save.** Save your documents. The preservation obligation extends to records maintained in off-site storage facilities such as Federal Records Centers. Therefore, you must take affirmative steps to prevent the destruction of any potentially relevant information that has been transferred to a Federal Records Center or any other location. Do not transfer any potentially relevant information to a Federal Records Center or any other location at this time. You must save all this information until you are notified by the Solicitor's Office that the litigation hold has been lifted. Before you depart or retire, ensure that the agency retains access to potentially relevant information.
- **Segregate.** Promptly move all hard copy documents, e-mails, and other electronically stored information into separate folders that you designate for this matter. In the case of electronically stored information, designate a folder on your local network, not in your e-mail or on your hard drive, which may be subject to routine deletion policies. This will prevent information from being lost in the normal operation of your computer system.
- **Transmit relevant documents.** The BLM project manager for this administrative record will send instructions about how to transmit any relevant documents in your control to the appropriate location for timely review and possible inclusion in the administrative record. Be prepared to follow those instructions as promptly as possible in order for the record to be filed within the court's deadline.

Please contact Richard McNeer at 202-208-5180 or email him at [Richard.McNeer@sol.doi.gov](mailto:Richard.McNeer@sol.doi.gov) if you have any questions related to this litigation hold or to your obligation to preserve potentially relevant evidence. Thank you for your cooperation.

**By May 8, 2015, please acknowledge to us by email at the above email addresses your receipt of this litigation hold and your consent to act on its instructions by including in your email the following language:**

**I acknowledge that I have received a copy of and read the memorandum entitled “Litigation Hold and Retention of Records Required” dated May 4, 2014, in the matter of *IPAA. v. Jewell*, and I agree to take all reasonable steps necessary to preserve and produce the documents and data as instructed.**

**From:** Ripchensky, Darla (Energy)  
**To:** ["director@blm.gov"](mailto:director@blm.gov)  
**Cc:** [Murfitt, Lucy \(Energy\)](#); [Gray, Spencer \(Energy\)](#); [Hansen, Heidi \(Energy\)](#)  
**Subject:** Questions for the Record from the Senate ENR Committee" Subcmte on Public Lands, Forests, and Mining on April 30, 2015  
**Date:** Thursday, May 07, 2015 1:07:45 PM  
**Attachments:** [QFRs for Director Kornze 4-30-15 ENR PLFM Subcmte Hrg.docx](#)

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Good afternoon, Director Kornze. Attached are Questions for the Record which have been submitted to you by various Members of the ENR Committee from the subcommittee hearing which was held last Thursday regarding "The BLM's Final Rule on Hydraulic Fracturing." We respectfully request that you provide your responses to these questions by **Thursday, May 21, 2015** for inclusion in the official hearing record.

Please provide the responses directly to me, and feel free to contact me if you have any questions. Thank you for your assistance with this request.

Sincerely,

Darla Ripchensky, PMP  
Administrative Director  
U.S. Senate Committee on Energy and Natural Resources  
304 Dirksen Senate Office Building  
Washington, DC 20510  
202.224.3607

**U.S. Senate Committee on Energy and Natural Resources  
April 30, 2015 Hearing: BLM Hydraulic Fracturing Rule  
Questions for the Record Submitted to the Honorable Neil Kornze**

**Questions from Senator John Barrasso**

**Question 1:** The Bureau of Land Management’s final rule on hydraulic fracturing says that: “The BLM believes that there will be no financial impacts to the states as a result of this rule.” It goes on to say that: “the BLM does not believe that production from Federal lands will be reduced as a result of this rule. Therefore, a Federalism assessment is not required.” At the hearing, I asked you: (1) whether BLM relied on any empirical data to show that a rule of this significance would not reduce oil and gas production on federal lands; and (2) if BLM did not rely on empirical data, what is the basis for BLM’s finding that the rule will not reduce oil and gas production on federal lands?

In response, you indicated that you would provide a written answer to this question. I look forward to your answer.

**Question 2:** BLM has not issued a final environmental impact statement (EIS) for an oil and gas production project in Wyoming since 2008. Currently, there are nine EISs for oil and gas production projects in Wyoming pending with BLM. Some of the EISs have been pending with BLM for more than 8 years. During the hearing, you said that “about half of those [project proposals] came in in the last two years.” Of these nine, you indicated that BLM would issue two to three final EISs in Wyoming this year.

- A. Would you please provide the date that each of the nine projects were first proposed to BLM?
- B. Would you please provide the date (month/year) when we can expect BLM to issue the final EIS for each of the nine projects?

**Question 3:** On April 17, 2015, the Secretary of the Interior issued an advanced notice of proposed rulemaking for the purpose of seeking public comment on potential updates to BLM rules governing oil and gas royalty rates, rental payments, lease sale minimum bids, civil penalty caps and financial assurances.

I am concerned that any proposal to raise royalty rates and other fees will put federal lands at an even greater competitive disadvantage with state and private lands—and, as a consequence, Wyoming and other public land states at a greater disadvantage with other areas of the country.

In 2011, DOI commissioned a study which found that higher royalty rates for federal lands in Wyoming “will deteriorate their competitive position in the market, which is rather weak as it is.”

On March 14, 2012, then BLM Director, Bob Abbey, testified before the Senate that there has been “a shift [in oil and gas production] to private lands in the East and to the South where there are fewer amounts of Federal mineral estate.”

**U.S. Senate Committee on Energy and Natural Resources  
April 30, 2015 Hearing: BLM Hydraulic Fracturing Rule  
Questions for the Record Submitted to the Honorable Neil Kornze**

According to the Energy Information Administration (EIA), federal onshore natural gas production has decreased by 22 percent since 2009. EIA has found that federal onshore natural gas production makes up a smaller percentage of total U.S. gas production than it has in at least 11 years. EIA has also found that federal onshore oil production makes up a smaller percentage of total U.S. oil production than it has in nine years. While these numbers reflect new production on state and private lands, they also show that federal lands are becoming less competitive with state and private lands.

Please explain, in detail, how raising the royalty rates on onshore oil and gas production on federal lands will not further reduce their competitive position relative to state and private lands. In your answer, please address the additional regulatory burdens, including those associated with the National Environmental Policy Act, which apply to oil and gas production on federal lands but not oil and gas production on state and private lands.

**Question 4:** I understand there are significant delays in obtaining sundry notices and rights-of-way (ROWs) for natural gas gathering lines on federal lands from BLM.

In February 2015, I asked Secretary Jewell to provide detailed information about pending requests for sundry notices and ROWs for natural gas gathering lines on federal land.

In response, the Secretary explained that BLM “lacks capability to query for details of each sundry notice” and BLM, with respect to requests for ROWs, “does not distinguish between requests for oil or gas, gathering or transport, lines.”

- A. What is the total number of requests for ROWs pending at BLM?
- B. What is the total number of requests for ROWs pending at each BLM Field Office?
- C. When were each of the pending requests for ROWs first submitted to BLM?

**Question 5:** Secretary Jewell has stated that BLM will propose a new rule for flaring and venting of natural gas on federal lands and Indian lands shortly.

Does BLM plan to conduct a federalism assessment on the impacts of the proposed rule to states pursuant to Executive Order 13132? If not, why not?

**Questions from Senator Lisa Murkowski**

**Question 1:** The Montana BLM office already oversees the North Dakota mineral activities, and Washington state and Oregon activities are managed out of the Portland office. E&E reported March 13, 2015 that there is speculation of a merger of the New Mexico and Arizona BLM offices. Is consolidation of the state offices part of a larger

**U.S. Senate Committee on Energy and Natural Resources  
April 30, 2015 Hearing: BLM Hydraulic Fracturing Rule  
Questions for the Record Submitted to the Honorable Neil Kornze**

policy vision for the future organizational structure of the BLM, and if so, what impacts and results does the BLM anticipate from such a shift?

**Question 2:** You stated during the hearing that significant consultations with States and Tribes occurred in the development of the rule. Did BLM consult with the State of Alaska, the Alaska Oil and Gas Conservation Commission, Alaska Native Village or Regional Corporations or tribal councils? Please list the entities in Alaska with whom the BLM consulted in the development of this rule.

**Questions from Senator Jeff Flake**

**Question 1:** On Friday, April 24, BLM Deputy Director Steve Ellis held a congressional briefing on a proposal to merge the Arizona and New Mexico state BLM offices. Can you provide an update on the status of that decision making process? That is, when does BLM plan to make a decision?

**Question 2:** If BLM decides to move forward with merging the offices, what sort of notice and consultation is the Bureau required to engage in with Congress before finalizing its decision?

**Question 3:** What type of outreach has the BLM conducted with interested stakeholders in Arizona and New Mexico?

**Question 4:** During the briefing, Deputy Secretary Ellis made frequent references to the joint offices in Oregon and Washington, as well as Montana and the Dakotas. Please provide information on the average length of time it takes those offices to process permits, environmental analyses, and other approvals before and after those officer mergers were completed.

**Question 5:** Please provide information on the cost savings that were realized from prior BLM office mergers (e.g., Oregon-Washington, Montana-Dakotas), and whether those cost savings were retained by those new regional offices or used elsewhere in the Bureau.

**Questions from Senator Mazie Hirono**

**Question 1: BLM MOU with FracFocus**

At the time that the Bureau of Land Management published the final rule on hydraulic fracturing on public lands the agency indicated that it was entering into a MOU with the managers of FracFocus to clear up concerns and recommendations by the Department of Energy's Science Advisory Board relating to functionality and accessibility of data.

**U.S. Senate Committee on Energy and Natural Resources  
April 30, 2015 Hearing: BLM Hydraulic Fracturing Rule  
Questions for the Record Submitted to the Honorable Neil Kornze**

Can you explain in more detail the specifics of the MOU? Does it address all recommendations and actions in the Department of Energy's FracFocus 2.0 report or only a portion of those?

**Question 2: Environmental Impacts of Fracking**

*The New Yorker* recently ran a lengthy piece that discussed the linkage between oil and gas development and the frequency of earthquake activity in Oklahoma. It noted that "Until 2008, Oklahoma experienced an average of one to two earthquakes of 3.0 magnitude or greater each year. In 2014, there were five hundred and eighty-five, nearly triple the rate of California. Including smaller earthquakes in the count, there were more than five thousand."

The article goes on to say, "Disposal wells trigger earthquakes when they are dug too deep, near or into basement rock, or when the wells impinge on a fault line." The research geologist from the United States Geological Survey that was interviewed for the article said, when discussing the linkage, "Scientifically, it's really quite clear." Do you agree with the USGS geologist that oil and gas exploration has contributed to increased seismic activity? Do you believe that additional steps should be taken to limit hydraulic fracturing or better regulate the placement of disposal wells, which house wastewater from hydraulic fracturing, in areas known to trigger earthquakes?

**From:** Feldgus, Steve  
**To:** [Patrick Wilkinson \(p2wilkin@blm.gov\)](mailto:Patrick.Wilkinson@blm.gov)  
**Cc:** [Edgerton, Vic](#)  
**Subject:** FW: June hearing and markup schedule  
**Date:** Tuesday, May 19, 2015 8:55:56 AM

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Please note June 24 in particular.

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**From:** Cooper, Bill  
**Sent:** Tuesday, May 19, 2015 8:34 AM  
**To:** Feldgus, Steve  
**Subject:** June hearing and markup schedule

Steve:

As a follow up to our telephone conversation yesterday, here is the complete schedule for June as of yesterday:

**June 2015 Oversight, Legislative Hearings & Markup**

Week of June 1                      In session: Mon 1-Thur 4

6/2/2015	10:00AM	1324HR	EMR	Oversight	Hydraulic Fracturing Rule
6/3/2015	10:00AM	1324HR	WPO	Legislative	Water bill
6/3/2015	2:00PM	1334HR	FL	Legislative	Forestry bill

Week of June 8                      In session: Tues 9-Fri 12

6/10/2015	11:00AM	1324HR	IIANA	Legislative	TBD
6/10/2015	4:00PM	1324HR	Full	Markup	
6/11/2015	10:00AM	1324HR	Full	Markup	

Week of June 15                      In session: Mon 15-Thur 18

6/16/2015	10:00AM	1324HR	FL	Legislative	TBD
6/16/2015	10:30AM	1334HR	EMR	Oversight	Arctic Rule
6/17/2015	11:00AM	1324HR	IIANA	Legislative	TBD

Week of June 22

6/24/2015	10:00AM	1324HR	O&I	Oversight	Rulemaking for bonding on alternative energy projects
6/24/2015	2:00PM	1334HR	IIANA	Oversight	Puerto Rico issues

Bill

**From:** Wilkinson, Patrick  
**To:** [Feldgus, Steve](mailto:Feldgus, Steve)  
**Subject:** Re: FW: June hearing and markup schedule  
**Date:** Tuesday, May 19, 2015 9:49:18 AM

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thx much steve.

p

On Tue, May 19, 2015 at 8:55 AM, Feldgus, Steve <[Steve.Feldgus@mail.house.gov](mailto:Steve.Feldgus@mail.house.gov)> wrote:

Please note June 24 in particular.

---

**From:** Cooper, Bill  
**Sent:** Tuesday, May 19, 2015 8:34 AM  
**To:** Feldgus, Steve  
**Subject:** June hearing and markup schedule

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Week of June 1                      In session: Mon 1-Thur 4

6/2/2015    10:00AM    1324HR    EMR    Oversight    Hydraulic Fracturing Rule

6/3/2015    10:00AM    1324HR    WPO    Legislative    Water bill

6/3/2015    2:00PM    1334HR    FL    Legislative    Forestry bill

Week of June 8                      In session: Tues 9-Fri 12

6/10/2015    11:00AM    1324HR    IIANA    Legislative    TBD

6/10/2015 4:00PM 1324HR Full Markup

6/11/2015 10:00AM 1324HR Full Markup

Week of June 15 In session: Mon 15-Thur 18

6/16/2015 10:00AM 1324HR FL Legislative TBD

6/16/2015 10:30AM 1334HR EMR Oversight Arctic Rule

6/17/2015 11:00AM 1324HR IIANA Legislative TBD

Week of June 22

6/24/2015 10:00AM 1324HR O&I Oversight Rulemaking for bonding  
on alternative energy projects

6/24/2015 2:00PM 1334HR IIANA Oversight Puerto Rico issues

Bill

--

Patrick Wilkinson  
U.S. Department of the Interior  
Bureau of Land Management  
Legislative Affairs Division (WO 620)  
Phone: (202) 912-7429  
Fax: (202) 245-0050

**From:** Feldgus, Steve  
**To:** [Patrick Wilkinson \(p2wilkin@blm.gov\)](mailto:Patrick.Wilkinson@blm.gov)  
**Subject:** FW: change of date for HF hearing  
**Date:** Tuesday, May 19, 2015 2:45:33 PM

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**From:** Cooper, Bill  
**Sent:** Tuesday, May 19, 2015 2:40 PM  
**To:** Feldgus, Steve  
**Subject:** change of date for HF hearing

Steve:

The hearing on the BLM HF rule has been postponed from June 2, 2015 to June 24, 2015 at 10:30 am in 1334.

If you have any questions, please call.

Bill

**From:** Cooper, Bill  
**To:** [Patrick Wilkinson](#)  
**Cc:** [MacGregor, Kate](#)  
**Subject:** EMR subcommittee hearing on BLM's hydraulic fracturing rule  
**Date:** Tuesday, May 19, 2015 5:15:34 PM

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Patrick:

As we discussed, the EMR subcommittee will hold a hearing on the BLM hydraulic fracturing rule on Wednesday, June 24, 2015 at 10:30 am in hearing room 1334. I am sure Kate will want Neil to testify.

If you have any questions, please contact either Kate or me accordingly.

Bill

**From:** Senator Tom Udall  
**To:** [blm\\_nm\\_southline@blm.gov](mailto:blm_nm_southline@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 12:48:48 PM

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## The Udall Update



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My new bill would further help our country diversify its energy sources. It lays out a realistic timeline with achievable deadlines, setting an 8 percent requirement by 2016 and manageable increases to meet the 30 percent target by 2030. It puts us on the path toward the “do it all, do it right” energy strategy I’ve long advocated.

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With you by my side, I’ll keep fighting to grow New Mexico’s economy and put our country on a path toward energy independence while combatting climate change. We can’t afford to keep kicking the can down the road.

Cheers,



Tom Udall  
United States Senator

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Photo of poppies in New Mexico's bootheel  
by DiAnn Matteson from Rodeo



**From:** Senator Tom Udall  
**To:** [rtrujill@blm.gov](mailto:rtrujill@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 12:53:04 PM

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**From:** Senator Tom Udall  
**To:** [lisa\\_morrison@blm.gov](mailto:lisa_morrison@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 12:53:32 PM

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## The Udall Update



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**From:** Senator Tom Udall  
**To:** [diane\\_ellenburg@blm.gov](mailto:diane_ellenburg@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:01:24 PM

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**From:** Senator Tom Udall  
**To:** [romero@blm.gov](mailto:romero@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:01:52 PM

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**From:** Senator Tom Udall  
**To:** [dhummel@blm.gov](mailto:dhummel@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:03:23 PM

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**From:** Senator Tom Udall  
**To:** [arudolph@blm.gov](mailto:arudolph@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:08:03 PM

---

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Cheers,



Tom Udall  
United States Senator

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**From:** Senator Tom Udall  
**To:** [cmaestas@blm.gov](mailto:cmaestas@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:13:16 PM

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## The Udall Update



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**From:** Senator Tom Udall  
**To:** [adam\\_lujan@blm.gov](mailto:adam_lujan@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:16:46 PM

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**From:** Senator Tom Udall  
**To:** [Jerry\\_Cordova@blm.gov](mailto:Jerry_Cordova@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:18:45 PM

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**From:** Senator Tom Udall  
**To:** [llister@blm.gov](mailto:llister@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:25:23 PM

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Photo of poppies in New Mexico's bootheel  
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**From:** Senator Tom Udall  
**To:** [signa.larralde@blm.gov](mailto:signa.larralde@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:31:05 PM

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Photo of poppies in New Mexico's bootheel  
by DiAnn Matteson from Rodeo



**From:** Senator Tom Udall  
**To:** [vbarr@blm.gov](mailto:vbarr@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:34:36 PM

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Photo of poppies in New Mexico's bootheel  
by DiAnn Matteson from Rodeo



**From:** Senator Tom Udall  
**To:** [amarshal@blm.gov](mailto:amarshal@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:35:02 PM

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Photo of poppies in New Mexico's bootheel  
by DiAnn Matteson from Rodeo



**From:** Senator Tom Udall  
**To:** [ndante@blm.gov](mailto:ndante@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:35:29 PM

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[tomudall.senate.gov](http://tomudall.senate.gov)

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**From:** Senator Tom Udall  
**To:** [tkimball@blm.gov](mailto:tkimball@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:35:46 PM

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**From:** Senator Tom Udall  
**To:** [rcumpian@blm.gov](mailto:rcumpian@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:43:32 PM

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**From:** Senator Tom Udall  
**To:** [mvisarra@blm.gov](mailto:mvisarra@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:50:41 PM

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With you by my side, I’ll keep fighting to grow New Mexico’s economy and put our country on a path toward energy independence while combatting climate change. We can’t afford to keep kicking the can down the road.

Cheers,



Tom Udall  
United States Senator

CONNECT WITH TOM

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UNSUBSCRIBE

[tomudall.senate.gov](http://tomudall.senate.gov)

Photo of poppies in New Mexico's bootheel  
by DiAnn Matteson from Rodeo



**From:** Senator Tom Udall  
**To:** [lindsey\\_eoff@blm.gov](mailto:lindsey_eoff@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:51:53 PM

---

## The Udall Update



Having trouble seeing this e-mail? [Click here to read it on my blog.](#)

Dear Friend,

Here in New Mexico, we're fortunate to have an abundance of renewable energy resources like solar, wind and biomass, plus the ingenuity to develop a strong clean energy economy. And with climate change contributing to drought and more severe wildfires across the West, there's no time to lose.

We must seize the opportunity to develop our clean energy resources in New Mexico and throughout the country so we can lead the world in innovation and create the jobs of the future. Combined with energy from traditional sources, smart investments in renewables make sense for our economy, our environment and our livelihoods.

That's why I'm continuing my fight for a Renewable Electricity Standard. Last week, I introduced a bill to create a national threshold for utilities to generate 30 percent of their electricity from renewable energy sources by 2030.

**Join me and call on Congress to take action for clean energy jobs by passing a "30-by-30" national Renewable Electricity Standard.**

Setting a goal will give renewable energy innovators the certainty they need to grow and create jobs — hundreds of thousands of good-paying clean energy jobs that cannot be outsourced.



New Mexico and more than half the other states already have wildly successful renewable electricity policies, and it's time to go all in. In January, almost half of the Senate voted for a similar plan I introduced to create a national Renewable Electricity Standard — showing that there's bipartisan support for such a forward-looking energy

policy.

My new bill would further help our country diversify its energy sources. It lays out a realistic timeline with achievable deadlines, setting an 8 percent requirement by 2016 and manageable increases to meet the 30 percent target by 2030. It puts us on the path toward the “do it all, do it right” energy strategy I’ve long advocated.

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[tomudall.senate.gov](http://tomudall.senate.gov)

Photo of poppies in New Mexico's bootheel  
by DiAnn Matteson from Rodeo



**From:** Senator Tom Udall  
**To:** [william\\_childress@blm.gov](mailto:william_childress@blm.gov)  
**Subject:** Building a Strong Clean Energy Economy for New Mexico Jobs  
**Date:** Thursday, May 21, 2015 1:58:19 PM

---

## The Udall Update



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Cheers,



Tom Udall  
United States Senator

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[tomudall.senate.gov](http://tomudall.senate.gov)

Photo of poppies in New Mexico's bootheel  
by DiAnn Matteson from Rodeo



**From:** Douglas, Lara  
**To:** [Cox, Ed \(Hatch\)](mailto:Ed_Cox@hatch)  
**Subject:** Re: <no subject>  
**Date:** Tuesday, May 26, 2015 5:40:00 AM  
**Attachments:** [Utah Delegation Briefing 4-16-15.docx](#)

---

Hi Ed,

It won't be Jenna, but I will see if they have someone else who would be appropriate at 4 today. Also, either way, attached is the most recent update summary paper they provided to local staffers during their April quarterly briefing.

Lara

Lara Douglas  
Legislative Affairs Division  
Bureau of Land Management  
(202) 912-7173  
[ledouglas@blm.gov](mailto:ledouglas@blm.gov)

On Mon, May 25, 2015 at 11:48 PM, Cox, Ed (Hatch) <[Ed\\_Cox@hatch.senate.gov](mailto:Ed_Cox@hatch.senate.gov)> wrote:

Sorry about the late reply. Been traveling all day. nothing specific, I'd just like to get a briefing on what's going on in the state with the BLM - like a highlight of projects for field offices around the state. I think tomorrow might be the only day that works for me.

---

**From:** Douglas, Lara [mailto:[ledouglas@blm.gov](mailto:ledouglas@blm.gov)]  
**Sent:** Monday, May 25, 2015 12:30 PM

**To:** Cox, Ed (Hatch)  
**Subject:** Re: <no subject>

Hi Ed,

Jenna is in St. George tomorrow, so she wouldn't be available (but could do Wednesday). If you want to meet with someone else, she thinks it's likely that folks will be around - just let me know what the topic is and we can find someone who would hopefully be helpful.  
Thanks!

Lara

Lara Douglas  
Legislative Affairs Division  
Bureau of Land Management  
(202) 912-7173  
[ledouglas@blm.gov](mailto:ledouglas@blm.gov)

On Mon, May 25, 2015 at 7:19 AM, Douglas, Lara <[ledouglas@blm.gov](mailto:ledouglas@blm.gov)> wrote:  
I will check - who do you want to meet with? And what's the topic? Thanks!

Lara

Lara Douglas  
Legislative Affairs Division  
Bureau of Land Management  
(202) 912-7173  
[ledouglas@blm.gov](mailto:ledouglas@blm.gov)

On Mon, May 25, 2015 at 5:39 AM, Cox, Ed (Hatch) <[Ed\\_Cox@hatch.senate.gov](mailto:Ed_Cox@hatch.senate.gov)> wrote:

I was hoping 4:00 MST at the state office on Tuesday. Is this possible?

Ed

---

**From:** Douglas, Lara [mailto:[ledouglas@blm.gov](mailto:ledouglas@blm.gov)]  
**Sent:** Sunday, May 24, 2015 10:04 PM  
**To:** Cox, Ed (Hatch)  
**Subject:** Re: <no subject>

Hi Ed,

I don't know why I just got this email tonight, but you want to meet with the state office? Or the SLC field office? And what day? Thanks!

Lara

Lara Douglas  
Legislative Affairs Division  
Bureau of Land Management  
(202) 912-7173  
[ledouglas@blm.gov](mailto:ledouglas@blm.gov)

On Fri, May 22, 2015 at 2:56 PM, Cox, Ed (Hatch) <[Ed\\_Cox@hatch.senate.gov](mailto:Ed_Cox@hatch.senate.gov)> wrote:

I am not able to get through to Utah BLMs website. I want to set up a meeting with them for 4:00 MST back in Utah in the SLC office.

**BLM-Utah**  
**Legislative Staff Briefing**  
**April 16, 2015**

**SUBJECT: ENERGY**

**Conventional Energy**

- In Fiscal Year (FY) 2014, oil and gas development activities in Utah resulted in \$6.9 billion of total economic output. The State of Utah received more than \$170 million from royalties, rentals and bonus bid payments for federal minerals, including oil and gas.
- As of January 2015, there were 3,383 authorized oil and gas leases covering nearly 3.5 million acres in Utah and 1,166 leases on 992,380 acres were held by production.
- In FY 2014, BLM-Utah conducted four oil and gas lease sales:
  - Acres Nominated – 2,062,495
  - Acres Offered for Sale - 185,892
  - Acres Receiving Bids - 88,931
  - Total Receipts - \$6,362,824

**Oil and Gas Permitting Time**

- In FY 2014, it took an average of 180 days to process an Application for Permit to Drill (APD) on federal lands, and 160 days to process an APD on Indian lands in Utah. Further, the BLM is investing in even more efficiencies through its online APD system—Automated Fluid Mineral Support System v.2 (AFMSS2).
- BLM-Utah processed 1,159 APDs in FY 2014; 1,533 APDs are pending.
- BLM-Utah’s Vernal Pilot Office has the highest volume of APDs of any single office in the BLM and expects to process approximately 1,200 APDs in 2015.

**Final Hydraulic Fracturing Rule**

- On March 20, 2015, the Department of the Interior released final standards to support safe and responsible hydraulic fracturing on public lands. The final regulations seek to:
  - Ensure that wells are properly constructed to protect groundwater
  - Make certain that hydraulic fracturing fluids that flow back to the surface are managed in an environmentally responsible way
  - Provide public disclosure of chemicals and additives used in hydraulic fracturing
  - Improve measures to prevent cross-well contamination, commonly called “frack hits.”
- The BLM estimates that the new rule will cost less than one-fourth of one percent of the cost of drilling a well.

**Venting & Flaring**

- Both the Governmental Accountability Office and the Office of the Inspector General identified the current regulations as deficient for a number of reasons.

- The current regulations, found in the Notice to Lessee and Operators No. 4A, are outdated. They were written in 1979, and the industry and the technology it uses have changed a great deal since then.
- Natural gas that is vented into the atmosphere or burned – or flared – during oil and gas development represents a natural resource that is lost without generating royalties for the public and without being used as a productive fuel source.
- At the time, the GAO estimated the lost royalties from public lands amounted to about \$23 million per year, based on its conclusion that approximately 126 billion cubic feet (Bcf) was vented or flared from all sources on Federal onshore leases annually.
- The purpose of new regulations would be to establish appropriate standards to reduce waste and to promote the conservation of produced oil and gas.
- The Department of the Interior and the BLM are undertaking an outreach to begin a dialogue with tribal and state governments about the regulation of venting and flaring from oil and gas development.

### **Utah Energy Action Development Team**

- On Dec. 14, 2014, the State of Utah and DOI agencies (BLM, Fish and Wildlife Service, and the National Park Service) entered into an MOU to facilitate early coordination for renewables and conventional energy, and major transmission projects.

### **Moab Master Leasing Plan**

- BLM-Utah anticipates the Moab Master Leasing Plan (MLP) Draft Resource Management Plan (RMP) amendment and EIS to publish for public review and comment in May 2015.
- Planning area covers 946,469 acres in west-central Grand County south of Interstate 70 and a portion of northern San Juan County.
- Moab MLP will also address potash leasing in the planning area due to high interest in potash exploration and development as evidenced by the submission of more than 223 potash prospecting permits covering more than 410 acres.

### **Monument Butte Final EIS**

- The BLM-Utah Vernal Field Office expects to release the Final EIS in summer 2015.
- The proposed action covers 119,743 acres and includes up to 5,750 new wells from 3,250 new well pads. The proposed project would disturb 16,129 acres and result in 170 miles of new roads accompanied by a similar amount of new pipelines and infrastructure.
- During construction, the project would employ nearly 500 over a period of 16 years.
- Project could yield an estimated 334.9 million barrels of oil, 540,669 million cubic feet of natural gas, and 10.1 billion barrels of natural gas liquids.

### **Greater Chapita Wells Draft EIS**

- The BLM-Utah Vernal Field Office expects to release the Draft EIS for public review and comment in summer 2015.
- The proposed action, which covers 51 square miles, includes 7,028 wells from up to 700 new and 979 existing drill pads and no new roads or pipelines.

## Coal

- Alton Coal Tract Lease by Application (LBA) – The Draft Supplemental EIS was reviewed by the BLM Washington Office and returned to Utah BLM in early February to revisit the unsuitability determination under 43 CFR 3461.5(o) relative to sage grouse. BLM-Utah has conducted additional review and has determined the area to be unsuitable for coal mining (under criterion 15 based on sage-grouse) however it is anticipated that the ongoing and proposed mitigation will allow the project to move forward. The State of Utah has responded to the determination with a conclusion that the area is suitable. The BLM and State are meeting to further discuss the determination.
- Greens Hollow LBA – The *Federal Register* notice to announce the availability of the Final Supplemental EIS published on Feb. 27, 2015. A lease sale is expected in late summer (2015). This underground mine is located beneath Forest Service land.
- Flat Canyon LBA – the *Federal Register* notice of proposed lease sale is under review in the WO and is expected to publish soon, with the sale being held this summer. This underground mine is located beneath Forest Service land.

## **SUBJECT: PLANNING**

### **Greater Sage-Grouse Planning Effort**

- Since the national planning effort officially began a few years ago, 10 state offices have been working on 15 EISs and 68 land use plan amendments.
  - In 2013, draft EISs were released for public review and comment.
  - Final EISs will be released on or near June 1, 2015.
  - Records of Decision (ROD) will be released by Aug. 1, 2015.
  - One of the 15 EISs—the Lander, Wyo., Resource Management Plan (RMP)—was finalized in June 2014.
- The Utah planning area includes approximately 48 million acres of federal, state, and private lands, which contain approximately 7.2 million acres of Greater Sage-Grouse-occupied habitat.
  - Approximately 3.3 million acres of this occupied habitat are on BLM- and National Forest System-administered lands.
  - Approximately 4 million acres of federal mineral interest lies in Greater Sage-Grouse habitat.
- BLM-Utah has coordinated with the State of Utah on a number of issues, including the adaptive management approach, habitat objectives, and management of the West Tavaputs plateau area in northeastern Utah.

### **St. George Field Office RMP and Red Cliffs and Beaver Dam Wash NCAs**

- A planning effort is underway for the Red Cliffs (45,000 acres) and Beaver Dam Wash (63,500 acres) National Conservation Areas, as well as a Resource Management Plan (RMP) for travel and biological priority areas within the St. George Field Office.
- This St. George RMP planning effort includes a plan amendment that will consider changes to off-highway vehicle area designations (open, closed, and limited) originally approved in the 1999 Resource Management Plan (RMP), as well as nominations for new Areas of Critical Environmental Concern (ACECs).

- A draft Environmental Impact Statement (EIS) will be released for a 90-day public review and comment period in Summer 2015.
- Red Cliffs and Beaver Dam Wash NCAs were established with the passage of the Omnibus Public Land Management Act of 2009.

### **Cedar City RMP**

- The Cedar City Field Office is undergoing an RMP update for 2.1 million acres of public lands in Iron and Beaver Counties. The updated plan will guide management of natural resources, activities and uses on these public lands over the next 15-20 years.
- The new RMP will address issues including air quality, cultural and paleontological resources, fire, watersheds and water quality, wildlife, livestock grazing, and wild horses and burros. As part of the planning process, the BLM will also consider nominations for ACECs and river segments for potential inclusion in the National Wild and Scenic Rivers System.
- A draft EIS will be released for a 90-day public review and comment period in Summer 2015. A final EIS and Record of Decision is anticipated in mid-2016.

### **Grand Staircase-Escalante National Monument Grazing EIS**

- The Grand Staircase-Escalante National Monument (GSENM) is developing a plan amendment and EIS to address livestock grazing decisions on the Monument. The planning area consists of 2.1 million acres of public lands in Kane and Garfield Counties, Utah, and in Coconino County, Arizona.
- GSENM is working closely with the State of Utah, Kane and Garfield Counties, National Park Service and Natural Resources Conservation Service.
- Once final, the plan-level decisions will include identifying which lands will be available for livestock grazing, possible grazing management practices, and guidelines and criteria for future allotment-specific changes needed to address range health.
- A draft EIS will be released for a 90-day public review and comment period in Fall 2015. Public information open houses will be held during the comment period. A final EIS is anticipated in Fall 2016.

## **SUBJECT: WILD HORSES AND BURROS**

### **Wild Horse and Burro Fertility Control**

- Onaqui Mountain Wild Horse Fertility Control Plan – The Salt Lake Field Office is preparing an Environmental Assessment (EA) for the Onaqui Mountain Wild Horse Fertility Control Plan.
- The field office proposes applying fertility control to mares in the Onaqui Herd Management Area (HMA) beginning in 2015 and through 2020. The proposed action would help maintain a population of 160 adult horses, which is within the appropriate management level of 121 to 210 wild horses.
- The long-term goal is to reduce the need for gathers and removals, without jeopardizing the genetic health of the herd.
- Fertility Treatment Research – The BLM-Utah has been approved for funding to conduct animal movement and fertility treatment research in the Conger and Frisco HMAs.

- The research would use one HMA as a control, utilizing radio collar and tagging to monitor movements; the second HMA would be used to research the utilization of gelding and/or sterilization for population control. Gathers would be conducted in both HMAs prior to research beginning.
- One burro HMA—the Sinbad HMA—is also under consideration as a final candidate for similar burro research.
- Research would be conducted with funding the National Academy of Sciences report that recommends additional research within the BLM Wild Horse and Burro program.
  - This proposed research does not fall under the national RFP seeking research ideas.
  - The proposed research would be conducted using the BLM’s existing partnership with the U.S. Geological Service.

**SUBJECT: FIRE AND INVASIVES ASSESSMENTS TEAM (FIAT)**

- Wildfires, invasive annual grasses, and conifer encroachment were identified as primary threats to greater sage-grouse (sage-grouse) populations and habitat in the U.S. Fish and Wildlife Service’s (Service) 2010 listing determination.
- The FIAT assessments are designed to develop collaborative implementation plans that address those threats. The FIAT effort focuses on two proactive strategies—Fuels Management and Habitat Restoration/Recovery—and two reactive strategies—Fire Operations and Post-Fire Rehabilitation.
- BLM-Utah participated on two regional FIAT teams—the Northern Great Basin and the Southern Great Basin.
- In the Great Basin, the BLM will be addressing threats to sage-grouse by strategically funding projects identified using the FIAT assessments.
- BLM-Utah and its partners are positioned to play a key role in the conservation, maintenance, and restoration of sagebrush landscapes within sage-grouse habitat. BLM-Utah’s Fuels Management Program has identified within NFPORS \$7,275,850 in additional funding needs targeted towards sage-grouse with Resources identifying another \$3,676,761 for FY2015 alone.
- BLM-Utah has established collaborative relationships through the Utah Partnership for Conservation and Development (UPCD) which provides the ability to leverage additional funds and treat across all ownerships and landscapes. The UPCD and the Watershed Restoration Initiative (WRI) also represent a framework and model to assist other states in meeting the Secretarial Order 3336 Implementation Plan.

**From:** Vecera, Andrew  
**To:** ["s1wells@blm.gov"](mailto:s1wells@blm.gov); [Patrick J. Wilkinson \(p2wilkin@blm.gov\)](mailto:Patrick.J.Wilkinson(p2wilkin@blm.gov))  
**Subject:** Fracing Rule MOUs?  
**Date:** Wednesday, May 27, 2015 11:00:37 AM

---

Good Morning Steven and Patrick:

I was wondering if you had any updates on the MOUs that are being negotiated with the states or tribes on the HF rule that you could provide us – including either draft MOUs, or completed MOUs (if they exist)... I hope both of you had a relaxing Memorial Day weekend.

As an aside, Steven, it was nice to be able to speak with you on a more relaxed level last week at the IOGCC conference. I was certainly happy that I didn't have to withstand the barrage of questions that you faced!

Thanks!

**Andrew Vecera**

Counsel - Majority  
Subcommittee on Energy and Mineral Resources  
House Committee on Natural Resources  
1333 Longworth House Office Building  
Washington, DC 20515  
202-225-9297

**From:** Donald Gonzalez  
**To:** [Kathleen Cathey](#)  
**Subject:** Fwd: Both GOP and enviros split on sage-grouse plans  
**Date:** Thursday, May 28, 2015 9:20:24 PM

---

Sent from Don's iPhone

Begin forwarded message:

**From:** "Ryan, Thomas (Pat)" <[t1ryan@blm.gov](mailto:t1ryan@blm.gov)>  
**Date:** May 28, 2015 at 15:51:00 MDT  
**To:** Donald N Gonzalez <[dgonzale@blm.gov](mailto:dgonzale@blm.gov)>  
**Subject:** **Fwd: Both GOP and enviros split on sage-grouse plans**

Interesting

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

**From:** EnergyGuardian <[energy@email.energyguardian.net](mailto:energy@email.energyguardian.net)>  
**Date:** Thu, May 28, 2015 at 3:40 PM  
**Subject:** Both GOP and enviros split on sage-grouse plans  
**To:** "[t1ryan@blm.gov](mailto:t1ryan@blm.gov)" <[t1ryan@blm.gov](mailto:t1ryan@blm.gov)>

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 Energy and environment headlines for the afternoon of Thursday, May 28, 2015





## **Both GOP and enviros split on sage-grouse plans**

**By Kevin Rogers**

The federal government's proposal for protecting the greater sage-grouse revealed splits among Republicans and among environmentalists as it drew praise --

Freedom

and criticism -- from across the political spectrum.

Laying out new restrictions on energy development near critical habitats, the Interior Department and Forest Service aimed to stave off an Endangered Species Act listing for the bird, unveiling on Thursday landscape plans covering populations across ten western states.

The plans drew fire from western Republicans in Congress and the oil and gas industry, who said they would extend federal land control and threaten state economies without properly protecting the bird. However, they got a strong endorsement from Wyoming's Republican governor.

Environmentalists were also split, with some saying the moves did not go far enough.

Announcing the plans in Cheyenne, Wyoming, Interior Secretary Sally Jewell said they were "a targeted approach" to prioritize the birds' most crucial habitats. The plans aim to limit surface disruption from development, better maintain existing habitats, and reduce the risk of rangeland fire.

"Today the federal government is stepping up and doing its part," Jewell said at a news conference. "We have strong conservation measures that can also allow for sustainable development and traditional uses of the land. And they respect the existing rights that exist on the land."

The Bureau of Land Management and Forest Service plans will be finalized in late summer following a 60-day Governor's Consistency Review period -- which has already started -- and a 30-day protest period.

The Fish and Wildlife Service is required to issue a listing decision for the bird by September 30, and the federal actions taken, as well as existing state and private efforts, will play a key role in determining which way the decision goes.

The plans Jewell announced would limit surface disturbances from roads, energy production and buildings, in part by favoring oil and gas leases outside of the priority habitat; and set variable buffer zones limiting energy activity near leks, the sites where sage-grouse mate.

The agencies estimated that 90 percent of lands with medium to high potential for oil and gas production would still be available, and more resources could be unlocked by less

disruptive drilling techniques. They also confirmed that existing rights in priority zones would be respected.

The plans also would look to keep renewable energy projects and transmission lines outside of priority habitats and require mitigation where those lines are necessary. They would also have the agencies take sage-grouse populations into account when approving new or expanded coal mines.

The Independent Petroleum Association of America argued that the plans were “wanting” in both conservation and development.

“While we support conservation efforts to protect the greater sage-grouse, at first glance, these plans, with their significant new limitations on land use, appear to fly in the face of the meaningful conservation efforts already underway within the range states to protect this important species,” Senior Vice President of Government Relations and Political Affairs Dan Naatz said in a statement.

Jewell hit back at those arguments, saying that most energy development areas would be left unaffected by the plans.

“The vast majority of the conventional and renewable energy resources that exist in these landscapes that we have in the plan will be available,” she said. “Let's focus on the 90 percent that are available, not the 10 percent that are more complicated by their location in the habitat.”

Wyoming Gov. Matt Mead, one of the leaders of the federal-state Sage-Grouse Task Force, said the plan found a “sweet spot” and was product of strong collaboration between stakeholders and government. He defended it as a necessary step to protect the land.

“This is not just about the sage-grouse, it's about the habitat. It's about the West,” he said. “There is no future for our economy if we don't take care of the sage-grouse. That's a fact. Some like it, some don't like it, but that's a fact. We had to figure out a path forward.”

But House Natural Resources Chairman Rep. Rob Bishop, R-Utah, who has led an effort against the listing of the species, said the plans put federal land control ahead of protecting the bird.

“This is just flat out wrong. If the Administration really cares about the bird they will adopt the state plans as they originally said they would. The state plans work,” he said in a statement. “This proposal is only about controlling land, not saving the bird.”

Sen. Steve Daines, R-Mont., agreed, calling it a “one-size-fits-none” conservation plan that he wasn't convinced would be helpful to the bird. He warned that it would threaten his state's economy.

“We can't protect the greater sage-grouse in a checkerboard-like fashion — after all, the bird can't tell the difference between federal, state and private lands,” he said in a statement.

Senate Minority Leader Harry Reid, D-Nev., however, said the effort would offer a path to keep the bird off the ESL.

“These plans for the protection of the greater sage-grouse, which are the culmination of

years of work by our federal land managers in cooperation with the eleven Western states, are the best chance we have of keeping the bird off the Endangered Species list,” he said in a statement.

Environmental groups were split on the plans, with some saying they represented a strong pledge to protecting the bird and others maintaining that the proposals wouldn't be enough to save the sage-grouse.

“This is a historic commitment to wildlife conservation on public lands,” Eric Holst, senior director of working lands at the Environmental Defense Fund said in a statement. “By requiring mitigation on millions of acres of vital sagebrush habitat, these agencies are unlocking the vast untapped conservation potential of America’s working lands.”

But WildEarth Guardians voiced skepticism that the plan would amount to much, given the compromises between governments and stakeholders.

“Up to this point, we’ve seen a lot of horse-trading and political compromises that fall short of adequate grouse protections, and soon we’ll see if the Department of Interior is more interested in cutting deals or implementing scientific standards to solve the problem of sage grouse declines,” Erik Molvar, a wildlife biologist for the group, said in a statement.



## Quick Links

[Huge drop in West Virginia coal production forecast](#)

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[No waste water permit for Shell Arctic fleet in Seattle](#)

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[No end in sight for oil glut](#)

Oil gains on supply drops

Moniz predicts increased power integration with Mexico

US using most renewables in decades

Fracking protests picking up in Denton

Upcoming Events

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## Huge drop in West Virginia coal production forecast

**By Jonathan Matisse**

CHARLESTON, W.Va. (AP) — West Virginia University researchers predict that state coal production will drop 39 percent compared with the industry's last high point in 2008 — less-than-encouraging news for more than 1,800 coal miners who learned last week they would likely lose their jobs.

Already-struggling southern coalfield counties would bear the brunt of the industry's downturn, with an expected 29 percent production drop in 2035, compared to 2014. The dwindling coal industry has ravaged that region with job losses, and has even necessitated cuts to government services.

The report rattles off a combination of familiar economic, geological and regulatory challenges: weak export demand; less use of coal for electricity amid competition from natural gas; changes in emissions rules for power plants; and worsening geological conditions that make extracting southern West Virginia coal less productive.

The dismal projections don't even account for a federal proposal to stem carbon emissions from coal-fired power plants, part of President Barack Obama's plan to stem global warming.

[More](#)

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## Obama says TX, OK storms a reminder to prep for disasters

**By Darlene Superville**

MIAMI (AP) — President Barack Obama said Thursday the deadly flooding in Texas and Oklahoma should serve as a reminder of the need to make the nation more resilient to the impact of natural disasters, adding that climate change is affecting both the pace and intensity of storms.

Making the first visit of his presidency to the National Hurricane Center in Miami,

Obama said that while the nation is better prepared than ever for the storms of today, "the best scientists in the world are telling us that extreme weather events, like hurricanes, are likely to become more powerful."

"When you combine stronger storms with rising seas, that's a recipe for more devastating floods," he said.

Obama said that while the technology for forecasting storms has improved and there are better ways to disseminate warnings, the nation also must stay focused on "becoming more resilient to the impacts of a changing climate that are having significant effects on both the pace and intensity of some of these storms."

[More](#)

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## **Why a shrinking US economy last quarter isn't cause for fear**

**By Martin Crutsinger**

WASHINGTON (AP) — Another first quarter of the year. Another reversal for the U.S. economy. Another expectation of a rebound to come.

On Friday, the government will likely estimate that the economy shrank in the January-March quarter for a second straight year, depressed by brutal weather, a reeling energy sector and an export slump caused by a higher-valued dollar.

Yet few will see any cause for panic.

Steady job gains are widely expected to propel modestly healthy growth for the rest of 2015. A harsh winter is gone. So is a labor dispute that slowed trade at West Coast ports. Home sales and construction are rebounding. Business investment is picking up.

Many economists also suspect that the government's calculations have tended to underestimate growth in the first quarter of each year.

[More](#)

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## **Oil globs close Los Angeles-area beaches to swimming**

**By Christopher Weber**

MANHATTAN BEACH, Calif. (AP) — Popular beaches along nearly 7 miles of Los Angeles-area coastline were off-limits to surfing and swimming Thursday as scientists looked for the source of globs of tar that washed ashore.

The sand and surf on south Santa Monica Bay appeared virtually free of oil after an overnight cleanup, but officials weren't sure if more tar would show up. They planned to assess during low tide at midday.

U.S. Coast Guard and state officials said samples of tar and water would be analyzed to identify where it originated, but it could take days to get the results. Nothing has

been ruled out, including last week's coastal oil spill that created a 10-square-mile slick about 100 miles to the northwest off the Santa Barbara County coast.

There is also a refinery and offshore oil tanker terminal nearby, but the Coast Guard did not find a sheen from a spill after the tar started to accumulate Wednesday.

[More](#)

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## **Alpha ordered to pay ex-Massey CEO's legal fees**

**By The Associated Press**

CHARLESTON, W.Va. (AP) — A federal judge has ordered Alpha Natural Resources to pay former Massey Energy CEO Don Blankenship's legal fees stemming from a criminal investigation and upcoming trial.

In a ruling released Thursday in Delaware Chancery Court, the judge cited the terms of Massey's charter and the company's merger agreement with Alpha.

Blankenship is charged with conspiring to violate safety standards at the Upper Big Branch mine in West Virginia, where an explosion killed 29 men in April 2010. Blankenship announced his retirement eight months later, and Alpha bought Massey for \$7.1 billion in 2011.

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### **A message from the American Petroleum Institute**

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[Learn more at EnergyTomorrow.org](http://EnergyTomorrow.org)

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## **Rebates drive grass removal frenzy during California drought**

**By Amy Taxin**

LOS ANGELES (AP) — There's a torrent of Californians taking advantage of rebates for ripping out water-guzzling lawns during the drought, and that's providing a big boost to landscapers.

In Southern California in particular, things are poised to get even better for an industry that was battered by the recession and slow to recover. This week, the board of the Metropolitan Water District of Southern California voted to replenish its turf removal and other water conservation programs with \$350 million to meet booming demand.

In communities across the state, homeowners are swapping out traditional lawns for drought-tolerant plants and shrubs, changing the look of many yards and the business

outlook for landscaping and nurseries.

"Where rebates exist, interest is high," said Sandra Giarde, executive director of the 2,000-member California Landscape Contractors Association.

More

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## Where They Stand: George Pataki on issues of 2016 campaign

**By George M. Walsh**

ALBANY, N.Y. (AP) — Former New York Gov. George Pataki has entered the contest for the Republican presidential nomination in 2016. Here's a look at where the three-term governor stands on various issues that will be debated in the GOP primaries:

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### CLIMATE CHANGE

As governor, Pataki built a strong record on the environment. He promoted programs that conserved farmland and purchased large tracts of former timberlands to be set aside for recreation. He ordered New York power plants to cut emissions that cause acid rain and smog and backed the Regional Greenhouse Gas Initiative, which capped carbon emissions in a 10-state region. Pataki says now that he believes private and market-based initiatives are the best way to attack climate change and he is against new federal limits. "I think it's wrong to ignore environmental and conservation issues, I think it's an important part of the federal government's role," Pataki said. "But I think it's even worse if the federal government uses that as an excuse to raise revenue, shut down businesses, cut off innovation and pick winners and losers."

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### BUDGET AND ENTITLEMENTS

Less government spending and limiting government power have been consistent themes in his appearances and on the website of his super PAC, We the People, Not Washington. He has been campaigning against President Barack Obama's health care law for several years, arguing it is government overreach into what should be a private sector market. Pataki also favors overhauling the federal tax system by eliminating most deductions and reducing tax rates. "My advice would be to start all over," Pataki said in Iowa. "It would put lobbyists out of business and believe me, I think that would be a very good thing for America."

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### FOREIGN POLICY

Pataki doesn't have a foreign policy background and has been out of government for more than eight years. But he has invoked the 9/11 attacks to call for a limited commitment of U.S. ground forces to combat the Islamic State group, saying the U.S.

is more vulnerable to a domestic attack than at any time since then. He has said any deployment should be confined to destroying the threat, then pulling out. He says a U.S. force should have been left in Iraq when the U.S. ended its combat operations there. Pataki opposes the decision to normalize relations with Cuba.

[More](#)

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## China's Hanergy under investigation by Hong Kong regulator

**By Kelvin Chan**

HONG KONG (AP) — Hong Kong regulators said Thursday they're investigating a leading Chinese solar panel maker owned by billionaire Li Hejun after its shares took a sudden and unexplained plunge.

The Securities and Futures Commission normally does not announce its investigations but released a statement after Li said there was no investigation in a video interview posted online Wednesday by Chinese state media.

"A formal investigation into the affairs of Hanergy Thin Film Power Group Ltd. has been active and is continuing," the commission said in a brief statement. The market watchdog said it was disclosing the investigation "given the public interest following reports denying such measures have been taken."

Shares in Hanergy Thin Film, which is a unit of Beijing-based Hanergy Holding Group, had more than doubled since the start of the year, making Li one of China's richest people with a fortune estimated at \$20 billion. On May 20 they plunged by half in the first hour of trading before being suspended and remain frozen.

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Arctic drilling protesters become controversial. [CLICK HERE TO READ THE BRIEF](#)



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## Some Democrats join GOP fight against water rule

The three Democrats willing to join Senate Republicans in the fight against the new water rule finalized by the Environmental Protection Agency and the Army Corps of Engineers won't give the GOP the two-thirds majority needed for legislation to block it, The Hill reports.

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## **Bad planning sent Shell Arctic rig aground: NTSB**

Shortcomings in Shell Oil Co.'s plan to tow the Kuluk drilling rig across the stormy Gulf of Alaska led to its grounding in 2012, according to a report from the National Transportation Safety Board, FuelFix reports.

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## **Alaska Gov. visits Seattle to defend Arctic drilling**

Gov. Bill Walker, I-Alaska, visited Seattle to tour an Arctic drilling rig parked there, and then met privately with his Washington counterpart, Democratic Gov. Jay Inslee, to challenge the state's opposition to Arctic drilling, The Associated Press reports.

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## **No waste water permit for Shell Arctic fleet in Seattle**

Shell appears unfazed by the latest opposition in Seattle to its Arctic drilling fleet: A decision by King County to deny the ships a permit to discharge waste water into the regional sewer system, the Seattle Post-Intelligencer reports.

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## **Chapter 11 for Birmingham Coal & Coke**

Increased environmental regulation, lower natural gas prices and reduced demand as a result of economic problems were cited as reasons why CanAm subsidiary Birmingham Coal & Coke filed for Chapter 11 bankruptcy protection Wednesday, Platts reports.

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## **No end in sight for oil glut**

The demand for supertankers is suddenly increasing, another sign that substantial global oil supplies remain, and this year's price rally may be premature, analysts tell Bloomberg.

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## **Oil gains on supply drops**

Larger than expected declines in crude and gasoline supplies helped support oil prices Thursday. U.S. benchmark crude gained 17 cents to settle at \$57.68 a barrel on the Nymex, while in London, Brent ended 52 cents higher at \$62.58, The Wall Street Journal reports.

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## Moniz predicts increased power integration with Mexico

The biggest change stemming from Mexico's energy reform might be more integration between U.S. electricity utilities with their counterparts south of the border, Energy Secretary Ernest Moniz said at a conference Wednesday, Bloomberg reports.

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## US using most renewables in decades

The nearly 10 percent of U.S. energy needs being supplied by renewables is the highest level since the 1930s, according to Energy Information Administration data, CNN reports.

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## Fracking protests picking up in Denton

Fracking ban supporters continue to look into possible legal challenges to a new state law blocking Denton, Texas from interfering with drilling, while protesters have been picketing a well site, the Denton Record-Chronicle reports.

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## Upcoming Events

- May. 28, Washington: The Environmental Law Institute to host panel discussion on the effects of the Bureau of Land Management's rule for hydraulic fracturing on public lands, featuring remarks from Richard McNeer, senior Division of Mineral Resources attorney at the Interior Department. 12:00 pm , 1730 M Street, NW
- May. 28, Cheyenne, Wyo.: Interior Secretary Sally Jewell to joining Wyoming Gov. Matt Mead to announce a new milestone in conserving sagebrush habitats. 12:00 pm , Hereford Ranch, 1101 Hereford Ranch Road
- May. 28, Washington: The U.S. Energy Association to host a briefing from Summit Power Group on the status of carbon capture and sequestration and its use for enhanced oil recovery. 10:00 am , 1300 Pennsylvania Ave. NW
- May. 28, Washington: The Association for Demand Response & Smart Grid to host its National Town Meeting on Demand Response and Smart Grid, running through Thursday. 9:00 am , Ronald Reagan Building.
- May. 28, Washington: The Energy Department to host its Better Buildings Summit on improvements to building efficiency, featuring remarks from Lynn Orr, undersecretary for science and energy, and David Danielson, assistant secretary for energy efficiency and renewable energy. Conference runs through Friday. 8:30 am , Marriott Wardman Park Hotel



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**From:** Murphy, Timothy  
**To:** [Mitch Silvers](mailto:Mitch.Silvers)  
**Subject:** Fwd: Sage Grouse Media Review: E&E News - Groups praise, pan sweeping BLM sage grouse plans  
**Date:** Friday, May 29, 2015 10:07:16 AM

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

**From:** **Leff, Craig** <[cleff@blm.gov](mailto:cleff@blm.gov)>  
**Date:** Fri, May 29, 2015 at 9:04 AM  
**Subject:** Sage Grouse Media Review: E&E News - Groups praise, pan sweeping BLM sage grouse plans  
**To:** BLM\_All\_Managers <[BLM\\_All\\_Managers@blm.gov](mailto:BLM_All_Managers@blm.gov)>

## Groups praise, pan sweeping BLM sage grouse plans

Phil Taylor, E&E reporter  
Published: Thursday, May 28, 2015

Conservationists and state officials today praised the Obama administration's release of final plans to bolster protections for greater sage grouse across tens of millions of federal acres of the West, while Republicans and industry groups warned of crippling new restrictions on drilling, mining and grazing.

The 14 final environmental impact statements released today represent what is likely the largest landscape-scale conservation effort ever undertaken at the Bureau of Land Management, which, as the nation's biggest landlord, manages the majority of the grouse's remaining habitat in 10 Western states.

The plans will be a linchpin factor in September, when Fish and Wildlife Service is legally required to decide whether grouse need protection under the Endangered Species Act.

FWS will consider the BLM and Forest Service plans alongside executive orders signed by a handful of Western governors and an estimated \$750 million that is being spent by the Natural Resources Conservation Service and nonfederal partners to improve grouse habitat on private lands, which comprise roughly 30 percent of the bird's habitat.

"Today, the federal government is stepping up and doing its part," Interior Secretary Sally Jewell said at a rollout event in Cheyenne, Wyo.

Jewell said it is "our goal, our hope" that the federal land-use plans will contain enough regulatory substance to persuade Fish and Wildlife not to list the bird. "This will be exclusively their decision," she said.

Oil and gas companies, miners, ranchers, sportsmen and conservationists all have a lot to gain or lose from the plans. But it will likely take days for stakeholders to digest the scope of protections proposed in the final EISs, which are available [here](#).

Early reactions from conservationists, sportsmen, Democratic lawmakers and some red state officials were positive, though some conservationists warned the plans make too many concessions to industry and fall short of protections recommended by biologists.

Wyoming Gov. Matt Mead (R), who accompanied Jewell at today's event and whose state contains an estimated 40 percent of the nation's remaining sage grouse, said proactive steps are needed to preclude a federal listing, which many believe would throttle the Cowboy State's mineral-dependent economy.

"There is no future for our economy if we don't take care of the sage grouse," said Mead, who praised Jewell for recognizing "this notion that we have to find the right balance."

The collaboration among state and federal officials to conserve grouse in his state could offer a "skeleton

key" to resolving future ESA conflicts, he said.

In Wyoming, BLM and Forest Service final plans largely adopt Mead's sage grouse conservation strategy.

One sweeping [EIS](#) covers 38.9 million acres, encompassing federal, state and private lands in 17 counties, six BLM field offices and three national forests.

Like the other federal plans, the "9-plan" blueprint in Wyoming designates lands within the planning area as sage grouse strongholds, "priority" habitat and "general" habitat.

In the plan's 5 million acres of priority habitat, protections would largely mirror Wyoming's core area strategy, with a cap on surface disturbance of 5 percent, an average of one energy and/or mining facility per square mile, and a 0.6-mile buffer for occupied sage grouse breeding grounds, known as leks.

Some scientists and conservationists argue those restrictions are too lax to prevent further population declines, but top Fish and Wildlife officials have endorsed them.

About 250,000 acres out of a total of 1,196,000 acres of sage grouse strongholds would be recommended for withdrawal from the General Mining Act of 1872, with much of the rest considered for future recommended withdrawals. For mitigation, BLM would work with Mead's sage grouse advisory team to ensure human activities result in a net conservation gain for grouse habitat.

A [map](#) and [executive summary](#) of the Wyoming plan provide a glimpse into the types of protections BLM and the Forest Service are contemplating West-wide.

## **Western officials largely pleased**

Mead said his team will be reviewing the plan closely during the upcoming 60-day governors' consistency review but that "it is appropriate to celebrate today."

Similar reviews will be performed by governors in the nine other Western states where BLM and the Forest Service rolled out plans.

Colorado Gov. John Hickenlooper (D) who in early 2014 blasted BLM's draft land-use plan for northwest Colorado as overly restrictive on oil and gas -- calling federal plans dismissive of Colorado's incentive-based conservation model -- today said he's "cautiously optimistic about the approach taken by the BLM."

"We've had a strong partnership with the Interior Department," he said. "And while we still have some difficulties with the BLM's approach, we remain committed to keep working through those issues."

The Fish and Wildlife Service, whose assessment of the land-use plans will be paramount, said it is reserving judgment until it has more time to review them.

"We're pleased that BLM and USFS recognize that strong, effective federal land management plans are vital for successful greater sage-grouse conservation and essential for the service's evaluation of whether the species still warrants federal protection," said Noreen Walsh, the service's Mountain-Prairie regional director.

Current and former Western state wildlife officials said the administration has heeded their call in 2011 to beef up federal protections.

Stronger protections on federal lands that constitute the bulk of grouse habitat could allow more development on state and private lands, while avoiding a federal listing, Obama administration officials have said.

"I have never seen an effort this large in scope, accomplished in such a short period of time by federal agencies, to address the needs of any animal affected by ESA in my 38 years as a state wildlife professional," said Virgil Moore, director of Idaho's Fish and Game Department. "The state, private and federal collaborative are to be congratulated for making this possible and in getting the EISs out for final

public review."

Ken Mayer, former head of Nevada's Department of Wildlife, said that Western wildlife officials met with Obama administration officials in Washington, D.C., in summer 2011 to "light a fire." The state-federal effort to steer grouse and its sage-steppe habitat back from demise "is one of the most significant natural resource management challenges of our generation," he said.

## **Some enviros skeptical**

Conservation groups offered mostly positive reviews.

Steve Williams, president of the Wildlife Management Institute who was FWS director during the George W. Bush administration, said the revised plans "appear to have improved the conservation measures and assurances needed to prevent the listing."

"Ultimately, the decision to list the range-wide population will end up in a federal court, and the BLM has taken a positive step forward by producing plans that hopefully can be defensible to a judge," he said.

Eric Holst, senior director of working lands at the Environmental Defense Fund, praised the plans for requiring off-site mitigation for unavoidable impacts to sensitive habitat and for formally recognizing habitat exchanges that EDF is helping establish as a marketplace for meeting those mitigation requirements.

The exchanges, which are being developed in Nevada, Colorado, Wyoming and Montana, would allow energy companies that harm grouse habitat to purchase credits from landowners, who would improve or restore their lands in ways that benefit the grouse.

"By requiring mitigation on millions of acres of vital sagebrush habitat, these agencies are unlocking the vast untapped conservation potential of America's working lands," Holst said. "In places like Nevada where habitat exchanges are the preferred mitigation option, we will soon see mitigation dollars driving faster, stronger conservation than ever before."

But Defenders of Wildlife, which has warned that BLM's draft plans in 2013 and 2014 were "wholly inadequate to conserve the species," is reserving judgment. The group this week said the land-use plans must designate more priority habitat as areas of critical environmental concern.

"The inadequacy of the draft plans coupled with new demographic information is a blunt reminder that the final plans must include strong, science-based conservation measures to protect the species," said Defenders President Jamie Rappaport Clark. "Ultimately, if the final plans do not adequately protect sage grouse, then the process cannot be called a success."

Erik Molvar, a biologist with WildEarth Guardians, whose settlement with Fish and Wildlife in 2011 helped set the September listing deadline in motion, said he fears the final plans will be too accommodating to land users who harm grouse.

"Up to this point, we've seen a lot of horse-trading and political compromises that fall short of adequate grouse protections, and soon we'll see if the Department of Interior is more interested in cutting deals or implementing scientific standards to solve the problem of sage grouse declines," he said.

## **Lawmakers react**

The reactions from members of Congress fell largely along partisan lines.

Republican leaders have criticized the BLM and Forest Service efforts as a snub to state plans. The federal plans may see congressional oversight hearings over the summer.

"This is just flat-out wrong," said House Natural Resources Chairman Rob Bishop (R-Utah). "If the administration really cares about the bird, they will adopt the state plans as they originally said they

would. The state plans work. This proposal is only about controlling land, not saving the bird."

Sen. Cory Gardner (R-Colo.), who, like Bishop, has authored legislation that would roll back the BLM and Forest Service plans, said the final plans "would significantly hamper access to public lands for sportsmen and other recreational users."

Western oil and gas groups will be eyeing the plans closely for whether they impede access to federal minerals. Groups including the Western Energy Alliance and Independent Petroleum Association of America are already battling BLM's newly finalized hydraulic fracturing rule in court. They are expected to also fight today's land-use plans.

"At first glance, these plans, with their significant new limitations on land use, appear to fly in the face of the meaningful conservation efforts already underway within the range states to protect this important species," said IPAA's Dan Naatz. "Interior must find a balance between thoughtful conservation and critical energy and economic development, but these plans appear to be wanting on both fronts."

As BLM signs records of decision for the plans in late summer, the battle between development and conservation interests will intensify in Congress and could spill over to a federal courtroom.

"Western communities must now remain vigilant to ensure that Congress does not block this path to recovery and dismantle the years of collaborative work that have been done to conserve one of America's most rugged and iconic landscapes," said David Hayes, a former Interior deputy secretary who is a senior fellow at the Center for American Progress.

Democrats, who will be on the front lines in that defense, today backed the Obama administration's land-use plans.

Senate Minority Leader Harry Reid (D-Nev.) called the plans "the best chance we have of keeping the bird off the endangered species list."

Rep. Raúl Grijalva (D-Ariz.), ranking member of the House Natural Resources Committee, said the collaborative effort that yielded the plans "proves that a strong Endangered Species Act is a catalyst for positive change that protects species and landscapes while promoting sustainable economic development."

*Reporter Scott Streater contributed.*

--

Timothy M Murphy  
Bureau of Land Management  
Acting Assistant Director  
National Conservation Lands and  
Community Partnerships  
(o) 202.208.3516

**From:** Friez, Diane  
**To:** [Cameron, Jon \(Hoeven\)](#); [Shirley Meyer](#); [daryl.lies@mail.house.gov](mailto:daryl.lies@mail.house.gov)  
**Cc:** [Mark Jacobsen](#); [Kim \(Al\) Nash](#)  
**Subject:** Workshop on Hydraulic Fracturing  
**Date:** Monday, June 01, 2015 2:15:19 PM  
**Attachments:** [Hydraulic Workshop Letter to Operators.pdf](#)

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Good afternoon. Please see the attached "Letter to Operators" inviting industry representatives to a BLM Workshop on the new Hydraulic Fracturing rule. This new rule goes into effect on 6/24/15, so this workshop will discuss the new rule and how it will be implemented, as well as address questions from industry.

You are all welcome to attend as well. Please let me know if you plan to attend.  
Thanks.

\*\*\*\*\*

***Diane M. Friez***  
***District Manager***  
***Eastern Montana/Dakotas District***  
***111 Garryowen Road***  
***Miles City, MT 59301***  
***406-233-2827 (O)***  
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United States Department of the Interior  
BUREAU OF LAND MANAGEMENT  
North Dakota Field Office  
99 23<sup>rd</sup> Avenue West – Suite A  
Dickinson, North Dakota 58601-2619  
<http://www.blm.gov/mt>



June 1, 2015

Dear Operator:

The Bureau of Land Management is continuing its efforts to host workshops to help industry deal with the challenges of operating on Federal and Indian lands in North Dakota. We are preparing to offer the next in the series titled, "Outreach - Final Hydraulic Fracturing Rule." The purpose of the workshop will be to discuss the hydraulic fracturing rule which was published as final on March 20, 2015, and will be implemented effective June 24, 2015.

Workshop Specifics:

Date: Monday, June 22, 2015  
Time: 9 AM - 12 PM (Central Daylight Time)  
Location: ND Heritage Center  
Russell Reid Auditorium  
612 East Boulevard Ave.  
Bismarck, North Dakota 58505

In an effort to plan for the workshop and to ensure we have an adequate supply of handouts, please **RSVP by Friday, June 12, 2015** to our Facilities Services Assistant, Kacy Muilenburg, at [kmuilenburg@blm.gov](mailto:kmuilenburg@blm.gov). Be sure to indicate the number of participants your company plans to have attending to the workshop. For those that cannot travel to Bismarck, but would like to listen, please use the BLM-MT EMDD Conference Bridge at 866-893-3445, Passcode 4585371.

I look forward to your participation at the Hydraulic Fracturing Workshop. If you have any questions regarding the agenda or the topics to be covered, please feel free to contact Allen Olilla, Acting Assistant Field Manager at 701-227-7735.

Sincerely,

Loren Wickstrom  
Acting Field Manager

**From:** Cameron, Jon (Hoeven)  
**To:** [Friez, Diane](#)  
**Subject:** RE: Workshop on Hydraulic Fracturing  
**Date:** Monday, June 01, 2015 2:41:36 PM

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Thanks. I plan to attend.

*Jon R. Cameron*

Western North Dakota Regional Director  
Office of U.S. Senator John Hoeven  
Blackberry: (701) 580-4535  
<http://hoeven.senate.gov>

**From:** Friez, Diane [mailto:dfriez@blm.gov]  
**Sent:** Monday, June 01, 2015 1:15 PM  
**To:** Cameron, Jon (Hoeven); Meyer, Shirley (Heitkamp); daryl.lies@mail.house.gov  
**Cc:** Mark Jacobsen; Kim (Al) Nash  
**Subject:** Workshop on Hydraulic Fracturing

Good afternoon. Please see the attached "Letter to Operators" inviting industry representatives to a BLM Workshop on the new Hydraulic Fracturing rule. This new rule goes into effect on 6/24/15, so this workshop will discuss the new rule and how it will be implemented, as well as address questions from industry.

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Thanks.

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***Diane M. Friez***  
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**From:** Congressman Kevin Cramer  
**To:** [malloyd@blm.gov](mailto:malloyd@blm.gov)  
**Subject:** A Message from Congressman Kevin Cramer  
**Date:** Friday, June 05, 2015 3:41:29 PM

A Message From Rep. Cramer

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## **June 5, 2015 Newsletter**

### **Honoring Our Veterans**

**Pictures Courtesy of North Dakota National Guard from North Dakota Veterans Cemetery, Memorial Day 2015**





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**Cramer Statement on EPA Draft Assessment on the Potential Impacts to Drinking Water Resources from Hydraulic Fracturing Activities**



**WASHINGTON, D.C.** – Today Congressman Kevin Cramer released the following statement after the Environmental Protection Agency (EPA) released its Draft Assessment on the Potential Impacts to Drinking Water Resources from Hydraulic Fracturing Activities concluding they “have not led to widespread, systemic impacts on drinking water resources.”

"I am thankful the EPA's own scientists and researchers have confirmed what the people of North Dakota have known all along; hydraulic fracturing is safe and not a threat to safe drinking water. The EPA acknowledges states play a primary role in regulating most natural gas and oil development and they have safely managed and regulated hydraulic fracturing for decades. The BLM should take this assessment into account and withdraw their hydraulic fracturing rule which is duplicative to state regulations the EPA has confirmed protect our groundwater," said Cramer.

Prior to his election to the United States House of Representatives, Cramer served on the North Dakota Public Service Commission. During his tenure, beginning in 2003, Cramer dealt with all aspects of the Commission's portfolio, including pipeline and electrical transmission siting, regulation of North Dakota's three investor owned utilities, and management of North Dakota's Surface Mine Coal Reclamation Act State primacy program.

The EPA states its' draft assessment benefited from extensive stakeholder engagement conducted across the country with states, tribes, industry, non-governmental organizations, the scientific community, and the public to ensure the draft assessment reflects current practices in hydraulic fracturing and utilizes all data and information available to the agency.

For a copy of the study, visit [www.epa.gov/hfstudy](http://www.epa.gov/hfstudy).

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## **[HOUSE PASSES H.R. 1168 - NATIVE AMERICAN CHILDREN'S SAFETY ACT](#)**

*[Cramer, Hoeven Legislation Provides Uniform Foster Care Background Checks](#)*

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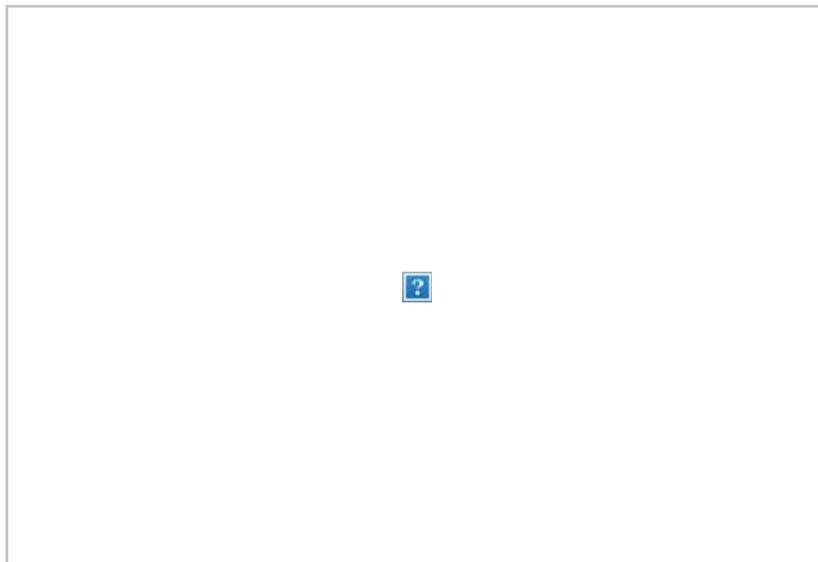
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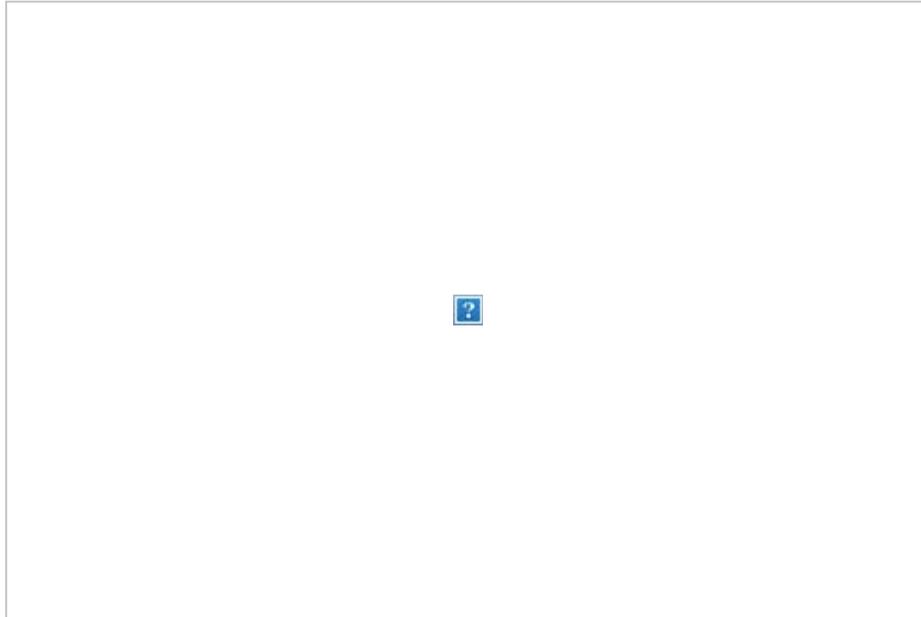
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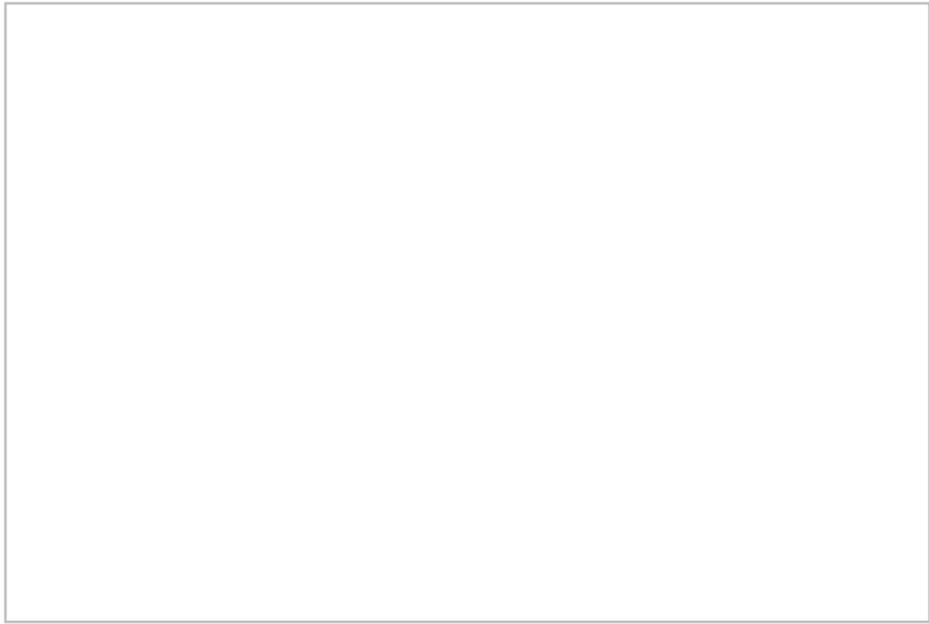
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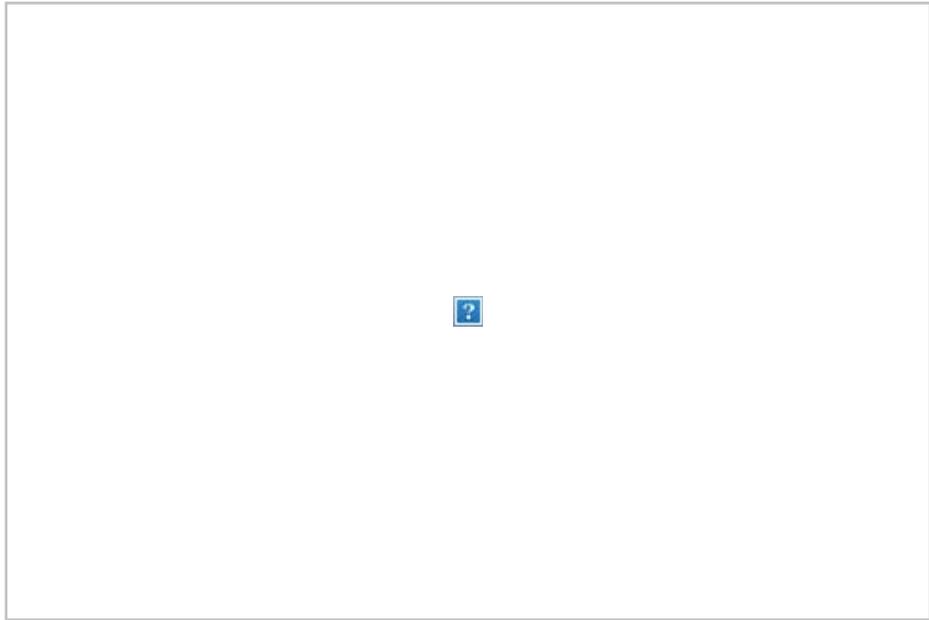
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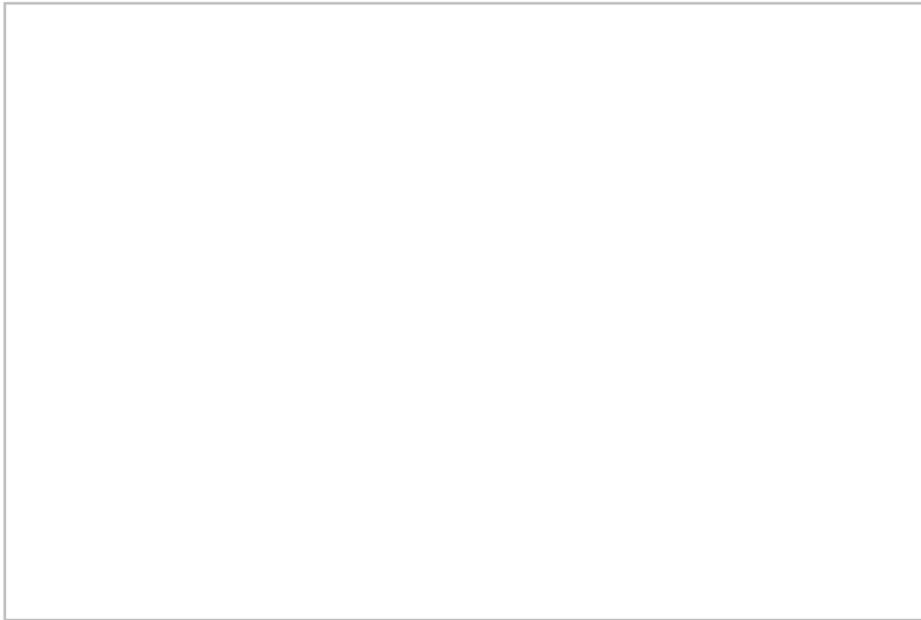


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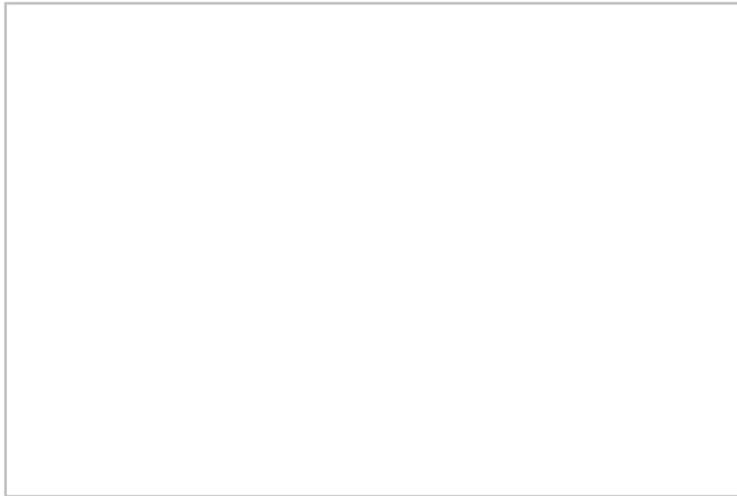
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**Subject:** A Message from Congressman Kevin Cramer  
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A Message From Rep. Cramer

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**Pictures Courtesy of North Dakota National Guard from North Dakota Veterans Cemetery, Memorial Day 2015**





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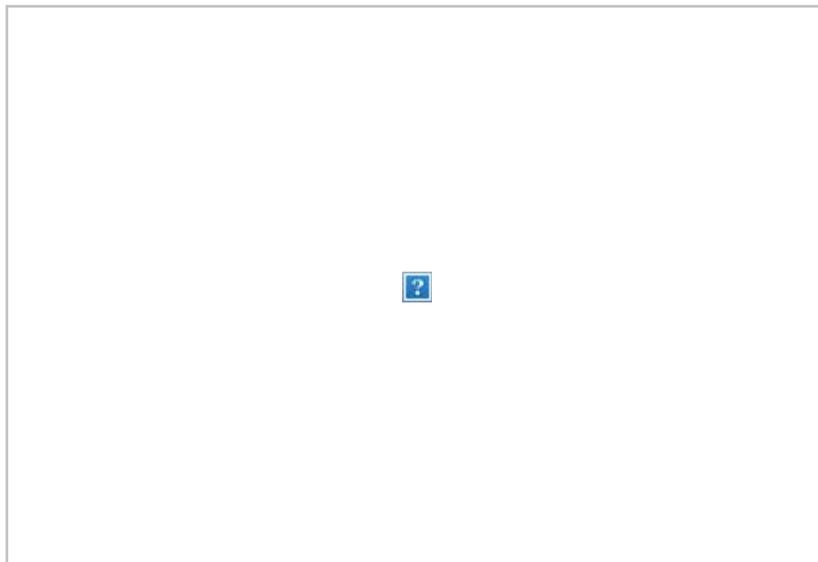
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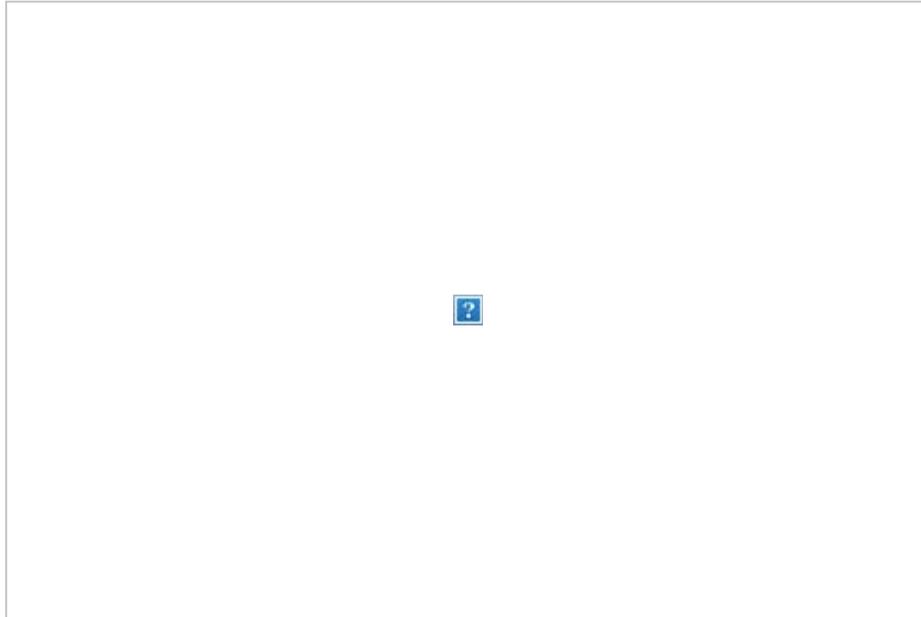
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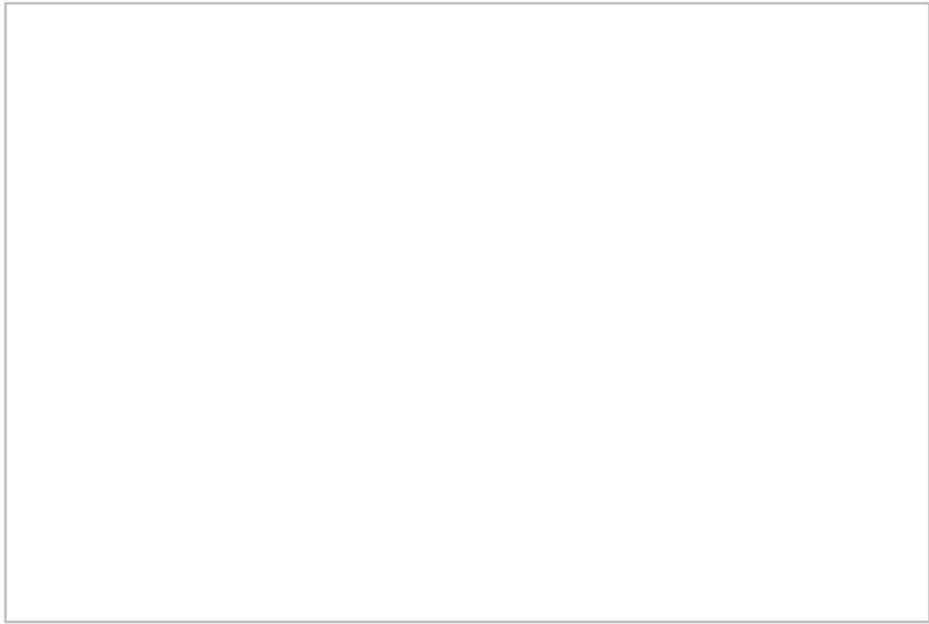
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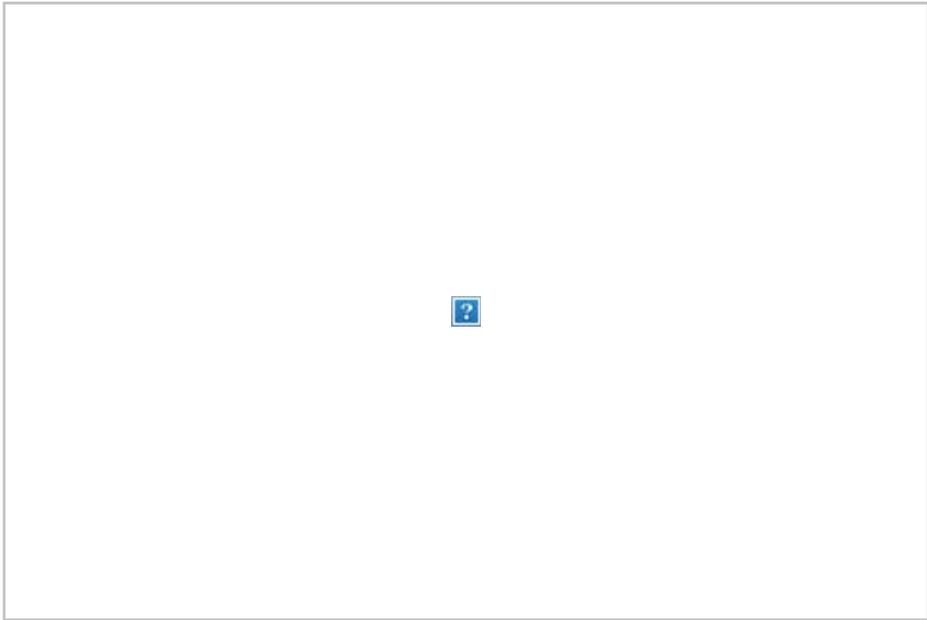
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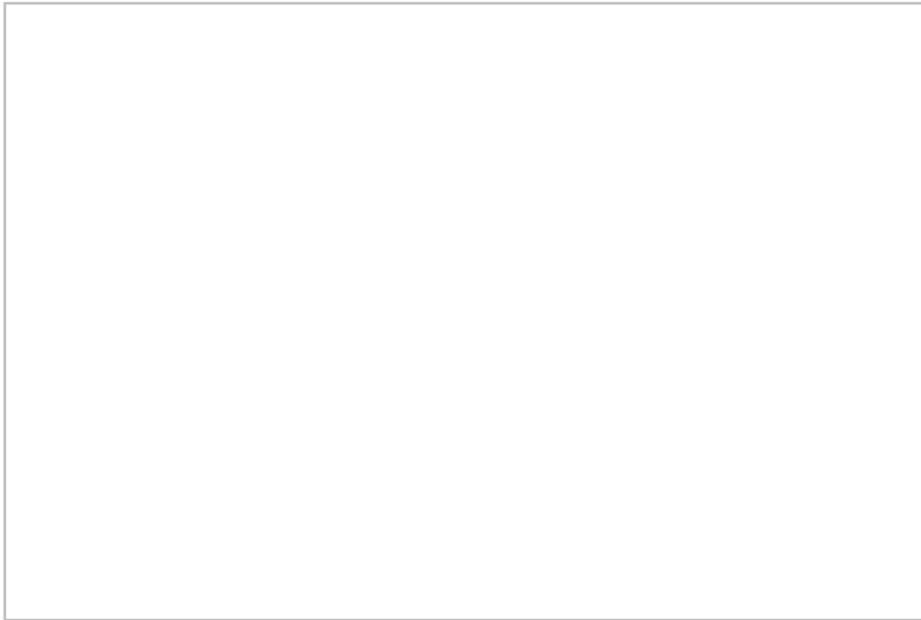


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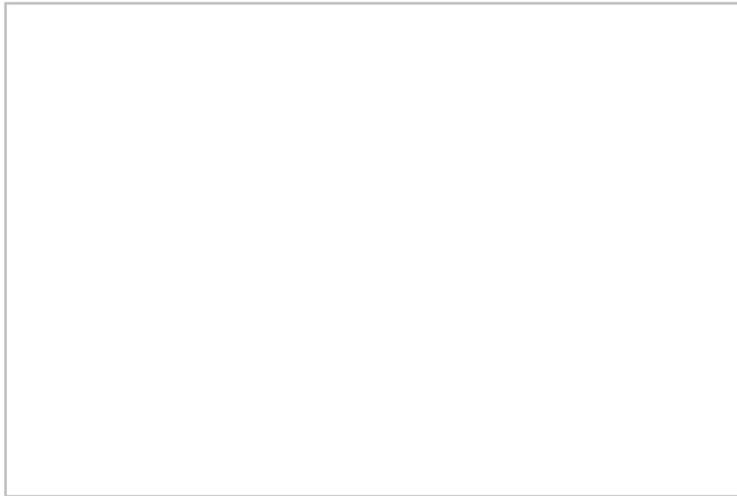
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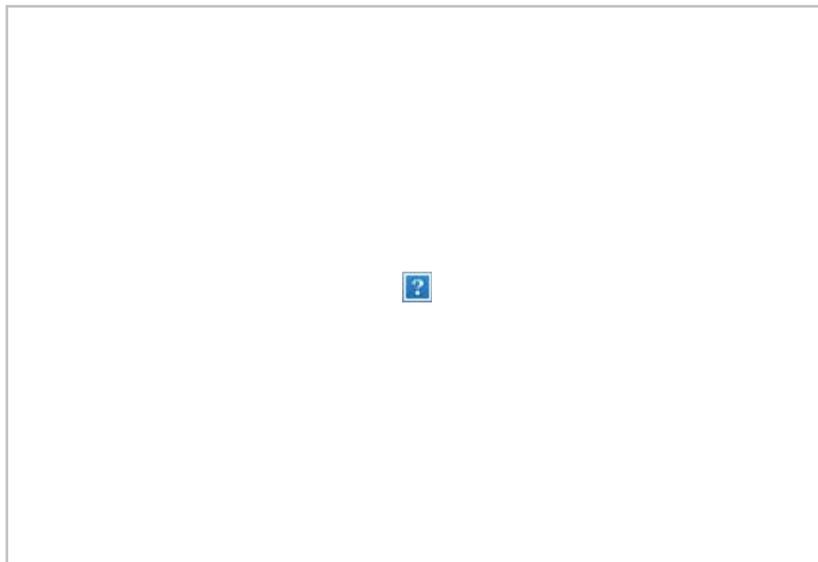
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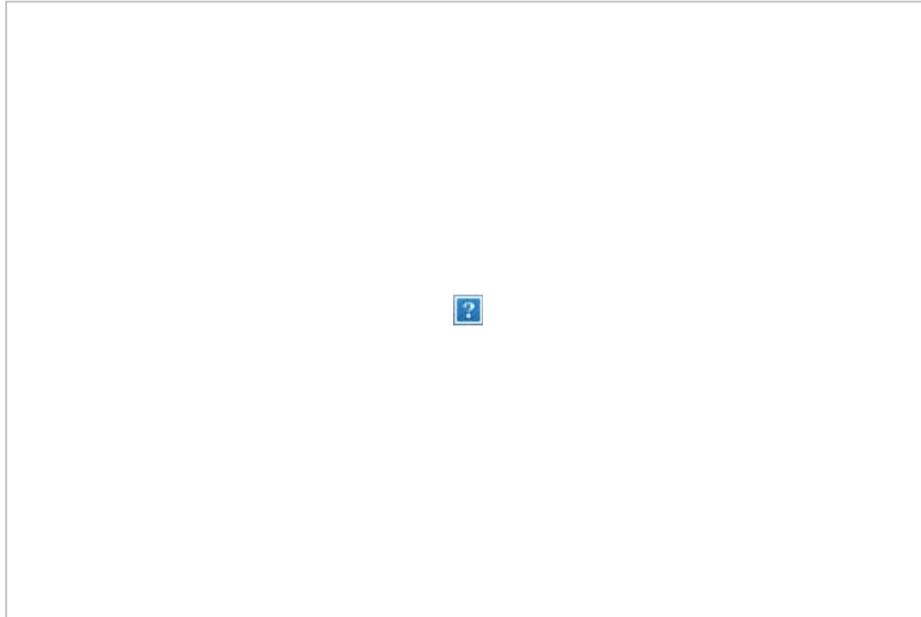
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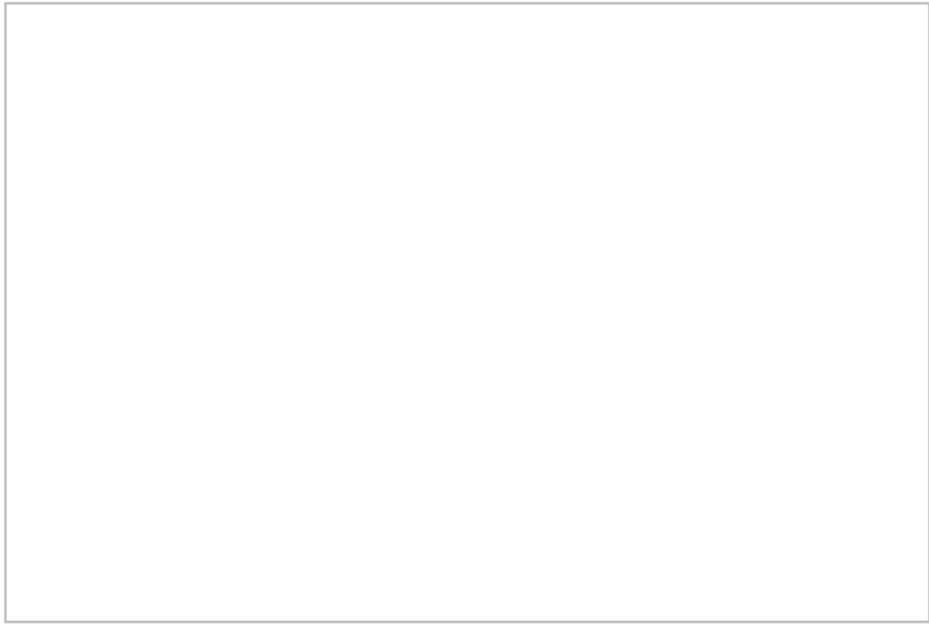
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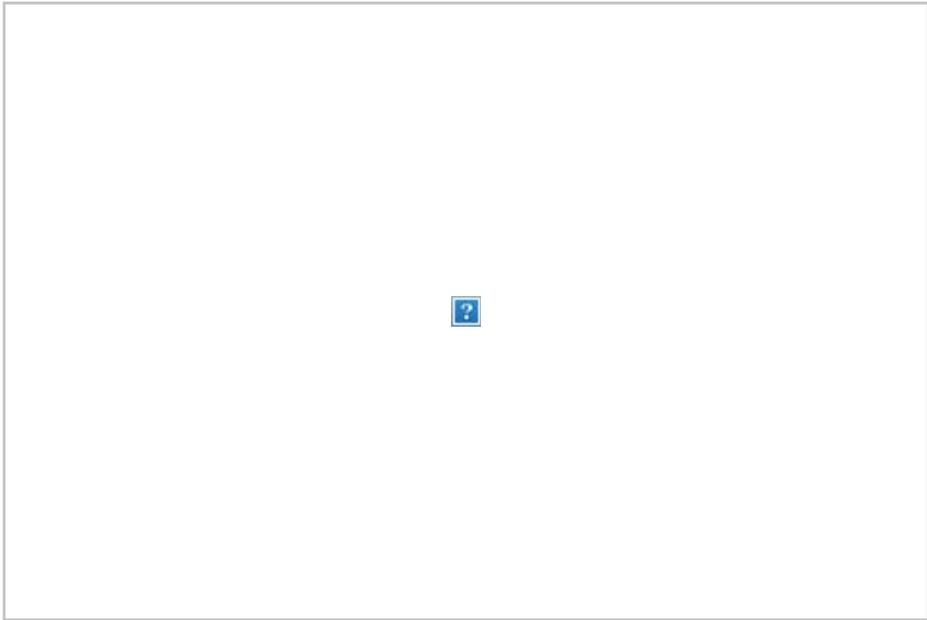
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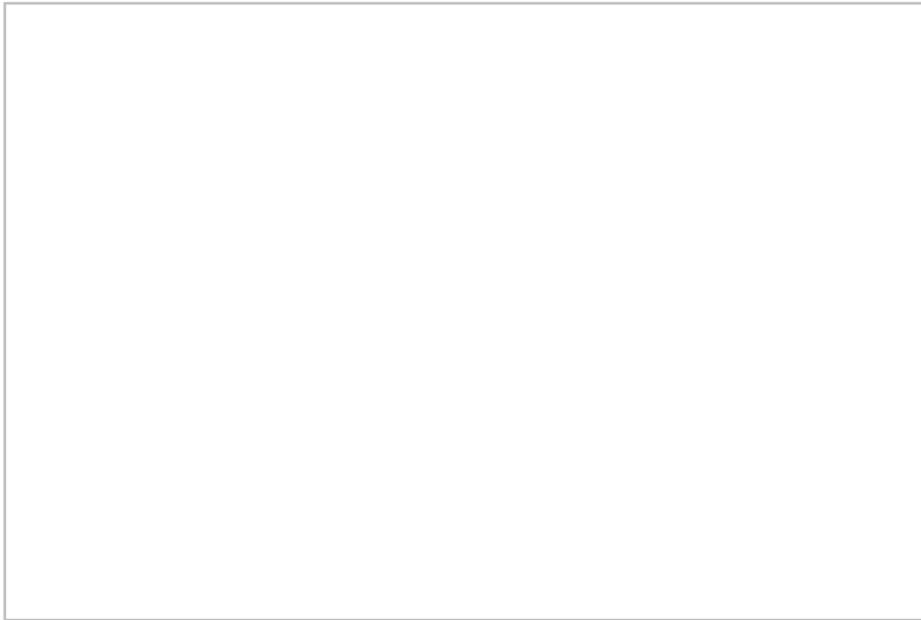


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### **Monday, June 8**

**Address 2015 North Dakota Boys State Participants**

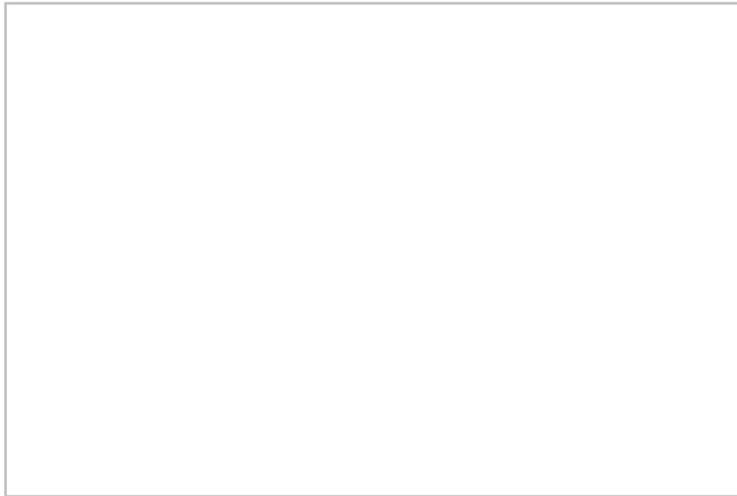
**1:00 PM**

NDSCS Student Center

Wahpeton

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## ***Kevin's Weekly Radio and Television Schedule***



*Kevin appears on seven radio stations and one TV station across North Dakota each week, taking questions from listeners and discussing current issues affecting North Dakota and the nation. The schedule is below:*

**RADIO**

**Mike Kapel Show**

**Tuesdays from 9:00am to 9:30 am central**  
WDAY 970 AM - Fargo

**What's On Your Mind**

**Wednesdays from 10:00am to 11:00am central**  
KFYR 550 AM - Bismarck  
1100 The Flag - Fargo  
KLTC 1460 AM - Dickinson  
KTGO 1090 AM - Tioga

**The Jarrod Thomas Show**

**Thursdays from 10:00am to 10:30am central**  
KNOX 1310 AM - Grand Forks

**Rick Jensen**

**Thursdays from 10:30am to 11:00am central**  
KHND 1470 AM - Harvey

**TELEVISION**



**Chris Berg - Point of View**

**Wednesdays 6:30 pm central (Semi-Monthly)**  
Valley News Live - Fargo

---

God Bless,



Kevin Cramer  
Member of Congress

Join Me On...

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RSS



### Office Locations

**Washington D.C.**

1032 Longworth HOB  
Washington DC 20515  
Tele: 202-225-2611

**Bismarck**

220 East Rosser Ave.  
328 Federal Building  
Bismarck, ND 58501  
Tele: 701-224-0355

**Fargo**

3217 Fiechtner Dr.  
Suite D  
Fargo, ND 58103  
Tele: 701-356-2216

**Minot**

4200 James Ray Dr.  
Office 600  
Grand Forks, ND 58202  
Tele: 701-738-4880

**Grand Forks**

315 Main St., Suite 203  
Minot, ND 58701  
Tele: 701-839-0255

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**From:** Lesofski, Emy (Appropriations)  
**To:** [Linda Smith](#)  
**Date:** Wednesday, June 10, 2015 7:50:12 PM

---

Hi, have you all ever given us numbers on how much the fracking rule would cost? I recall discussing it at the hearing, but don't recall getting anything. Also, I don't recall getting anything on numbers for office consolidations.

Thanks!

Em.

Emy Lesofski  
Professional Staff  
U.S. Senate Committee on Appropriations  
Subcommittee on Interior  
202.224.7238

**From:** Linda Smith  
**To:** [Lesofski, Emy \(Appropriations\)](#)  
**Subject:** Re:  
**Date:** Thursday, June 11, 2015 7:03:33 AM

---

Good morning! Will circle back with my folks on these.

Sent from my iPad

On Jun 10, 2015, at 7:50 PM, Lesofski, Emy (Appropriations)  
<[Emy\\_Lesofski@appro.senate.gov](mailto:Emy_Lesofski@appro.senate.gov)> wrote:

Hi, have you all ever given us numbers on how much the fracking rule would cost? I recall discussing it at the hearing, but don't recall getting anything. Also, I don't recall getting anything on numbers for office consolidations.

Thanks!

Em.

Emy Lesofski  
Professional Staff  
U.S. Senate Committee on Appropriations  
Subcommittee on Interior  
202.224.7238

**From:** Lesofski, Emy (Appropriations)  
**To:** ["Linda Smith"](#)  
**Subject:** RE: Re:  
**Date:** Thursday, June 11, 2015 9:12:51 AM

---

Good Morning to you!

---

**From:** Linda Smith [mailto:lhsmith@blm.gov]  
**Sent:** Thursday, June 11, 2015 7:03 AM  
**To:** Lesofski, Emy (Appropriations)  
**Subject:** Re:

Good morning! Will circle back with my folks on these.

Sent from my iPad

On Jun 10, 2015, at 7:50 PM, Lesofski, Emy (Appropriations) <[Emy\\_Lesofski@appro.senate.gov](mailto:Emy_Lesofski@appro.senate.gov)> wrote:

Hi, have you all ever given us numbers on how much the fracking rule would cost? I recall discussing it at the hearing, but don't recall getting anything. Also, I don't recall getting anything on numbers for office consolidations.

Thanks!

Em.

Emy Lesofski  
Professional Staff  
U.S. Senate Committee on Appropriations  
Subcommittee on Interior  
202.224.7238

**From:** Bina, Betsy  
**To:** "[Linda Smith](#)"  
**Subject:** RE: Cole amendment  
**Date:** Tuesday, June 16, 2015 1:58:31 PM

---

Sec. \_\_. None of the funds made available by this Act, or any other Act, may be used to implement, administer, or enforce the final rule entitled "Hydraulic Fracturing on Federal and Indian Lands" as published in the Federal Register (80 FR 16127) on March 26, 2015 and (80 FR 16577) March 30, 2015.

-----Original Message-----

From: Linda Smith [<mailto:lhsmith@blm.gov>]  
Sent: Tuesday, June 16, 2015 1:11 PM  
To: Bina, Betsy  
Subject: Cole amendment

Hi Betsy. Could you please share the text of Mr. Cole's fracking amendment?

Thanks.

Sent from my iPad

**From:** Linda Smith  
**To:** [Bina, Betsy](#)  
**Subject:** Re: Cole amendment  
**Date:** Tuesday, June 16, 2015 1:59:01 PM

---

Thank you!

Sent from my iPad

> On Jun 16, 2015, at 1:58 PM, Bina, Betsy <[Betsy.Bina@mail.house.gov](mailto:Betsy.Bina@mail.house.gov)> wrote:

>

>

> Sec.\_\_. None of the funds made available by this Act, or any other Act, may be used to implement, administer, or enforce the final rule entitled “Hydraulic Fracturing on Federal and Indian Lands” as published in the Federal Register (80 FR 16127) on March 26, 2015 and (80 FR 16577) March 30, 2015.

>

> -----Original Message-----

> From: Linda Smith [<mailto:lhsmith@blm.gov>]

> Sent: Tuesday, June 16, 2015 1:11 PM

> To: Bina, Betsy

> Subject: Cole amendment

>

> Hi Betsy. Could you please share the text of Mr. Cole's fracking amendment?

>

> Thanks.

>

> Sent from my iPad

**From:** Meyer, Shirley (Heitkamp)  
**To:** [kmuilenburg@blm.gov](mailto:kmuilenburg@blm.gov)  
**Subject:** on call  
**Date:** Monday, June 22, 2015 10:09:34 AM

---

I am participating in the BLM call on "Final Hydraulic Fracturing Rule"

Shirley Meyer  
Western Area Director  
Office Of Senator Heidi Heitkamp  
40 1st Ave West  
Dickinson ND,58601  
(701)225-0974  
[Shirley\\_Meyer@heitkamp.senate.gov](mailto:Shirley_Meyer@heitkamp.senate.gov)  
[www.heitkamp.senate.gov](http://www.heitkamp.senate.gov)



**From:** Muilenburg, Kacy  
**To:** [Meyer, Shirley \(Heitkamp\)](#)  
**Subject:** Re: on call  
**Date:** Monday, June 22, 2015 10:39:29 AM

---

Thanks

On Monday, June 22, 2015, Meyer, Shirley (Heitkamp)  
<[Shirley\\_Meyer@heitkamp.senate.gov](mailto:Shirley_Meyer@heitkamp.senate.gov)> wrote:

I am participating in the BLM call on “Final Hydraulic Fracturing Rule”

Shirley Meyer

Western Area Director

Office Of Senator Heidi Heitkamp

40 1st Ave West

Dickinson ND,58601

(701)225-0974

[Shirley\\_Meyer@heitkamp.senate.gov](mailto:Shirley_Meyer@heitkamp.senate.gov)

[www.heitkamp.senate.gov](http://www.heitkamp.senate.gov)



--  
Kacy Muilenburg  
Facilities Services Assistant  
Bureau of Land Management  
North Dakota Field Office  
99 23rd Ave W

Dickinson, ND 58601  
701-227-7718

**From:** Edgerton, Vic  
**To:** ["Anderson, James"](#)  
**Subject:** RE:  
**Date:** Tuesday, June 23, 2015 11:49:23 AM  
**Attachments:** [fennelltestimony.pdf](#)

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Testimony attached. Polis bill dear colleague below. Waiting to hear back on Huffman's attendance.

*Cosponsors in the 113th Congress (61): Mark E. Amodei, Dan Benishek, Earl Blumenauer, Bruce L. Braley, Julia Brownley, Tony Cardenas, Matt Cartwright, Judy Chu, David N. Cicilline, Mike Coffman, Gerald E. Connolly, Jim Cooper, Jim Costa, Kevin Cramer, Steve Daines, Peter A. DeFazio, Diana DeGette, Suzan K. DelBene, Jeff Denham, Trent Franks, Pete P. Gallego, Joe Garcia, Cory Gardner, Joseph J. Heck, Steven A. Horsford, Jared Huffman, Derek Kilmer, Ann Kirkpatrick, Raul R. Labrador, David Loebsack, Zoe Lofgren, Alan S. Lowenthal, Michelle Lujan Grisham, Ben Ray Lujan, Cynthia M. Lummis, Cathy McMorris Rodgers, Ed Pastor, Stevan Pearce, Ed Perlmutter, Gary C. Peters, Jared Polis, Raul Ruiz, Matt Salmon, Kurt Schrader, David Schweikert, Carol Shea-Porter, Michael K. Simpson, Kyrsten Sinema, Christopher H. Smith, Steve II Southerland, Jackie Speier, Chris Stewart, Steve Stivers, Mark Takano, Mike Thompson, Scott R. Tipton, Dina Titus, Niki Tsongas, David G. Valadao, Robert J. Wittman, Don Young.*

## **Cosponsor the Public Lands Renewable Energy Development Act, H.R. 2663**

**From:** The Honorable Jared Polis  
**Sent By:** [Jennifer.George-Nichol@mail.house.gov](mailto:Jennifer.George-Nichol@mail.house.gov)  
**Bill:** H.R. 2663  
**Date:** 6/15/2015

*Support American energy security by encouraging development of renewable energy resources on public lands!*

**Sponsors and Original Cosponsors so far in the 114th Congress (30):** Paul Gosar\*, Jared Polis\*, Joe Heck\*, Mike Thompson\*, Trent Franks\*, Raul Ruiz\*, Dan Benishek, Rod Blum, Tony Cardenas, Matt Cartwright, Gerald Connolly, Kevin Cramer, Raul Grijalva, Michelle Lujan Grisham, Crescent Hardy, Mike Honda, Jared Huffman, Ann Kirkpatrick, Doug LaMalfa, Alan S. Lowenthal, Ben Lujan, James P. McGovern, Martha McSally, Steve Pearce, Matt Salmon, David Schweikert, Mike Simpson, Kyrsten Sinema, Dina Titus, Ryan Zinke.

Dear Colleague:

Renewable energy sources like wind, solar and geothermal are an integral part of the United States' energy strategy. Our nation's public lands can play a critical role in supporting that

mission, but uncertainty in the permitting process impedes or delays our ability to harness their renewable energy potential. To address this problem, we plan to reintroduce the Public Lands Renewable Energy Development Act (H.R.596 in the 113th Congress).

This legislation streamlines the permitting process for wind, solar and geothermal development on public lands and establishes a revenue sharing mechanism that ensures a fair return for all.

The bill in the 113th Congress had 61 cosponsors and was also supported by 60+ organizations including the Congressional Sportsmen's Foundation, NACo, the Western Governors' Association, as well as numerous county, sportsmen and local conservation groups.

Senators Dean Heller (R-NV), Martin Heinrich (D-NM), Jim Risch (R-ID), and Jon Tester (D-MT) introduced the Senate companion on May 21, 2015 and this bill contains the exact same text.

Public land management agencies need a permitting process tailored to the unique characteristics and impacts of renewable energy projects. This bipartisan bill removes government red tape and develops a streamlined process that will drive investment towards the highest quality renewable sources.

The legislation also establishes a revenue sharing mechanism that ensures a fair return for all. The Public Lands Renewable Energy Development Act distributes certain revenues derived through this Act by returning 25% to the state where development takes place, 25% to the counties of origin, 15% is directed for the purposes of more efficiently processing permit applications and reducing the backlog of renewable energy permits, and 35% is deposited into a fund for sportsmen and conservation purposes, including increasing access and outdoor recreation like hunting and fishing.

Since federal lands are not taxable, state and local governments deserve a share of the revenues from the sales of energy production on lands within their borders. These resources will help local governments deliver critical services and develop much-needed capital improvement projects, such as road maintenance, public safety, and law enforcement.

Our nation's public lands must play a critical role in our country's energy future. We encourage you to become a cosponsor of the Public Lands Renewable Energy Development Act of 2015 and help the United States create jobs, make further progress towards energy independence, and preserve our nation's natural wonders.

Notable changes to the bill since last Congress:

- Removes the outdated pilot program provision. The new permit language is modeled after the oil and gas permitting pilot program established by Sec. 345 of the Energy Policy Act of 2005 and modernized last December by the bipartisan BLM Permit Processing Improvement Act of 2014.
- This Congress' bill includes an important provision that makes clear counties will not be penalized by the revenue sharing provisions in the bill and that such payments to counties are in addition to PILT payments.
- Establishes Variance Areas, additional federal lands identified by the Secretary of Interior that are suitable for responsible renewable energy development.

- Requires interagency coordination as well as coordination with states, tribes and local governments.

To cosponsor this legislation or if you have questions, please contact Jennifer George-Nichol at [Jennifer.George-Nichol@mail.house.gov](mailto:Jennifer.George-Nichol@mail.house.gov).

Sincerely,

Paul A. Gosar, D.D.S  
Member of Congress

Joe Heck, D.O.  
Member of Congress

Trent Franks  
Member of Congress

Jared Polis  
Member of Congress

Mike Thompson  
Member of Congress

Raul Ruiz  
Member of Congress

**From:** Anderson, James [mailto:jeanderson@blm.gov]  
**Sent:** Tuesday, June 23, 2015 10:59 AM  
**To:** Edgerton, Vic  
**Subject:**

[http://www.blm.gov/wo/st/en/info/newsroom/2015/april/interior\\_department.html](http://www.blm.gov/wo/st/en/info/newsroom/2015/april/interior_department.html)

--

James Anderson  
Advisor to the Director  
Bureau of Land Management  
202-208-5996 (o)  
202-748-1726 (c)



Testimony  
Before the Subcommittee on Oversight  
and Investigations, Committee on  
Natural Resources, House of  
Representatives

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For Release on Delivery  
Expected at 10:30 a.m. ET  
Wednesday, June 24, 2015

# RENEWABLE ENERGY

## BLM Has Limited Assurance That Wind and Solar Projects Are Adequately Bonded

Statement of Anne-Marie Fennell, Director, Natural  
Resources and Environment

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Chairman Gohmert, Ranking Member Dingell, and Members of the Subcommittee:

I am pleased to be here today to discuss our June 2015 report on the Bureau of Land Management's (BLM) policies and practices for bonding renewable energy development on federal land, which was released June 23, 2015.<sup>1</sup> The Department of the Interior's (Interior) BLM manages more federal land than any other agency—more than 245 million surface acres—and this land is increasingly being tapped to meet the nation's growing demand for energy. BLM plays a key role in managing energy produced on these lands, including energy from renewable resources. Through the Energy Policy Act of 2005, Congress encouraged the Secretary of the Interior to approve non-hydropower renewable energy projects, including wind and solar projects, with a total capacity to generate at least 10,000 megawatts of electricity on federal lands by 2015. In June 2013, the President proposed an expansion in renewable energy construction projects and set a new goal for Interior to approve a renewable energy capacity of at least 20,000 megawatts of electricity from projects on federal land, which would be enough capacity to power more than 6 million homes by 2020. Currently, about 1 percent of the nation's electricity generated from wind and solar energy comes from resources on federal land.

Projects to produce energy from renewable resources can affect thousands of acres of federal land and involve significant infrastructure. The projects may require developers to alter the land's topography or remove vegetation, physically or through the use of herbicides, and these actions may affect the site itself or have potential downstream or off-site effects. As a condition of BLM's authorization for renewable energy projects, the developer must agree to remove infrastructure elements and return the land to its predeveloped condition when the project terminates, a process called reclamation. To ensure compliance with applicable requirements, including requirements to reclaim project sites, BLM requires operators of wind and solar energy projects on federal lands to obtain bonds. If an operator fails to return the land to its predeveloped state, the bond can be used to cover any reclamation costs the federal government may incur. If the bonds are inadequate to cover reclamation

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<sup>1</sup>GAO, *Renewable Energy: BLM Has Limited Assurance That Wind and Solar Projects Are Adequately Bonded*, [GAO-15-520](#) (Washington, D.C.: June 5, 2015).

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costs and the federal government is unable to recover additional costs from the developer, the federal government may have to pay the reclamation costs.

Wind and solar projects on BLM land are subject to federal laws and regulations, as well as BLM policy. The Federal Land Policy and Management Act of 1976 authorizes BLM to issue rights-of-way on federal land for a variety of purposes, including systems for generating, transmitting, and distributing electric energy.<sup>2</sup> Right-of-way holders are required to restore, revegetate, and stabilize the land disturbed by wind and solar projects within a reasonable time, to a condition satisfactory to BLM, as approved by BLM in its Plan of Development.<sup>3</sup> For projects that may have a significant impact on the environment, the act requires applicants to submit a plan of construction, operation, and rehabilitation for the right-of-way that complies with applicable laws and regulations and the agency's stipulations. Federal regulations authorize BLM to require a right-of-way holder to provide a bond to secure the obligations imposed by the right-of-way. According to BLM policy, a bond is required for each wind and solar facility on federal land. BLM may require an increase or decrease in the value of an existing bond at any time during the term of the right-of-way, according to federal regulations.<sup>4</sup>

BLM manages and oversees wind and solar projects in part by maintaining data on each project electronically in two data systems—the Legacy Rehost 2000 System (LR2000) and the Bond and Surety System. LR2000 is BLM's electronic case recordation system that is used to capture information on the agency's land and mineral projects. In the case of wind and solar projects, BLM captures information such as the date the right-of-way was issued, acres authorized, project location, case status (e.g., authorized, expired, or closed), and the actions that have taken place. The system also contains bond information for wind and

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<sup>2</sup>A right-of-way is an authorization to a qualified individual, business, or government entity to use a specific area of federal land for a specific amount of time for a certain purpose and with specific terms, conditions, and stipulations that, among other things, are intended to protect the environment, federal property and economic interests, and the public interest. Wind and solar projects can be composed of multiple rights-of-way.

<sup>3</sup>A Plan of Development is a detailed construction, operation, rehabilitation, and environmental protection plan.

<sup>4</sup>43 C.F.R. § 2805.12(g) (2014).

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solar projects, including bond numbers, amounts, and bond actions, such as the date when a bond was filed, accepted, or returned. For wind projects, LR2000 contains the number of authorized turbines and towers. The Bond and Surety System contains bond information, such as the type and amount of bond, as well as actions taken, including the date when a bond was filed, accepted, or returned.<sup>5</sup> BLM staff enter data about wind and solar projects into LR2000, as well as information about bonds into the Bond and Surety System.

My testimony today highlights the key findings of our June 2015 report on BLM's policies and practices for bonding renewable energy development on federal land.<sup>6</sup> Accordingly, this testimony discusses (1) BLM's policies for the bonding of wind and solar projects on federal land; (2) the amount and types of bonds held by BLM for the reclamation of wind and solar projects, and how BLM tracks these bonds; and (3) the extent to which BLM ensures that bonds for wind and solar rights-of-way are adequate to cover reclamation costs.

To address these objectives, we reviewed the agency's policies regarding bonding, the reclamation activities that the bonds are to cover, and the frequency with which bonds are to be reviewed. We also reviewed BLM's Notice of Proposed Rulemaking—issued in September 2014—that would revise and codify the agency's current bonding policies for wind and solar projects. In addition, we obtained wind and solar project data, as of April 15, 2014, from BLM's LR2000 and its Bond and Surety System. We worked with BLM officials to resolve data discrepancies between the two systems and then analyzed the data to identify the bond amounts and types for each right-of-way. To determine how BLM tracks these bonds and understand how LR2000 and the Bond and Surety System are used, the frequency of updates, and the reliability of the data in each system, we interviewed officials in BLM headquarters and all 9 BLM state and 11 field offices with wind or solar energy development projects.

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<sup>5</sup>A bond is considered filed when BLM receives the bond instrument from the right-of-way holder. A bond is considered accepted once BLM reviews the bond, determines that it has been executed properly, and notifies the right-of-way holder of the bond's acceptance. A bond is considered returned when BLM returns the bond to the right-of-way holder after the holder has successfully completed reclamation, at which time a bond is no longer necessary.

<sup>6</sup>[GAO-15-520](#).

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To determine the extent to which BLM ensures that bonds for wind and solar rights-of-way are adequate to cover reclamation costs, we conducted an in-depth file review of all wind and solar energy development projects—45 in total—for which BLM held a bond on April 15, 2014, and interviewed BLM officials and other stakeholders. We compared the bond held with what is specified in BLM’s wind and solar policies, as well as reclamation cost estimates in the project files, and we then determined the extent to which documentation of the bond decision is consistent with government standards for internal control.<sup>7</sup> We also interviewed BLM officials to determine compliance with existing BLM policies, the depth and detail of reclamation cost estimates, the extent of documentation supporting bond amounts, and the types of staff involved in determining bond amounts. In addition, we analyzed whether BLM was conducting reviews to ensure that bonds are in place, as is called for in BLM policies. Our June 2015 report includes a detailed explanation of the methods used to conduct our work. The work on which this testimony is based was performed in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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<sup>7</sup>GAO, *Standards for Internal Control in the Federal Government*, [GAO/AIMD-00-21.3.1](#) (Washington, D.C.: November 1999).

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## BLM Has Different Policies for Bonding Wind and Solar Projects, but a Proposed Rule Would Establish Consistent Requirements

As detailed in our report, in 2008, BLM issued a wind energy development policy that includes provisions for bonding wind energy projects on federal land.<sup>8</sup> Among other things, the policy established a minimum bond amount of \$2,000 per meteorological tower for site-specific and project area testing rights-of-way and \$10,000 per wind turbine for wind energy development rights-of-way.<sup>9</sup> BLM is to determine the bond amount for all wind energy development projects during the right-of-way authorization process “on the basis of site-specific and project-specific factors,” but the policy provides no further details on these factors or how to calculate the costs. BLM is to review all bonds for wind development rights-of-way at least once every 5 years to ensure that the bond amount is adequate.<sup>10</sup>

In 2010, BLM issued a solar energy development policy that includes provisions for bonding solar energy projects on federal land that differ from the bonding provisions of the wind policy.<sup>11</sup> Specifically, in contrast to the wind policy, the solar policy sets no minimum bond amount for solar energy development rights-of-way.<sup>12</sup> Rather, the policy states that BLM is to base the bond amount on a reclamation cost estimate provided by the right-of-way applicant that consists of three components: (1) environmental liabilities; (2) decommissioning, removal, and disposal of improvements and facilities; and (3) reclamation, revegetation, restoration, and soil stabilization. A reclamation cost estimate is an

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<sup>8</sup>See Bureau of Land Management, IM 2009-043, *Wind Energy Development Policy* (Dec. 19, 2008).

<sup>9</sup>A wind site-specific testing right-of-way is an authorization to develop individual meteorological towers and instrumentation facilities with a term that is limited to 3 years. A wind project area right-of-way is an authorization to develop a larger site testing and monitoring area, with a term of 3 years that may be renewed. Both wind site-specific testing and wind project area testing rights-of-way are used to determine whether a site’s wind energy resources meet the potential for energy development. A wind energy development right-of-way is an authorization to develop wind energy facilities generally for a term of 30 years that may be renewed. Facilities include wind turbines, as well as onsite access roads, electrical and distribution facilities, and other support.

<sup>10</sup>A bond adequacy review is a review to determine whether the bond amount is sufficient to cover the cost of reclamation.

<sup>11</sup>IM 2011-003, *Solar Energy Development Policy* (Oct. 7, 2010).

<sup>12</sup>A solar energy development right-of-way is an authorization to develop solar energy facilities for a term not to exceed 30 years that may be renewed.

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estimate of what it would cost a third party to reclaim the site.<sup>13</sup> The policy states that the applicant is to submit the estimate as part of the decommissioning and site reclamation plan—which defines the reclamation, revegetation, restoration, and soil stabilization requirements for the project area—and the overall Plan of Development. In addition, in contrast to the wind policy, BLM staff are to review annually all bonds for solar development rights-of-way to ensure that the bond amount is adequate to ensure compliance with the right-of-way authorization, including requirements to reclaim the disturbed land.

To help ensure compliance with provisions of the wind and solar bonding policies, BLM has two additional policies that direct BLM state directors to certify annually that all wind and solar energy rights-of-way within their respective states have the required bonds and that the bond data are entered into the Bond and Surety System.<sup>14</sup> This certification does not assess whether the amount of the bond would be sufficient to cover expected reclamation costs. Rather, the annual certification is intended to ensure that a bond has been provided or requested for each wind and solar right-of-way. The certification is to be submitted to BLM headquarters within 30 days after the end of the fiscal year. In addition, field office staff are to enter all bonds received for renewable energy projects into LR2000 and the Bonds and Surety System.<sup>15</sup>

In September 2014, BLM issued a Notice of Proposed Rulemaking related to wind and solar development on federal lands and requested public comment.<sup>16</sup> The proposed rule would revise and codify existing policies and establish consistent requirements for the bonding of solar and wind energy projects. Requirements would differ based on whether

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<sup>13</sup>BLM's policy for mining operations on public lands, which is a reference tool for BLM's solar energy development policy, states that a bond must be sufficient to allow BLM to contract with a third party to reclaim the operations.

<sup>14</sup>See Bureau of Land Management, IM 2011-096, *Certification of Bonding—Wind Energy Site Testing and Wind Energy Development Authorizations* (Apr. 7, 2011), and IM 2013-034, *Oversight and Implementation Plan—Renewable Energy Coordination Office* (Dec. 20, 2012).

<sup>15</sup>IM 2013-034, Attachment 1, *Oversight and Implementation Plan, Solar and Wind Energy Policies*.

<sup>16</sup>Competitive Processes, Terms, and Conditions for Leasing Public Lands for Solar and Wind Energy Development and Technical Changes and Corrections, 79 Fed. Reg. 59,022 (Sept. 30, 2014) (to be codified at 43 C.F.R. pts. 2800 and 2880).

---

projects were located in certain preferred areas—called designated leasing areas.

- **Projects outside designated leasing areas.** The proposed rule would establish a minimum bond amount per turbine of \$20,000 for wind energy development projects—a doubling of the minimum amount currently set in BLM policy—and establish a minimum bond amount of \$10,000 per acre for solar energy development projects. The minimum bond amount for wind energy site-specific or project area testing projects would remain at the amount currently set in BLM policy, that is, \$2,000 per meteorological tower. The proposed rule would require both wind and solar right-of-way applicants to submit a reclamation cost estimate to help BLM to determine the bond amount, and it would outline specific bond components that must be addressed when determining the estimated costs. The proposed rule would not require BLM to conduct periodic reviews to assess whether the bonds remain adequate to cover potential reclamation costs, as is specified in the current wind and solar policies.
- **Projects inside designated leasing areas.** The proposed rule would establish a standard bond amount for wind energy development of \$20,000 per turbine and \$2,000 per meteorological tower, as well as a standard bond amount for solar energy development of \$10,000 per acre. BLM proposed a standard bond amount because these areas would be identified by BLM as areas with lesser and fewer environmental and cultural resource conflicts. According to BLM officials, when a project terminates inside a designated leasing area, the agency would potentially reoffer the site for new wind or solar energy development. As a result, these sites would require less reclamation than if they needed to be fully reclaimed to their predeveloped condition and the bond amount required would be lower. Under the proposed rule, right-of-way holders would not be required to submit a reclamation cost estimate.

A BLM official told us that the agency expects the proposed rule to be finalized by the end of 2015. Once finalized, the official said BLM plans to rescind the current wind and solar policies and replace them with policies that would address, among other things, the bonding process and adequacy reviews not covered in the proposed rule.

## BLM Has About \$100 Million in Bonds for Wind and Solar Projects, but the Systems for Tracking These Bonds Are Not Reliable

We found that BLM has about \$100 million in bonds—primarily in the form of letters of credit and surety bonds—to cover reclamation costs associated with 12 solar rights-of-way and 108 wind rights-of-way on federal land in nine western states, according to our analysis of BLM data. See table 1 for further detail on the values of bond held and table 2 for further detail on the types of bonds held.

**Table 1: Value of Bonds Held by the Bureau of Land Management for Wind and Solar Projects, by Project Type and Amount, as of April 15, 2014**

Project type	Amount	Percentage
Solar development	\$82,615,899	82.2
Wind development	\$17,106,164	17.0
Wind project area testing	\$720,216	0.7
Wind site-specific testing	\$36,000	<0.1
<b>Total</b>	<b>\$100,478,279</b>	<b>99.9</b>

Source: GAO analysis of Bureau of Land Management bonding data. | GAO-15-520

Note: Percentage does not equal 100 because of rounding.

**Table 2: Types of Bonds Held by the Bureau of Land Management for Wind and Solar Projects as of April 15, 2014**

Bond type	Amount	Percentage
Letter of credit	\$49,177,596	48.9
Surety	\$39,361,443	39.2
Personal, including cash	\$10,839,677	10.8
Treasury security	\$900,000	0.9
Guaranteed remittance	\$139,963	0.1
Undetermined <sup>a</sup>	\$47,600	<0.1
Time deposit	\$12,000	<0.1
<b>Total</b>	<b>\$100,478,279</b>	<b>99.9</b>

Source: GAO analysis of Bureau of Land Management bonding data. | GAO-15-520

Notes: Percentage does not equal 100 because of rounding.

<sup>a</sup>“Undetermined” means that BLM could not provide the bond type.

BLM tracks bonds through LR2000 and the Bond and Surety System, but we found that neither system was reliable for this purpose. Specifically, we found multiple instances in each system where information was missing, inaccurate, or had not been updated as follows:

- 
- **Missing information.** BLM's oversight and implementation plan for solar and wind energy policies directs field offices to enter all bonds received for renewable energy projects into LR2000 and the Bond and Surety System,<sup>17</sup> but we found instances where bonds had been entered into LR2000, but not into the Bond and Surety System. We also found instances where staff did not always enter in the remarks section of LR2000 the number of wind turbines or meteorological towers authorized and located on federal land, as directed by BLM's wind policy.
  - **Inaccurate information.** We found instances in LR2000 and the Bond and Surety System where the type of right-of-way entered for the project was incorrect. For example, one wind development project's right-of-way had been incorrectly entered in both systems as a road right-of-way.<sup>18</sup> As a result, the bond had not been included in the annual state bond certification. When BLM reviewed the bond, the agency determined that the bond amount was approximately \$90,000 less than the minimum set by BLM's wind policy.
  - **Information had not been updated.** We found instances where a bond's status or amount had not been updated in one or both systems. In some cases, the data were several years out of date. For example, in one case, LR2000 showed that a bond had been accepted for \$40,000 in 1994, and an additional bond for the same right-of-way had been accepted for \$160,000 in 2011, for a total bond amount of \$200,000. However, BLM had not updated the Bond and Surety System to show that the \$160,000 bond had been accepted, and the system contained no information on the \$40,000 bond.

The LR2000 data standards for BLM's mining program state that all data must be routinely entered within 5 business days of each action taking place.<sup>19</sup> However, there is no such standard for entering wind and solar project data into LR2000.<sup>20</sup> Furthermore, BLM has not issued data

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<sup>17</sup>IM 2013-034, Attachment 1, *Oversight and Implementation Plan; Solar and Wind Energy Policies*.

<sup>18</sup>A road right-of-way is an authorization to construct a road on a segment of BLM land.

<sup>19</sup>Bureau of Land Management, *H-3809-1, Surface Management* (Sept. 17, 2012).

<sup>20</sup>Bureau of Land Management, *LR2000 Case Recordation Data Standards for the Lands and Realty Program* (revised Apr. 10, 2013).

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standards for the Bond and Surety System. Because information in these two data systems was missing, inaccurate, or out of date, BLM has limited assurance that either system is reliable for tracking wind and solar bonds to ensure that bonding policies are being followed and that all projects have the required bonds.

BLM has taken some limited steps to improve its bonding data. Specifically, to reduce potential errors or omissions in the bonding data in LR2000 and the Bond and Surety System, BLM made changes to link certain data in the two systems. Starting in late September 2014, when an action code showing that a bond has been filed, accepted, or returned is entered into the Bond and Surety System for a particular right-of-way, the same information is automatically entered into LR2000. However, when a bond action code is entered into LR2000, the same information must still be entered manually into the Bond and Surety System. In addition, these changes only apply to data entered into the Bond and Surety System starting in September 2014, so all previously entered data will not be added to LR2000 unless manually entered.

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## BLM Has Limited Assurance That Bonds for Wind and Solar Rights-of-Way Will Cover Reclamation Costs

BLM has limited assurance that bonds for wind and solar rights-of-way will cover reclamation costs. Specifically, we found that 14 wind and solar development rights-of-way were underbonded by as much as \$15 million in total. In addition, we found wide variation in how BLM staff documented bond decisions for wind and solar project rights-of-way. Further, BLM does not adequately ensure that wind and solar bond instruments are properly secured, handled, and stored. BLM also inconsistently adheres to its policies for the periodic review of the amounts of wind and solar bonds to verify their adequacy.

**Underbonding of wind and solar development projects.** We found that 14 out of 45 wind and solar development rights-of-way were underbonded by as much as \$15 million in total—approximately \$5.5 million for wind rights-of-way and as much as \$9 million for solar rights-of-way—according to our review of BLM project files and data.<sup>21</sup> Specifically, we identified 10 wind rights-of-way where the bond amount was lower than the \$10,000-per-turbine minimum established in BLM’s 2008 wind policy. These 10 rights-of-way were underbonded by a total of

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<sup>21</sup>We reviewed all BLM wind and solar energy development projects—45 in total—for which BLM held a bond as of April 15, 2014.

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approximately \$5.5 million. Nine of those rights-of-way were authorized prior to the 2008 policy; however, for rights-of-way that were authorized before the policy took effect, BLM officials told us they directed staff to obtain bonds that meet the \$10,000-per-turbine minimum. BLM officials told us that they are in the process of obtaining bonds for these 9 rights-of-way. One right-of-way was reauthorized in 2012 at about \$1,500 per turbine.<sup>22</sup> BLM's files show that the bond amount for the right-of-way was determined using salvage values of the equipment. While salvage values may be considered in estimating reclamation costs, BLM officials told us the 2008 policy does not permit salvage values to be used to reduce the bond below the \$10,000-per-turbine minimum.<sup>23</sup> BLM officials told us they are currently developing a reclamation cost estimate for this right-of-way, which will help them develop a revised bond.

We also found four solar rights-of-way that may be underbonded by as much as \$9 million. These rights-of-way were part of a single solar project with a total estimated reclamation cost of approximately \$27.5 million.<sup>24</sup> This figure includes \$18.5 million for decommissioning and removal of project structures and equipment and \$9 million for revegetation and restoration. However, the project is currently bonded at \$18.5 million, an amount that may only cover the decommissioning and removal of structures. BLM officials explained that because the project is in California—where recycling of materials is required—the \$9 million estimated for revegetation and restoration would be covered by the salvage value of project structures. While the salvage value presented in the documents we reviewed may be sufficient to cover those costs, the project's documentation did not indicate that BLM officials included these costs when setting the total bond amount.

**Unclear documentation of bond decisions.** We found wide variation in how BLM staff documented bond decisions for wind and solar project rights-of-way. Specifically, for 21 of the 33 wind rights-of-way we

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<sup>22</sup>This right-of-way was underbonded by approximately \$3.9 million.

<sup>23</sup>BLM officials told us that they had originally sought to bond this project above the minimum, at \$25,000 per turbine based on the size of the turbines, but the right-of-way holder appealed the bond determination to the Interior Board of Land Appeals. The Interior Board of Land Appeals is an appellate review body for the Department of the Interior. According to BLM officials, the board decided to remand the decision to BLM.

<sup>24</sup>This project consists of four rights-of-way, each with their own bond.

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reviewed, there was little or no documentation to support the bond amount. For some of these rights-of-way, there was no documentation because BLM staff defaulted to the minimum amount set by BLM's wind policy without conducting any site- or project-specific analysis. For the remaining 12 wind rights-of-way, the project files contained documentation that BLM officials used to support their bond decisions; however, this documentation varied widely. For example, for 1 right-of-way, the holder developed a reclamation cost estimate,<sup>25</sup> but the estimate did not reflect the current state of the project and the estimated costs were greater than the bond that BLM required. And for 6 rights-of-way, the documentation outlined the cost of decommissioning and removal of structures, but it did not include cost estimates for revegetation of the project site. We also found that BLM inconsistently documented bonding decisions for 2 solar rights-of-way. Specifically, for 1 right-of-way, the holder did not develop a reclamation cost estimate, as directed by BLM's 2010 solar policy. As a result, it was not clear from the project files what BLM considered in determining the amount of the bond that was in place. In another case, BLM allowed the right-of-way holder to provide the bond in phases as the project was constructed, but there was no documentation demonstrating how each phase's reclamation costs were estimated, or what the payment schedule and amounts of future bonds would be.

We also found discrepancies between information in the project files and what was recorded in LR2000 or the Bond and Surety System in 13 of the 45 wind and solar rights-of-way. For example, for 1 wind right-of-way, the files indicated the applicant's initial plan to build 24 turbines, but LR2000 showed the project had 20 turbines. A BLM official told us that since the right-of-way's original authorization in the 1980s, the type and number of turbines had changed over time. However, there was no documentation of these changes in the files, and the BLM official told us that, as a result of our inquiry, he had to go and physically inspect the right-of-way to confirm the type and number of turbines. Federal standards for internal control call for transactions and other significant events to be clearly documented and that the documentation should be readily available for examination.<sup>26</sup> BLM has not issued policies that direct BLM staff to

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<sup>25</sup>BLM's wind policy does not direct applicants to develop a reclamation cost estimate for a wind project right-of-way. However, according to BLM officials, BLM may direct an individual applicant to develop a reclamation cost estimate or may develop one itself.

<sup>26</sup>[GAO/AIMD-00-21.3.1](#).

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document information related to bond decisions in the project files. According to BLM officials, they will develop these policies once the proposed rule is finalized.

**Inadequate handling and storing of bonds.** BLM also does not adequately ensure that wind and solar bond instruments are properly secured, handled, and stored. BLM staff in two field offices told us bonds were stored in the files for the rights-of-way, rather than in a locked cabinet or safe. In one of these offices, a staff member told us that about 20 percent of the bond instruments were stored in the project files, and the remaining bond instruments were stored in a safe. However, in that office, that staff member told us that someone had mistakenly shredded the bond instruments kept in the safe because the individual did not know what they were. According to BLM's manual regarding records administration,<sup>27</sup> offices should ensure that appropriate internal controls and safeguards are in place to prevent the loss of official documentation. BLM has general guidance on records retention and storage, and at least one office within BLM's Energy, Minerals, and Realty Management Directorate has detailed guidance on the acceptance, assessment, and storage of bond instruments.<sup>28</sup> However, the National Renewable Energy Coordination Office, which oversees wind and solar energy projects, does not have policies or guidance related to the proper handling and storage of bond instruments. As a result, BLM cannot assure that all bonds are properly maintained and secured, leaving the federal government potentially at risk financially if reclamation costs are not covered by the right-of-way holders.

**Inconsistent adherence to periodic review policies.** BLM inconsistently adheres to its policies for the periodic review of wind and solar bonds to verify their adequacy. BLM's wind and solar policies direct officials to review the adequacy of wind bonds every 5 years and solar bonds every year. Of the 45 wind and solar rights-of-way we reviewed, 23 had bonds that were at least 4 months overdue for an adequacy review. Some BLM officials responsible for these reviews told us that they were not aware that bonds were supposed to be reviewed. Others told us they

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<sup>27</sup>Bureau of Land Management, *BLM Manual, MS-1270: Records Administration* (October 1992).

<sup>28</sup>Bureau of Land Management, *Fluid Minerals Bond Processing User Guide* (December 1996).

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were aware that bonds were to be reviewed but had not completed the reviews due to workload and staffing constraints. BLM officials told us that LR2000 contains information such as the authorization date that can be used to determine when a right-of-way is due for review. However, LR2000 does not automatically notify BLM officials that a right-of-way is due for its periodic review. Several BLM officials told us that it would be possible to set up an action code in LR2000 to provide such automatic notification. If reviews of bond amounts are not conducted in a timely manner, BLM officials cannot be sure that bonds in place are adequate to cover reclamation costs.

BLM does not have detailed policies to ensure that all bonds are properly maintained and secured and bond decisions accurately documented in project files. In addition, BLM has no standard for the timely entering of data of wind and solar project data into LR2000 and no data standards for the Bond and Surety System. As a result, BLM may not have accurate and complete information with which to track wind and solar bonds, and BLM has limited assurance that the bonds in place will be adequate to cover reclamation costs if the right-of-way holder does not meet its obligations. As a result of these findings and to help ensure that bonds are adequate to cover reclamation costs for wind and solar projects on federal land, we made five recommendations to the Secretary of the Interior in our June 2015 report. Specifically, we recommended that the Secretary direct the Director of the Bureau of Land Management to

- develop detailed policies for processing wind and solar bonds to ensure bonds are properly secured, handled, and stored;
- develop policies that detail how information related to bonding decisions should be documented in project files;
- develop a policy that all data for wind and solar energy projects be entered in LR2000 and the Bond and Surety System within 10 business days;
- establish data standards for the Bond and Surety System; and
- develop an LR2000 action code to automatically notify BLM staff that a right-of-way is due for a bond adequacy review.

In its comments on a draft report, the agency concurred with each of these recommendations.

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Chairman Gohmert, Ranking Member Dingell, and Members of the Subcommittee, this completes my prepared statement. I would be pleased to answer any questions that you may have at this time.

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## GAO Contact and Staff Acknowledgments

If you or your staff members have any questions about this testimony, please contact me at (202) 512-3841 or [fennella@gao.gov](mailto:fennella@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. Other individuals who made key contributions to this testimony include Elizabeth Erdmann (Assistant Director), Morgan Jones, Jessica Lewis, Susan Malone, and Jarrod West. Cheryl Arvidson, Antoinette Capaccio, Kirsten B. Lauber, and Dan Royer also made important contributions.

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**From:** Anderson, James  
**To:** [Edgerton, Vic](#)  
**Subject:** Re:  
**Date:** Tuesday, June 23, 2015 12:13:58 PM

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Thanks. Has this bill ever been previously introduced?

On Tuesday, June 23, 2015, Edgerton, Vic <[Vic.Edgerton@mail.house.gov](mailto:Vic.Edgerton@mail.house.gov)> wrote:

Testimony attached. Polis bill dear colleague below. Waiting to hear back on Huffman's attendance.

*Cosponsors in the 113th Congress (61): Mark E. Amodei, Dan Benishek, Earl Blumenauer, Bruce L. Braley, Julia Brownley, Tony Cardenas, Matt Cartwright, Judy Chu, David N. Cicilline, Mike Coffman, Gerald E. Connolly, Jim Cooper, Jim Costa, Kevin Cramer, Steve Daines, Peter A. DeFazio, Diana DeGette, Suzan K. DelBene, Jeff Denham, Trent Franks, Pete P. Gallego, Joe Garcia, Cory Gardner, Joseph J. Heck, Steven A. Horsford, Jared Huffman, Derek Kilmer, Ann Kirkpatrick, Raul R. Labrador, David Loebsack, Zoe Lofgren, Alan S. Lowenthal, Michelle Lujan Grisham, Ben Ray Lujan, Cynthia M. Lummis, Cathy McMorris Rodgers, Ed Pastor, Stevan Pearce, Ed Perlmutter, Gary C. Peters, Jared Polis, Raul Ruiz, Matt Salmon, Kurt Schrader, David Schweikert, Carol Shea-Porter, Michael K. Simpson, Kyrsten Sinema, Christopher H. Smith, Steve II Southerland, Jackie Speier, Chris Stewart, Steve Stivers, Mark Takano, Mike Thompson, Scott R. Tipton, Dina Titus, Niki Tsongas, David G. Valadao, Robert J. Wittman, Don Young.*

## **Cosponsor the Public Lands Renewable Energy Development Act, H.R. 2663**

**From: The Honorable Jared Polis**

**Sent By: [Jennifer.George-Nichol@mail.house.gov](mailto:Jennifer.George-Nichol@mail.house.gov)**

**Bill: H.R. 2663**

**Date: 6/15/2015**

*Support American energy security by encouraging development of renewable energy resources on public lands!*

**Sponsors and Original Cosponsors so far in the 114th Congress (30):** Paul Gosar\*, Jared Polis\*, Joe Heck\*, Mike Thompson\*, Trent Franks\*, Raul Ruiz\*, Dan Benishek, Rod Blum, Tony Cardenas, Matt Cartwright, Gerald Connolly, Kevin Cramer, Raul Grijalva, Michelle Lujan Grisham, Crescent Hardy, Mike Honda, Jared Huffman, Ann

*Kirkpatrick, Doug LaMalfa, Alan S. Lowenthal, Ben Lujan, James P. McGovern, Martha McSally, Steve Pearce, Matt Salmon, David Schweikert, Mike Simpson, Kyrsten Sinema, Dina Titus, Ryan Zinke.*

Dear Colleague:

Renewable energy sources like wind, solar and geothermal are an integral part of the United States' energy strategy. Our nation's public lands can play a critical role in supporting that mission, but uncertainty in the permitting process impedes or delays our ability to harness their renewable energy potential. To address this problem, we plan to reintroduce the Public Lands Renewable Energy Development Act (H.R.596 in the 113th Congress).

This legislation streamlines the permitting process for wind, solar and geothermal development on public lands and establishes a revenue sharing mechanism that ensures a fair return for all.

The bill in the 113th Congress had 61 cosponsors and was also supported by 60+ organizations including the Congressional Sportsmen's Foundation, NACo, the Western Governors' Association, as well as numerous county, sportsmen and local conservation groups.

Senators Dean Heller (R-NV), Martin Heinrich (D-NM), Jim Risch (R-ID), and Jon Tester (D-MT) introduced the Senate companion on May 21, 2015 and this bill contains the exact same text.

Public land management agencies need a permitting process tailored to the unique characteristics and impacts of renewable energy projects. This bipartisan bill removes government red tape and develops a streamlined process that will drive investment towards the highest quality renewable sources.

The legislation also establishes a revenue sharing mechanism that ensures a fair return for all. The Public Lands Renewable Energy Development Act distributes certain revenues derived through this Act by returning 25% to the state where development takes place, 25% to the counties of origin, 15% is directed for the purposes of more efficiently processing permit applications and reducing the backlog of renewable energy permits, and 35% is deposited into a fund for sportsmen and conservation purposes, including increasing access and outdoor recreation like hunting and fishing.

Since federal lands are not taxable, state and local governments deserve a share of the revenues from the sales of energy production on lands within their borders. These resources will help local governments deliver critical services and develop much-needed capital improvement projects, such as road maintenance, public safety, and law enforcement.

Our nation's public lands must play a critical role in our country's energy future. We encourage you to become a cosponsor of the Public Lands Renewable Energy Development Act of 2015 and help the United States create jobs, make further progress towards energy independence, and preserve our nation's natural wonders.

Notable changes to the bill since last Congress:

- Removes the outdated pilot program provision. The new permit language is modeled

after the oil and gas permitting pilot program established by Sec. 345 of the Energy Policy Act of 2005 and modernized last December by the bipartisan BLM Permit Processing Improvement Act of 2014.

- This Congress' bill includes an important provision that makes clear counties will not be penalized by the revenue sharing provisions in the bill and that such payments to counties are in addition to PILT payments.
- Establishes Variance Areas, additional federal lands identified by the Secretary of Interior that are suitable for responsible renewable energy development.
- Requires interagency coordination as well as coordination with states, tribes and local governments.

To cosponsor this legislation or if you have questions, please contact Jennifer George-Nichol at [Jennifer.George-Nichol@mail.house.gov](mailto:Jennifer.George-Nichol@mail.house.gov).

Sincerely,

Paul A. Gosar, D.D.S  
Member of Congress

Jared Polis  
Member of Congress

Joe Heck, D.O.  
Member of Congress

Mike Thompson  
Member of Congress

Trent Franks  
Member of Congress

Raul Ruiz  
Member of Congress

**From:** Anderson, James [mailto:[jeanderson@blm.gov](mailto:jeanderson@blm.gov)]  
**Sent:** Tuesday, June 23, 2015 10:59 AM  
**To:** Edgerton, Vic  
**Subject:**

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James Anderson

Advisor to the Director

Bureau of Land Management

202-208-5996 (o)

202-748-1726 (c)

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James Anderson  
Advisor to the Director  
Bureau of Land Management  
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202-748-1726 (c)

**From:** Edgerton, Vic  
**To:** "[Anderson, James](mailto:jeanderson@blm.gov)"  
**Subject:** RE: Re:  
**Date:** Tuesday, June 23, 2015 12:46:11 PM

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Looks like it was dropped in the previous Congress. Niot sure beyond that

**From:** Anderson, James [mailto:[jeanderson@blm.gov](mailto:jeanderson@blm.gov)]  
**Sent:** Tuesday, June 23, 2015 12:14 PM  
**To:** Edgerton, Vic  
**Subject:** Re:

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*Michelle Lujan Grisham, Crescent Hardy, Mike Honda, Jared Huffman, Ann Kirkpatrick, Doug LaMalfa, Alan S. Lowenthal, Ben Lujan, James P. McGovern, Martha McSally, Steve Pearce, Matt Salmon, David Schweikert, Mike Simpson, Kyrsten Sinema, Dina Titus, Ryan Zinke.*

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Notable changes to the bill since last Congress:

- Removes the outdated pilot program provision. The new permit language is modeled after the oil and gas permitting pilot program established by Sec. 345 of the Energy Policy Act of 2005 and modernized last December by the bipartisan BLM Permit Processing Improvement Act of 2014.
- This Congress' bill includes an important provision that makes clear counties will not be penalized by the revenue sharing provisions in the bill and that such payments to counties are in addition to PILT payments.
- Establishes Variance Areas, additional federal lands identified by the Secretary of Interior that are suitable for responsible renewable energy development.
- Requires interagency coordination as well as coordination with states, tribes and local governments.

To cosponsor this legislation or if you have questions, please contact Jennifer George-Nichol at [Jennifer.George-Nichol@mail.house.gov](mailto:Jennifer.George-Nichol@mail.house.gov).

Sincerely,

Paul A. Gosar, D.D.S  
Member of Congress

Joe Heck, D.O.  
Member of Congress

Trent Franks  
Member of Congress

Jared Polis  
Member of Congress

Mike Thompson  
Member of Congress

Raul Ruiz  
Member of Congress

**From:** Anderson, James [mailto:[jeanderson@blm.gov](mailto:jeanderson@blm.gov)]

**Sent:** Tuesday, June 23, 2015 10:59 AM

**To:** Edgerton, Vic

**Subject:**

[http://www.blm.gov/wo/st/en/info/newsroom/2015/april/interior\\_department.html](http://www.blm.gov/wo/st/en/info/newsroom/2015/april/interior_department.html)

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James Anderson  
Advisor to the Director  
Bureau of Land Management  
202-208-5996 (o)  
202-748-1726 (c)

--

James Anderson  
Advisor to the Director  
Bureau of Land Management  
202-208-5996 (o)  
202-748-1726 (c)

**From:** Ripchensky, Darla (Energy)  
**To:** ["director@blm.gov"](mailto:director@blm.gov)  
**Cc:** [Murfitt, Lucy \(Energy\)](#); [Gray, Spencer \(Energy\)](#); [Hansen, Heidi \(Energy\)](#)  
**Subject:** RE: Questions for the Record from the Senate ENR Committee" Subcmte on Public Lands, Forests, and Mining on April 30, 2015  
**Date:** Friday, June 26, 2015 12:58:54 PM

---

Good afternoon, Director Kornze. Can you please provide status of your responses to QFRs from the April 30<sup>th</sup> hearing regarding the BLM's Final Rule on Hydraulic Fracturing?

Sincerely,

**Darla Ripchensky, PMP**  
**Chief Clerk**  
**U.S. Senate Committee on Energy and Natural Resources**  
**304 Dirksen Senate Office Building**  
**Washington, DC 20510**  
**202.224.3607**

---

**From:** Ripchensky, Darla (Energy)  
**Sent:** Thursday, May 07, 2015 1:07 PM  
**To:** 'director@blm.gov'  
**Cc:** Murfitt, Lucy (Energy); Gray, Spencer (Energy); Hansen, Heidi (Energy)  
**Subject:** Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

Good afternoon, Director Kornze. Attached are Questions for the Record which have been submitted to you by various Members of the ENR Committee from the subcommittee hearing which was held last Thursday regarding "The BLM's Final Rule on Hydraulic Fracturing." We respectfully request that you provide your responses to these questions by **Thursday, May 21, 2015** for inclusion in the official hearing record.

Please provide the responses directly to me, and feel free to contact me if you have any questions. Thank you for your assistance with this request.

Sincerely,

**Darla Ripchensky, PMP**  
**Administrative Director**  
**U.S. Senate Committee on Energy and Natural Resources**  
**304 Dirksen Senate Office Building**  
**Washington, DC 20510**  
**202.224.3607**

**From:** Potter, James  
**To:** [shirley\\_meyer@heitecamp.senate.gov](mailto:shirley_meyer@heitecamp.senate.gov)  
**Cc:** [Katherine Kitchell](#); [Kim \(Al\) Nash](#); [Jamie Connell](#)  
**Subject:** BFEG Meeting in Dickinson on 15 July  
**Date:** Wednesday, July 01, 2015 11:44:26 AM  
**Attachments:** [BFEG July Mtg 2015 Draft Agenda.pdf](#)

---

Shirley,

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- We will be discussing BFEG governance and decision making.
- There will be an update and discussion on Special Salary Rates.
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I hope you can join us for all or part of the event.

*Jim*

James M. Potter, AICP, PP  
Interagency Coordinator  
Bakken Federal Executives Group

Department of Interior  
Bureau of Land Management  
5001 Southgate Drive  
Billings, MT 59101-4669  
406.896.5228 (Office)  
406.633.5174 (Cell)  
[jpotter@blm.gov](mailto:jpotter@blm.gov)

Call-in Number:  
**1-866-700-5215**  
 Passcode:  
**8947949#**

## *Bakken Federal Executives Group Meeting*

**Wednesday, July 15, 2015**

Ramada Grand Dakota Hotel—532 15<sup>th</sup> Street West, Dickinson, ND 58601

	Time	Topic	Presenter	Expected Outcome
BFEG Members	8:00–8:10	Welcome	Jamie Connell, BFEG Chair, Bureau of Land Management	
	8:10–8:30	Update on February Meeting Action Items	Jim Potter, Bakken Interagency Coordinator	<ul style="list-style-type: none"> <li>• Status Update</li> <li>• MAX.GOV Demonstration</li> </ul>
	8:30–9:30	BFEG Governance and Decision Making	Jim Potter, Bakken Interagency Coordinator	<ul style="list-style-type: none"> <li>• Decision Making Model</li> <li>• Meaning of “Consensus”</li> <li>• Voting Members and Quorum</li> </ul>
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	4:35–4:45	Wrap up & Adjourn	Jamie Connell, BFEG Chair, Bureau of Land Management	Identification and Assignment of Action Items

**From:** Potter, James  
**To:** [Shirley\\_Meyer@heitcamp.senate.gov](mailto:Shirley_Meyer@heitcamp.senate.gov)  
**Subject:** Fwd: BFEG Meeting in Dickinson on 15 July  
**Date:** Wednesday, July 01, 2015 11:53:34 AM  
**Attachments:** [BFEG\\_July\\_Mtg\\_2015\\_Draft\\_Agenda.pdf](#)

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*Jim*

James M. Potter, AICP, PP  
Interagency Coordinator  
Bakken Federal Executives Group

Department of Interior  
Bureau of Land Management  
5001 Southgate Drive  
Billings, MT 59101-4669  
406.896.5228 (Office)  
406.633.5174 (Cell)  
[jpotter@blm.gov](mailto:jpotter@blm.gov)

Call-in Number:  
**1-866-700-5215**  
 Passcode:  
**8947949#**

## *Bakken Federal Executives Group Meeting*

**Wednesday, July 15, 2015**

Ramada Grand Dakota Hotel—532 15<sup>th</sup> Street West, Dickinson, ND 58601

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**From:** Potter, James  
**To:** [Meyer, Shirley \(Heitkamp\)](#)  
**Subject:** Re: email  
**Date:** Wednesday, July 01, 2015 11:57:32 AM  
**Attachments:** [BFEG July Mtg 2015 Draft Agenda.pdf](#)

---

Thank you, Shirley. I can't figure out why the first message didn't go through, but I appreciate your help in connecting. The original message is below.

Shirley,

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Interagency Coordinator  
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Department of Interior  
Bureau of Land Management  
5001 Southgate Drive  
Billings, MT 59101-4669  
406.896.5228 (Office)  
406.633.5174 (Cell)  
[jpotter@blm.gov](mailto:jpotter@blm.gov)

On Wed, Jul 1, 2015 at 9:53 AM, Meyer, Shirley (Heitkamp)  
<[Shirley\\_Meyer@heitkamp.senate.gov](mailto:Shirley_Meyer@heitkamp.senate.gov)> wrote:

Hi Jim,

Email test

Shirley Meyer

Western Area Director

Office Of Senator Heidi Heitkamp

40 1st Ave West

Dickinson ND,58601

(701)225-0974

[Shirley\\_Meyer@heitkamp.senate.gov](mailto:Shirley_Meyer@heitkamp.senate.gov)

[www.heitkamp.senate.gov](http://www.heitkamp.senate.gov)



Call-in Number:  
**1-866-700-5215**  
 Passcode:  
**8947949#**

## *Bakken Federal Executives Group Meeting*

**Wednesday, July 15, 2015**

Ramada Grand Dakota Hotel—532 15<sup>th</sup> Street West, Dickinson, ND 58601

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**From:** Potter, James  
**To:** [jon\\_cameron@hoeven.senate.gov](mailto:jon_cameron@hoeven.senate.gov); [Katherine Kitchell](#); [Jamie Connell](#); [Kim \(Al\) Nash](#)  
**Subject:** BFEG Meeting in Dickinson on July 15  
**Date:** Wednesday, July 01, 2015 12:03:03 PM  
**Attachments:** [BFEG July Mtg 2015 Draft Agenda.pdf](#)

---

Jon,

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*Jim*

James M. Potter, AICP, PP  
Interagency Coordinator  
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Call-in Number:  
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## *Bakken Federal Executives Group Meeting*

**Wednesday, July 15, 2015**

Ramada Grand Dakota Hotel—532 15<sup>th</sup> Street West, Dickinson, ND 58601

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**From:** Potter, James  
**To:** [daryl.lies@mail.house.gov](mailto:daryl.lies@mail.house.gov)  
**Cc:** [Katherine Kitchell](#); [Jamie Connell](#)  
**Subject:** BFEG Meeting in Dickinson on 15 July  
**Date:** Thursday, July 02, 2015 2:08:38 PM  
**Attachments:** [BFEG July Mtg 2015 Draft Agenda \(4\).pdf](#)

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Mr. Lies,

The Bakken Federal Executives Group (BFEG) will be meeting on Wednesday, 15 July 2015 at the Ramada Grand Dakota Hotel. Attached is the draft agenda. There are several highlights that may be of interest to you and Representative Cramer.

- We will be discussing BFEG governance and decision making.
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	11:30–12:00	Open Discussion Among Members	Jim Potter, Bakken Interagency Coordinator	Identify Issues of Concern for Future Action
	12:00–1:00	Lunch (on your own)	See Area Restaurant List	
BFEG Members and Partners	1:00–1:15	North Dakota Petroleum Council Update	Jim Potter, Bakken Interagency Coordinator for NDPC	Understanding of Industry Concerns and Priorities
	1:15–1:45	North Dakota Industrial Commission Update	Lynn Helms, NDIC Director	Understanding of State Concerns and Priorities
	1:45–2:30	Tribal/Federal Cooperation	Mark Fox, Chairman, Mandan, Hidatsa, and Arikara Nation	Understanding of Tribal Concerns and Priorities
	2:30–2:45	Break		
	2:45–3:15	Hydraulic Fracturing Rule w/ Q&A	Patrick Griffith, BLM	Goals and Status of the New Rule
	3:15–3:45	Workforce Housing Programs	Joel Manske, HUD ND Field Office Director	Understanding of HUD Programs
	3:45–4:15	Vision West ND	Vicky Steiner, Vision West ND	Understanding of Consortium Activities
	4:15–4:30	Patterson Lake Housing	Diane Friez, BLM, E. Montana/Dakotas Dist. Manager	Excitement about Attending the Ribbon-cutting on Thursday.
	4:30–4:35	TROil Tour Enticement	Jim Potter, Bakken Interagency Coordinator	Encouragement about Touring the TR National Park South Unit
	4:35–4:45	Wrap up & Adjourn	Jamie Connell, BFEG Chair, Bureau of Land Management	Identification and Assignment of Action Items

**From:** Feldgus, Steve  
**To:** [Moran, Jill](#)  
**Subject:** Draft Qs  
**Date:** Sunday, July 12, 2015 12:34:04 PM  
**Attachments:** [Questions - fracking rule - draft.docx](#)

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Jill - attached are my initial thoughts on potential questions for Wednesday's hearing. Wanted you just to see which directions we might be headed.

Thanks,

--Steve

1. Director Kornze, the entire Republican argument seems to start with the conclusion that this rule will be astronomically expensive, imposing crushing operational and administrative burdens on oil and gas drillers. Your agency says that's not the case. How did you come up with your estimates? Did you just make them up to make the rule look affordable? [*Opportunity for an explanation of the economic analysis process, stressing the amount of rigor that goes into it*] Have you seen a similarly robust analysis for the industry's estimates of the expense of this rule? [*Potential opportunity to bring up the fact that Lynn Helms just made stuff up, and other industry estimates depend on a willful misreading of the rule.*]
2. Director Kornze, one of the themes of the EPA study on fracking, as well as the recently-released California Commission on Science and Technology Report, is that we need more data about fracking to really understand its risks. Would the BLM rule help us with this? [*Opportunity to discuss the various data gathering provisions, and potentially data on cementing failures in particular.*] Professor Wiseman, do you agree that the BLM rule would provide a wealth of new data about fracking?
3. Mr. Hetrick, the industry's extreme cost estimates seem to be based on the expectation that companies would need to set extra casing and do extra cementing to protect additional aquifers. But in a recent court filing, Steven Wells, the top oil and gas person at BLM, says the rule is very clear: if you have 200 feet of good cement above the area to be fractured, all aquifers above that are considered isolated and protected. Director Kornze, is that a correct interpretation of the rule? [*Answer*] Mr. Hetrick, how can the industry claim this rule will require new testing and casing when there's this very simple, easily met standard in the rule of 200 feet of cement above the zone to be fractured? [*Possible question about existing state regulations on cement above the production zone.*]
4. Ms. Wiseman, the states of Colorado and Wyoming use a line from one of your articles to support their argument that the Halliburton loophole in the 2005 Energy Policy Act was intended to keep the federal government out of fracking regulation entirely. Do you agree with that? [*Answer*] I'd like to point out that the states quote two Members of Congress from 2005 to support their argument: then-Congressman Markey and then-Senator Feingold, and [wait for potential quote from Markey's office]
5. [If there is a witness there who has made a SDWA argument] When the Safe Drinking Water Act was passed, the U.S. Geological Survey was in charge of regulating oil and gas operations on federal lands. The House Report on the Safe Drinking Water Act explicitly said, quote, "The Committee does not intend any of the provisions of this bill to repeal or limit any authority the USGS may have under any other legislation." Seems pretty clear – the Safe Drinking Water Act did not alter the Interior Department's authority to regulate oil and gas operations. Given that, what is your argument for why the Safe Drinking Water Act somehow excludes federal regulation of hydraulic fracturing by the Department of the Interior?

6. Director Kornze, the Department of the Interior has existing regulations that cover drilling, casing, cementing, logging, abandonment, and other issues, correct? *[Yep]* When DOI promulgated those, did it point to specific failures of casing and cementing on public lands, or other major incidents, to justify why it was issuing those regulations? *[Not to my knowledge – of course, preambles in the 40s are kind of nonexistent, so I can't be sure there weren't incidents DOI was reacting to. But the idea is to point out that the bulk of the existing regs were issued to be precautionary, not necessarily reactionary.]* Professor Wiseman, do you know if the states also had oil and gas regulations when DOI issued their oil and gas regulations? *[I would imagine the answer to this is yes]* To either of your knowledge, did the States ever challenge DOI's authority to issue those regulations, or did industry sue saying DOI hadn't demonstrated there was clear evidence that oil and gas drilling was unsafe? *[Not aware of any examples of this, but the idea here is to highlight that the "fracking is safe, so there's no need to federally regulate it" argument could have been made for oil and gas drilling for the better part of a century, but wasn't.]*
7. Director Kornze, the industry has complained they couldn't possibly meet the certification requirements in the rule, since the drillers don't have the secret chemical information that the service companies hold. Won't that make it impossible for industry to comply with the rule? *[Opportunity for an answer of how the rule works, with operators being able to pass along a certification from the owner of the info, and the operators only certifying that they will maintain the ability to get that data from the owner if necessary.]* Have you made this clear to industry? *[Opportunity to mention 5-27-15 NK letter to Halliburton that says, "the rule does not require that the [trade secret] information be submitted directly by the operator."]*
8. Professor Wiseman, industry insists that operators can't be held responsible for what their contractors do at a drilling site, since they're totally different companies with their own proprietary information. Does you believe that argument holds water? *[Should be no, since it's a longstanding tenant of federal oil and gas regulation that the operator is responsible for everything on the lease.]* Mr. Hetrick, do you agree with that? When Newfield is operating on a lease, is it ultimately responsible for what happens on that lease? *[He can either say yes, refuting one of industry's arguments in the court case, or he can say no, and indicate they're not following federal regulations.]*
9. Professor Wiseman, the industry has made an argument that BLM has improperly required information in the final rule to deal with frack hits – the increasingly common occurrence where fracking one well unexpectedly kicks fluid out of another one – because they didn't mention frack hits in the proposed rule. Do you think industry has a point there? *[No – two organizations, the Environmental Defense Fund and Sportsmen for Responsible Energy Development submitted comments during the comment period specifically asking BLM to address frack hits in the final rule, which meets the standards for logical outgrowth, or whatever the proper APA terminology is.]*

10. Professor Wiseman, the industry has argued that there are completely new requirements in the fracking rule because even though many of the requirements are the same as in Onshore Order Number 2, which was issued in 1988, that order can't have superseded the regulations issued in 1982. Do you think they're correct? *[No. The Onshore Orders are issued after notice-and-comment rulemaking, and in regulation the Onshore Orders are explicitly given the force of regulation.]*
11. Professor Wiseman, the states and the Majority have argued that the states have been doing a near-perfect, if not perfect, job of regulating fracking from many years now. Do you believe that states have demonstrated that there's no need for any federal role here, or are there ways that this rule can actually help improve how the states are regulating?
12. Director Kornze, the head of the North Dakota Industrial Commission ... state of North Dakota has said they think the fracking rule will delay permit reviews by six months or more. Do you agree with that?
13. Mr. Hetrick, has there ever been a case of faulty casing or cementing leading to groundwater contamination? *[He would have to say yes, and if he tries to avoid doing that, Wiseman or Kornze should be able to answer this.]*
14. Mr. Hetrick, when you drill a well on federal land, do you submit any information to BLM that you consider confidential business information? *[He should say yes – they submit a lot of data about geology and wells that is considered confidential.]* Are you aware of any cases where BLM has improperly divulged that information, for your company or for any company operating on federal land?
15. Director Kornze, it seems to me like the industry is almost willfully refusing to listen to the explanations that you give them about the ease of complying with this rule. It reminds me of the actors in infomercials who find it impossible to do really simple tasks, like pouring soda or hanging up clothes. You tell them they can comply with the rule by doing X, which they are already doing, and they'll say, "But what if we also have to do Y and Z and A through K and do words really have any meaning anyway?" Do you feel like the industry has been having trouble acknowledging some straightforward explanations your agency has been providing? *[Could be an opportunity to discuss things like trade secret protections, protection of usable water with 200 feet of cement, or other cases where industry seems to ignore clear statements in the preamble that explain how to comply, if BLM is interested in going there.]*
16. Director Kornze and Professor Wiseman, the states argue that for the federal government to regulate fracking is an infringement on their sovereignty. Does that make sense? And how would that regulation be an infringement on their sovereignty when all the other BLM oil and gas regulations apparently aren't?

17. Professor Wiseman, the states argue that the federal government has never regulated hydraulic fracturing. Do you agree with that statement? *[Opportunity to discuss the 1942 regulations that required DOI approval before all well stimulation activities on federal lands, then the change in 1982 to only require it for non-routine fracturing, when fracking was done very differently than it is today.]*
18. Director Kornze, there are concerns that BLM's staffing levels are inadequate to handle the additional work from the fracking rule. Now, it seems that Congress can react to that concern in two ways: we can argue that we shouldn't bother establishing baseline protections for public lands, or we can provide BLM with the additional resources it needs. I'd argue that we should provide your agency with the resources it needs. I know one of the challenges BLM has in hiring engineers is competition with private industry – is there anything Congress can do to help you with this issue? *[Lots of ways to ask this question – doesn't have to be about hiring authority, and is largely dependent on the latitude for potential answers regarding resources.]*
19. Director Kornze, opponents of the rule often say that it's unnecessary because over 99 percent of the wells drilled on public land are in states that already have fracking regulations. I guess that assumes that the places where people are drilling never changes. As you've mentioned, there are over 30 states with federal oil and gas leases, but only about half of those have fracking regulations. So if some new technology opens up previously inaccessible resources, we could see drillers moving into these states that are pretty quiet right now. That sounds familiar – hasn't BLM seen something like that in recent years? *[North Dakota experience]*
20. Director Kornze, the states say they're better positioned to regulate hydraulic fracturing because they understand the local geology and the local environment far better than BLM does. This sounds like you have a bunch of permit reviewers in Washington, DC, completely detached from where these wells are being drilled. Is that the case? *[No – opportunity to explain what a BLM Field Office is]*
21. Professor Wiseman, when my colleagues in the Majority complain about so-called duplicative regulation, they imply that the federal government should just stop regulating entirely and leave it to the states. Does that seem appropriate for public lands? *[Idea here is to point out that because these are public lands, BLM has a certain responsibility to those lands, a responsibility explicitly given to them through FLPMA. Simply leaving it to the states would be a violation of FLPMA, and an abrogation of BLM's responsibility.]*
22. Professor Wiseman [or Director Kornze], the Majority often refers to this rule as a “one size fits all” regulation, and BLM says they included the variance provision as a way to address that. But, in fact, aren't BLM oil and gas rules inherently extremely flexible, even aside from the variance provision in this rule? *[Yes – BLM regulations just set the floor, and even without a variance states are free to set additional regulations above the BLM's floor, and operators are required to follow those.]*

23. Director Kornze, my friend from Wyoming is very proud of the strong fracking rules her state has implemented, and is concerned that once the BLM rule goes into effect those strong rules would be overturned. I could certainly understand her concern if that was the case. But let's say your rule went into effect tomorrow. Would a company drilling on federal land in Wyoming need to stop doing those things the state requires in order to come into compliance with the BLM rule? *[Nope – unless the state wasn't being as stringent as the BLM rule. But as the state is bragging how much stronger their rules are, that wouldn't be an issue. And this is stressed in Steve Wells' 2<sup>nd</sup> Declaration, paragraphs 22 and 23.]*
24. Director Kornze, the states argue that long federal permitting times make companies avoid federal land, and that as a result drilling and oil production on federal lands is going down. Is that true? *[No. Onshore oil production is up 45 percent since 2008. And in North Dakota, the number of wells drilled has gone up five years in a row, more than doubling (2.6 times, to be exact) since 2009. And, in fact, companies have 356 excess drilling permits they haven't used in North Dakota (169 on federal lands and 187 on indian lands)]*
25. Director Kornze and Professor Wiseman, the Chairman of this Committee said recently that, quote, "the DOE and the EPA have both found fracturing safe." FactCheck.org has already pointed out this is not what the EPA found, but could either of you clarify what the Department of Energy has said? *[Chance to elaborate on the Secretary of Energy Advisory Board's recommendations that additional regulations were necessary.]*
26. Director Kornze, do we know how many blowouts occur during onshore oil and gas drilling each year? How about casing or cementing failures? [???
27. Mr. Hetrick, would you say we have a widespread, systemic problem of plane crashes in this country? [answer] I'd say we don't. I'd say we have an extremely safe aviation system, and crashes are extremely rare. Yet we have a very robust set of regulations in place regarding airline safety, which I believe most people strongly support. When we're dealing with oil and gas drilling, which has the potential for destroying people's drinking water, I don't think we should wait for a systemic problem to arise. We should be precautionary, and prudent, and enact strong regulations *before* problems arise. Because even a handful of incidents – and we have already seen more than a handful of incidents – demand action. *[According to the National Transportation Safety Board, there were over 9 million commercial departures in 2013, with only 9 fatalities from 2 accidents. There were only 23 accidents total. Which means, on average, one accident per 400,000 flights. On average, there are about 30,000-50,000 wells drilled in the United States each year – in 2013 there were 7,662 spills, leaks, blowouts, or other problems in the top 15 oil and gas states.]*

**From:** Feldgus, Steve  
**To:** [Wiseman, Hannah](#); [Moran, Jill](#)  
**Subject:** Fw: Hearing Memo and Testimony -- Sub on EMR Ov Hrg 07.15.15  
**Date:** Monday, July 13, 2015 11:59:01 AM  
**Attachments:** [image001.png](#)  
[Hearing Memo -- Ov Hrg on HF Rule 7.15.15.pdf](#)

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**From:** Schafle, Matt <Matt.Schafle@mail.house.gov>  
**Sent:** Monday, July 13, 2015 11:49 AM  
**To:** Natural Resources Repubs EMR LAs; Natural Resources Repub EMR Schedulers; Natural Resources Dems EMR LAs; Natural Resources Dem EMR Schedulers; Natural Resources Republican Press; Taft, Tammy; Cox, William; Digest, Committee; Hall, Dan; Johnson, Edward  
**Cc:** All Staff - Natural Resources Cmte  
**Subject:** Hearing Memo and Testimony -- Sub on EMR Ov Hrg 07.15.15

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Good Morning,

Attached is the hearing memo for Wednesday's Subcommittee on Energy and Mineral Resources oversight hearing titled "*The Future of Hydraulic Fracturing on Federally Managed Lands.*"

Testimony for Wednesday can be found [HERE](#) when made available. Please check back periodically.

Please contact the Subcommittee on Energy and Mineral Resources with any questions at 5-9297.

Thank you,

**Matt Schafle**  
**Subcommittee on Energy and Mineral Resources**  
**Committee on Natural Resources**  
1333 Longworth House Office Building  
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# Subcommittee on Energy and Mineral Resources

Doug Lamborn, Chairman

Hearing Memo

July 13, 2015

**To:** All Natural Resource Committee Members  
**From:** Subcommittee on Energy and Minerals Staff (x5-9297)  
**Subject:** Oversight hearing on “*The Future of Hydraulic Fracturing on Federally Managed Land*”

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The Subcommittee will hold an oversight hearing on “*The Future of Hydraulic Fracturing on Federally Managed Land*” on **Wednesday, July 15, 2015 at 10:00 A.M. in Room 1324 Longworth House Office Building**. This hearing will focus on the Bureau of Land Management’s (BLM) final hydraulic fracturing rule, notably how it duplicates state efforts, causes unnecessary delays and burdens to operators, and is premised on questionable authority.

## Policy Overview

- Four states, Colorado, North Dakota, Utah, and Wyoming, energy trade associations, and two tribes, the Southern Utes and the Ute Tribe of Uintah and Ouray County, have filed lawsuits challenging the BLM’s final rule on hydraulic fracturing. Last month, a federal judge issued a stay delaying the effective date of the rule.
- The rule’s variance provision does not permit states to enforce more stringent state hydraulic fracturing regulations on federal lands; rather, it permits the BLM the opportunity to adopt and interpret state rules on federal land. As such, states with federal lands must choose to accept duplicative regulations that will further hamper the permitting process, or abandon their own regulations and adopt the BLM’s.
- Despite the BLM’s insistence that this rule provides a uniform set of regulations throughout the country, operators are reporting that BLM field offices are receiving inconsistent interpretations of the final rule, leading to conflicting messages from various state offices.
- The BLM vastly underestimated the costs of implementation, and the associated delays with the final rule. For instance, North Dakota predicts this rule will add six months or more to the process for an operator to produce on federal land, with a cumulative decrease on revenue to the state of at least \$300 million per year.

## **Witnesses Invited**

*Mr. Tom Fitzsimmons*  
Commissioner  
Wyoming Oil and Gas Conservation Commission  
Cody, WY

*Mr. Lloyd Hetrick*  
Operations Engineering Advisor  
Newfield Exploration Co.  
The Woodlands, TX

*Honorable Neil Kornze*  
Director  
Bureau of Land Management  
U.S. Department of the Interior  
Washington, DC

*Honorable James M. "Mike" Olguin*  
Council Member  
Southern Ute Indian Tribe  
Ignacio, CO

*Ms. Hannah Wiseman*  
Attorneys' Title Professor  
Florida State University College of Law  
Tallahassee, FL

## **Hearing Focus**

This hearing addresses the Bureau of Land Management's ("BLM") final rule on hydraulic fracturing (or "fracing"). Since the BLM first issued an advanced notice of proposed rulemaking, the rule has received sustained criticism from industry, states, and tribes. These entities and groups argue that the rule is premised on questionable statutory grounds, duplicates existing regulations, and would be overly burdensome. There is apparently merit to these claims, as a federal judge recently found that the rule imposed a credible threat of harm on the aforementioned stakeholders, and issued a stay for the effective date. This hearing will examine some of the more egregious issues raised by the stakeholders, and demonstrate that the BLM's final rule would unnecessarily venture into state authority.

## **Background**

Over the past five years, America has vaulted to the forefront of production of oil and gas, due to the technological combination of hydraulic fracturing (“fracing”) and horizontal drilling. This technology has enabled the United States to tap into its vast reserves of shale oil and gas, which in 2014 drove the United States to produce the most crude oil annually since 1986.<sup>1</sup> Fracing has been employed in the oil and gas industry since 1947, and is a “well stimulation technique” in which an “artificial fracture” is created and then “fluid [and propping agents] [are] pumped into the production casing, through the perforations (or open hole), and into the targeted formation at pressures high enough to cause the rock within the targeted formation to fracture.”<sup>2</sup> Fracing *only* refers to the well stimulation process, and *does not* include well completion, construction, or other associated activities.<sup>3</sup>

The majority of increased production has occurred on state and private lands, which in turn has prompted states to adopt new regulatory regimes to ensure that producers carry out hydraulic fracturing activities safely. It is under these state regulatory authorities that fracing on federal land has been successfully operating.

Citing public concern about whether fracing can contaminate underground water sources, whether there is adequate management of well, and whether chemicals used for fracing should be disclosed, the BLM undertook a rulemaking process to address fracing on federal lands.<sup>4</sup> The final rule was announced on March 20, 2015, and was to become effective on June 24, 2015.<sup>5</sup> However, the rule’s effective date has since been postponed due to the issuance of a stay by a Wyoming federal judge.<sup>6</sup>

A recent report by the U.S. Environmental Protection Agency (“EPA”) highlighted the fact that fracing has had no “widespread, systemic impacts on drinking water resources in the United States.”<sup>7</sup> Furthermore, the rule has been recognized as an overreach of the BLM’s statutory powers, and heavily duplicative of the practices of states that have been effective in addressing hydraulic fracturing on both state and federal lands.<sup>8</sup>

During the previous Congress, on multiple occasions the U.S. House of Representatives acted on and passed legislation that would explicitly grant primacy to the states or tribes that have established fracing regulatory regimes.<sup>9</sup> These legislative solutions recognized that states have successfully overseen the hydraulic fracturing processes, and uniquely understand the geographical challenges found within their boundaries. The legislation also further reiterated the congressional intent to remove hydraulic fracturing from the realm of federal regulation with the passage of the Energy Policy Act 2005 (“EPAAct 2005”).

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<sup>1</sup> In 2014, the U.S. produced 3.17 billion barrels of oil, the most since the 3.17 billion barrels produced in 1986. U.S. Energy Information Administration, Petroleum & Other Liquids: U.S. Field Production of Crude Oil, <http://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=pet&s=mcrfpsu1&f=a>.

<sup>2</sup> AMERICAN PETROLEUM INSTITUTE, HYDRAULIC FRACTURING OPERATIONS---WELL CONSTRUCTION AND INTEGRITY GUIDELINES 15 (2009), available at [http://www.api.org/~media/files/policy/exploration/api\\_hf1.pdf](http://www.api.org/~media/files/policy/exploration/api_hf1.pdf).

<sup>3</sup> See *id.*

<sup>4</sup> 77 Fed. Reg. 27691 (2012).

<sup>5</sup> 80 Fed. Reg. 16128 (2015).

<sup>6</sup> Order Postponing Effective Date of Agency Action, Wyoming v. Jewell, No. 15-043 (D.Wyo. June 24, 2015).

<sup>7</sup> U.S. Environmental Protection Agency, Assessment of the Potential Impacts on Hydraulic Fracturing for Oil and Gas on Drinking Water Resources, at ES-6 (2015).

<sup>8</sup> See Press Release, Independent Petroleum Association of America, America’s Independent Oil, Natural Gas Producers File Lawsuit Against Interior Department Over Final Hydraulic Fracturing Rule, (March 20, 2015), available at <http://www.ipaa.org/press-releases/americas-independent-oil-natural-gas-producers-file-lawsuit-against-interior-department-over-final-hydraulic-fracturing-rule/>.

<sup>9</sup> See e.g. H.R. 2728, Protecting States’ Rights to Promote American Energy Security Act, 113th Congress (2013).

## The Final Rule is Premised on a Lack of Statutory Authority or Justification

The BLM justifies its authority of the law under the statutory provisions of the Mineral Leasing Act (“MLA”) and the Federal Land Policy and Management Act (“FLPMA”).<sup>10</sup> Chiefly, the BLM argues that “[e]ach lease is expressly subject to existing and future regulations” and that the BLM “has authority to condition or to deny APDs,” and by extension, the BLM may extend that authority to proposals for hydraulic fracturing operations.<sup>11</sup> This reasoning is flawed, as the BLM’s chief justification for this rule is the protection of groundwater – a duty that belongs to the states and the EPA pursuant to the Safe Drinking Water Act.

Both the MLA and FLPMA are silent as to the protection of groundwater, and the use of hydraulic fracturing. In fact, the Congress – despite the repeated attempts of the House in the 113th – has acted only once on hydraulic fracturing. The EPA Act 2005 explicitly removed hydraulic fracturing from the purview of federal regulatory schemes, and intended the regulation of hydraulic fracturing to remain with the states.<sup>12</sup>

Even if the BLM did have express statutory authority, the need for this rule is highly suspect. As mentioned previously, the BLM argues that “public concern about whether fracturing can lead to or cause the contamination of underground water sources” prompted the necessity of the final rule.<sup>13</sup> However, the final rule references neither the numerous statements by Department of the Interior officials concerning the lack of evidence linking hydraulic fracturing to widespread groundwater contamination, nor a single instance of the process of hydraulic fracturing contaminating groundwater.

Thus, the BLM’s final rule is questionable at its foundation, and is contrary to the EPA’s study. Without express Congressional authority to act, the BLM promulgated a rule that treads on state authority, and ignores Congressional intent.

## The Final Rule Duplicates and Hinders State Regulatory Efforts

In defending the rule, the BLM relies on the argument that roughly half of the states that have producing wells on federally managed lands do not have hydraulic fracturing regulations.<sup>14</sup> Furthermore, the BLM asserts that over 90 percent of wells being drilled on federal land are hydraulically fractured.<sup>15</sup> Thus, the BLM concludes, this rule is needed to provide a baseline for those states without fracing regulations, and a failsafe for those states with regulations.

However, the BLM’s conclusion relies on a false narrative. First, the BLM, within the rule itself, acknowledges that at least 99.3 percent of the total well completions on federal and Indian lands nationwide

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<sup>10</sup> See 80 Fed. Reg. 16186.

<sup>11</sup> 80 Fed. Reg. 16186.

<sup>12</sup> Energy Policy Act of 2005, Pub. L. No. 109-58, § 322, 42 U.S.C. § 300h(d) (2005).

<sup>13</sup> 80 Fed. Reg. 16,128.

<sup>14</sup> *Subcommittee Hearing on Effect of the President’s FY 2016 Budget and Legislative Proposals for the Bureau of Land Management and the U.S. Forest Service’s Energy and Minerals Programs on Private Sector Job Creation, Domestic Energy and Minerals Production and Deficit Reduction before the Subcommittee on Energy and Mineral Resources of the H. Comm. on Natural Resources*, 114th Con., March 24, 2015 (statement of Dir. Neil Kornze, U.S. Bureau of Land Management) (“The Bureau has oversight responsibility for federal oil and gas leases in 32 different States, yet only about half of those States have put rules in place to address modern hydraulic fracturing practices”).

<sup>15</sup> 80 Fed. Reg. 16131.

occur in states that have existing hydraulic fracturing regulations.<sup>16</sup> Indeed, Director Kornze, in his April testimony before the Senate Energy and Natural Resources Committee, stated that the fracturing rule codifies many of the regulations states are “already implementing.”<sup>17</sup> These facts and statements demonstrate that states and Tribes have proactively led the way in regulating hydraulic fracturing – the BLM now seeks to upend those regulations that have been effective in ensuring the safe production of oil and natural gas from federal lands.

The BLM attempted to mitigate state and tribal concerns by inserting a “variance” provision into the final rule. That provision permits a BLM state director to issue a variance for a state or tribal regulation if the director determines “that the proposed alternative meets or exceeds the objectives for which the variance is being requested.”<sup>18</sup> The BLM state director has the final say on whether a variance will be issued, and such determination cannot be appealed.<sup>19</sup>

While the variance provision was intended to respond to tribal and state complaints, the BLM acknowledged in the final rule, “[a] state or tribal variance is not a delegation of full or partial regulatory primacy.”<sup>20</sup> The practical application of obtaining a variance provides no benefit to the state – rather, the BLM’s provision grants the BLM a variance from its own rule. If the BLM finds that a state provision “meets or exceeds the objectives for which the variance is requested,” then the BLM will merely enforce the state rule on federal land. In other words, the BLM will interpret whether operators are complying with a state rule on federal land. In essence, the variance provision only increases duplication, and does not prevent the BLM from questioning State’s policy choices. Even if a state sought a variance, guidance has not been provided to state offices to direct how such a decision would be made, and as such, not a single variance has been granted to date.

The BLM’s rule is highly duplicative, and permits the BLM to make unilateral decisions concerning state regulations without appeal. For states with federal lands, this rule presents a major challenge, and may force the states to adopt the BLM’s less rigorous regulation, or to encourage operators to avoid federal land entirely.

### The Final Rule Will Force Unnecessary Costs and Unknown Delays to the Permitting Process

The BLM’s final rule predicts the rule will impact 2,800 to 3,800 hydraulic fracturing operations per year, at a cost of \$11,400 per operation.<sup>21</sup> This impact, the BLM asserts, will also accompany a 12 hour delay in processing time for the BLM. Both the cost per operation and the potential delays caused by the final rule have been heavily criticized by states, tribes and industry.

The cost of the rule per operation has been greatly underestimated. Both the Independent Petroleum Association of America and the Western Energy Alliance posit the rule only assumed *de minimis* values to the expense and time necessary to prepare and review applications for permission to conduct hydraulic fracturing.

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<sup>16</sup> See 80 Fed. Reg. 16187.

<sup>17</sup> *Subcommittee Hearing on the Bureau of Land Management’s Final Hydraulic Fracturing Rule: Hearing before the Subcommittee on Public Lands, Forests, and Mining of the S. Comm. On Energy and Natural Resources*, 114th Con., April 30, 2015 (statement of Dir. Neil Kornze, U.S. Bureau of Land Management).

<sup>18</sup> 80 Fed. Reg. 16221.

<sup>19</sup> 80 Fed. Reg. 16221.

<sup>20</sup> 80 Fed. Reg. 16176.

<sup>21</sup> 80 Fed. Reg. 16195.

A study commissioned by the Western Energy Alliance predicted the proposed rule would impose costs of *at least \$345 million annually*, at an estimated cost of \$96,913 per well.<sup>22</sup>

An egregious example of the BLM undervaluing potential costs is their estimate concerning the requirement for operators to store recovered fluids in closed tanks, rather than open pits. A commenter on the final rule explicated this new regulatory imposition could cost potentially \$20 million more per year for a single operator,<sup>23</sup> whereas the BLM estimated a maximum cost to all operators of \$16.4 million.<sup>24</sup> This is an extreme variance, and demonstrates the BLM likely underestimated the costs for compliance.

Additionally, the BLM failed to assess all associated delays with compliance of the new rule. For instance, the rule imposes a new requirement that operators apply for a permit to frac.<sup>25</sup> Operators are able to submit this request as part of their APD, or as a standalone document. If operators choose the latter option, the permit to frac will implicate further National Environmental Policy Act (“NEPA”) analysis. Nowhere in the final rule is this additional NEPA process addressed, even though this alone could add significant delays to the permitting process.

Many conclude the BLM failed to consider all of the potential costs and delays that will affect operators. These aforementioned examples highlight some of the major flaws within the BLM’s rule, and they highlight the lack of foresight the BLM showed while drafting the final rule.

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<sup>22</sup> July 22, 2013 Memorandum from John Dunham to Kathleen Sgamma, Business Impact of Revised Completion Regulations, at 1, available at <http://www.westernenergyalliance.org/wp-content/uploads/2013/07/Final-Economic-Analysis-of-the-BLM-Fracing-Rule-Revision.pdf>.

<sup>23</sup> See IPAA and WEA Memorandum in Support of Motion for Preliminary Injunction, Wyoming v. Jewell, No. 15-041, at 44 (D.Wyo. May 15, 2015).

<sup>24</sup> 80 Fed. Reg. 16206.

<sup>25</sup> See 80 Fed. Reg. 16219.

**From:** Feldgus, Steve  
**To:** ["Moran, Jill"](#)  
**Subject:** FW: Wednesday Testimony  
**Date:** Monday, July 13, 2015 2:43:07 PM  
**Attachments:** [image001.png](#)  
[Testimony\\_Olquin.pdf](#)

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**From:** Schafle, Matt  
**Sent:** Monday, July 13, 2015 11:58 AM  
**To:** Feldgus, Steve  
**Subject:** Wednesday Testimony

Steve,

Attached please find testimony for Wednesday.

**Matt Schafle**  
**Subcommittee on Energy and Mineral Resources**  
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**BEFORE THE SUBCOMMITTEE ON  
ENERGY AND MINERAL RESOURCES**

**COMMITTEE ON NATURAL RESOURCES  
UNITED STATES HOUSE OF REPRESENTATIVES**

**Honorable James M. “Mike” Olguin  
Southern Ute Indian Tribal Council Member  
Southern Ute Indian Tribe**

**Oversight Hearing  
The Future of Hydraulic Fracturing on Federally Managed Lands  
July 15, 2015**

**I. Introduction**

Chairman Lamborn, Ranking Member Lowenthal and members of the subcommittee, I am Mike Olguin, an elected member of the Southern Ute Indian Tribal Council, which is the governing body of the Southern Ute Indian Tribe. I am honored to appear before you to provide testimony regarding the future of hydraulic fracturing regulation on federally managed lands, including Indian lands. For approximately four years, our tribe has actively opposed the Bureau of Land Management’s attempt to lump Indian lands and public lands into a “one size fits all” basket for purposes of approving and regulating hydraulic fracturing. To the unnecessary detriment of our tribal government, which relies upon energy related revenue, we believe the BLM’s approval requirements are poorly conceived. In order to nullify the BLM’s regulatory efforts on our tribe’s lands, we have exercised our sovereign rights by enacting our own hydraulic fracturing regulation. The Southern Ute regulation ensures prudent, environmentally sound practices in a much more reasonable and efficient manner than the BLM’s rule. Our tribal leaders hope that your intervention in the hydraulic fracturing debate will lead to respectful recognition of Indian tribal sovereignty in regulating activities on their own lands, regardless of Executive or legislative policy decisions applicable to federal public lands.

**II. Background**

The Southern Ute Indian Reservation consists of approximately 700,000 acres of land located in southwestern Colorado in the Four Corners Region of the United States. Our Reservation is part of the northern San Juan Basin, an area that has seen widespread oil and gas development over a period of almost 70 years. The revenues we receive from natural gas development of tribal lands on our Reservation are the tribe’s economic lifeblood. For decades, we have worked with industry and with federal agencies to ensure that oil and gas development occurs in an environmentally responsible manner on our lands.

The land ownership pattern within our Reservation is complex and includes parcels of tribal trust lands, parcels of allotted lands owned by individual Indians, parcels owned by non-Indians, federal lands and state lands. In many situations, non-Indian mineral estates are

adjacent to tribal mineral estates. This land ownership pattern is significant and magnifies the impact of differences between federal regulation of Indian lands and state regulation of neighboring non-Indian lands. The burden of unnecessary federal regulation provides a direct incentive for operators to lease and drill on offsetting non-Indian lands and to avoid development of tribal energy resources. The disincentive to develop tribal resources includes ever-increasing fees for processing Applications for Permits to Drill (“APDs”) and permit delays. The burden of federal regulation results in lost revenue to our tribe, as well as potential drainage of tribal minerals.

Hydraulic fracturing involves the underground injection of fluid and proppants under high pressure in order to propagate and maintain fractures and enhance the movement and recovery of oil and gas. Hydraulic fracturing is necessary for the continued development of energy resources from sandstones, shales and coal formations on our lands. Thousands of wells on our Reservation have been stimulated through hydraulic fracturing of sandstones and coalbeds. Preliminary studies also indicate that there are significant recoverable reserves associated with shale formations underlying our Reservation that will require hydraulic fracturing in order to be produced.

Over the course of the extensive history of hydraulic fracturing on our Reservation, there have been no documented cases of adverse environmental impacts resulting from such well stimulation. It should be noted that the hydrocarbon bearing zones on our Reservation are generally located at depths much greater (2,500 to 8,000 feet below surface) than useable water aquifers (typically 100 to 300 feet below surface). Further, the hydrocarbon bearing zones are separated from useable aquifers by thick strata with low permeability. Even with those natural safeguards in place, our tribe has led the effort to ensure that oil and gas development activities do not adversely affect surface or groundwater resources. Significantly, in the course of reviewing APDs on our lands, we have insisted upon regular Bradenhead testing of well integrity and have required cementing of well casings to surface.

In recent years, oil and gas companies have been able to recover oil and gas resources throughout the country from shales and tight formations previously considered unproductive. Technological advances in horizontal drilling and hydraulic fracturing stimulation spurred these resource recovery opportunities. The significant expansion of this activity into geographic areas not previously subject to oil and gas development has fostered debate regarding the environmental effects of hydraulic fracturing. These concerns have, in turn, led the Department of the Interior and the BLM to develop a response intended to ensure the public that, through government oversight and regulation, hydraulic fracturing occurring on federal and Indian leased lands will be undertaken in an environmentally safe and prudent manner. While this goal may appear reasonable, the process employed by the BLM in developing the regulations applicable to Indian lands was flawed and the ultimate set of regulations is objectionable.

### **III. The Process of Consultation with Affected Indian Tribes Was Inadequate.**

#### **A. The Initial Proposed Rule**

In mid- December of 2011, BLM’s Assistant Director for Minerals and Realty Management Michael D. Nedd sent a letter inviting our tribe and other tribes to engage in government-to-government consultation regarding BLM’s intent to develop regulations governing hydraulic fracturing on federal and Indian lands. We welcomed this initial invitation for early consultation. On January 19, 2012, a substantial contingent of our tribe’s staff, including representatives from our Energy Department, Natural Resources Department, and Environmental Programs Division, attended a BLM information session in Farmington, New Mexico, where representatives from the BLM provided basic information about hydraulic fracturing and asked for tribal input regarding the shape that any such regulations might take. We congratulated BLM on this seemingly fresh approach to visiting with tribes at the formative stages of regulation development. We also delivered at that time written comments from our now deceased Chairman, the late Jimmy R. Newton, Jr., that addressed three principal matters: (1) suggestions for process; (2) a summary of the importance of hydraulic fracturing to the tribe; and (3) a summary of potential environmental concerns and protection measures associated with hydraulic fracturing.

In commenting on process, Chairman Newton’s letter specifically urged that “the consultation process include not only an opportunity to comment on proposed BLM regulations but consultation on the formulation of proposed regulations.” Chairman Newton further suggested that “BLM circulate discussion drafts of possible regulations for review and comment before any proposed regulations are issued.” Only later did we learn that our concept of meaningful tribal consultation had been shortchanged from the outset by the BLM. Notwithstanding our requests and suggestions, BLM proceeded to develop draft proposed regulations in isolation and, without disclosing its activities to tribes, submitted those draft regulations to the Office of Management and Budget for publication approval in the Federal Register. This process truly was an example of the federal trustee’s train having left the station before Indian Country had a chance to know that the train was even moving. Within a month following BLM’s publication of the proposed regulation, we submitted written comments to the BLM on June 11, 2012, and expressed our deep concerns with many of the substantive proposals contained in those draft regulations. Our comments at that time reflected our ongoing concern that every extra regulatory step, every extra required report, and every extra approval imposed by the federal government on operators in Indian Country increases the costs of operating in Indian Country and decreases the ability of tribes to attract energy development dollars to our lands.

## **B. The Revised Proposed Rule**

In response to over 177,000 comments, the BLM issued a revised proposed rule on May 24, 2013. Again, our tribe weighed into the discussion, not just by submitting written comments, but by meeting with key officials within the Department of the Interior, the BLM, the Bureau of Indian Affairs (“BIA”), and the White House. Among our substantive comments to the revised proposed rule, we questioned the cost effectiveness of the BLM’s approval requirements; its capacity to interpret cement evaluation logs and cement bond logs; its approach to isolation of geologic zones containing unusable ground water; and the vague—but broad—discretion retained by the BLM to impose potentially unlimited conditions on hydraulic fracturing activities without any established time frames for issuing approval. Most significantly, we urged the BLM to separate its rulemaking on public lands from Indian lands. In calling for that separation, we

emphasized the dramatic differences in federal law and policy underpinning federal public lands and Indian lands, which had spawned separate regulatory regimes for Indian mineral leasing, royalty valuation and collection, and pooling and unitization of subsurface resources, as well as empowerment of tribes in implementing key environmental laws. Further, we specifically reminded the BLM that, under long-established regulations governing Indian mineral leasing, tribes organized under the Indian Reorganization Act of 1934 (“IRA”), like the Southern Ute Indian Tribe, retained the authority to supersede the BIA’s mineral leasing regulations, including incorporated BLM regulations made applicable to tribal lands. *See* 25 C.F.R. § 211.29. In its explanation of the revised proposed rule, however, the BLM stated that Congress had tied its hands and that it lacked the authority to separate tribal lands and public lands in developing the proposed rule. In response, we stated as follows:

For the BLM to suggest that it lacks the power to consider tribal lands and public land distinctly defies decades of statutory and regulatory treatment and is, frankly, insulting. Rather, the proper question is whether there is any reason to treat such lands differently, and, if reasonable grounds are provided for such different treatment, then the BLM should strive to do so.

*See* Comment Letter from Chairman Jimmy R. Newton, Jr. to BLM at 4 (Aug. 20, 2013).

As the subcommittee is fully aware, on March 26, 2015, the Assistant Secretary for Land and Minerals Management, Janice M. Schneider, approved the BLM’s final rule regulating hydraulic fracturing on federal and Indian lands. 80 Fed. Reg. 16128.

#### **IV. The Tribe’s Hydraulic Fracturing Regulation**

On June 16, 2015, the Southern Ute Indian Tribal Council adopted Resolution No. 2015-98, which approved the tribe’s regulation of hydraulic fracturing and chemical disclosure on lands within the jurisdiction of the tribe. As authorized by 25 C.F.R. § 211.29, the tribe’s regulation expressly states that it supersedes the BLM’s regulation. I will briefly summarize the key differences between the Southern Ute rule and the BLM rule. Under the Southern Ute rule, an operator must provide the Southern Ute Department of Energy forty-eight hours advance written notice of its intent to conduct hydraulic fracturing operations. The tribe’s Department of Energy may review operator information related to the proposed activity and may monitor that activity. Following the completion of hydraulic fracturing, the operator must provide the tribe with a detailed report describing the activities. In order to ensure that hydraulic fracturing occurs in an environmentally sound manner, an operator is required to cement all surface and intermediate casing with a continuous column from the bottom of that casing to the surface, and all production casing must be cemented from the bottom of the vertical portion of the production casing to at least fifty feet above the bottom of the intermediate casing. In that regard, the Southern Ute rule is more restrictive than the BLM rule or the state of Colorado’s cementing requirements. The Southern Ute rule provides a better safeguard to water quality and greater certainty to operators, while also eliminating the delays inherent in pre-approval. Like the BLM rule, however, the tribe’s rule also requires storage of wastewater in tanks and the public disclosure of the chemical composition hydraulic fracturing fluids.

In contrast, under the BLM rule an operator must obtain BLM *pre-approval* before the operator may proceed with hydraulic fracturing activities. There is no time period following submission of such an application within which BLM must issue its approval or disapproval. In granting approval, the BLM has the discretion to impose a wide variety of conditions, including the imposition of discretionary conditions that exceed those explicitly required in the rule. Critically, unlike the tribe's straight forward cementing requirement, the BLM rule's cementing requirement is based upon on the isolation of zones that contain useable water, which requires an interpretive water quality analysis. In addition to the inherent delay associated with securing discretionary agency approval, the act of approval for each well arguably triggers the need for a separate analysis under the National Environmental Policy Act ("NEPA"), which invites additional delays through third-party challenges and potential litigation by those opposed to oil and gas development.

In sum, we strongly believe that the Southern Ute rule provides a simpler and more effective way to regulate hydraulic fracturing activity on the tribe's lands than the BLM rule.

#### **V. Southern Ute Indian Tribe v. Department of the Interior**

On June 18, 2015, several days before the BLM rule was to become effective, the Southern Ute Indian Tribe filed a lawsuit in the United States District Court for the District of Colorado. *Southern Ute Indian Tribe v. United States Department of the Interior, et al.*, Civil Action No. 1:15-cv-01303-MSK (D. Colo). In that case, the tribe has challenged the lawfulness of the rule, including its failure to recognize an IRA tribe's unconditional right to supersede the BLM final rule. We have also asserted that the rule should be vacated as arbitrary and unreasonable in its treatment of Indian tribes, whose powers of self-governance under statutes and policies have been repeatedly emphasized over the last forty years. The tribe's opening brief on the lawfulness challenge is due on July 23, 2015, and oral argument is scheduled for October 14, 2015.

#### **Conclusion**

In conclusion, I am honored to appear before you today on behalf of the Southern Ute Indian Tribe. We recognize that your work involves broad oversight of BLM's role in energy development on public lands, and that energy development on Indian lands is not a matter on which you typically focus. To the extent you can do so, however, we hope that you will assist us in preserving our sovereign rights to regulate activities on our lands. We also hope that the common sense approach that we have taken with respect to our lands will assist you and the BLM in fashioning a reasonable approach to hydraulic fracturing regulation on federal public lands. We look forward to continuing our work with the subcommittee on this and other important matters.

At this point, I would be happy to answer any questions you may have.

**From:** Feldgus, Steve  
**To:** [Wiseman, Hannah](#); "[Moran, Jill](#)"  
**Subject:** Fw: Wed. Testimony  
**Date:** Monday, July 13, 2015 5:21:21 PM  
**Attachments:** [image001.png](#)  
[Testimony\\_Hetrick.pdf](#)  
[Testimony\\_Wiseman.pdf](#)  
[Testimony\\_Fitzsimmons.pdf](#)

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**From:** Schafle, Matt <Matt.Schafle@mail.house.gov>  
**Sent:** Monday, July 13, 2015 4:46 PM  
**To:** Feldgus, Steve  
**Subject:** Wed. Testimony

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Steve,

Attached please find more testimony for Wednesday. Sorry for all the emails.

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**Testimony of Lloyd H. Hetrick  
Newfield Exploration Company  
to the  
Subcommittee on Energy and Mineral Resources  
U.S. House Committee on Natural Resources  
“The Future of Hydraulic Fracturing on Federally Managed Lands”  
July 15, 2015**

Chairman Lamborn, Ranking Member Lowenthal and distinguished members of the Committee, my name is Lloyd Hetrick. I am a registered professional engineer and the Operations Engineering Advisor for Newfield Exploration Company based in The Woodlands, Texas.

I have more than 36 years of diverse experience spanning all phases of the exploration and production industry, including: drilling, completions, production, Health, Safety and Environmental (HSE), and mechanical integrity. I have served a leadership role in the standard setting process for hydraulic fracturing via multiple federal agency advisory panels and industry trade association committees working to develop and implement appropriate governmental regulations and standards.

Thank you for having me here today.

Newfield is a Fortune 500 independent energy company engaged primarily in crude oil and natural gas exploration and production onshore here in the United States. We are focused on developing unconventional oil and gas reservoirs in the Anadarko and Arkoma Basins of Oklahoma, the Bakken formations of North Dakota and the Uinta Basin of Utah. Roughly 55 percent of our wells drilled domestically during 2014 were administered by the Bureau of Land Management (BLM).

Newfield is the largest oil producer in Utah with more than 225,000 mineral acres in the Uinta Basin including federal, state, tribal and private leases. Our Uinta Basin operations include one of the largest federal secondary recovery units in the continental United States. We maintain a field office near Roosevelt, Utah, with more than 400 employees. Approximately 85 percent of our wells drilled in Utah during 2014 were administered by BLM.

All of our Utah development activities – regardless if conducted on federal, state, tribal or private leases – will ultimately be affected by BLM’s new hydraulic fracturing rule. As I’ll discuss further, there is no practical scenario in which Newfield can hold its state or private leases to a different standard than its federal or tribal leases and coherently manage a compliance program in its Utah operations.

Therefore, this rule impacts everything we do in Utah and adds significant uncertainty and cost to an already low-margin resource play to further complicate the future of hydraulic fracturing on federally managed lands.

The recent downturn in global crude oil prices has resulted in a reduction of Newfield’s investment and workforce in the Uinta Basin and has impacted peer companies similarly – significantly impacting the employment of local contractors and related commerce. At this same time last year, there were 28 rigs running in Utah. Today, there are seven. The economic realities of production in Utah are further undermined by the BLM rule.

This reduction in drilling and production has and will continue to adversely affect employment, wages, federal royalties, taxes and all of the related socioeconomic benefits enjoyed during times of robust development.

It is important to remember that every \$1 million of upstream capital expenditure by independent oil and gas producers results in \$1.1 million in total taxes, \$5.1 million in overall contribution to U.S. GDP and six direct and 33 total upstream jobs. When midstream and downstream factors are considered, America's oil and gas industry supports 9.2 million U.S. jobs and 7.7 percent of the nation's GDP according to the American Petroleum Institute. The industry pays almost \$86 million in federal rents, royalties, bonus payments and income tax payments daily.

Revenue in the form of royalties, rents, bonuses and other payments to American Indian tribes nationwide for the production of oil and gas in FY2014 was reported by the Office of Natural Resource Revenue (ONRR) to be more than \$1.1 billion.

America's oil and gas resources are among the nation's largest sources non-tax revenue to the federal government. For every dollar the government spends administering the federal onshore program, companies return \$83.69 in royalties and leasing revenue to the American taxpayer.

From Utah's federal onshore lands for Fiscal Year 2014, the ONRR reported oil and natural gas revenue in the form of royalties, rents, bonuses, and other payments to the U.S. Treasury in excess of \$302 million.

Unfortunately, the decline Utah activity has already occurred and may continue to negatively impact Utah and especially the Uinta Basin for the foreseeable future.

In addition to the negative economic effects caused by the downturn in crude oil prices, significant regulatory uncertainty already existed for Newfield and other Uinta Basin operators due to the lack of predictability associated with agency reviews mandated by the National Environmental Policy Act (NEPA). While outside the scope of this hearing, it is worth mentioning as an example that Newfield is now in its seventh year of agency review for an infill development Environmental Impact Statement (EIS).

BLM's hydraulic fracturing regulation creates an additional layer of regulatory uncertainty that will materially undermine the ability of the Uinta Basin to compete on an economic basis with other plays in the nation. When any operator is faced with such uncertainty, capital and resources will be redirected to areas where the regulatory process is more certain. This was not anticipated in the rulemaking process and is discussed further below.

I will not dwell on often-recited and *legitimate* arguments by industry that this new rule is unnecessary because of sufficient and continually improving state regulations and lacks appropriate data to justify these new rules. I would however, like to remind the Committee of the EPA's finding of "no widespread, systematic impacts" from hydraulic fracturing in their recently released "Assessment of the Potential Impacts of Hydraulic Fracturing for Oil and Gas on Drinking Water Resources."

I respectfully offer the Committee three categories of concerns and include Newfield-specific examples to support my assertion that if this new BLM regulation is to be implemented, it still needs more work.

I want to recognize my peers at BLM for reaching out to all stakeholders during the rulemaking process. Since 2012, BLM has listened to concerns from all sides and – to a large extent – attempted to find reasonable middle ground. The following arguments are not an indictment of the agency nor of those who have worked to craft the rule in response to direction from more senior political leadership, rather they reflect the complexity of this process.

**The BLM rule, in many cases, impacts non-federal minerals, causes delays and creates inefficiencies that were not properly addressed in the BLM's economic analysis:**

- For operations located in certain BLM regions like North Dakota and Montana operators with state or private leases that are combined within a drilling and spacing unit also including federal minerals, the entire unit becomes subject to the new rule. Other BLM regions such as Utah and Oklahoma limit the extent of the new rule to apply only when the federal tract is penetrated by the wellbore within the drilling and spacing unit.
- With most unconventional oil and gas plays in which horizontal extended reach wells are utilized to properly develop the lands, drilling and spacing units tend to be larger than the conventional vertical units and encompass more lands within the development drilling and spacing unit. Therefore, previously non-applicable minerals are more likely to fall under this new BLM rule. This particular scenario is most clearly demonstrated with the “checkerboard” federal mineral ownership pattern common across the western United States. Although only 50 percent of the checkerboard has federal minerals, 100 percent of the checkerboard becomes subject to the new rule. A similar, but more dramatic scenario exists in Newfield’s Oklahoma operations where a small amount of federal minerals causes a much larger area to become federal jurisdiction. Roughly 1 percent of our Anadarko position is federal minerals, yet even with this small subset of federal minerals, the new rule will apply to more than 10 times that amount. Neither the federal checkerboard nor the Oklahoma example was contemplated in BLM’s new rule.
- In some instances, inadequate cementing records or some potential technical disagreement on Cement Evaluation Log (CEL) interpretation – not a shortfall in well integrity – may result in a new well that cannot be hydraulically fractured or an existing well that cannot be refractured. The cost of such a problem ranges from a few hours of lost operational downtime up to the cost of a \$10 million well.
- Specific to the downtime referenced above, every hydraulic fracturing job requires at least a 48-hour notice to obtain BLM approval of cement-related assurances. However, BLM is barely staffed to provide support during a normal 40-hour work week, certainly not 24/7/365 support.
- Finally, the Office of the Inspector General has recognized that inefficiencies in the Department of Interior’s permit review process impede productivity and that neither BLM nor the operator can predict when permits will be approved. Since site-specific operational plans cannot often be finalized months in advance, operators may be forced to submit applications that include multiple scenarios to ensure operational flexibility. Although some of the proposed operational scenarios may never be implemented, an already overburdened BLM staff will be required to review all components of the new applications.

**This rule has portions that duplicate, contradict or increase confusion with respect to existing state regulations, or in some cases, presents perplexing requirements:**

- Duplication – Surface casing cementing rules are essentially the same in the new BLM rule as are required in all oil and gas producing states.
- Contradiction – The new BLM rule requires pressure measurement on all casing strings during hydraulic fracturing, but the North Dakota Industrial Commission requires the surface annulus to be kept open to protect the surface casing and provide pressure relief, in case a leak occurs.
- Deferral with Uncertainty – The BLM rule says *all* usable water must be protected and further defers the identification of what "usable water" must be protected to states and tribes. This deferral is unambiguous as long as states and tribes use a threshold of 10,000

mg/l TDS, but not all states use this threshold, nor do all states protect *all* usable water. Please remember that “usable” does not necessarily mean “useful” to plants, wildlife or humans.

- Deferral with Uncertainty –BLM recognizes the use of FracFocus for chemical disclosure, but adds additional onerous steps which limit a company’s ability to protect trade secrets and inhibits innovation in this technology-driven part of our business.
- Perplexing – The BLM rule requires that operators make seven illogical affirmations in order to claim trade secret protection when providing public disclosure for proprietary chemicals used during hydraulic fracturing.
- Perplexing – The BLM rule requires a certification that attests to a company’s compliance with all federal, state and local laws, rules and regulations. However, with increased local challenges and initiatives, this certification might be impossible to achieve without a time and date stamp.

**The BLM's strategy to use public review as a secondary regulator will create foreseeable challenges for BLM and the operator and confusion for the public:**

- BLM's *stated* incremental processing time for each new well application is only four hours, so there cannot be much technical analysis planned for the significant amount of new information submitted.
- Considering BLM statements that public access to this information will be facilitated, it appears BLM is promoting several predictable outcomes:
  - The public will be reviewing substantial technical and specialized industry information, of which many will not be familiar. Confusion about the technologies or the processes required to effectively achieve desired environmental and safety outcomes will result in further questions of, and petitions to, BLM and operators.
  - The predictable outcome will be a further-inundated regulator while the operator is faced with the ongoing task of educating the public that hydraulic fracturing has been, and will continue to be a safe well completion technique for almost seven decades.
  - In short, the rule will have failed to provide the public with assurances about the safety of hydraulic fracturing technology while adding delays, costs, and uncertainty for industry and consumers.

In conclusion, if this final BLM rule is to be applied, additional actions need to be taken to provide an economic analysis, operational clarifications and a fundamental clarification on the role of the BLM as the primary regulator for federal and tribal minerals.

Finally, Newfield wishes to associate itself with any written testimony submitted to the committee on this topic by the Independent Petroleum Association of America, the Western Energy Alliance, or the American Exploration & Production Council.

###

Hannah J. Wiseman,<sup>1</sup>

**Written Testimony for “The Future of Hydraulic Fracturing on Federally Managed Lands”**

July 15, 2015, U.S. House of Representatives, Committee on Natural Resources, Subcommittee on Energy and Mineral Resources

**Introduction**

This testimony addresses the Bureau of Land Management Final Rule entitled “Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands” (described here as the “HF Rule”) issued on March 26, 2015.<sup>2</sup> After summarizing key provisions of the HF Rule, this testimony will describe the authority of the BLM to promulgate the rule, the lack of conflict between the HF Rule and other federal statutes, the environmental risks that the rule helps to address, and the ways in which the HF Rule and federal enforcement resources complement and improve upon state regulation of oil and gas development.

**I. Rule summary: The HF Rule addresses certain aspects of the casing and cementing of hydraulically fractured wells, the storage of fracturing wastes, and the disclosure of fracturing chemicals.**

The HF Rule primarily contains requirements for information collection and disclosure, mandating that well operators proposing to hydraulically fracture a well on federal or Indian lands submit data on the geology in the proposed area of the well;<sup>3</sup> existing conditions such as old wells, natural faults and fractures, and usable water in the area;<sup>4</sup> and proposed hydraulic fracturing design, water acquisition, waste management, and disposal practices.<sup>5</sup> After fracturing, operators—entities that drill and hydraulically fracture wells—must disclose data on well depth and fractures; actual water acquisition, waste management, and disposal practices; and the chemicals used in fracturing.<sup>6</sup> Operators can avoid public disclosure of certain chemicals used in the fracturing process by submitting an affidavit to the BLM with information indicating, *inter alia*, the importance of keeping the information confidential.<sup>7</sup> Operators also must collect data on the quality of cementing operations to show that the protective casing and cementing of wells is adequate, and they must monitor the pressure in wells during hydraulic fracturing to ensure that pressures do not compromise the structure (“integrity”) of the well and its casing and cement.<sup>8</sup> Substantive requirements include, *inter alia*, that operators take remedial action if it appears that well cementing was inadequate or that fracturing compromised well integrity<sup>9</sup> and that operators use tanks to store flowback water from fracturing, with certain exceptions.<sup>10</sup> Where state or tribal requirements achieve or exceed the goals of the HF Rule, the BLM may grant a regulation-specific variance from the BLM rule for all wells in the relevant jurisdiction or for individual wells;<sup>11</sup> as discussed below, however, these variances may be unnecessary because BLM rules are a floor, not a ceiling.

**II. The BLM has clear statutory authority to regulate hydraulically fractured oil and gas wells on federal lands.**

The BLM permits and oversees the use of federal lands for a variety of purposes, including grazing, recreation, and oil and gas development, among other purposes. In leasing federally-owned oil and gas,

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<sup>1</sup> The author thanks Elizabeth Farrell, Mary McCormick, and other Florida State University College of Law Research Center Directors and Librarians, Shi-Ling Hsu, David Markell, Bruce Pendery, and Erin Ryan for suggested edits and sources.

<sup>2</sup> Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands, 80 Fed. Reg. 16,128 (Mar. 26, 2015) (to be codified at 43 C.F.R. pt. 3160).

<sup>3</sup> *Id.* at 16,218.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.* at 16,218-16,219.

<sup>6</sup> *Id.* at 16,220-16,221.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.* at 16,219-16,220.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at 16,220.

<sup>11</sup> *Id.* at 16,221.

the BLM—just like private owners of land and minerals—must protect the public’s interest in the minerals and land and ensure that fluid mineral development will not unduly interfere with other uses of land. Indeed, many private landowners include conditions in mineral leases in order to protect their property and natural resources.<sup>12</sup> However, in leasing federal oil and gas resources, the BLM represents broader public interests that diverge from those of most private mineral owners. Resources administered by the BLM are, by law, not managed solely, or even primarily, for pecuniary gain. The BLM’s core statutory mandate, contained within the Federal Land Policy and Management Act (FLPMA), is to manage public lands and resources in a manner that allows for multi-use development of lands, including “a combination of balanced and diverse resource uses,”<sup>13</sup> by current and future generations of people.<sup>14</sup> Congress has made clear that in managing public resources the BLM must give consideration to “the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output.”<sup>15</sup> The BLM therefore must regulate oil and gas development at the surface and belowground to protect its mineral interests and the many other interests that the agency represents on federal lands, such as grazing and recreational interests. Notably, it is also the express policy of Congress to protect “water resource . . . values” on federal lands.<sup>16</sup>

FLPMA responsibilities for managing public lands are baseline responsibilities that apply when the BLM leases minerals on public lands. Beyond this baseline law, the BLM must follow the specific directives of the Mineral Leasing Act (MLA), as amended, when it allows mineral development on public lands. This Act provides, *inter alia*, that the Secretary of Interior (whose responsibilities the BLM carries out) must regulate surface-disturbing activities from oil and gas development and ensure “restoration of any lands or surface waters adversely affected by lease operations” by the operator.<sup>17</sup> It also provides that the Secretary of the Interior shall regulate surface disturbing activities and determine reclamation and other actions required “in the interest of conservation of surface resources.”<sup>18</sup> Under this Act, the BLM may suspend leases where oil and gas operators have failed to protect the environment.<sup>19</sup> In addition to the BLM’s authority under FLPMA, the HF Rule falls clearly within the discretion granted to the BLM by the MLA.<sup>20</sup> Casing and cementing rules prevent oil and gas waste and protect surface (as well as underground) resources, as do rules for the use of flowback tanks.

Federal agencies have long regulated the casing and cementing of wells and other well development activities on public lands. On June 4, 1920, the Secretary of the Interior acting under MLA authority issued operating regulations for oil and gas wells requiring, *inter alia*, notification prior to well drilling, plugging, and abandonment; keeping of records relating to “kinds, length, and sizes of casings used in drilling the wells”; and operator correction of conditions causing damage to water-bearing or other formations or “dangerous to life or property.”<sup>21</sup> The U.S. Geological Survey (USGS)—one of the BLM’s predecessors in managing wells on public lands—provided in a 1942 regulation that the Supervisor could

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<sup>12</sup> See, e.g., Oil and Gas Lease Between James J. Franko & Nancy L. Franko and Rex Energy I, LLC, Apr. 22, 2008, available at [http://www.nytimes.com/interactive/2011/12/02/us/oil-and-gas-leases.html?\\_r=0#document/221308-rex20080422fra](http://www.nytimes.com/interactive/2011/12/02/us/oil-and-gas-leases.html?_r=0#document/221308-rex20080422fra) (requiring testing of water supplies prior to drilling and replacement of water supplies if supplies are impacted and requiring the payment of damages for impacts to crops and timber). Many other leases in the *New York Times* database contain identical language.

<sup>13</sup> 43 U.S.C. § 1702(c) (2012).

<sup>14</sup> See 43 U.S.C. § 1732(a) (2012) (requiring BLM management of public lands “under principles of multiple use and sustained yield”); 43 U.S.C. § 1702(c) (2012) (defining “multiple use” as “the management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people”).

<sup>15</sup> 43 U.S.C. § 1702(c) (2012).

<sup>16</sup> 43 U.S.C. § 1701(a)(8) (2012).

<sup>17</sup> 30 U.S.C. § 226(g) (2012).

<sup>18</sup> *Id.*

<sup>19</sup> See *Getty Oil v. Clark*, 614 F.Supp. 904, 916 (D. Wyo. 1985) (noting that the Secretary of the DOI may suspend a lease or condition a suspension as is “necessary to protect the environmental values of the leased property”).

<sup>20</sup> See 30 U.S.C. § 189 (2012) (authorizing the BLM “to do any and all things necessary to carry out and accomplish the purposes of this chapter”).

<sup>21</sup> See *Forbes v. United States*, 125 F.2d 404, 409 (9th Cir. 1942) (describing and quoting the regulations).

require the submittal of a well casing program and that drilling, well stimulation, and other well development activities could not occur “without first notifying the supervisor” of a plan.<sup>22</sup>

Many of the BLM’s rules for managing mineral resources on federal lands are more than two decades old,<sup>23</sup> and these rules, like the older USGS rules, have long regulated the casing and cementing of oil and gas wells.<sup>24</sup> Yet oil and gas development has changed dramatically in the past decade. U.S. companies have used hydraulic fracturing for more than sixty years,<sup>25</sup> but the type of fracturing used on many wells changed in the late 1990s and early 2000s.<sup>26</sup> During this time George Mitchell perfected a technique called “slickwater” (also called slick water or slick-water) fracturing in Texas’s “tight” gas formations, which are densely packed formations, and combined this technique with the horizontal drilling of wells.<sup>27</sup> Several years later, slickwater fracturing and similar unconventional fracturing combined with horizontal drilling rapidly spread around the country to other tight sandstone and shale formations,<sup>28</sup> enabling the development of thousands of new wells drilled into these formations—wells that, without unconventional fracturing and horizontal drilling, would not have been productive and would not have been drilled.<sup>29</sup> Although some oil and gas operators also continue to use conventional fracturing techniques, unconventional fracturing combined with horizontal drilling is very common and has triggered much of the recent boom in U.S. oil and gas development.<sup>30</sup>

The HF Rule, issued after the BLM proposed a draft rule and a revised draft rule<sup>31</sup> and received extensive public comments, addresses certain aspects of modern (unconventional) fracturing on land managed by the BLM, lands under which the BLM controls the minerals, and certain Indian lands.<sup>32</sup> This HF Rule does not exceed the BLM’s statutory authority; it has strong statutory support and helps the BLM to fulfill its statutory duties.<sup>33</sup>

FLPMA, the BLM’s organic act,<sup>34</sup> declares that it is “the policy of the United States” that “public lands be managed in a manner that will protect the quality of scientific . . . ecological, environmental, air

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<sup>22</sup> 30 C.F.R. § 221.21 (1942); Regulations Applicable to Lands of the United States and All Restricted Tribal and Allotted Indian Lands (Except Osage Indian Reservation), 7 Fed. Reg. 4132, 4134-4135 (June 2, 1942).

<sup>23</sup> See Molly Feiden, Madeline Gottlieb, Alan Krupnick & Nathan Richardson, *Hydraulic Fracturing on Federal and Indian Lands: An Analysis of the Bureau of Land Management’s Revised Proposed Rule*, 29 J. LAND USE & ENVTL. L. 337, 339 (2013-2014) (noting that most of the BLM’s onshore oil and gas operations regulations “were last revised in the 1980s or early 1990s”).

<sup>24</sup> Prior to 2007, the BLM administered an eight-point rule for the casing and cementing of wells on BLM lands. It replaced this with a nine-point rule in 2007. Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Onshore Oil and Gas Order No. 1, Approval of Operations, 72 Fed. Reg. 10,308, 10,310 (Mar. 7, 2007) (codified at 43 C.F.R. pt. 3160).

<sup>25</sup> See John M. Golden & Hannah J. Wiseman, *The Fracking Revolution: Shale Gas As A Case Study in Innovation Policy*, 64 EMORY L.J. 955, 968 (2015) (comparing sources that describe the first fracturing of wells as occurring in the late 1940s).

<sup>26</sup> See Hong Sun et al., *A Nondamaging Friction Reducer for Slickwater Frac Applications*, Soc’y of Petroleum Engineers, Conference Paper no. 139480 at 1 (2011).

<sup>27</sup> See *id.* at 975 (describing Mitchell’s involvement in helping to perfect horizontal drilling and slickwater fracturing). Techniques similar to the slickwater technique, characterized by large quantities of water and fewer gels and other chemicals, had been used in earlier decades but had not been applied to shales and typically had not been combined with horizontal drilling. Experts typically describe slickwater fracturing as a new, recent technology. See, e.g., Terrence Palisch, Michael Vincent & Patrick Handren, *Slickwater Fracturing: Food for Thought*, 25 SPE PRODUCTION AND OPERATIONS 327, 327 (2010).

<sup>28</sup> See Golden & Wiseman, *supra* note 25, at 966 (“In the past decade and a half, growth in shale gas production has been more than exponential.”).

<sup>29</sup> See, e.g., HALLIBURTON, U.S. SHALE GAS: AN UNCONVENTIONAL RESOURCE. UNCONVENTIONAL CHALLENGES at 1 (2008), available at <http://www.shaleenergyinsider.com/wp-content/uploads/sites/11/2014/01/H063771.pdf> (noting that the Barnett Shale, investigated “as early as 1981,” produced “gas at commercial rates” only when certain fracturing technologies became available).

<sup>30</sup> See U.S. Dept. of Energy, *Why Is Shale Gas Important?*, [http://energy.gov/sites/prod/files/2013/04/f0/why\\_is\\_shale\\_gas\\_important.pdf](http://energy.gov/sites/prod/files/2013/04/f0/why_is_shale_gas_important.pdf) (noting that “U.S. shale gas production has increased 12-fold over the last decade” and is projected to make up 49% of U.S. dry natural gas production by 2035). Experts estimated in 2004 that 30% of hydraulic fracturing jobs used slickwater fracturing. Palisch et al., *supra* note 27, at 327.

<sup>31</sup> Oil and Gas; Well Stimulation Including Hydraulic Fracturing, 77 Fed. Reg. 27,691 (proposed May 11, 2012); Supplemental Notice of Proposed Rulemaking and Request for Comment, 78 Fed. Reg. 31,636 (May 24, 2013).

<sup>32</sup> Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands, *supra* note 2.

<sup>33</sup> See *infra* notes 35-36, 37, and accompanying text.

<sup>34</sup> See *New Mexico ex rel. Richardson v. Bureau of Land Management*, 565 F.3d 683, 688 n.1 (10th Cir. 2009).

and atmospheric, water resource, and archeological values.”<sup>35</sup> It also provides that in administering the Act, the BLM (acting for the Secretary of the Interior, or “Secretary”) must “establish *comprehensive* rules and regulations after considering the views of the general public.”<sup>36</sup> Congress has set out a specific process for the BLM’s leasing and management of federal oil and gas resources on behalf of the public. Congress directs the Secretary to “manage the public lands under principles of multiple use and sustained yield . . . .,”<sup>37</sup> meaning managing resources “so that they are utilized in the combination that will best meet the present and future needs of the American people” and in a manner “that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and . . . scientific and historical value.”<sup>38</sup> The BLM must write comprehensive land use plans, also described as “resource management plans,”<sup>39</sup> and its leasing of oil and gas resources must conform to these plans.<sup>40</sup> If an operator obtains a lease, the operator may apply to the BLM to develop a specific well by submitting an application for a permit to drill (APD).<sup>41</sup>

The BLM has specific regulations that guide its issuance or denial of permits to drill for oil and gas. FLPMA provides: “The Secretary shall issue regulations necessary to implement the provisions of this Act with respect to the management, use, and protection of the public lands, including the property located thereon.”<sup>42</sup> Congress also requires that the Secretary “by regulation or otherwise, take any action necessary to prevent unnecessary or undue degradation of the lands”<sup>43</sup> in managing public lands. It is the responsibility of the authorized BLM officer to regulate a host of issues associated with oil and gas drilling quite apart from the HF rule specifically. As provided by BLM regulations, these responsibilities and authorities include, *inter alia*, approving and monitoring operator proposals for drilling, development, or production and ensuring that operations are conducted in a manner that is environmentally responsible, that protects life and property, and that results in the maximum ultimate recovery of the resource with minimum waste.<sup>44</sup> Drilling plans must include “a description of the program, the surface and projected completion zone location, pertinent geologic data, expected hazards, and proposed mitigation measures to address such hazards.”<sup>45</sup>

As discussed further below, the HF Rule’s requirements, which operate in addition to these other rules, will help to protect ground water, surface waters, and soils on public lands, thus supporting other current and future uses of BLM lands such as grazing and recreation. By preventing leakage from wells, the requirements will also help to prevent the waste of oil and gas, for which the federal government and states receive royalties.<sup>46</sup> Causing waste of oil and gas resources is prohibited by the MLA.<sup>47</sup>

### **III. The HF Rule addresses known risks, prevents the waste of valuable federal oil and gas resources, and is not overly burdensome.**

The HF Rule follows Congressional mandates by taking modest steps to address important environmental externalities of oil and gas development and hydraulic fracturing and preventing the waste of federal mineral resources. Slickwater and other unconventional fracturing techniques that have become

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<sup>35</sup> 43 U.S.C. § 1701(a)(12) (2012).

<sup>36</sup> *Id.* at § 1701(a)(5) (2012) (emphasis added).

<sup>37</sup> *Id.* at § 1732(a) (2012).

<sup>38</sup> *Id.* at § 1702(c) (2012).

<sup>39</sup> *See Norton v. Southern Utah Wilderness Alliance*, 542 U.S. 55, 59 (2004); *Pennaco Energy, Inc. v. U.S. Dept. of the Interior*, 377 F.3d 1147, 1151 (10th Cir. 2004).

<sup>40</sup> 43 C.F.R. § 1610.5-3(a) (2013).

<sup>41</sup> *Id.* at § 3162.3-1(c) (2013).

<sup>42</sup> 43 U.S.C. § 1733 (2012).

<sup>43</sup> *Id.* at § 1732(b) (2012).

<sup>44</sup> 43 C.F.R. § 3161.2 (2013).

<sup>45</sup> *Id.* at § 3162.3-1(e).

<sup>46</sup> 30 U.S.C. § 223 (2012); 30 U.S.C. § 191 (2012).

<sup>47</sup> 30 U.S.C. § 225 (2012).

common in the past decade, thus necessitating updated BLM rules, use larger volumes of water<sup>48</sup> and in some cases different types of chemicals<sup>49</sup> than other fracturing techniques, and they introduce certain new environmental risks to the oil and gas development process. Beyond causing more wells to be drilled and fractured, sometimes in sensitive environments or more populous areas,<sup>50</sup> slickwater fracturing produces large volumes of liquid “flowback” waste that must be stored on the well site surface and disposed of<sup>51</sup> and requires large volumes of water to be trucked or piped to well sites.<sup>52</sup>

The techniques of hydraulic fracturing (including slickwater fracturing) and horizontal drilling have produced very important economic benefits but also substantial costs—costs that could be reduced through careful management of the drilling and fracturing process. Hydraulic fracturing chemicals, and chemicals mixed with water, have spilled on well sites.<sup>53</sup> Wells have blown out during hydraulic fracturing, causing fracturing fluids to be discharged into surface waters.<sup>54</sup> In its draft assessment of the impacts of hydraulic fracturing on water quality, the Environmental Protection Agency observes that “[s]pills of hydraulic fracturing fluids have occurred across the country and have affected the quality of drinking water resources,”<sup>55</sup> and it estimates that spill rates of chemicals and hydraulic fracturing fluid

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<sup>48</sup> See, e.g., GOVERNOR’S MARCELLUS SHALE ADVISORY COMMISSION (PENNSYLVANIA) REPORT at 73 (2011), <http://www.marcellus.psu.edu/resources/PDFs/MSACFinalReport.pdf> (“While hydraulic fracturing is not new to the Commonwealth—it has been standard practice for decades—the size of the natural gas play and the quantity of water used to stimulate a Marcellus Shale or other unconventional natural gas well is new.”).

<sup>49</sup> See Hannah J. Wiseman, *Risk and Response in Fracturing Policy*, 84 U. COLO. L. REV. 729,744 n. 64 (2013).

<sup>50</sup> See, e.g., City of Fort Worth, Gas Well Drilling, FORTWORTHTEXAS.GOV, <http://fortworthtexas.gov/gaswells/> (last visited July 12, 2015) (showing 1,976 producing gas wells in the City of Fort Worth).

<sup>51</sup> ENVTL. PROTECTION AGENCY, ASSESSMENT OF THE POTENTIAL IMPACTS, *supra* note 55, at 6-3.

<sup>52</sup> Natl. Park Service, U.S. Dep’t of the Interior, Potential Development of the Natural Gas Resources in the Marcellus Shale at 9 (2008), [http://www.nps.gov/frhi/learn/management/upload/GRD-M-Shale\\_12-11-2008\\_high\\_res.pdf](http://www.nps.gov/frhi/learn/management/upload/GRD-M-Shale_12-11-2008_high_res.pdf). Unconventional fracturing techniques can also reduce certain impacts compared to conventional oil and gas production because horizontal drilling makes surface locations more flexible. U.S. Dept. of Energy, Office of Fossil Energy, Environmental Benefits of Advances Oil and Gas Exploration and Production Technology at 5 (1999), <http://www.netl.doe.gov/kmd/cds/disk25/oilandgas.pdf>.

<sup>53</sup> See, e.g., Dunn Cty., N.D., Well Name FORT BERTHOLD 148-94-22A-27-1H, Incident 20130430182213 (Apr. 30, 2013), [http://www.ndhealth.gov/EHS/FOIA/Spills/Summary\\_Reports/20130430182213\\_Summary\\_Report.pdf](http://www.ndhealth.gov/EHS/FOIA/Spills/Summary_Reports/20130430182213_Summary_Report.pdf) (spill of 250 barrels of “fracturing solids and liquids”; report indicates 250 barrels were recovered but “[a]dditional soil cleanup on and offsite to continue”); Billings Cty., N.D., Well Name STATE HECKER 1-2-11H-142-98, Incident 20120614171333 (June 13, 2012), [http://www.ndhealth.gov/EHS/FOIA/Spills/Summary\\_Reports/20120614171333\\_Summary\\_Report.pdf](http://www.ndhealth.gov/EHS/FOIA/Spills/Summary_Reports/20120614171333_Summary_Report.pdf) (18 barrels of “[f]resh water with fracing chemicals” spilled; 17 barrels cleaned up (recovered); potential environmental impacts to “[s]urface soil only”); Dunn Cty., N.D., Well Name FULLER 1-2H, Incident 20110810153048 (July 20, 2011), [http://www.ndhealth.gov/EHS/FOIA/Spills/Summary\\_Reports/20110810153048\\_Summary\\_Report.pdf](http://www.ndhealth.gov/EHS/FOIA/Spills/Summary_Reports/20110810153048_Summary_Report.pdf) (release of 8 barrels of “[f]rac water” to a field; “remedial activities” conducted); Lea Cty., N.M., API Permit 30-025-41627, Incident nSAD1413436037 (Apr. 28, 2014), <https://www.wapps.emnrd.state.nm.us/ocd/ocdpermitting/Data/Incidents/SpillSearchResultsExcel.aspx?Api=30-025-41627> (describing a 7-gallon spill of “hydraulic frac fluid,” 6.75 barrels of which were recovered); Eddy Cty., N.M., API Permit 30-015-26415, Incident nMLB1403537703 (Jan. 30, 2014), <https://www.wapps.emnrd.state.nm.us/ocd/ocdpermitting/Data/Incidents/SpillSearchResultsExcel.aspx?Api=30-015-26415>

(“Reported release of 230 bbls fresh water w/2% KCL and gel (for slick water frac job) Released fluids ran down a draw (approx 1/4 mile) and entered the Pecos River.”); Chaves Cty., N.M., API Permit 30-005-29061, Incident nGRL1010539051 (Feb. 5, 2010), <https://www.wapps.emnrd.state.nm.us/ocd/ocdpermitting/Data/Incidents/SpillSearchResultsExcel.aspx?Api=30-005-29061> (noting 80 barrels of frac fluid spilled, five of which were recovered)

<sup>54</sup> See, e.g., Md. Att’y Gen., AG Gansler Secures Funding to Safeguard Susquehanna Water Quality (June 14, 2012), <http://www.oag.state.md.us/press/2012/061412.html> (last visited July 12, 2015) (noting the release of fracturing fluids into Towanda Creek due to a well blowout); Governor’s Marcellus Shale Advisory Commission, *supra* note 48, at 75 (noting that “over 10,000 gallons of fracturing flow back fluid escaped the well pad and all containment” in the Towanda Creek incident and describing another blowout that released fracturing fluids for 16 hours); McKenzie Cty., N.D., Well Name CHERRY STATE 31-16H, Incident 20140214142744, (Feb. 13, 2014), [http://www.ndhealth.gov/EHS/FOIA/Spills/Summary\\_Reports/20140214142744\\_Summary\\_Report.pdf](http://www.ndhealth.gov/EHS/FOIA/Spills/Summary_Reports/20140214142744_Summary_Report.pdf) (describing a blowout at a North Dakota well and noting “[r]egaining well control still in progress); NICHOLAS P. CHEREMISNOFF & ANTON R. DAVLETSHIN, HYDRAULIC FRACTURING OPERATIONS: HANDBOOK OF ENVIRONMENTAL MANAGEMENT PRACTICES 460 (2015) (indicating that the well in McKenzie County leaked fracturing fluid and oil).

<sup>55</sup> U.S. ENVTL. PROT. AGENCY, EXTERNAL REVIEW DRAFT, ASSESSMENT OF THE POTENTIAL IMPACTS OF HYDRAULIC FRACTURING FOR OIL AND GAS ON DRINKING WATER RESOURCES at 5-42 (June 2015), *available at* <http://cfpub.epa.gov/ncea/hfstudy/recordisplay.cfm?deid=244651>.

range from 0.4 and 12.2 spills for every 100 wells.”<sup>56</sup> Flowback from wells has also leaked, polluting soil, surface water, and other resources,<sup>57</sup> and, in one incident identified by the EPA, flowback and produced water have polluted ground water.<sup>58</sup> Some fractured wells also have deficient or defective underground casing and cement,<sup>59</sup> and inspectors have detected methane coming out of these wells at the surface.<sup>60</sup>

The HF Rule addresses these and other externalities of oil and gas drilling and fracturing. By requiring data such as the geology where wells will be drilled and fractured, existing natural faults and fractures, old wellbores near the proposed well, nearby sources of usable water, and the proposed depth of the well and fractures,<sup>61</sup> the BLM will better understand (and be able to manage) how the drilling and fracturing of a well could potentially cause the leakage of methane or other substances into nearby faults or old wells—leakage that could potentially allow substances to migrate to the surface and impact surface water and soil in addition to underground resources.<sup>62</sup> By requiring monitoring of cementing operations, the preparation of cement evaluation logs where cement does not reach the surface of the well, and remedial action where it appears that cement is inadequate,<sup>63</sup> the HF Rule helps to ensure that wells—which will be subjected to high pressures as a result of hydraulic fracturing—will not leak, again helping to prevent the possible contamination of underground and surface resources. The portions of the HF Rule addressing the casing and cementing of wells also help to ensure that gas and oil will not escape wells and that water will not mix with oil and gas,<sup>64</sup> thus preventing the waste of valuable federal resources and

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<sup>56</sup> *Id.* at 5-48.

<sup>57</sup> *See, e.g.*, Williams Cty., N.D., Well Name DAVE ARNSON 8-5 1-H, Incident 20110613213356 (May 31, 2011), [http://www.ndhealth.gov/EHS/FOIA/Spills/Summary\\_Reports/20110613213356\\_Summary\\_Report.pdf](http://www.ndhealth.gov/EHS/FOIA/Spills/Summary_Reports/20110613213356_Summary_Report.pdf) (“2 bbls of flowback fluid ran off the edge of wellsite for approximately 100 ft.”; berm constructed, contaminants vacuumed; potential environmental risk of soil contamination but no water body affected); Mountrail Cty., N.D., Well Name CROWFOOT 35-3031H, Incident 20110112143928 (Jan. 11, 2011), [http://www.ndhealth.gov/EHS/FOIA/Spills/Summary\\_Reports/20110112143928\\_Summary\\_Report.pdf](http://www.ndhealth.gov/EHS/FOIA/Spills/Summary_Reports/20110112143928_Summary_Report.pdf) (release of 120 barrels of flowback from a truck to a well site; 50 barrels recovered); Greene Cty., Pa., API Permit 059-25160, Enforcement ID 250351 (Sept. 23, 2009), [http://www.depreportingservices.state.pa.us/ReportServer/Pages/ReportViewer.aspx?/Oil\\_Gas/OG\\_Compliance](http://www.depreportingservices.state.pa.us/ReportServer/Pages/ReportViewer.aspx?/Oil_Gas/OG_Compliance) (flowback released into field from pit; haul trucks responded); San Juan Cty., N.M., API 30-045-29969, Incident nJK1217341013 (May 17, 2000), <https://www.wapps.emnrd.state.nm.us/ocd/ocdpermitting/Data/Incidents/SpillSearchResultsExcel.aspx?Api=30-045-29969> (noting 100 barrels of flowback that spilled; no barrels recovered).

<sup>58</sup> ENVTL. PROT. AGENCY, ASSESSMENT OF THE POTENTIAL IMPACTS, *supra* note 55, at 7-36 to 7-37.

<sup>59</sup> *See, e.g.*, Bradford Cty., Pa., API Permit 015-21704, Violation ID 645597 (Aug. 2, 2012), [http://www.depreportingservices.state.pa.us/ReportServer/Pages/ReportViewer.aspx?/Oil\\_Gas/OG\\_Compliance](http://www.depreportingservices.state.pa.us/ReportServer/Pages/ReportViewer.aspx?/Oil_Gas/OG_Compliance) (noting that “[w]ell has been fraced” and indicating a “[f]ailure to report defective, insufficient, or improperly cemented casing”).

<sup>60</sup> All of the following examples of incidents are from Pennsylvania records of unconventional wells at which inspectors from the Commonwealth took enforcement action. *See* Pa. Dept. of Env'tl. Prot., Oil and Gas Compliance Report, [http://www.depreportingservices.state.pa.us/ReportServer/Pages/ReportViewer.aspx?/Oil\\_Gas/OG\\_Compliance](http://www.depreportingservices.state.pa.us/ReportServer/Pages/ReportViewer.aspx?/Oil_Gas/OG_Compliance) (select “Inspections With Violations Only” and “Unconventional Only”). Unconventional wells are those that “generally cannot be produced except by horizontal or vertical well bores stimulated by hydraulic fracturing.” Pa. Dept. of Env'tl. Prot., Report Instructions for the Oil and Gas Compliance Report at 5, [http://files.dep.state.pa.us/OilGas/BOGM/BOGMPortalFiles/OilGasReports/HelpDocs/OG\\_Compliance\\_Help.pdf](http://files.dep.state.pa.us/OilGas/BOGM/BOGMPortalFiles/OilGasReports/HelpDocs/OG_Compliance_Help.pdf). All violations are from [http://www.depreportingservices.state.pa.us/ReportServer/Pages/ReportViewer.aspx?/Oil\\_Gas/OG\\_Compliance](http://www.depreportingservices.state.pa.us/ReportServer/Pages/ReportViewer.aspx?/Oil_Gas/OG_Compliance). Lycoming Cty., Pa., API Permit 081-20238, Enforcement ID 268004, Feb. 18, 2011 (“02/14/11 gas bubbling in the cellar found to be in the annular space of the 9 5/8 x 13 3/8 casing”); Bradford Cty., Pa., API Permit 015-20932, Enforcement ID 288538, Sept. 11, 2012 (“initial complaint water well shows methane levels increased from non-detect to 82.7 mg/L”; “Chesapeake caused or allowed gas from lower formations to enter fresh groundwater”); Clearfield Cty., Pa., API Permit 033-26855, Enforcement ID 265809, Dec. 6, 2010 (“Methane migrated to surface through cement in 9 5/8” annulus.”). Peer-reviewed sources have estimated rates of well failure for all Marcellus wells to be 2.58%, 3.4%, or 6.2%. *See* Richard J. Davies, Sam Almond, Robert S. Ward, Robert B. Jackson, Charlotte Adams, Fred Worrall, Liam G. Herringshaw, Jon G. Gluyas & Mark A. Whitehead, *Oil and Gas Wells and Their Integrity: Implications for Shale and Unconventional Resource Exploitation*, 16 MARINE AND PETROLEUM GEOLOGY 239, 243 (2014) (comparing the estimates from peer-reviewed publications).

<sup>61</sup> Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands, *supra* note 2, at 16,218-16,219.

<sup>62</sup> *See* Davies, *supra* note 60, at 240.

<sup>63</sup> Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands, *supra* note 2, at 16,219-16,220.

<sup>64</sup> *See* GROUND WATER PROTECTION COUNCIL, STATE OIL AND NATURAL GAS REGULATIONS DESIGNED TO PROTECT WATER RESOURCES at 12, 19 (2009),

money earned from those resources. Further, by requiring the disclosure of chemicals used in fracturing,<sup>65</sup> the BLM helps to inform the public, including other users of public lands, of the chemicals that are stored on site and contained in the flowback. And the BLM achieves multiple environmental goals, including operator compliance with the Migratory Bird Treaty Act,<sup>66</sup> Bald and Golden Eagle Protection Act,<sup>67</sup> Clean Water Act (CWA),<sup>68</sup> and Resource Conservation and Recovery Act (RCRA),<sup>69</sup> by requiring tank storage of flowback.<sup>70</sup>

Furthermore, in balancing the importance of oil and gas development with other values on federal lands, including environmental protection, the rule is not overly onerous. As discussed in Part V, some states already require cementing tests that are more stringent than BLM rules. Further, many oil and gas operators already report a range of well data including fracturing chemicals used through FracFocus,<sup>71</sup> and some oil and gas operators already use tanks. For example, Encana reports: “In most of our operations, we use closed-loop fluid handling systems. . . . Because drilling and fracturing fluids do not come into contact with the ground surface, there is less likelihood of groundwater contamination.”<sup>72</sup>

#### **IV. No federal environmental statutes preclude or displace the HF Rule.**

In addition to having strong support in FLPMA and the MLA, the HF Rule is not precluded or displaced by other federal statutes that apply to, or exempt, some oil and gas activities from certain federal environmental regulations. The BLM has long regulated the casing and cementing of wells on federal lands,<sup>73</sup> among other regulations, and other federal statutes have not precluded these regulations—nor do these statutes now preclude the updated regulations. The relevant federal environmental statutes that apply to certain aspects of oil and gas development and fracturing are, *inter alia*, the Safe Drinking Water Act (SDWA), RCRA, the CWA, and the Emergency Planning and Community Right-to-Know Act (EPCRA). The SDWA applies to certain entities that inject substances underground and requires those entities to obtain a permit that ensures that injection will not endanger underground sources of drinking water.<sup>74</sup> The Act exempts from the definition of “injection” any hydraulic fracturing that is done without the use of diesel.<sup>75</sup> The EPA also exempts most oil and gas exploration and production (E&P) wastes from Subtitle C of RCRA—a subtitle that requires cradle-to-grave tracking of the generation, transport, and disposal of hazardous wastes and sets standards for transport and disposal.<sup>76</sup> Under the CWA, the EPA prohibits certain discharges of oil and gas wastes into surface waters<sup>77</sup> and has proposed to prohibit discharge of flowback from unconventional wells to certain wastewater treatment plants.<sup>78</sup> Finally, the

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[http://www.gwpc.org/sites/default/files/state\\_oil\\_and\\_gas\\_regulations\\_designed\\_to\\_protect\\_water\\_resources\\_0.pdf](http://www.gwpc.org/sites/default/files/state_oil_and_gas_regulations_designed_to_protect_water_resources_0.pdf) (prepared for the U.S. Dept. of Energy) (noting early state well casing regulations that prevented water incursion into the well).

<sup>65</sup> Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands, *supra* note 2, at 16,220-16,221.

<sup>66</sup> 16 U.S.C. §§ 703, 707 (2012).

<sup>67</sup> *Id.* at § 668.

<sup>68</sup> 40 C.F.R. §§ 435.50, 435.52 (2013).

<sup>69</sup> 42 U.S.C. § 6945 (2012).

<sup>70</sup> Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands, *supra* note 2, at 16,220.

<sup>71</sup> FracFocus Chemical Disclosure Registry, <http://fracfocus.org/> (showing 99,734 sites registered as of July 12, 2015); Keith B. Hall, *Hydraulic Fracturing: Trade Secrets and the Mandatory Disclosure of Fracturing Water Composition*, 49 IDAHO L REV. 399 (2013) (describing state disclosure requirements).

<sup>72</sup> Encana®, Fluid storage, disposal and reuse, <https://www.encana.com/sustainability/environment/water/fracturing/fluid-storage.html> (last visited July 10, 2015).

<sup>73</sup> See Onshore Oil and Gas Order No.1, *supra* note 24, at § III.D.3 (requiring, *inter alia*, drilling plans including plans for protecting useable water and minerals, blowout prevention plans, and cementing plans); *id.* at § III.F.3 (showing that in approving APDs BLM must attach “conditions of approval” that reflect necessary mitigation, allowing mitigation measures to minimize adverse impacts, and allowing the BLM to require Best Management Practices).

<sup>74</sup> 42 U.S.C. § 300h(b)(1) (2012).

<sup>75</sup> *Id.* at § 300h(d)(1).

<sup>76</sup> Regulatory Determination for Oil and Gas and Geothermal Exploration, Development and Production Wastes, 53 Fed. Reg. 25,446-01 (July 6, 1988).

<sup>77</sup> 40 C.F.R. §§ 435.30, 435.32, 435.50, 435.52 (2013).

<sup>78</sup> Effluent Limitations Guidelines and Standards for the Oil and Gas Extraction Point Source Category, 80 Fed. Reg. 18557 (proposed Apr. 7, 2015).

EPCRA requires hydraulic fracturing operators to keep records of hazardous substances that are stored on site<sup>79</sup> but does not require these operators to annually report releases of these substances.<sup>80</sup>

The HF Rule does not conflict with any of these federal rules or exemptions. The rule is not precluded by other federal statutes and exemptions for three reasons. First, Congress includes limited, individual oil and gas exemptions in statutes that address different types of pollution and that are administered by different agencies. In providing these exemptions, Congress has not indicated an intent to preclude regulation by different agencies under different statutes. Second, environmental statutes are commonly structured to include discrete exemptions: Congress often exempts an activity from a statute knowing that the activity is or might be regulated under a different statute. Third, the purpose of the environmental statutes in question is primarily to limit the environmental externalities of certain private entity and local government activities without unduly limiting the productive use of private property; it is not to limit a federal agency's authority to manage *federally-owned and federally-managed* land in a manner consistent with its statutory mandate.

A. *Existing federal environmental statutes indicate no Congressional intent to exempt hydraulic fracturing, casing and cementing, or waste storage from BLM rules. Exemptions under various generally applicable environmental statutes do not exempt hydraulic fracturing activities from all federal regulation of federally-managed land.*

The question of whether one federal statute precludes the application of another (such as whether the SDWA precludes BLM regulation of oil and gas development and fracturing under FLPMA and the MLA) is one of congressional intent,<sup>81</sup> to be ascertained through statutory interpretation.<sup>82</sup> It is certainly within Congress's power to exempt hydraulic fracturing from all federal regulation; to date, however, it has (wisely) not chosen to do so,<sup>83</sup> and such a blanket exemption cannot be manufactured from the limited exemptions already in place. An exemption of an industrial activity from one federal environmental statute does not immunize that activity from other federal environmental statutes unless the statutory language clearly shows Congressional intent for such immunity.<sup>84</sup> Indeed, an exemption or partial exemption from one statute may promote effective regulation under another statute, thus making the laws complements.<sup>85</sup> The federal laws that partially apply to the subject matter of the BLM hydraulic fracturing rules, or that exempt hydraulic fracturing from certain aspects of federal law, do not show any intent to block federal agencies like BLM from regulating to accomplish their specific statutory mission.

In exempting hydraulic fracturing from the definition of "injection" under the SDWA, the Energy Policy Act of 2005 amends the SDWA to read as follows: "*For purposes of this part:* (1) Underground injection . . . (B) excludes-- . . . (ii) the underground injection of fluids or propping agents (other than diesel fuels) pursuant to hydraulic fracturing operations related to oil, gas, or geothermal production activities."<sup>86</sup> The Act simply makes clear that under the SDWA hydraulic fracturing is not an injection

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<sup>79</sup> 42 U.S.C. §§ 11021–11022 (2012).

<sup>80</sup> 42 U.S.C. § 11023(b) (2012); 40 C.F.R. § 372.23 (2013).

<sup>81</sup> *Felt v. Atchison, Topeka, and Santa Fe Railroad Co.*, 60 F.3d 1416, 1419 (9th Cir. 1995).

<sup>82</sup> *POM Wonderful LLC v. The Coca-Cola Company*, 134 S.Ct. 2228, 2236 (2014).

<sup>83</sup> In their briefs opposing the BLM rule, petitioners quote one of my statements out of context. *See* Motion for Preliminary Injunction (Wyoming and Colorado) at 10, *Wyoming v. U.S. Dept. of the Interior*, No. 15-CV-00043-SWS (D. Wyo. May 29, 2015); Hannah Wiseman, *Untested Waters: The Rise of Hydraulic Fracturing in Oil and Gas Production and the Need to Revisit Regulation*, 20 *FORDHAM ENVTL. L. REV.* 115, 145 (2009)) (noting that "the Act conclusively withdrew fracturing from the realm of federal regulation" to indicate that Congress exempted hydraulic fracturing from the SDWA, but not to suggest that many other well development stages associated with fracturing, such as flowback disposal and discharge, are exempt from federal laws). Notably, my article also does not address the separate authority of the BLM to regulate fracturing on federal lands.

<sup>84</sup> *Cf. POM Wonderful*, 134 S.Ct. at 2236-2237 (in a case interpreting two federal food labeling statutes, refusing to adopt either a test that would require that full effect be given to each statute and only bar the application of one statute if there is irreconcilable conflict, or a test that would "reconcile" the laws by finding that one law narrows the other, but finding that even under the "reconciliation" test, the best result in the case was not to bar the application of a portion of one statute).

<sup>85</sup> *Cf. POM Wonderful*, 134 S.Ct. at 2238 ("When two statutes complement each other, it would show disregard for the congressional design to hold that Congress nonetheless intended one federal statute to preclude the operation of the other.").

<sup>86</sup> 42 U.S.C. § 300h(d)(1) (2012) (emphasis added).

activity that must be permitted by the EPA or states. It does not address how fracturing may or should be regulated under other acts or by other agencies. Furthermore, the SDWA's legislative history shows that Congress did not "intend any of the provisions of this bill to repeal or limit any authority," of the U.S. Geological Survey (USGS), one of the BLM's predecessors in regulating federal oil and gas wells.<sup>87</sup>

The SDWA is inapplicable to both drilling and fracturing of oil and gas production wells; it does not apply to the injection of substances like drilling muds and fluids and fracturing fluids underground, as these activities do not count as injection pursuant to the provision in the Energy Policy Act of 2005 and other provisions.<sup>88</sup> But states and federal agencies regulating oil and gas drilling and fracturing have other ways to ensure the safety of these practices. Therefore, many other acts, which I introduce above, address drilling, casing, and cementing of wells to ensure that substances do not leak underground and pollute surface and underground water. Many states regulate the casing and cementing of both fractured and conventional oil and gas wells—not under delegated SDWA authority, but rather under their independent regulatory authority to protect the public health, safety, and welfare.<sup>89</sup> Similarly, the BLM may regulate the casing of fractured and conventional wells to fulfill its MLA and FLPMA responsibilities, and, as indicated above, it has long regulated the casing of conventional wells and well stimulation.<sup>90</sup>

Additionally, the SDWA applies to the protection of drinking water and potentially usable water.<sup>91</sup> The Act indicates no intent to regulate fracturing and the cementing and casing of oil and gas wells for the purpose of preventing oil and gas waste and protecting soil and other surface resources, or wildlife. The BLM's rules for the casing and cementing of wells help to achieve all of these results.

Similarly, in exempting certain oil and gas E&P wastes from RCRA in 1988, the EPA indicated no intent to preclude regulation of these wastes under other acts, such as BLM's requirement under the HF Rule that flowback be stored in tanks. Indeed, the EPA indicated that it would rely on other acts like the SDWA (which applies to the disposal of liquid wastes from oil and gas wells, including fractured wells), the CWA, and subtitle D of RCRA, to help improve waste management.<sup>92</sup> Nor did the EPA in the RCRA exemption indicate an intent to prevent other entities from regulating these wastes under other Acts.<sup>93</sup>

With respect to the CWA, the EPA regulates oil and gas waste rather than exempting it, and the HF Rule and other BLM rules help operators comply with CWA rules, such as limits on flowback and produced water discharges.<sup>94</sup> Finally, with respect to chemical disclosure, the EPCRA already requires the maintenance of material safety data sheets for fracturing chemicals at oil and gas sites (with certain trade secret exemptions)<sup>95</sup> and does not indicate an intent to preclude other disclosure regulations implemented by other federal agencies.

*B. Federal environmental statutes are structured in a manner that anticipates that activities will be regulated under certain statutes and exempted from others.*

The argument that an exemption of an activity from one environmental statute exempts it from similar protections under other statutes administered by other agencies cuts against the very purpose of having

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<sup>87</sup> H.R. REP. NO. 93-1185 at 32 (1974), as reprinted in 1974 U.S.C.C.A.N. 6454, 6494.

<sup>88</sup> States have argued that the SDWA is the only Act under which the injection of substances may be regulated based on one line from a federal case. That case states, "[I]t is clear that Congress dictated that *all* underground injection be regulated under the [SDWA]." *Legal Envtl. Assistance Found., Inc. v. U.S. Envtl. Protection Agency*, 118 F.3d 1467, 1474 (11th Cir. 1997). This statement does not indicate that *only* the SDWA may regulate underground injection. Rather, it indicates that all underground injection activities are subject to the SDWA. The case does not address whether underground injection activities might also be subject to other federal acts, particularly when injection occurs on federal lands.

<sup>89</sup> See Ground Water Protection Council, *supra* note 64; Wiseman, *Risk and Response*, *supra* note 49 (describing state casing and cementing regulations).

<sup>90</sup> See *supra* note 24.

<sup>91</sup> See, e.g., H.R. REP. NO. 93-1185, *supra* note 87, at 1 ("The purpose of the legislation is to assure that water supply systems serving the public meet minimum national standards for protection of public health.")

<sup>92</sup> Regulatory Determination, *supra* note 76, at 25,456.

<sup>93</sup> The EPA indicated that it would help the states improve their oil and gas waste regulations. Regulatory Determination, *supra* note 76, at 25,456. As discussed in Part IV of this testimony, state oil and gas regulations still vary and might leave gaps.

<sup>94</sup> 40 C.F.R. §§ 435.50, 435.52 (2013).

<sup>95</sup> 2 U.S.C. §§ 11021–11022 (2012); 29 C.F.R. § 1910.1200(i) (2013).

varied federal statutes that address discrete issues, as implemented by various agencies with various missions. For example, some discharges of waste do not count as “solid waste” under RCRA, which regulates the generation, transport, and disposal of waste, because these discharges are instead regulated under the CWA.<sup>96</sup> Indeed, certain environmental statutes contain an explicit “anti-duplication” provision; in one case a federal district court noted that the “the pollution discharges at issue in this case are exempted from the coverage of the Recovery Act because they are instead regulated by the Clean Water Act.”<sup>97</sup> In the oil and gas context, despite the RCRA subtitle C exemption for oil and gas E&P wastes,<sup>98</sup> an oil and gas operator that causes contamination of land with certain oil and gas E&P wastes is liable for the costs of clean-up under the Comprehensive Environmental Response, Compensation, and Liability Act.<sup>99</sup> And if the BLM is concerned that management of these wastes would contaminate these public lands and prevent their future productive use for grazing or other purposes (and generate CERCLA liability), it may regulate the management of these wastes under its FLPMA and MLA responsibilities.

*C. Federal environmental statutes aim primarily at private actors and do not comprehensively address the unique responsibilities of federal agencies to protect public natural resources.*

The CWA, SDWA, Clean Air Act, and other federal environmental statutes primarily address the many corporations and other entities that engage in profitable activity while also producing externalities in the form of pollution. These acts were not designed with the primary intent of addressing additional responsibilities of federal agencies managing activities that occur on *public* lands—lands that the agencies must manage for multiple uses for current and future generations. There are, as a result, numerous examples of activities that are exempt from at least one federal environmental statute but are regulated by the BLM. For example, the CWA exempts soil runoff from certain agricultural and timber harvesting operations from certain CWA requirements administered by the Environmental Protection Agency and states.<sup>100</sup> However, the BLM regulates soil runoff from farming, ranching, or certain timber harvesting to protect waters and federally-protected endangered species in those waters.<sup>101</sup> Indeed, a failure of the BLM to regulate the environmental impacts of these activities might violate Congressional directives for the agency, which require, *inter alia*, regulation of land use to protect environmental resources.<sup>102</sup> Similarly, a failure of the BLM to regulate the environmental impacts of oil and gas extraction on public lands, simply because certain aspects of oil and gas extraction are exempt from the SDWA, RCRA, and other federal acts, would be an abdication of the BLM’s statutorily-defined responsibilities on public lands.

**V. The HF Rule does not duplicate state regulations and will augment state regulation and enforcement in useful ways.**

In addition to providing important environmental protection and following statutorily-defined duties to enable multi-use development of public lands, the HF Rule beneficially augments state regulation of oil and gas development, including fracturing. The rule provides an important overlay above various (and

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<sup>96</sup> 42 U.S.C. § 6903(27) (2012); *see also* Sheldon M. Novick & Donald W. Stever, ENVTL. L. INST., 2 LAW OF ENVIRONMENTAL PROTECTION § 14:32 (2015) (discussing this exemption and noting that “[t]he boundaries between RCRA and other statutes are marked by a series of exclusions from the definition of ‘hazardous waste.’”).

<sup>97</sup> *Jones v. E.R. Snell Contractor, Inc.*, 333 F.Supp.2d 1344, 1350 (N.D. Ga. 2004).

<sup>98</sup> *Regulatory Determination*, *supra* note 92.

<sup>99</sup> 42 U.S.C. § 9607(a) (2012).

<sup>100</sup> *See* 33 U.S.C. § 1342(l) (2012) (exempting from the Clean Water Act National Pollutant Discharge Elimination System permitting requirement “silviculture activities,” including “harvesting operations,” and “agricultural return flows”); 33 U.S.C. § 1362(14) (2012) (exempting from the definition of a “point source” of pollution “agricultural stormwater discharges and return flows from irrigated agriculture”). These sources are regulated as nonpoint sources, particularly where a total maximum daily load has been established for a water into which the sources discharge.

<sup>101</sup> *See, e.g.*, Bureau of Land Mgmt., U.S. Dep’t. of the Interior, Draft Resource Management Plan/Environmental Impact Statement: Western Oregon at 3-908 (2015), *available at*, [http://www.blm.gov/or/plans/rmpswesternoregon/files/draft/RMP\\_EIS\\_Volume3.pdf](http://www.blm.gov/or/plans/rmpswesternoregon/files/draft/RMP_EIS_Volume3.pdf) (in management directions for forested lands and timber harvesting, prohibiting mechanical treatments on “steep slopes” or “sensitive soils” to protect “[p]erennial and fish-bearing streams”).

<sup>102</sup> *See supra* Part II of this testimony.

variable) state requirements. The portions of the HF Rule that are not more stringent than existing state and tribal regulations will likely not require variances<sup>103</sup> because BLM rules already serve as a floor, not a ceiling, to state rules.<sup>104</sup> And the HF Rule portions that are more stringent than state regulations protect important federal values without imposing a one-size-fits all approach. For example, if the BLM determines that well integrity was compromised during fracturing or that cement in the well was inadequate, a remediation strategy will be formed on a case-by-case basis.<sup>105</sup>

Several portions of the BLM rule demonstrate how the rule is more stringent than certain state requirements and less stringent than others, thus revealing the variability of state regulations that currently apply to oil and gas operations. For example, Colorado requires operators to run a cement bond log—a specific type of cement evaluation log—when operators use certain types of casing,<sup>106</sup> and New Mexico requires these logs in some counties.<sup>107</sup> Other states do not require these logs.<sup>108</sup> But in states where evaluation logs have been required, oil and gas development does not appear to have been inhibited.<sup>109</sup> Thus, the HF Rule provides a consistent requirement for fracturing on federal lands without imposing an unduly burdensome requirement.

In another example of a portion of the HF Rule that is equally as stringent as certain state regulations and more stringent than others, the rule (as discussed above) generally requires the use of tanks for the storage of flowback,<sup>110</sup> subject to certain exceptions. Colorado requires operators to use tanks for drilling and/or fracturing within a certain number of feet of a public water system,<sup>111</sup> and New Mexico allows pits but requires operators using pits to obtain a permit and to follow specific siting, construction, and operational guidelines for pits or tanks.<sup>112</sup> Although Utah does not appear to require tanks for flowback, the state requires oil and gas operators to “[m]aintain [flowback] tanks in a workmanlike manner that will preclude leakage and provide for all applicable safety measures . . . .”<sup>113</sup>

To the extent that portions of the HF Rule duplicate state or tribal requirements, operators have several options. A variance may be granted (or may be unnecessary) if the state or tribal rule meets or exceeds the objectives of BLM regulation. Further, because most of the HF Rule requirements are informational—requiring information about geology, fracturing chemicals used, and cement evaluation logs prepared, for example—operators can meet any duplicative state requirements by submitting the same information to the BLM and to the state or tribe.<sup>114</sup> Indeed, the HF Rule requires much of the information to be submitted through the website FracFocus, just as many states do. By inputting information into FracFocus, the operator will comply simultaneously with certain state, tribal, and federal requirements.

Just as the HF Rule provides consistent requirements for drilling and fracturing on federal lands above varied state requirements, the BLM’s enforcement resources can help complement what are often limited state enforcement resources. In a number of states, inspectors have done an admirable job of

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<sup>103</sup> Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands, *supra* note 2, at 16,221.

<sup>104</sup> Second Declaration of Steven Wells ¶ 22, Wyoming v. U.S. Dept. of the Interior, No. 2:15-CV-43-SWS (D. Wyo. June 12, 2015).

<sup>105</sup> Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands, *supra* note 2, at 16,219-16,220.

<sup>106</sup> 2 COLO. CODE REGS. § 404-1:317(p) (2015).

<sup>107</sup> N.M. ADMIN. CODE R. §§19.15.39.8, 19.15.39.9 (2015).

<sup>108</sup> For example, Utah requires well completion or recompletion reports but does not appear to require a specific cement evaluation log. UTAH ADMIN CODE R. § 649-3-21 (2015). It appears that Wyoming only requires a description of the cementing program. WYO. RULES AND REGS., OIL GEN. CH. 3 § 8(c)(8).

<sup>109</sup> For natural gas wells alone, in 2014 Colorado had 32,371 producing gas wells, and New Mexico had 27,957 producing gas wells. Energy Info. Admin., Number of Producing Gas Wells, [http://www.eia.gov/dnav/ng/ng\\_prod\\_wells\\_s1\\_a.htm](http://www.eia.gov/dnav/ng/ng_prod_wells_s1_a.htm) (last visited July 5, 2015).

<sup>110</sup> Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands, *supra* note 2, at 16,220.

<sup>111</sup> 2 COLO. CODE REGS. § 404-1:317B (2015).

<sup>112</sup> N.M. ADMIN. CODE R. § 19.15.17.9 (2015).

<sup>113</sup> UTAH ADMIN CODE R. § 649-3.1.2.4 (2015).

<sup>114</sup> For example, Wyoming (like the BLM in its HF Rule) requires information on the geologic formation into which well stimulation fluids will be injected, well stimulation design including anticipated pressures, the base fluid for fracturing, and chemicals used in fracturing. WYO. RULES AND REGS., OIL GEN. CH. 3 § 45(c)-(e) (2015).

visiting more well sites and noting potential violations of state laws at these sites in the midst of a drilling and fracturing boom. But state resources are limited, in part due to funding limitations. For example, in 2012 Colorado had approximately 36 oil and gas inspectors and 49,062 active conventional and unconventional oil and gas wells, whereas New Mexico had approximately 12 inspectors for 56,366 active conventional and unconventional wells.<sup>115</sup> The most important inspections occur during the drilling, completion, and fracturing of the well, and a far smaller number of wells are drilled, fractured, and completed each day than the total number of active wells listed. But active, producing wells, too, can cause environmental problems, such as leaking oil, condensate, or produced water from tanks<sup>116</sup> or from on-site equipment that does minimal processing.<sup>117</sup> Thus, inspectors' time must be split between wells being drilled, completed, and fractured and those under production, and enforcement resources are often thin. States often fund oil and gas enforcement programs through permitting fees and other fees, and where these fees are statutorily prescribed, they have in some cases not been adjusted for inflation for many years.<sup>118</sup> As a result of these and other state deficiencies, "[e]nforcement rates for spills and other shale gas waste pollution incidents are low, and the punishment may not be deterring risky behavior."<sup>119</sup>

While the BLM, too, has limited enforcement resources,<sup>120</sup> combining the expertise and resources of the BLM with states can help to ensure that wells on federal lands are regularly inspected and that violations—which can sometimes result from vandalism, weather, or other issues beyond the direct control of the operator—are quickly and effectively addressed. Between Fiscal Year 2007 and 2012, the BLM increased the number of environmental inspections of wells “by approximately 63 percent” and conducted a total of 17,866 environmental inspections in Fiscal Year 2012.<sup>121</sup>

## Conclusion

The BLM's HF Rule provides a needed update to federal oil and gas rules that have not kept up with rapid changes in U.S. oil and gas development. The BLM has long regulated the casing and cementing of wells, storage of oil and gas wastes, and provision of data to federal authorities to follow its statutory requirements—namely, to ensure that oil and gas development is compatible with other uses of federal lands for current and future generations and to protect water and environmental resource values, among other values. The HF Rule further achieves these goals. Primarily through informational requirements, the rule informs BLM officials about potential problems with wells, such as wells drilled in areas with old wells—which could pose a risk if fracturing intercepted other wells—and wells that have inadequate cement to secure casing and prevent leakage of substances from and into the well. The rule augments rather than conflicts with other federal requirements, fulfilling agency-specific mandates that are not contained within other federal environmental statutes. The HF Rule also complements and improves upon state requirements and provides a variance provision in the event that duplicative informational rules—which could simply require an operator to submit the same report to a state and federal official—are deemed onerous and unnecessary.

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<sup>115</sup> Hannah Wiseman, *Regulatory Risks in Tight Oil and Gas Development*, 29 NAT. GAS & ELECTRICITY 6 (2012).

<sup>116</sup> ENVTL. PROTECTION AGENCY, ASSESSMENT OF THE POTENTIAL IMPACTS, *supra* note 55, at 7-31 through 7-36.

<sup>117</sup> See, e.g., Bradford Cty., Pa., API Permit 015-20425, Violation ID 600818, Dec. 2, 2010 (“Orange liquid seeping [*sic*] out from underneath separator [*sic*] and heater treater.”); Washington Cty., Pa., API Permit 125-22688, Violation ID 619012, June 28, 2011 (noting brine/condensate leak from separator).

<sup>118</sup> See Hannah J. Wiseman, *The Capacity of States to Govern Shale Gas Development Risks*, 48 ENVTL. SCI. & TECH. 8376, 8384 (2014).

<sup>119</sup> Katherine E. Konschnick & Mark K. Boling, *Shale Gas Development: A Smart Regulation Framework*, 48 ENVTL. SCI. & TECH. 8404, 8409 (2014). See also Terrence J. Centner & Laura Kathryn O'Connell, *Unfinished Business in the Regulation of Shale Gas Production in the United States*, 476-477 SCI. TOTAL ENV'T 359, 364 (2014) (noting that “some governments are placed in an uncomfortable position of having laws and regulations to protect people but an inadequate infrastructure for the enforcement of the requirements”).

<sup>120</sup> U.S. GOVT. ACCOUNTABILITY OFFICE, OIL AND GAS DEVELOPMENT, GAO-13-572, BLM NEEDS BETTER DATA TO TRACK PERMIT PROCESSING TIMES AND PRIORITIZE INSPECTIONS (2013), available at <http://www.gao.gov/assets/660/657176.pdf>.

<sup>121</sup> *Id.* at 30.

**Tom Fitzsimmons, PE,**  
**Commissioner, Wyoming Oil and Gas Conservation Commission**  
**COMMITTEE ON NATURAL RESOURCES**  
*“The Future of Hydraulic Fracturing on Federally Managed Lands”*

**July 15, 2015**

Chairman Lamborn, Ranking Member Lowenthahl and Members of the Committee: thank you for the opportunity to appear before you today.

I serve as a Commissioner on the Wyoming Oil and Gas Conservation Commission as well as Chairman of the Wyoming Enhanced Oil Recovery Commission. When not serving in these roles, I provide expert witness testimony in business and technical matters concerning the oil and gas industry. Prior to my involvement in the state commissions, I was actively involved in fracturing several hundreds of oil and gas wells as a producer and service provider. I have over 32 number years in the oil and gas industry in Wyoming, Montana and across the west.

The State of Wyoming, through the Wyoming Oil and Gas Conservation Commission (hereinafter WOGCC), has in place a comprehensive and time-tested hydraulic fracturing regulatory program. Implemented in 2010, Wyoming’s Hydraulic Fracturing rule has been modelled by other state regulatory agencies and has been referred to by the Secretary of the Interior as a “standard” for other states to follow. The Bureau of Land Management (BLM) hydraulic fracturing rule that was set to become effective last month is unnecessary and is a threat to our state’s economy.

**State Agencies are Best Suited to Manage Hydraulic Fracturing**

Successful regulatory oversight hinges upon a focused approach. As mentioned, Wyoming’s rule on hydraulic fracturing is comprehensive. From the Rule’s inception, it was designed to be robust. It requires disclosure and covers many aspects of well stimulation including, but not limited to, ground water protection through downhole design and testing and baseline groundwater testing for chemical additives. In addition, the WOGCC governs the recovery of resources so that oil and gas is optimally developed with the guiding principle and legislative mandate to avoid waste.

Wyoming’s cohesive team of industry experts reside in a single office overseen by the Commissioners, located in the center of Wyoming. The team, led by Oil and Gas Supervisor, Mark Watson is experienced, and efficient. The Wyoming team understands the regional oil and gas potential made possible through technologies such as enhanced oil recovery while balancing the needs of the environment and responsible development. In contrast, the BLM has 10 field offices located across many miles in Wyoming – each staffed to serve a wide variety of needs – but not focused to regulate hydraulic fracturing. This is not a condemnation of BLM staff, but rather an insight of the value in allowing the

states to apply a focused, local approach to regulation as opposed to disjointed federal agency lead by Washington DC that promotes a “one size fits all approach”.

BLM’s draft resource management plan for the Big Horn Basin contained, in my opinion, had two critical flaws when it was released. The flaws were: 1) the pipeline corridor infrastructure was not tied to adjoining basin pipeline corridors; and 2) the BLM failed to recognize almost 2.0 billion barrels of reserve potential through enhanced oil recovery. These flaws were errors of omission due to lack of focus, time and industry expertise in the agency at every level.

The lack of focus and expertise within the BLM results in long delays in the permitting process. Although the cost of permitting for a federal APD is 190 times higher than the cost of a state permit, it still takes two to five times longer to approve a federal APD. With the addition of the BLM’s Hydraulic Fracturing rule, we can only expect permitting delays to increase even more. Further, the lack of regulatory focus has many operators shifting their investment to fee and state managed minerals. As mentioned above the legislative mandate of the WOGCC is to minimize waste. Sparse development on federal minerals will result in waste. Promoting waste through developing more unnecessary bureaucratic “red tape” through unnecessary rules is not the way to best develop America’s abundance of oil and natural gas or maximize revenue for the federal government for the benefit of all American citizens.

### **Confusion in Regulatory Authority Results in Avoidance of Mineral Development**

Michael Madrid (BLM Deputy State Director for Minerals) testified before the Legislature’s Select Committee on Federal Natural Resource Management on July 9, 2015 in Cheyenne, WY. Mr. Madrid conceded that it would be very difficult to manage Hydraulic Fracturing rules by two agencies on the same well. We should listen to the people who are on the front line of this issue. Overlapping rules complicates development when the permitting and the reporting process are doubled. Other challenges that create confusion include;

The possibility exists for the BLM to disapprove a hydraulic fracture stimulation already approved by the WOGCC simply because portions of the Wyoming approved procedure may differ from the BLM rule even though certain portions of the Wyoming rule exceeded BLM requirements.

When it comes to chemical disclosure and trademark protection, Wyoming has a well-thought-out approach that allows service companies to prequalify their trade secret products before being used on a fracture treatment. Wyoming’s single application process is efficient for both the state and the industry. In contrast, the BLM process presents a risk to service companies that their proprietary information may be compromised if the trade secret status is rejected after the fact, leaving no recourse other than litigation to protect proprietary information.

Further, the BLM rules will require that the operator submit a new and complete trade secret request for each hydraulic-fracture-treatment, in which a trade secret protected product is used, even if they

have previously submitted numerous trade secret requests for that same product. This requirement places an unnecessary data management burden on all involved with no additional benefit. The objective of this requirement could be managed more efficiently. All of this uncertainty results in fewer companies willing to risk their investment on development of federal minerals. The economic impacts to the State of Wyoming and its cities, towns and counties will be profoundly negative and can be avoided.

### **Prevention of Waste is Vital**

The Wyoming Oil and Gas Conservation Commission is well known for its transparency of lease, production and well data presented on an easy to use web platform. This platform allows oil and gas operators to evaluate other offset wells and thus improve their practices. For example, this transparency enables an engineer to learn from competitors and improve well performance which results in higher ultimate recovery from future wells. The BLM's hydraulic fracturing rule fails to consider the need for combining fracture treatment data with production performance. This oversight will make it nearly impossible to analyze the large volumes of data associated with production and well construction.

### **HF Regulation Should be at State Level**

For all these reasons, the members of the Wyoming Oil and Gas Conservation Commission believe it has effective hydraulic fracturing regulations in place that are carried out by highly skilled professionals who solely focus on these important matters as public servants. Wyoming's state regulations aim to protect our environment, maximize recovery of resources and promote responsible development. In addition, our baseline water testing requirements and chemical additive disclosure regulations help ensure public safety. The BLM rule is unnecessary, lacks focus and fails to adequately promote responsible development. Wyoming has been a leader in the regulation of Hydraulic Fracturing. Wyoming's state rules were developed by industry, government, conservationists as well as other stakeholders working side by side to find the right balance. It is critical that the federal government defers jurisdiction to states with rules similar to Wyoming's to ensure timely development with reduced waste and confusion.

Thank you for the opportunity to appear before you today and I look forward to your questions.

Respectfully,

Tom Fitzsimmons  
Commissioner  
Wyoming Oil and Gas Conservation Commission

**From:** Rep. Mike Thompson  
**To:** [Lance\\_Maniscalco@blm.gov](mailto:Lance_Maniscalco@blm.gov)  
**Subject:** News From California's 5th District  
**Date:** Tuesday, July 14, 2015 11:33:45 AM



July 14, 2015



Dear Friend,



This past month the Supreme Court released two monumental decisions on the same sex marriage and the Affordable Care Act (ACA).

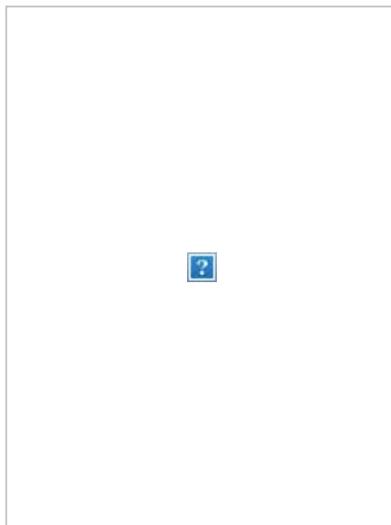


In *King v. Burwell*, the Supreme Court once again ruled that the ACA is constitutional, upholding that all Americans, no matter where they live, can access premium tax credits for quality, affordable health care. Since the ACA was passed, we have spent far too much time fighting over the law, both in Congress and in the courts. This ruling should settle once-and-for-all that the ACA is the law of the land. With this decision now behind us, and the ACA standing on firm constitutional ground, we need to begin working across the aisle to build on the law's important reforms so that all Americans can have access to quality, affordable health insurance.

Then, in a major victory for equality, the Supreme Court ruled that same-sex couples have a constitutional right to marry nationwide. People should be able to marry the person they love. Our country is a better and more equal place because of this ruling.

### **Charleston Shooting**

This past month, our nation also witnessed an act of pure hatred and evil in Charleston, South Carolina. Nine lives were cut short when a gunman opened fire during a bible study at an historic black church. I was proud to represent our district in Charleston, South Carolina as we honored those whose lives were tragically cut short in the horrific shooting.



This is a time to mourn the victims, to pray for their families, and for a community to heal. It's also time for Congress to come to grips with the fact that the unchecked and widespread gun violence we too often see in our country is both unacceptable and preventable.

30-plus people are killed every day by someone using a gun. Mass shootings are becoming almost commonplace. And yet we continue to do nothing. No legislation will stop every tragedy. But passing commonsense gun laws will at least stop some.

We should start by expanding background checks. It's our first line of defense against criminals & the dangerously mentally ill getting guns. A recent poll released by Public Policy Polling indicates that Americans want commonsense laws that keep guns away from criminals and the dangerously mentally ill. In fact, 90 percent of those polled support criminal background checks.



We don't know what laws, if any, could have prevented the shooting in Charleston. But we do know that every day background checks stop more than 170 felons and some 50 domestic abusers from buying a gun. We know they help keep guns from dangerous people – and that saves lives.

It's time to bring commonsense, bipartisan reforms like my bill to expand criminal background checks up for a vote.

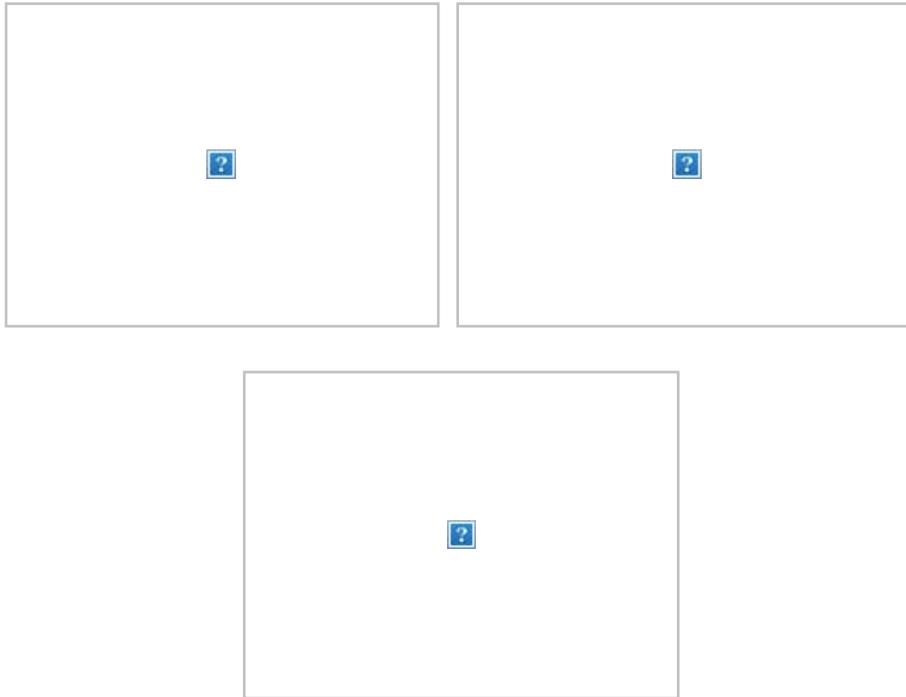


### **Events and News around the District**

This month, I had the special honor of presenting long overdue service medals to fellow Vietnam veterans James Hilderbrand of Benicia and John Allen of Santa Rosa. James served in the Air Force where he was assigned to U-Tapao Air Base, Thailand to support combat missions flown into Vietnam from 1971-1973. John joined the Navy in 1967 and was in Vietnam in 1969 during which time he served on three ships – two ships which were in the rivers of Vietnam and a repair ship. Many thanks to James, John, and all of our veterans for their brave service.



I also had an excellent time at the Napa Valley Horsemen's Association Mustang Day. This is a special community event where families and children can come see some beautiful horses, learn a little history and have a lot of fun. Many thanks to the Napa Valley Horsemen's Association – the oldest running horse club in California – for all of their work. This Mustang Day is unique for two reasons. First, this is the first time that the Mustangs themselves were available for adoption in Napa. And second, the training the Mustangs have received is one-of-a-kind. Through a partnership between the Bureau of Land Management and the Sacramento County Sherriff's office, inmates at Rio Cosumnes Correctional Center take wild horses and provide them with initial training. Through this training they make the animals easier to handle for adopters. Not only does this program provide inmates with job skills that translate to the outside world, it helps make sure horses are adoptable, can find good homes, and have good lives.



Once again, Martinez's King of the County BBQ was fantastic. Many thanks to all those who make this wonderful community event possible.



I attended the [Congressional Sportsmen's Foundation](#) 2nd Annual 'California Wine, Wings & Wildlife,' event in Sonoma County. As an outdoorsman and two-time chair of the Congressional Sportsmen's Caucus, the foundation is close to my heart. They care deeply and work tirelessly to protect our outdoor traditions by preserving our open spaces, and I am proud to support their efforts. I also attended the California Waterfowl 24th Annual Rodeo/Crockett Steak & Prawn Feed about the importance of preserving our outdoor heritage. Many thanks to all of those who came out to support our conservation efforts, and to California Waterfowl for honoring all the veterans in attendance. This is my first waterfowl event since becoming the first representative on the Migratory Bird Commission from the Pacific Flyway.



I had the great pleasure of presenting a U.S. Flag flown over the Capitol in Washington, D.C. to NASCAR star and Vallejo's own Jeff Gordon. Many thanks to Jeff for all he does to give back to our community.



I was proud to be a part of Vallejo's annual Juneteenth celebration, a wonderful event that commemorates Emancipation Day, Freedom Day, and the first victory in a long fight towards equality that we are still waging today. I will continue working with people in our community to make sure all Americans have equal opportunities to vote, to graduate, get a job, buy a house and save for retirement, and to walk through their communities without becoming a victim of violent crime or the target discrimination.



It was an honor to attend the Scholarship Gala hosted by the Sonoma County Hispanic Chamber of Commerce. Congratulations and thank you to the Sonoma County Hispanic Chamber of Commerce and everyone who helped make the event a wonderful success. Special thanks to the Diaz brothers of McFarland USA fame for being there to share their story with all of us. The brilliant, and sure to be successful, scholarship recipients will make us all proud!



It was a pleasure to tour two businesses in the district, Benicia Fabrication & Machine Shop and Rankin Performance Machine in Martinez. Benicia Fabrication & Machine Shop is a great business in our district specializing in the repair, maintenance and new construction of pressure vessels, heat exchangers, and other industrial equipment. Rankin Performance Machine is a full-service engine restoration machine shop. Thank you to our local businesses and all they do for our community.



Finally, it was a great honor to celebrate 10 years of fantastic work by the Children’s Health Initiative (CHI), who is working to achieve 100 percent, universal health care coverage for kids in Napa County. In the last ten years, CHI successfully completed more than 16,000 health insurance applications – increasing enrollment for previously uninsured Napa County children by nearly 80 percent. Every year, CHI successfully enrolls 1,500 new children and re-enrolls 4,500 children. Not only is this great for our kids, it’s great for our economy and broader health care costs. Had these children been uninsured, it would have cost our community \$27 million in uncompensated care. Congratulations to CHI on 10 years of outstanding work.



### **My Legislation**

As chair of the House Gun Violence Prevention Task Force, I introduced the *Safer Communities Act of 2015* (H.R. 2994), legislation aimed at reducing and preventing gun violence by keeping guns away from people we all agree should not have them. While those suffering from mental illness are far more likely to be victims than perpetrators of violent crimes, we must recognize that improving our mental health system, and keeping firearms from those with other risk factors such as a history of substance abuse disorders and violence, goes hand-in-hand with reducing and preventing gun violence. By improving intervention services, boosting evidence-based research, and giving our law enforcement officers more tools to get guns out of dangerous hands, we can make our country safer and get people the help they need, while also respecting the rights of law-abiding gun owners.

This month, along with Paul Gosar (R-AZ), Trent Franks (R-AZ), Joe Heck (R-NV), Jared Polis (D-CO) and Raul Ruiz (D-CA), I introduced bipartisan legislation called the *Public Lands Renewable Energy Development Act* that would remove unnecessary red tape and streamline renewable energy projects on public lands. This bill will help put Californians back to work and further support an all-the-above energy approach.

Additionally, I introduced the *Medicare Secondary Payer and Workers' Compensation Settlement Agreement Act*, which is intended to protect injured workers whose compensation claims overlap with Medicare coverage. Unfortunately, these claims are frequently subjected to lengthy and roundabout reviews by the Centers for Medicare and Medicaid Services (CMS) to determine appropriate amounts to pay for future medical costs. Bureaucratic red-tape shouldn't keep hardworking Americans from getting the money they need to cover their costs following a work-related injury. Injured workers deserve peace of mind and the system needs to work quickly and seamlessly.

I also re-introduced bipartisan legislation to level the energy playing field by giving investors in renewable energy projects access to a corporate tax structure that is currently available only to investors in fossil fuel-based energy projects. By treating renewable energy the same way we do oil and gas, we can create jobs, strengthen our national security, reduce our dependency on foreign oil and move closer to energy independence.

I introduced H.R. 2948, the Medicare Telehealth Parity Act of 2015. The bipartisan legislation will expand coverage of telehealth services under Medicare by putting them on the path toward parity with in-person health care visits. By passing this commonsense bill we can expand telehealth services and make sure the best care and the best treatments are available to all Americans, no matter where they live.

Finally, I introduced the *Furthering Access to Stroke Telemedicine (FAST) Act*, which expands access to stroke telemedicine (also called "telestroke") treatment in Medicare. This bill will save lives by allowing stroke patients to be treated quickly via telemedicine no matter where they are located.

### **This Month in Congress**

This month, the State of South Carolina removed the Confederate battle flag from its Capitol grounds. I commend the state legislators for this bold step. Unfortunately, House Republicans in Washington, D.C. are moving in the opposite direction by offering legislation that would preserve this racist flag on our federal lands. The Confederate battle flag is a symbol of hatred and division. It has no place in our society.

On June 18h, I voted NO on the House's Trade Promotion Authority legislation. American workers deserve a stronger deal than the "fast track" bill that passed the House. We should do all we can to grow exports because it means more jobs, but it cannot be done at the expense of American workers, health and safety, and the environment. I will continue pushing for a strong, fair trade deal that grows our economy and creates good American jobs.

I was honored, along with Scott De Leon of the Lake County Water Resources Department, at the second annual Reduce Risks from Invasive Species Coalition (RRISC) Congressional Reception and Awards Program. I received the "Outstanding Leadership by an Elected Official in Protecting America's Environment and Energy Award" while Scott received the "Outstanding Achievement by a Local Government Agency" award.



I spoke outside the U.S. Capitol about the importance of the Land and Water Conservation Fund (LWCF), which expires in less than 100 days. Since the program was established 50 years ago, \$10 million of LWCF funds have protected more than 18,000 acres of land in our district alone, providing recreational opportunities, supporting outdoor recreation and tourism, protecting critical habitat for endangered species,

and preserving pristine habitats for future generations to explore. Congress shouldn't let the sun set on this important program.



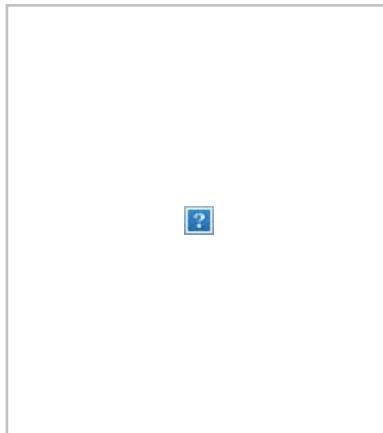
### **Important Funds for our Communities**

This month, I was pleased to announce a \$730,000 water conservation grant for Los Carneros Water District. The grant will go towards funding the water district's Irrigation Efficiency Partnership Project, which will help conserve water during one of the most severe droughts in our state's history. The grant will fund projects designed to help users avoid waste and increase efficiency, such as the installation of technologically advanced metering, monitoring and reporting systems.

Additionally, I announced a \$10,856,088 U.S. Department of Health and Human Services (HHS) grant for Child Start, Inc., which will be used to provide Head Start and Early Head Start services to children and families throughout Napa and Solano Counties. The services provided through Child Start, Inc. make sure our kids have a foundation for success that's rooted in education and strong, healthy development. I am proud to support Child Start, Inc. and this grant which will allow them to continue doing great work in our community.

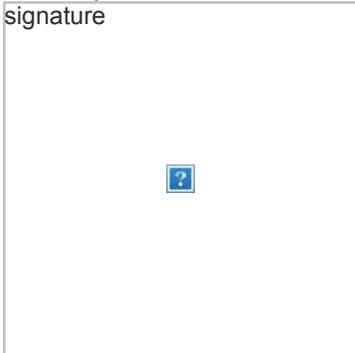
### **Final Word**

I hope everyone had a happy and safe Independence Day. It was great seeing so many people in our community at parades in Penngrove, Hercules, Napa and Benicia!



As always, it is a privilege to represent the district I am fortunate enough to call my home. Thank you for staying updated and please look for my newsletters in the months to come.

Sincerely,  
signature



Mike Thompson  
Member of Congress

WASHINGTON, DC OFFICE

NAPA DISTRICT OFFICE

VALLEJO DISTRICT  
OFFICE

SANTA ROSA DISTRICT  
OFFICE

**From:** Moran, Jill  
**To:** [Schafle, Matt](#); [Bill.Cooper@mail.house.gov](mailto:Bill.Cooper@mail.house.gov); [Vecera, Andrew](#); [MacGregor, Kate](#); [Lewis, Emily](#); [Steve Feldgus](#)  
**Cc:** [Lara Douglas](#); [Patrick Wilkinson](#)  
**Subject:** BLM Testimony; 7/15 HNR s/c Energy and Mineral Hearing  
**Date:** Tuesday, July 14, 2015 7:01:41 PM  
**Attachments:** [BLM HF testimony july 15 Hearing FINAL.docx](#)

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All,

Attached is the BLM's testimony for tomorrow's oversight hearing on, "The Future of Hydraulic Fracturing on Federally Managed Lands."

Thank you,  
Jill

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Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

**Statement of  
Neil Kornze  
Director  
Bureau of Land Management, U.S. Department of the Interior  
House Natural Resources Committee  
Subcommittee on Federal Lands**

**“Bureau of Land Management’s Final Hydraulic Fracturing Rule”**

**July 15, 2015**

Chairman McClintock, Ranking Member Tsongas, and Members of the Subcommittee, thank you for the opportunity to discuss the Bureau of Land Management’s (BLM) final hydraulic fracturing regulations and their application to Federal, tribal, and Indian trust mineral resources. The BLM oil and gas program’s highest priority is ensuring that the operations it authorizes on public and tribal lands are safe and environmentally responsible. This rule is critical to meeting that responsibility as we continue to offer millions of acres of public land for minerals development each year.

The BLM’s rule establishes a consistent set of requirements designed to prevent problems in these complex hydraulic fracturing operations before they occur. It also will provide as much information as possible to the public about these operations that affect their public lands. The goals of the rule – safe and environmentally responsible operation and resource protection – are goals that we know the BLM shares with industry, states, tribes, and the American public. The expertise brought to these issues by those who participated in the rulemaking process was essential to producing a rule that will achieve these goals, and we are very appreciative of the time and skill invested by all concerned.

**Background**

The BLM is responsible for protecting the resources and managing the uses of our nation’s public lands, which are located primarily in 12 western states, including Alaska. The BLM administers more land – over 245 million surface acres – than any other Federal agency. The BLM also manages approximately 700 million acres of onshore Federal mineral estate throughout the nation, including the subsurface estate overlain by properties managed by other Federal agencies such as the Department of Defense and the U.S. Forest Service. In addition, the BLM, together with the Bureau of Indian Affairs (BIA), provides permitting and oversight services under the Indian Mineral Leasing Act of 1938 to approximately 56 million acres of land held in trust by the Federal government on behalf of tribes and individual Indian owners. The BLM works closely with surface management agencies, including the BIA and tribal governments, in the management of these subsurface resources. We are also mindful of our agency’s responsibility for stewardship of public land resources and Indian trust assets that generate substantial revenue for the U.S. Treasury, the states, tribal governments, and individual Indian owners.

In support of President Obama’s balanced approach to energy, the BLM is committed to promoting safe, responsible, and environmentally sustainable domestic oil and gas production in

a manner that will protect consumers, human health, and the environment, and reduce our dependence on foreign oil.

In Fiscal Year (FY) 2014, onshore Federal oil and gas royalties exceeded \$3 billion, approximately half of which were paid directly to the states in which the development occurred. In FY 2014, tribal oil and gas royalties exceeded \$1 billion with all of those revenues paid to the tribes or individual Indian owners of the land on which the development occurred.

The BLM works diligently to fulfill its role in securing America's energy future, coordinating closely with partners across the country to ensure that development of oil and gas resources occurs in the right places and that those projects are managed safely and responsibly. In recent years, the BLM has overseen a significant increase in oil production from public lands, while also supporting continued natural gas production. Oil production from Federal and Indian lands in 2014 rose twelve percent from the previous year and is now up 81 percent since 2008 – 113 million barrels per year in 2008 to 205 million barrels per year in 2014. For comparison, nationwide oil production over the same period increased 73 percent. The BLM continues to make public lands available for oil and gas development in excess of industry demand. Additionally, today the BLM has responsibility for more than 100,000 existing oil and gas wells.

### **Hydraulic Fracturing Technology**

Hydraulic fracturing involves the injection of fluid under high pressure to create or enlarge fractures in the rocks containing oil and gas so that the fluids can flow more freely into the wellbore and thus increase production. The number of wells on BLM-managed public lands and on Indian lands that are stimulated by hydraulic fracturing techniques has increased steadily in recent years. Of wells currently being drilled, over 90 percent use modern hydraulic fracturing techniques for well completion.

These new well completions are typically significantly more complex than the wells drilled in the past. Modern hydraulic fracturing operations are often considerably deeper and coupled with relatively new horizontal drilling techniques to create greater wellbore volume in the reservoir, unlike those that occurred in the past which were used on a relatively small scale, to complete or to re-complete wells. The increasingly common combination of long lateral wellbores with the types of hydraulic fracturing used today has facilitated larger-scale operations that allow greater access to oil and gas resources in shale, tight gas, coalbed methane and conventional reservoirs across the country, sometimes in areas that have not previously or only recently experienced significant oil and gas development

### **Hydraulic Fracturing Rulemaking Considerations**

The Mineral Leasing Act of 1920 (MLA), as amended, directs the Secretary of the Interior to lease Federal oil and gas resources, and authorizes her to regulate the resulting oil and gas operations on those leases. The BLM has used this authority to develop regulations governing all aspects of oil and gas operations, including requirements related to surface-disturbing activities, production measurement, and well construction. The Indian Mineral Leasing Act extends this regulatory authority and the resultant rules to Indian oil and gas leases on trust lands (except those lands specifically excluded by statute). Finally, the Federal Land Policy and Management Act of 1976 (FLPMA) directs the BLM to manage the public lands using the

principles of multiple use and sustained yield and to take any action necessary to prevent unnecessary or undue degradation. In fulfilling these objectives, FLPMA requires the BLM to manage public lands in a manner that protects the quality of their resources, including ecological, environmental, and water resources. On net, this statutory regime requires the BLM to balance responsible development with protection of the environment and public safety. The BLM works hard to ensure the appropriate balance is struck and that the applicable regulations and requirements are applied and enforced fairly and consistently across all the lands where the BLM has oversight responsibilities.

Prior to the issuance of the hydraulic fracturing rule, the BLM rules applicable to hydraulic fracturing were last updated over 30 years ago, and had not kept pace with the significant technological advances in hydraulic fracturing techniques and the tremendous increase in its use. The new rule is the culmination of four years of work by the BLM that began in November 2010 when it held its first public forum on this topic. Since that time, the BLM has published two proposed rules and held numerous meetings with the public and state officials, as well as many tribal consultations and meetings. The public comment period was open for a cumulative period of more than 210 days, during which time the BLM received and analyzed comments from more than 1.5 million individuals and groups. During this period, the BLM also studied state and tribal regulations, and consulted with state and tribal agencies, industry, and the public, including communities affected by oil and gas operations.

### **Hydraulic Fracturing Rule Requirements**

Informed by the experience of its experts and the technical expertise and concerns of state regulators, tribes, industry, and the public, the BLM's hydraulic fracturing rule strengthens its existing oversight procedures and provides all stakeholders with additional assurance that operations are being carried out safely and responsibly.

Key components of the rule include provisions for ensuring the protection of groundwater supplies through requirements related to wellbore integrity. These include the placement of competent cement barriers between the wellbore and any potentially usable water zones through which the wellbore passes, which protects groundwater both from hydraulic fracturing fluids during drilling and from hydrocarbon contamination during production. The rule requires the interim storage of recovered waste fluids from the hydraulic fracturing operation in tanks, unless, under certain restrictive circumstances, specific approval for the use of pits has been granted to the operator, in order to minimize the potential for produced water spills that puts soil, water, and wildlife at risk. Additional measures requiring companies to submit more detailed information on the geology, depth, and location of pre-existing wells prior to drilling will lower the risk of cross-well contamination, which has become more prevalent as the use of horizontal drilling has significantly increased. To increase transparency, as much of this information as possible will be made available to the public. Finally, the rule requires companies to publicly disclose information about the chemicals used in their hydraulic fracturing processes on public lands within 30 days of completing the operations, subject to exceptions for information demonstrated to be a trade secret. Any information claimed to be a trade secret can be obtained by BLM for review of that claim.

These requirements were developed based on BLM's experience and technical expertise and work done by states, tribal authorities, and industry. During the four years the BLM spent preparing the rule, it benefited from the expertise of state and tribal regulators, and many provisions of the final rule reflect existing state standards. None of these requirements impose undue delays, costs, or procedures on operators.

### **Work with States & Tribes**

The BLM has established and maintained regulations governing oil and gas operations on public lands for decades, and has worked successfully with operators, tribes and state governments to avoid duplication and delay in the enforcement and monitoring of these regulations. The ultimate implementation of the hydraulic fracturing rule will continue this longstanding practice while also ensuring the BLM satisfies its obligations to ensure federal standards are met. As explained above, the rule builds upon and updates the BLM's existing regulations to address an evolving technology, in order to provide consistent parameters for the conduct of hydraulic fracturing operations on BLM-managed public lands nationwide and Indian trust lands.

Of the 32 states with the potential for oil and gas development on federally managed mineral resources, slightly more than half have rules in place that address hydraulic fracturing, and those rules vary widely from state to state. Recognizing the expertise and experience that state and tribal authorities possess and consistent with its standard practice of ensuring the efficient implementation of its rules, the BLM had been working with states and tribes that have standards in place for hydraulic fracturing that meet or exceed those set by the BLM's rule to establish variances from those aspects of the BLM rule. That work has temporarily paused as a result of the litigation explained below. Following BLM approval of a variance, the BLM will enforce the specific state or tribal standard as part of its hydraulic fracturing regulatory program. In addition, the BLM will continue its coordination with states and tribes to establish or review and strengthen existing agreements related to oil and gas regulation and operations.

The BLM's overall intent for these coordination efforts is to minimize duplication and maximize efficiency, while also ensuring the applicable federal standards are met. As this rule is implemented, the BLM will continuously work with states, tribes, and operators to maximize coordination and efficiency.

### **Implementing the Rule**

The rule is expected to cost industry about \$11,400 per hydraulic fracturing operation on average, which equates to no more than one-quarter of one percent of the cost of drilling a well. This is a modest cost considering the typical hydraulically fractured well costs between \$5-10 million to develop, the public interest in ensuring that these operations are conducted in an environmentally sound and safe manner, and in light of the high cost of remediating contaminated aquifers. The BLM is aware that industry, states, tribes, and the public share the same goal of safeguarding local communities, water quality, wildlife, and other resources from potential harm. For this reason, the BLM rule not only incorporates requirements from existing state and tribal rules, but industry best practices as well. In many cases, operators have voluntarily undertaken the best practices reflected in the BLM's rule. The rule ensures that those practices are maintained and adopted by all. As a result, the rule achieves a cost-effective path

towards consistent permitting requirements and disclosure protocols for hydraulic fracturing operations.

The BLM has been taking a number of steps both internally and externally to prepare for the implementation of the rule in advance of its scheduled effective date. Internally, recognizing the central role wellbore integrity plays in maintaining safe operations, the BLM partnered with the Society of Petroleum Engineers to add more technical training for the BLM's engineers that emphasizes cementing and other critical aspects of hydraulic fracturing operations. The BLM will continue to offer, develop and refine these technical training modules.

Externally, the BLM has undertaken outreach efforts to states, operators, trade associations, and other interested stakeholders. The BLM State Offices have been meeting with their state counterparts, undertaking state-by-state comparisons of regulatory requirements in order to identify opportunities for variances, and to establish Memorandums of Understanding (MOUs) that will realize efficiencies and allow for successful implementation of the rule. To date, the BLM has had discussions with: the North Dakota Industrial Commission; the Wyoming Oil and Gas Commission; and the states of Alaska, California, Colorado, New Mexico, Nevada, and Utah. The BLM also gave a presentation on the rule this past May at the Interstate Oil and Gas Compact Commission's meeting. As discussed above, some activities that would actually implement the rule have been temporarily paused as a result of litigation, but BLM intends to resume them at the appropriate time.

Similarly, communication with industry has also been ongoing, but has been paused to the extent consistent with the Court's order. Our offices have reached out to local or regional industry organizations and local operators to address their questions related to the implementation process. On April 7, 2015, BLM Washington hosted a nationwide industry outreach session that over 200 people participated in to explain the rule and answer questions about its implementation. Since that time, similar sessions have been held or set up at the local level. BLM State and Field Offices have coordinated and held training opportunities with associations representing producers in Wyoming, Utah, Colorado, Montana, and North Dakota. Finally, we are also working closely with the Ground Water Protection Council (GWPC) to finalize a MOU that will ensure that the chemical disclosures provided by industry can be easily searched and downloaded from the GWPC's publicly available hydraulic fracturing database, FracFocus.

### **Legal Challenges to the Rule**

As you know, two industry associations (Independent Petroleum Association of America and the Western Energy Alliance) and a number of the States (Wyoming, Colorado, North Dakota, and Utah), and the Ute Tribe of the Uintah and Ouray Reservation have challenged the rule in the U.S. District Court in Wyoming. The Sierra Club and five other environmental organizations have intervened in that litigation to defend the rule. A separate suit was filed by the Southern Ute Indian Tribe in the U.S. District Court in Colorado. These suits are still in the early phases, and we are vigorously defending the rule and strongly believe it is clearly and fully consistent with the applicable legal authorities and consistent with the BLM's statutory obligations.

In the Wyoming litigation, the court held a hearing on June 23, 2015, on the motions of several of petitioners for a preliminary injunction. At the end of six and a half hours of testimony and argument, the court did not issue a preliminary injunction against the rule. The court did, however, postpone the effective date of the rule until the administrative record is filed by the BLM, the parties annotate their briefs with citations to the record, and the court has time to render a decision on the preliminary injunction motions. In the Colorado litigation, the court has denied the Southern Ute tribe's motion for a temporary restraining order, and has set a schedule for litigation going forward.

The BLM has been working diligently with other offices of the Department and with a contractor to prepare and file the administrative record with the Wyoming and Colorado courts, which is currently due to be filed on July 22, 2015, and August 24, 2015, respectively. In the meantime, the rule remains on hold consistent with the Wyoming Court's order until record is filed.

### **Conclusion**

The BLM's hydraulic fracturing rule provides a much-needed update to the BLM's existing regulations. It establishes commonsense standards governing modern hydraulic fracturing operations that reflect the technological advancement of the process over time. It also provides opportunities for the BLM to coordinate standards and processes with States and Tribes to reduce administrative costs and improve efficiency. These new regulations are essential to our efforts to protect the environment and local communities, while also ensuring the continued conscientious development of our federal oil and gas resources. Thank you for the opportunity to present this testimony. I will be pleased to answer any questions you may have.

**From:** Feldgus, Steve  
**To:** [Patrick Wilkinson \(p2wilkin@blm.gov\)](mailto:p2wilkin@blm.gov); [Moran, Jill](#)  
**Subject:** FW: Democrats Dismantle Flawed Republican and State Arguments Against BLM Fracking Rule, Highlight Intentional Misquotes  
**Date:** Wednesday, July 15, 2015 3:00:00 PM  
**Attachments:** [image001.png](#)

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FYI...

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**From:** Sarvana, Adam  
**Sent:** Wednesday, July 15, 2015 1:54 PM  
**Subject:** Democrats Dismantle Flawed Republican and State Arguments Against BLM Fracking Rule, Highlight Intentional Misquotes



## Democrats Dismantle Flawed Republican and State Arguments Against BLM Fracking Rule, Highlight Intentional Misquotes

**July 15, 2015**

Media Contact: Adam Sarvana  
(202) 225-6065 or (202) 578-6626

*Washington, D.C.* – At today’s Subcommittee on Energy and Mineral Resources hearing on the Bureau of Land Management’s (BLM) final rule for hydraulic fracturing operations on Federal and Indian lands, Subcommittee Ranking Member Alan Lowenthal, Full Committee Ranking Member Raúl M. Grijalva and multiple witnesses rebutted fracking rule opponents’ misleading arguments and stressed that the rule would have no impact on states with stronger fracking standards.

“The oil and gas industry is making a big deal out of nothing,” Grijalva said ahead of the hearing. “State regulations in Utah, Colorado, Wyoming and North Dakota are already stronger than BLM’s, as they pointed out in court arguments, so companies in those states can go on with business as usual. The BLM rule is so lenient that companies should be thanking BLM for issuing it. Our focus should be on the American people whose air and water are at risk of contamination, not on whether industry is getting enough special deals. House Republicans are looking out for fracking profits instead of public health and misrepresenting the debate to benefit corporate interests. It has to stop.”

States challenging the BLM fracking rule in federal court have argued that the BLM does not

have the authority to regulate fracking because of the “Halliburton loophole” inserted by Republicans in the Energy Policy Act of 2005, which exempts most hydraulic fracturing from regulation under the Safe Drinking Water Act. To make their case, states have pointed to remarks from Florida State University Professor Hannah Wiseman and then-Rep. Edward J. Markey (D-Mass.).

At today’s hearing, Wiseman said the states have taken a single line from one of her articles out of context and reiterated that the BLM’s fracking rule “has strong statutory authorization, is not precluded by other statutes, addresses known risks, and usefully complements state regulation.”

In a statement today, Sen. Markey also directly challenged the states’ interpretation of comments he made in 2005: “Only the oil industry could try to argue that the Halliburton loophole to exempt hydraulic fracturing under the Safe Drinking Water Act is not large enough. Congress didn’t write a get-out-of-any-regulation-forever-free card for fracking. Any attempt to extract any other reading out of the Congressional Record clearly fractures credulity.”

In opening remarks at today’s hearing, Ranking Member Lowenthal stated that the BLM rule “is nothing but a modest modernization of longstanding BLM regulations to take into account how the industry currently operates. [ . . . ] On federal lands, BLM sets the floor. The states are free to put the ceiling wherever they want. And, yes, even on federal lands companies must meet those state standards.”

BLM Director Neil Kornze, a witness at the hearing, pointed to BLM’s longstanding authority to regulate oil and gas on public lands, which dates back to 1920, and stated in written testimony that BLM’s existing fracking rules “were last updated over 30 years ago, and had not kept pace with the significant technological advances in hydraulic fracturing techniques and the tremendous increase in its use.”

He pointed out that under BLM’s oversight, oil production from Federal and Indian lands is [up 81 percent](#) since 2008.

# # #



# NATURAL RESOURCES

COMMITTEE • DEMOCRATS

RANKING MEMBER, RAÚL M. GRIJALVA

**From:** Feldgus, Steve  
**To:** [Gins, Meagan](#)  
**Subject:** FW: Natural Resources Democrats: Weekly Memos  
**Date:** Monday, July 20, 2015 4:24:48 PM  
**Attachments:** [FL 7-23-15 NPS Ideas Oversight Memo.pdf](#)  
[IIANA 7-22-15 Leg. Hearing Memo.pdf](#)  
[WPO 7-23-15 Leg. Hearing Memo.pdf](#)  
[FC 7-22-15 SCC Oversight Hearing Memo.pdf](#)

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**From:** Gallagher, Peter  
**Sent:** Monday, July 20, 2015 3:09 PM  
**To:** Natural Resources Dems All LAs  
**Subject:** Natural Resources Democrats: Weekly Memos

Good Afternoon LA's,

Attached please find this week's hearing memos from the Natural Resources Democrats. Includes:

- Full Committee Oversight Hearing on **Wednesday July 22<sup>nd</sup> at 10:00 AM in Longworth 1324** on: *"An Analysis of the Obama Administration's Social Cost of Carbon"*
  
- Indian, Insular and Alaska Native Affairs Subcommittee Legislative Hearing on **Wednesday July 22<sup>nd</sup> at 2:00 PM in Longworth 1334** on the following bills:
  - [H.R. 1880](#) (Rep. Michelle Lujan Grisham), To require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico. *"Albuquerque Indian School Land Transfer Act"*
  - [H.R. 2388](#) (Rep. Don Young), To reverse the designation by the Secretary of the Interior and the Secretary of Agriculture of certain communities in the State of Alaska as nonrural. *"Subsistence Access Management Act of 2015."*
  
- Federal Lands Subcommittee Oversight Hearing on **Thursday July 23<sup>rd</sup> at 10:00 AM in Longworth 1324** on: *"New and Innovative Ideas for the Next Century of Our National Parks"*
  
- Water, Power and Oceans Subcommittee Legislative Hearing on **Thursday July 23<sup>rd</sup> at 10:30 AM in Longworth 1334** on the following bills:
  - [H.R. 564](#) (Rep. Herrera Beutler), *"Endangered Salmon and Fisheries Predation Prevention Act"*
  - [H.R. 1772](#) (Rep. Carney), *"Delaware River Basin Conservation Act of 2015"*
  - [H.R. 2168](#) (Rep. Herrera Beutler), *"West Coast Dungeness Crab Management Act"*

Please remember that these memos are for the use of Committee Democratic Members and their staff only.

As a reminder, the Natural Resources Democratic Staff will be holding *our weekly LA briefing today at 4:00 PM in Longworth 1334.*

Thank you.

**Peter Gallagher**

Clerk

House Committee on Natural Resources

Ranking Member Raúl Grijalva (D-AZ)

Washington, DC 20515

202.225.6065

**Connect with the Committee Democrats:**

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**July 20, 2015**

**To: DEMOCRATIC MEMBERS AND STAFF,  
SUBCOMMITTEE ON FEDERAL LANDS**

**From: FEDERAL LANDS SUBCOMMITTEE STAFF (x5-6065)**

**RE: OVERSIGHT HEARING – July 23, 2015**

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On **Thursday, July 23, 2015 at 10:00 a.m. in room 1324 Longworth House Office Building**, the Subcommittee on Federal Lands will hold an oversight hearing entitled, “*New and Innovative Ideas for the Next Century of Our National Parks.*”

**Witnesses**

John Nau, Vice Chairman  
National Park Foundation, Board of Directors

Derrick Crandall, Counsellor  
National Park Hospitality Association

Jim Fram, President and CEO  
Greater Hot Springs Chamber of Commerce

Craig Obey, Senior Vice President  
National Parks Conservation Association

**Background**

This hearing is billed as a conversation about innovative ways to fund and operate the National Park System. With the upcoming Centennial in 2016, the majority wants to explore “Big Ideas for America’s Best Idea” with an eye on identifying methods to increase revenue from private and non-traditional sources.

Drawing nearly 300 million visitors each year, America’s national parks are a source of pride all over the country, but they have been chronically underfunded for years, leading to aging infrastructure in need of investment and repair. In fact, the National Park Service’s (NPS) budget, as appropriated by Congress, has declined by 22%, or approximately \$500 million in today’s dollars, over the past ten years. Declining appropriation outlays have led to an increasing backlog of maintenance projects, which has recently been estimated at approximately \$11.5

billion. Nearly \$6 billion of the backlog consists of paved roads and other transportation infrastructure managed by NPS. While Congress has failed to adequately invest in the future of NPS, the investment in parks continues to have a significant economic impact. In 2013 alone, visitors to national parks spent \$14.6 billion in gateway communities. This activity contributed 238,000 jobs and contributed \$26.5 billion in economic output.

Despite the challenges presented by a shrinking budget, NPS continues to protect and promote the resources found within national parks. Programs that leverage federal funds with matching private contributions, partnering with local business and government, utilizing volunteers, and philanthropic efforts driven by the National Park Foundation are some of the tools utilized by NPS to enhance their stewardship efforts.

### **New and Innovative Ideas**

In 2013, the National Parks Conservation Association and the National Park Hospitality Association partnered with the Bipartisan Policy Center to host a forum intended to explore supplemental funding strategies for the national parks. Below is a brief summary of the 16 white papers.

**Enhancing Park Experiences Through Fees:** Currently, user fee revenues are used to pay for a portion of the costs of facilities, programs, and cost of collection. Numerous ideas to enhance fee revenues should be explored including adjusting the law to allow charging higher fees to foreign tourists and raising the America the Beautiful pass cost. Additionally important is working with key park partners to ensure successful reauthorization of FLREA to guarantee continuation of fee revenue.

**Penny for the Parks and the Great Outdoors:** Adding an additional penny per gallon federal tax on the existing motor fuels tax would generate \$1.5 billion annually, and the amount collected would remain stable for a decade. These earmarked ‘Penny for the Parks’ funds could be used to make repairs to the 90 percent of the 9,450 miles of park roads in fair to poor condition to help ensure Americans have improved access to campgrounds, rivers, and other sites. This action would require action by Congress and would involve multiple committees.

**Park Legacy Partnership Fund: Leveraging Public Dollars:** Similar to the Historic Preservation Act and its Historic Preservation Fund, approximately \$350 million in annual revenue could be garnered from two sources: oil, gas, and mineral production on federal lands and waters, and private, philanthropic donations. These funds could be automatically directed to the NPS from the Treasury after Congressional review of proposed infrastructure projects. New legislation would be required to establish the Legacy Partnership Fund.

**Expanded Visitor Services Through Concessioners:** Fees from concessionaires could bring in more revenue through market-driven increases in sales of goods and services within national parks. Currently, concessionaires pay \$100 million in fees on gross revenues of \$1.2 billion. Increasing visitor services could increase franchise fees by 50% in three years. NPS should assess this option through Concessions Management Advisory Board.

**National Park Endowment:** In addition to appropriations, an endowment could be created with a goal of raising \$1 billion from federal and non-federal sources in connection with the centennial. Endowment legislation would need to be developed and the White House should begin the process of recruiting and appointing individuals who can help design and build a successful endowment.

**Expanding Use of Historic Tax Credits:** NPS can increase the number of partnerships with private parties on long term historic leases under Section 111 of the National Historic Preservation Act as a way to fund rehabilitation and use of significant historic buildings. NPS presently has a \$3 billion deferred maintenance cost for historic buildings within NPS units. NPS and partners should evaluate how to expand the use of HTC.

**Expansion of Guest Donation Exports:** The current Guest Donation Program will generate \$1 million in donations in 2013 at approximately 12 park units and could be expanded and restructured to collect around \$10 million annually by 2016. The program would need an internal NPS champion to spearhead it. Additionally, a task force with representatives from concessionaires, friends groups, the National Park Foundation and NPS should be established.

**Expanded Cooperation with Destination Marketing Organizations:** Revenue derived from state and local taxes on lodging, food, and other services is in the billions of dollars annually. NPS would receive funds directly for some services provided to visitors and would have additional costs reduced by services provided by Destination Marketing Organizations. Funding potential is estimated at \$20 million annually. NPS should work with DMAI and NCSTD to create a plan for ten pilot efforts.

**Conservation Service Corps:** With high unemployment among seniors and young people, the NPS can utilize volunteer skills to increase capacity and see significant cost savings through the 21st Century Conservation Service Corps. NPS Park Facility Management Division found that using corps provided a costs savings of over 50%.

**Non-Appropriated Fund Instrumentalities:** Non-Appropriated Fund Instrumentalities (NAFIs) can be utilized for investment of concessionaire fees and NPS leasing fees, allowing fees to earn interest. The program would need NPS and DOI champions to make it work, and a joint concessionaire/NPS task force should be charged with further research into this option and its funding potential.

**Park Zone Taxes:** Tax/fee revenues from businesses near parks generated from sales, property, or other taxes. Park Zone Taxes could be modeled after city initiatives to fund local parks such as “self tax” commercial areas of the city that collect fees from property owners to provide services and programs. Park Zone taxes would need to be approved by local governments, and in some cases state governments. Engaging tax experts as well as members of Congress with national parks in their district will be important to making this work.

**Energy Savings and Utilities:** Offset national park operating expenses by developing renewable energy on NPS units. Accelerating installation of solar PV systems could produce sufficient energy to offset costs and may provide enough energy to be sold back to the grid. PV technology and installation is already occurring in many park units, but in order to sell electricity back to the grid, legal authority would be needed.

**Bonds, Revolving Loans and More:** Bonds, loan guarantees, and revolving funds provide a means to encourage the use of public and private capital for investments in NPS service buildings and infrastructure for renovation, maintenance, and energy efficiency. A wide range of federal programs exist to authorize the use of loans, bonds, etc., to encourage investments, but these mechanisms are not currently available for use in national parks. The NPS could partner with private interests to establish mechanisms to take advantage of these options.

**Increases in Volunteerism:** NPS has benefited from 2.5 million visitors since 2008, providing an estimated value of over \$2.1 billion in services. NPS should coordinate national and regional volunteer program partners to develop a business case for volunteerism, pilot programs, and include volunteerism in strategic components of the 2016 Centennial marketing campaign.

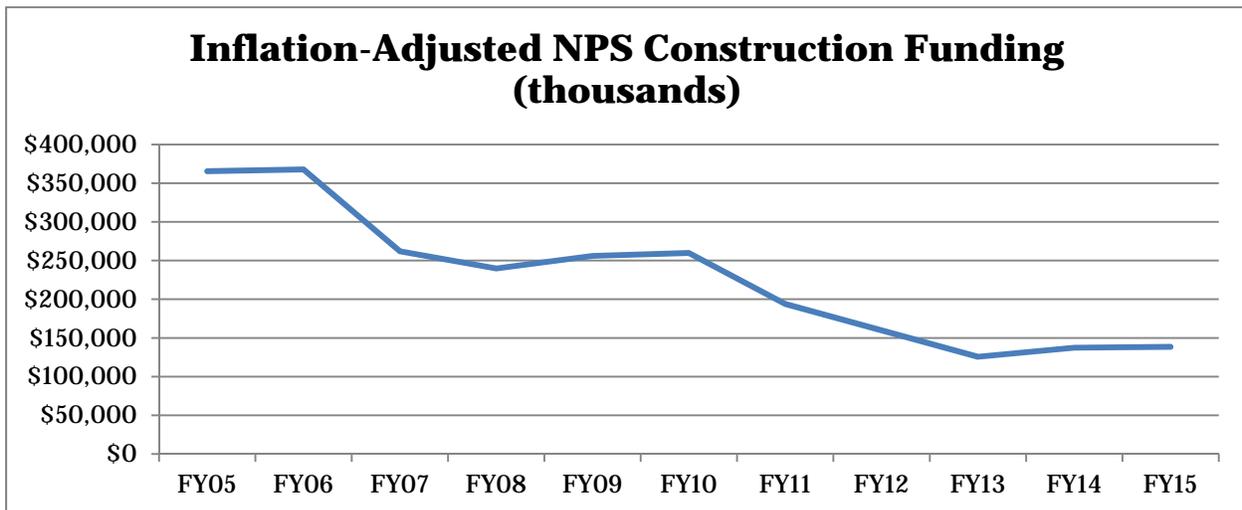
**Commemorative Coins/Stamps:** \$12.25 million in revenue for the NPS can be generated from the sale of a series of commemorative coins matched dollar for dollar by the National Park Foundation. A bill has been introduced to mint a centennial park coin (HR 627), passage of this or a similar bill would be necessary for the program to begin.

**Special Fundraising Events:** Special events such as concerts and festivals could be held at select NPS units with revenues from ticket sales going directly to the NPS or from the event organizer as specified in an RFP. Estimated net proceeds are \$50,000 to \$200,000, with a realistic annual goal of \$2 million.

## **Republican Rhetoric**

Declining appropriations for construction have not stopped Republicans from criticizing NPS and other agencies for a perceived inability to stop or slow down growth of the backlog. Critics identify misaligned priorities, a focus on land acquisition, and the creation of new parks, as the reason for the growing backlog.

Establishment of new parks, which can only be done by Congress, does not contribute to the maintenance backlog or drain resources away from the construction account. Over the past ten years, the annual budgets of new parks accounted for approximately \$10 million of NPS funding. This is insignificant compared to the annual \$350 million growth of the maintenance backlog.



Additionally, this argument ignores that half of maintenance backlog at NPS (approx. \$6 billion) is comprised of transportation projects that require funds from the Federal Highway and Transportation Act. About 90% of NPS managed paved roads are in “fair” to “poor” condition and require attention to restore their condition to ensure visitor safety. NPS also manages a number of heavily used bridges, including the Arlington Memorial Bridge in Washington, D.C., which require significant investment to rehabilitate their condition. In total, 28 bridges managed by NPS are “structurally deficient.” Addressing the NPS’s transportation needs is a serious public safety concern that Congress must address.

However, the funds authorized under the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (Map-21), capitalize the Federal Lands Transportation Program at \$300 million per year, with NPS receiving \$240 million. NPS needs \$460 million per year just to maintain existing condition its core transportation infrastructure.

The President’s FY16 budget request includes a total of \$441.9 million for the Second Century Infrastructure Investment, which will enable NPS to address the growing maintenance backlog. The request also includes \$100 million for the Public Lands Centennial Fund. This program will

allow the four Federal land management agencies to compete for funding to address critical maintenance backlog projects. If the Majority is serious about addressing deferred maintenance on public lands, they would fund these requests.

**FY2016 Budget Proposal**

Public-private partnerships and other programs to bolster revenue for NPS are important. There are not, however, an adequate replacement for appropriated dollars. Private money or corporate sponsorships will not finance large transportation infrastructure projects which make up over half of the maintenance backlog. For example, NPS has several “mega-projects,” like rehabilitation of the Arlington Memorial Bridge, estimated to cost approximately \$250 million, or more. Projects of this scale and cost are not met by the current transportation allocation for NPS, or donated dollars, and require Congress to invest in the future of national parks.

**The National Park Service Centennial Initiative** is a central focus of this year’s budget request. The request for the Centennial Initiative includes a discretionary increase of \$326.3 million, which features \$8 million to increase seasonal staffing, \$20 million for youth engagement, \$13.5 million to support new parks, and \$2 million for volunteer coordination. In addition, the \$326.3 million funding increase includes \$242.8 million for the operations and construction accounts to revitalize and repair 6,735 identified high priority assets in 10 years.

**Centennial Initiative Increases for FY 2016**

(\$ in millions)	<b>Discretionary</b>	<b>Mandatory</b>
Operation of the National Park System	+174.4	+0.0
Centennial Challenge	+40.0	+100.0
Construction (Second Century Infrastructure Investment)	+111.9	+300.0
<b>Subtotal, National Park Service</b>	<b>+326.3</b>	<b>+400.0</b>
Public Lands Centennial Fund	+0.0	+100.0
<b>Total, Centennial Initiative</b>	<b>+326.3</b>	<b>+500.0</b>

**\$50 million for the NPS Centennial Challenge**, a matching grant program designed to improve parks by increasing youth engagement and community involvement. Congress appropriated \$10 million in FY15 for the Centennial Challenge. This year’s request for the matching program is a \$40 million increase to \$50 million, which would generate an additional \$50 million through private contributions. NPS requests \$100 million of mandatory funding per year for three years. Over the next three years, if authorized by Congress, the Centennial Challenge could fund \$600 million in construction, maintenance, and education projects, only half of which would come from appropriated funds.

**A total of \$441.9 million for the Second Century Infrastructure Investment** will enable NPS to address the growing maintenance backlog. For this initiative, NPS requests a \$111.9 million discretionary increase to the construction account and \$300 million in an annual mandatory funding for the next years.

**\$100 million for the Public Lands Centennial Fund** will allow NPS to compete with the other three Federal land management agencies for funding to address critical maintenance backlog projects.

The Administration plans to present Congress with a bill to fund and authorize these priorities.

**JULY 20, 2015**

**MEMORANDUM**

**TO: DEMOCRATIC MEMBERS AND STAFF  
SUBCOMMITTEE ON INDIAN, INSULAR AND ALASKA NATIVE AFFAIRS**

**FROM: NATURAL RESOURCES DEMOCRATIC COMMITTEE STAFF (5-6065)**

**RE: LEGISLATIVE HEARING ON H.R. 1880 AND H.R. 2388**

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On Wednesday, July 22, 2015, at 2:00 p.m., in room 1334 Longworth House Office Building, the Subcommittee on Indian, Insular and Alaska Native Affairs will hold a legislative hearing on the following bills:

- **H.R. 1880 (Lujan Grisham, D-NM)**, To require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico. *“Albuquerque Indian School Land Transfer Act”*
- **H.R. 2388 (Young, AK)**, To reverse the designation by the Secretary of the Interior and the Secretary of Agriculture of certain communities in the State of Alaska as nonrural. *“Subsistence Access Management Act of 2015.”*

**WITNESSES**

- **Mr. Mike Canfield**, President and CEO – Indian Pueblo Cultural Center & Indian Pueblo's Marketing, Albuquerque, NM. *(H.R. 1880)*
- **Ms. Julie Kitka**, President – Alaska Federation of Natives, Anchorage, AK. *(H.R. 2388)*
- **The Honorable Lee Wallace**, President – Organized Village of Saxman, Ketchikan, AK. *(HR 2388)*
- **Ms. Jacqueline Pata**, Vice-Chair – Sealaska Corporations, Juneau, AK. *(HR 2388)*
- **Mr. Mike Black**, Director – Bureau of Indian Affairs, U.S. Department of the Interior. *(H.R. 1880, H.R. 2388)*

## **H.R. 1880 – THE ALBUQUERQUE INDIAN SCHOOL LAND TRANSFER ACT (LUJAN GRISHAM, D-NM)**

On April 16, 2015, Representative Lujan Grisham of New Mexico introduced H.R. 1880, which will take into trust 4 parcels of Federal land for the benefit of the Nineteen Pueblos<sup>1</sup> in the state of New Mexico. Its Senate companion, S. 986, cosponsored by both Senator Udall and Senator Heinrich, was reported favorably out of the Senate Committee on Indian Affairs on May 13, 2015.

H.R. 1880 is cosponsored by the entire New Mexico delegation.

### **Background and Need**

The Executive Order of October 3, 1884 set aside a tract of land in Albuquerque, New Mexico for the construction of the Albuquerque Indian School. The Albuquerque Indian School provided an education to Indian students until the 1980's, when the school's programs were transferred to the Santa Fe Indian School.

In 1969, the United States started the process of converting the 1884 Albuquerque Indian School Reserve into land under the jurisdiction and control of the Nineteen Pueblos of New Mexico. Starting in 1969, the U.S. Government conveyed 11 acres of the Reserve to the Pueblos for the construction of what became the Indian Pueblo Cultural Center. In 1993, the United States Government placed an additional estimated 44 acres of the former Albuquerque Indian School Reserve in trust for the Nineteen Pueblos.

Since then, Congress has enacted legislation in 1978,<sup>2</sup> 2008,<sup>3</sup> and 2011<sup>4</sup> to convey additional land from the Reserve in trust for the Nineteen Pueblos.

The United States Bureau of Land Management (BLM) conducted a new survey of the former school properties pursuant to Public Law 110-453. The final survey report issued in April 2011 identified minor discrepancies in the legal descriptions from previous trust deeds. The survey also identified the correct boundaries of two additional tracts of land the Bureau of Indian Affairs (BIA) no longer needed for its administrative functions.

This bill would address the technical discrepancies identified by the 2011 BLM final survey report and place in trust two additional parcels formerly used by BIA for administrative functions.

### **Legislation**

H.R. 1880 would direct the Secretary of the Interior to convey the following tracts of land to the United States to be held in trust for the Nineteen Pueblos:

- Tract 1: A strip of land totaling 0.41 acres, in the southwest corner of the tract placed in trust in 1993.

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<sup>1</sup> The 19 Pueblos are the Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh (San Juan), Picuris, Pojoaque, San Felipe, San Ildefonso, Sandia, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Zia, and Zuni.

<sup>2</sup> Public Law 95-232

<sup>3</sup> Public Law 110-453

<sup>4</sup> Public Law 111-354

- Abandoned Indian School Road: A strip of land totaling 0.83 acres along the south boundary of the tract placed in trust in 1993.
- Tract B West: A parcel of land totaling 3.69 acres immediately south of abandoned Indian School Road and immediately west of one of the parcels placed in trust in 2012 pursuant to Public Law 110-453.
- Tract D South: A parcel of land totaling 6.18 acres immediately south of Tract D North, which was placed in trust in 2012 pursuant to Public Law 110-453. Tract D North and Tract D South are located south of Interstate 40.



The land taken into trust shall be used for the educational, health, cultural, business and economic development of the Nineteen Pueblos.

It is anticipated that the Administration will testify in support of the bill.

## **H.R. 2388 – THE SUBSISTENCE ACCESS MANAGEMENT ACT OF 2015 (YOUNG, R-AK)**

On May 15, 2015, Representative Young of Alaska introduced H.R. 2388, which would reverse the designation by the Secretary of the Interior and the Secretary of Agriculture of certain communities in the State of Alaska as nonrural. The Senate companion bill (S.1154) was introduced by Sen. Murkowski on April 30, 2015.

It currently has no cosponsors.

### **Background and Need**

Under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA)<sup>5</sup> the Secretary of the Interior and the Secretary of Agriculture jointly implement the Federal Subsistence Management Program.

The Program provides a preference to rural Alaskan residents for taking fish and wildlife resources for subsistence uses on Federal public lands and waters in Alaska. To administer the program, the Federal Subsistence Board was established, which is comprised of:

- A Chair appointed by the Secretary of the Interior with concurrence of the Secretary of Agriculture;
- The Alaska Regional Director of the U.S. Fish and Wildlife Service;
- The Alaska Regional Director of the U.S. National Park Service;
- The Alaska State Director of the U.S. Bureau of Land Management;
- The Alaska Regional Director of the U.S. Bureau of Indian Affairs;
- The Alaska Regional Forester of the U.S. Forest Service; and
- Two public members appointed by the Secretary of the Interior with concurrence of the Secretary of Agriculture.

The board members participate in the development of program regulations, which, among other things, sets forth eligibility and harvest seasons and determines which areas of Alaska are rural and nonrural. Alaskan residents living in areas determined to be nonrural are not eligible to participate in the program. The rural or nonrural status of communities is reviewed every 10 years, beginning with the 2000 census data.<sup>6</sup>

The final rule on rural and nonrural designations, based on data from the 2000 census, was published in the Federal Register on May 7, 2007.<sup>7</sup> Among other provisions, this rule added the Village of Saxman to the Ketchikan nonrural area, thereby moving Saxman out of the subsistence program. The rule allowed until May 7, 2012 (5 years) for compliance. This date was later extended until after the Secretary-mandated review of the rural determination process and the decennial review are complete, or in 5 years, whichever comes first.<sup>8</sup>

According to the final rule from 2007, “Saxman is directly adjacent to Ketchikan, connected by road, and surrounded by the outlying Ketchikan development. Visually, the only distinguishing feature to indicate the boundary between Ketchikan and Saxman is a sign on the South Tongass

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<sup>5</sup> 16 U.S.C. §§ 3111-3126

<sup>6</sup> 36 CFR 242.15 and 50 CFR 100.15

<sup>7</sup> 72 FR 25688

<sup>8</sup> 77 FR 12477

Highway. ...[T]he need for consistency of application of the criteria for grouping of communities, and the information on Saxman relative to those criteria, the Board grouped Saxman with the nonrural Ketchikan area.”<sup>9</sup>

Many in the region feel this decision is flawed, as Saxman is a small, independent community with its own Tribal government and way of life, and should not be lumped in with the larger and more urban Ketchikan.

Another proposed rule published in late January 2015 would allow the Federal Subsistence Board more flexibility when deciding which communities should be considered rural for subsistence purposes.<sup>10</sup>

### **Legislation**

HR 2388 would undo the final rule from May 7, 2007, in order to reestablish Saxman as rural.

It would also require Congressional approval for any new proposal to redesignate a community from rural to nonrural – and no change will be official or effective until Congress formally approves it. It does provide federal subsistence regulators the authority to transition a community back to rural subsistence status without any outside involvement.

Finally, it would require that the Secretaries publish an interim final rule amending any regulations that are inconsistent with the bill within 30 days of its enactment, and would require that, once each year, the Secretaries publish a list of communities and areas designated as rural and nonrural in the Federal Register.

**Staff Contact: Chris Kaumo (5-6065)**

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<sup>9</sup> 72 FR 25688

<sup>10</sup>80 FR 4521

July 23, 2015

**MEMORANDUM**

**TO: Democratic Members and Staff: Committee on Natural Resources**  
**FROM: Water, Power, and Oceans Subcommittee Staff (5-6065)**  
**SUBJECT: WPO Legislative Hearing on H.R. 564, H.R. 1772, H.R. 2168**

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The Subcommittee on Water, Power, and Oceans will hold a Legislative Hearing, **Thursday, July 23, 2015 at 10:30 a.m.**, in room **1334** of the Longworth House Office Building on the following bills:

- **H.R. 564** (Endangered Salmon and Fisheries Predation Prevention Act), To amend the Marine Mammal Protection Act of 1972 to reduce predation on endangered Columbia River salmon and other nonlisted species, and for other purposes.
- **H.R. 1772** (Delaware River Basin Conservation Act of 2015), To direct the Secretary of the Interior to establish a non-regulatory program to build on and help coordinate funding for restoration and protection efforts of the 4-State Delaware River Basin region, and for other purposes.
- **H.R. 2168** (West Coast Dungeness Crab Management Act), To make the current Dungeness crab fishery management regime permanent and for other purposes.

**WITNESSES**

- **Barry Thom**, West Coast Deputy Regional Administrator, National Marine Fisheries Service
- **Wendi Weber**, Northeast Regional Director, U.S. Fish and Wildlife Service
- **Mr. Dale Beasley**, President, Columbia River Crab Fisherman's Association
- **Mr. Carlos Smith**, Chairman, Columbia River Inter-Tribal Fish Commission
- *Collin O'Mara, President and CEO, National Wildlife Federation (Minority witness)*

## **H.R. 564: ENDANGERED SALMON AND FISHERIES PREDATION PREVENTION ACT**

H.R. 564 was introduced by Representative Herrera Beutler (R-WA) on January 27, 2015. Identical bills were introduced in the 112<sup>th</sup> (H.R. 3069) and 113<sup>th</sup> (H.R. 1308) Congresses, both of which were reported out of the Natural Resources Committee but never brought to the floor. On June 13, 2013, the Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs held a legislative hearing on H.R. 1308. For additional background, please see memo dated June 13, 2011 and the Additional Views dated December 11, 2013.

This bill would amend the Marine Mammal Protection Act (MMPA) to authorize the Secretary of Commerce to issue annual permits to Washington, Oregon, Idaho and five tribal groups (Nez Perce, Umatilla, Warm Springs, Yakama, and the Columbia River Inter-Tribal Fish Commission) to lethally take sea lions. The bill is intended to reduce the effect of predation by sea lions on salmon listed under the Endangered Species Act (ESA) and *any* nonlisted fish. Under H.R. 564, as many as 85 sea lions could be taken in a year. H.R. 564 also waives the application of Section 102(2)(c) of NEPA to the permit process, which would eliminate the requirement that the Secretary consider the environmental impacts associated with the permit, and alternatives to the permitted action.

### ***Status of the Stock: Colombia River Salmon***

The Columbia River and its tributaries are home to 13 distinct populations of salmon and steelhead that are listed under the Endangered Species Act and, collectively, are called salmonids.<sup>1,2</sup> The decline of these populations, and their potential for recovery, is related to many factors. Due to the complex nature of salmon species' life histories, it is difficult to quantify the relative impact of each of the following factors on these populations. However, the threats to these species are well-documented,<sup>3</sup> and include hydropower development and habitat loss, fishing pressure, interactions with hatchery fish, climate change, pesticide exposure, and predation.

### ***California Sea Lions (CSLs) and salmon predation***

The CSL is found from southern Mexico to southwestern Canada. The breeding areas of the CSL are on islands located in southern California in the U.S. and in western Baja California and the Gulf of California in Mexico. In normal years, adult and juvenile males migrate as far north as British Columbia, Canada while females and pups remain in southern California waters in the

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<sup>1</sup> Salmon are not listed under the ESA as species, but as individual stocks identified by region and timing of their return to freshwater. These stocks are known as "evolutionarily significant units."

<sup>2</sup> NOAA Fisheries, Office of Protected Resources. Marine/Anadromous Fish Species under the Endangered Species Act (ESA). (2011). Available at <http://www.nmfs.noaa.gov/pr/species/esa/fish.htm>.

<sup>3</sup> Upper Columbia Salmon Recovery Board. 2007. Upper Columbia Spring Chinook, Salmon and Steelhead Recovery Plan.

non-breeding season. In warm water (El Niño) years, some females are found as far north as Washington and Oregon, presumably following prey.

CSL numbers have grown since the 1970s and the U.S. population was estimated to be 238,000 animals<sup>4</sup> in 2011. CSLs in the U.S. are not listed as "endangered" or "threatened" under the Endangered Species Act (ESA) or as "depleted" under the Marine Mammal Protection Act (MMPA). CSLs populations, while growing, are susceptible to environmental stressors such as harmful algal blooms as well as human-caused stressors. Human-caused stressors include mortalities from shootings, direct removals, commercial fishing, recreational hook and line fisheries, tribal takes, and entrainment in power plant intakes.

Though it has never been demonstrated in the scientific literature that sea lion predation has played a significant role in the overall decline of Pacific salmon stocks, there is concern that sea lion predation can be a localized threat to specific runs of fish.<sup>5</sup> Recent peer-reviewed literature suggests that marine mammal culling programs can reduce the local density of marine mammal populations,<sup>6</sup> but that the effects of that culling are sometimes unpredictable, hard to evaluate, and dependent on removing a large proportion of the predator population (>50%). In fact, removing marine mammals sometimes had no clear effects on the catch of fisheries species, and, at times, the abundance of fisheries species decreased with marine mammal culling.<sup>7</sup>

The salmon predation rate by CSLs (predation as a percent of the salmon run) below Bonneville Dam from January-May has declined each year since 2007 from 4.2 percent to 0.6 percent in 2012, and then slightly increased in 2013 (1.2 percent) and 2014 (1.3 percent).<sup>8</sup> Except for the previous 2 years, 2014 had the lowest CSL predation on salmonid since 2003.

The observed predation rate has never exceeded 4% at the dam and, in recent years, has averaged about 1-1.5% of the run. A news story from July 16, 2015 reported that, "[t]he 359,506 adult spring and summer chinook counted at the dam to date is the third largest total since at least 1938. The record is the 454,603 fish counted from Jan. 1-July 15, 2001."<sup>9</sup> Clearly sea lion predation is not crashing the spring and early summer salmon runs.

### ***The Marine Mammal Protection Act***

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<sup>4</sup> NMFS (2011). California Sea Lion (*Zalophus californianus*): U.S. Stock. Available at: <http://www.nmfs.noaa.gov/pr/pdfs/sars/po2011slca.pdf>

<sup>5</sup> Fraker, Mark. 1994. California Sea Lions and Steelhead Trout at the Chittenden Locks, Seattle, Washington; available from the Marine Mammal Commission, Washington, DC.

<sup>6</sup> Bowen (2013) Marine Mammal Culling Programs: Review of Effects on Predator and Prey Populations. *Mammal Review* 43:207-220.

<sup>7</sup> Morissette, Christensen, Pauly (2012) Marine Mammal Impacts in Exploited Ecosystems: Would Large Scale Culling Benefit Fisheries? *PLoS ONE* 7(9): e42966 doi:10.1371/journal.pone.0043966

<sup>8</sup> Army Corps of Engineers (2014) Evaluation of pinniped predation on adult salmonids and other fish in the Bonneville Dam tailrace, 2014.

<sup>9</sup> <http://www.seattletimes.com/sports/record-breaking-columbia-river-salmon-run-news-now-a-daily-occurrence/>

The MMPA offers special protections to marine mammals, including the CSL, regardless of whether they are listed as “threatened” or “endangered” under the ESA. Generally, MMPA prohibits the “take”<sup>10</sup> of marine mammals, with very few exceptions.

In 1994, Congress amended the MMPA to include Section 120, which authorizes the Secretary of Commerce to issue permits to States for the intentional lethal take of individually identifiable seals and sea lions that negatively impact ESA-listed salmon stocks, as well as stocks that are in danger of being listed under the ESA, or stocks that migrate through the Ballard Locks at Seattle, Washington. Section 120 directs the Secretary to establish a Pinniped-Fishery Interaction Task Force to recommend to the Secretary whether the State’s application should be approved or denied. This provision does not apply to Stellar Sea Lions (SSLs), which are listed as “threatened” under the ESA.

On December 7, 2010, Oregon and Washington requested a reinstatement of the authorization to lethally remove CSLs at the Bonneville Dam. On May 12, 2011, the NMFS approved this new authorization and provided additional legal justification for its authorization to address the deficiencies that were highlighted in a Ninth Circuit court case on November 23, 2010<sup>11</sup>. Since the Court held that the original NEPA compliance work was legally sufficient, the NMFS did not prepare any supplemental NEPA documentation to authorize the lethal removal of sea lions.

On May 20, 2011, the Humane Society of the United States (HSUS), Wild Fish Conservancy, and two individual citizens filed suit over this new authorization. The Plaintiff’s claimed that the NMFS failed to require Oregon and Washington to produce a new Section 120 application; failed to convene the Pinniped-Fishery Interaction Task Force to make recommendations to approve or deny the authorization request; and addressed new data and information not previously considered without accepting public comment. On February 15, 2013, a federal district court in Oregon dismissed HSUS’ challenge. The District Court in Oregon held that the NMFS “did not act arbitrarily or capriciously” when it re-authorized Oregon, Washington, and Idaho’s ongoing program to lethally remove sea lions. The court also backed the government’s argument that fishery managers can scale back fishing when runs are low, but can do little to deter sea lion consumption short of the lethal take program. NMFS plans to assess the program again after 2016.

Barring a successful appeal, the states are authorized to remove specific CSLs eating threatened salmon and steelhead in the Columbia River. The authorization stays in effect until June 1, 2016. The authorization allows the states to remove up to 93 CSLs a year. However, proponents of H.R. 564 argue that the bill is necessary because the take authorization only covers CSLs that

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<sup>10</sup> Under the MMPA, “take” means to “harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal” (16 U.S.C. 1362(13)).

<sup>11</sup> <https://www.federalregister.gov/articles/2011/09/12/2011-23266/marine-mammals-pinniped-removal-authority#h-9>

have been observed feeding on salmon at or near the Bonneville dam. Additionally, they believe tribes and states should be allowed to remove sea lions from any part of the river.

### **H.R. 1772: DELAWARE RIVER BASIN CONSERVATION ACT OF 2015**

H.R. 1772 was introduced by Representative Carney (D-DE) on April 14, 2015. Very similar versions of this bill were introduced by Representative Carney in the 112<sup>th</sup> (H.R. 2325) and 113<sup>th</sup> (H.R. 664) Congresses, but this will be the first time a hearing is held in the House. The major difference with the previous versions of this bill is that H.R. 1772 authorizes \$5 million a year to be appropriated to carry out this Act, whereas previous versions used existing funds within the U.S. Fish and Wildlife Service (USFWS) budget authority. An identical bill has been introduced in the Senate (S. 921) by Senator Carper (D-DE).

#### ***Background***

The Delaware River Basin is national treasure of cultural, environmental, ecological and economic importance. It covers 12,500 square miles in Delaware, New Jersey, New York, and Pennsylvania, and more than 2000 tributary rivers and streams. The area is home to over 8 million people, and the Basin provides clean drinking water to 16 million people, including to New York City and Philadelphia. In addition, the Basin contributed \$25 billion in economic activity and is responsible for over 600,000 jobs directly or indirectly. The Delaware River and Delaware Bay are home to more than 200 species of animals, including sturgeon, horseshoe crabs, red knots, and many recreational sport fishing species. Eastern oysters also support a \$4 million commercial fishery. Despite these benefits, it does not have dedicated federal support or a coordinated conservation strategy, unlike other major U.S. watersheds like Chesapeake Bay, the Great Lakes, and Puget Sound).

#### ***H.R. 1772: The Delaware River Basin Conservation Act***

H.R. 1772 requires the USFWS to establish the Delaware Basin Restoration Program, which is composed of two elements: 1) a non-regulatory restoration program in the Delaware River Basin, and 2) voluntary competitive grant and technical assistance programs. The four-state Delaware Basin region includes all of Delaware Bay and portions of Delaware, New Jersey, New York, and Pennsylvania located in the Delaware River watershed. The restoration program will:

- Draw on management plans for the Basin or portions of the Basin and work in consultation with applicable management entities, including representatives of the Partnership for the Delaware Estuary, the Delaware River Basin Commission, the federal government, other state and local governments, and regional and nonprofit organizations,

to identify, prioritize, and implement restoration and protection activities within the Basin.

- Adopt a Basin-wide strategy that supports the implementation of a shared set of science-based restoration and protection activities, targets cost-effective projects with measurable results, and maximizes conservation outcomes with no net gain of federal full-time equivalent employees
- Establish voluntary grant and technical assistance programs.

In addition, H.R. 1772 would require the USFWS to establish the Delaware River Basin restoration grant program, which would provide competitive matching grants to carry out restoration and protection activities within the Basin. The bill also requires USFWS to develop criteria for the grant program to ensure that funded activities accomplish specified purposes and advance the implementation of priority actions or needs identified in the strategy adopted under this Act. For these purposes, the bill authorizes the USFWS to contract with the National Fish and Wildlife Foundation or other organizations that offer grant management services.

H.R. 1772 authorizes \$5 million for each of the years 2016 to 2021, and at least 75% funds must be used for the grant and technical assistance programs. This funding level represents only 7% of the funding for restoration in the Chesapeake Bay (\$73 million) and less than 2% of the funding for the Great Lakes (\$300 million). Projects dealing with water quality improvements, habitat restoration and protection, flood mitigation, resiliency enhancement, public access, recreation, outreach and education, and monitoring and research would all benefit from the Delaware River Basin Conservation program.

### **H.R. 2168: WEST COAST DUNGENESS CRAB MANAGEMENT ACT**

H.R. 2168 was introduced by Representative Herrera Beutler (R-WA) on April 30, 2015. The bill amends Section 203 of Public Law 105-384 “An act to approve a governing international agreement between the United States and the Republic of Poland, and for other purposes” ([16 U.S.C. 1856 note](#)). Section 203 provides authority to Washington, Oregon, and California to manage the Dungeness crab fishery. Each of these states may currently adopt and enforce state laws and regulations governing fishing and processing in the exclusive economic zone (EEZ) in any Dungeness crab (*Metacarcinus magister*) fishery for which there is no fishery management plan under the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

H.R. 2168 strikes paragraph (i) of this section, which reads as follows:

*“(i) Sunset. - This section shall have no force or effect on and after September 30, 2016.”*

By removing the sunset clause of this Act, the Public Law 105-384 and state authority of this fishery becomes permanent, rather than having to be periodically re-authorized (usually every 5 years).

Providing for this law to become permanent is acceptable for two reasons. First, the state management of the Dungeness crab fishery has been biologically and economically sustainable<sup>12,13</sup>. Large fluctuations in catch of Dungeness crab are natural<sup>14</sup> and responses to these are more efficiently addressed at the state level. Secondly, if there is a systemic problem with the state management of the Dungeness crab fishery, the Pacific Fishery Management Council could implement a fishery management plan under the MSA which would supersede the state authority and return management to federal agencies.

The fact that the Pacific coast states are currently successfully managing Dungeness crab fisheries may be used by the Majority as a reason to implement state management for red snapper in the Gulf of Mexico. However, several important contrasts between these two fisheries are important to note. First, the red snapper in the Gulf is currently still recovering from a long history of over-exploitation. This means it is in a much more vulnerable state than Dungeness crabs and therefore a cautionary approach is warranted. Secondly, California, Oregon and Washington have demonstrated a history of sustainable management, with several accountability measures, close monitoring, and ongoing science. Although the Gulf red snapper commercial fishery has strict accountability measures in place so that catch can be monitored, the large number of recreational anglers makes the recreational sector much harder to monitor. Therefore, there is a lot of uncertainty in the recreational catch, and, as a result, there is uncertainty in the estimate of fishing mortality, which leads to large buffers aimed at minimizing the risk of overfishing. Finally, management of red snapper in federal waters is currently restrictive (this year the recreational season for retaining red snapper was 10 days) in response to the very liberal season lengths in State waters. In summary, these are very different fisheries with very different histories and current stock sizes, targeting very different species. What works for one, may not necessarily work for the other.

**Staff Contact: Matt Strickler, or Thomas Farrugia (5-6065)**

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<sup>12</sup> Oregon Dungeness Crab Research and Monitoring Plan, Oregon Department of Fish and Wildlife, August 2014. [http://www.dfw.state.or.us/MRP/shellfish/commercial/crab/docs/ODFW\\_DungenessCrabResearchMonitoringPlan\\_updated2014\\_Final\\_081414.pdf](http://www.dfw.state.or.us/MRP/shellfish/commercial/crab/docs/ODFW_DungenessCrabResearchMonitoringPlan_updated2014_Final_081414.pdf)

<sup>13</sup> State of California Ocean Protection Council, Rapid Assessment for Dungeness Crab, 2013, [http://opc.ca.gov/webmaster/ftp/project\\_pages/Rapid%20Assessments/Dungeness%20Crab.pdf](http://opc.ca.gov/webmaster/ftp/project_pages/Rapid%20Assessments/Dungeness%20Crab.pdf)

<sup>14</sup> *Id*

**JULY 20, 2015**

**TO: DEMOCRATIC MEMBERS AND STAFF,  
FULL COMMITTEE**

**FROM: COMMITTEE STAFF (x5-6065)**

**RE: OVERSIGHT HEARING ON THE SOCIAL COST OF CARBON**

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The Full Committee will hold an oversight hearing on **Wednesday, July 22, 2015, at 10:00am, in Longworth House Office Building Room 1324** on “An Analysis of the Obama Administration’s Social Cost of Carbon.”

**WITNESSES:**

- Scott Segal, *Partner, Bracewell and Giuliani*
- Kevin D. Dayaratna, Ph.D., *Senior Statistician and Research Programmer, Center for Data Analysis, Heritage Foundation*
- Patrick J. Michaels, Ph.D., *Director, Center for the Study of Science, Cato Institute*
- Michael K. Dorsey, Ph.D. (Minority witness), *Interim Director, Energy & Environment Program (Joint Center for Political & Economic Studies) & Co-Founder (US Climate Plan)*

**WHAT IS THE SOCIAL COST OF CARBON?**

The social cost of carbon (SCC) is an estimate of the additional economic damage done by the emission of one additional ton of CO<sub>2</sub>. According to the White House, the purpose of the SCC is to “allow agencies to incorporate the social benefits of reducing carbon dioxide emissions into cost-benefit analyses of regulatory actions that impact cumulative global emissions. ... It is intended to include (but is not limited to) changes in net agricultural productivity, human health, property damages from increased flood risk, and the value of ecosystem services due to climate change.”<sup>1</sup> The SCC can indicate a cost to society when CO<sub>2</sub> emissions increase as a result of a rule or it can show a benefit when CO<sub>2</sub> emissions decrease as the result of a rule. The current central estimate of the SCC is \$36 per ton of CO<sub>2</sub>.

**WHEN IS THE SCC USED?**

Executive Order 12866 requires federal agencies, to the extent permitted by law, “to assess both the costs and benefits of the intended regulation and, recognizing that some costs and benefits are

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<sup>1</sup> [Response to Comments: Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866](#), Interagency Working Group on Social Cost of Carbon, United States Government, July 2015

difficult to quantify, propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify the costs.”

The SCC has already been used to help inform the cost-benefit analyses of many proposed federal rules. Without the SCC, the assumed cost of increasing CO<sub>2</sub> emissions would be zero, even though the health and economic impacts of climate change have been thoroughly documented.

**SCC DERIVATION METHODS**

The benefits from reduced (or costs from increased) emissions in any future year can be estimated by multiplying the change in emissions in the year in question by the SCC value appropriate for that year. The net present value of the benefits can then be calculated by multiplying each of these future benefits by an appropriate discount factor and summing across all affected years. The SCC was estimated using three integrated assessment models (IAM) called FUND, DICE, and PAGE, each of which are widely cited in the peer-reviewed literature and which are used by the Intergovernmental Panel on Climate Change.

**Revised Social Cost of CO<sub>2</sub>, 2010 – 2050 (in 2007 dollars per metric ton of CO<sub>2</sub>)<sup>2</sup>**

Discount Rate Year	5.0% avg	3.0% avg	2.5% avg	3.0% 95th
2010	10	31	50	86
2015	11	36	56	105
2020	12	42	62	123
2025	14	46	68	138
2030	16	50	73	152
2035	18	55	78	168
2040	21	60	84	183
2045	23	64	89	197
2050	26	69	95	212

The Interagency Working Group on the Social Cost of Carbon (IWG), which derived the estimates, “selected four SCC estimates for use in regulatory analyses... The first three estimates are based on the average SCC across models and socio-economic and emissions scenarios at the 5, 3, and 2.5 percent discount rates, respectively. The fourth value is included to represent the higher-than-expected impacts from temperature change further out in the tails of the SCC distribution. For this purpose, we use the SCC value for the 95th percentile at a 3 percent discount rate.”<sup>3</sup>

<sup>2</sup> [Technical Support Document: Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866](#), Interagency Working Group on Social Cost of Carbon, United States Government, February 2010

<sup>3</sup> *ibid*

## **SCC DERIVATION PROCESS**

The IWG describes the process for deriving the SCC as follows: “An interagency group convened on a regular basis to consider public comments, explore the technical literature in relevant fields, and discuss key inputs and assumptions in order to generate SCC estimates. Agencies that actively participated in the interagency process include the Environmental Protection Agency, and the Departments of Agriculture, Commerce, Energy, Transportation, and Treasury. This process was convened by the Council of Economic Advisers and the Office of Management and Budget, with active participation and regular input from the Council on Environmental Quality, National Economic Council, Office of Energy and Climate Change, and Office of Science and Technology Policy. The main objective of this process was to develop a range of SCC values using a defensible set of input assumptions that are grounded in the existing literature. In this way, key uncertainties and model differences can more transparently and consistently inform the range of SCC estimates used in the rulemaking process.”<sup>4</sup>

The first SCC estimates were released in February, 2010. Two updates to the SCC were issued in 2013, reflecting mostly changes made to the three IAM models by their respective authors. Another update, which changed the central estimate from \$37 to \$36 was released in July 2015. There were dozens of opportunities for public comment about the SCC directly and about rules that incorporated the SCC. Detailed responses to comments on the SCC were released in July 2015. At the same time, the IWG announced that “To help synthesize the technical information and input reflected in the comments, and to add additional rigor to the next update of the SCC, the IWG plans to seek independent expert advice on technical opportunities to improve the SCC estimates, including many of the approaches suggested by commenters and summarized in this document. Specifically, the IWG plans to ask the National Academies of Sciences, Engineering, and Medicine to examine the technical merits and challenges of potential approaches to improving the SCC estimates in future updates.”<sup>5</sup>

In July 2015, the IWG also described and responded to the comments it received since the November 2013 update.<sup>6</sup> Responses to the criticisms of the SCC can be found there.

## **IS THE SCC AN UNDERESTIMATE?**

The current SCC estimate of \$36 is considered by many to be an underestimate according to public comments and published, peer-reviewed articles. Comments released in February 2014 from a number of organizations recommend using a declining discount rate, improving the incorporation of uncertain catastrophic damages, more fully considering CO<sub>2</sub> fertilization benefits, the inclusion of two additional models to three already in use by the IWG, and updating the IWGs socio-economic assumptions.<sup>7</sup> Implementing these changes would likely result in a higher SCC.

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<sup>4</sup> *ibid*

<sup>5</sup> [Response to Comments: Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866](#), Interagency Working Group on Social Cost of Carbon, United States Government, July 2015

<sup>6</sup> *ibid*

<sup>7</sup> [Comments Submitted by Environmental Defense Fund, Institute for Policy Integrity at the New York University School of Law, Natural Resources Defense Council, and Union of Concerned Scientists](#), on Docket ID No OMB-

A study published in *Nature Climate Change* by Stanford University researchers found that the SCC is not \$36 per ton but \$220 per ton.<sup>8</sup> Another article in *Nature Climate Change* pegged the number at over \$100.<sup>9</sup> Economists Frank Ackerman and Elizabeth Stanton estimate it at almost \$900.<sup>10</sup>

## WITNESSES

The majority will make its case in the hearing using no independent witnesses. Mr. Segal is a lobbyist for electric utilities.<sup>11</sup> The other two majority witnesses have ties to the climate change counter-movement (CCCM),<sup>12</sup> known colloquially as the climate denier campaign. Dr. Dayaratna works for the Heritage Foundation, which is one of the biggest ideological recipients of CCCM funding.<sup>13</sup> Patrick Michaels is a known climate denying scientist who has also attacked the mainstream scientific position on the depletion of the stratospheric ozone layer.<sup>14</sup>

Though Mr. Segal's message is not yet clear, he has made strong statements in opposition to the proposed Clean Power Plan: "Plus, let me just say this, you got a lot of talk about social cost of carbon and other issues that deal with the benefits that might be associated with this rule. *I want to be real clear with you, Monica, there are no benefits associated with this rule.* How can I say something like that? The percentage of carbon emissions that come even from the existing fleet of coal-fired power is relatively small looking at a worldwide carbon budget."<sup>15</sup>

Dr. Dayaratna has focused on the discount rate used to derive the SCC in a paper written and released by the Heritage Foundation. He and his coauthor claimed a 7% discount rate was more appropriate than the 3% chosen by the IWG because 7% is required in OMB's Circular A-4.<sup>16,17</sup> The White House response:

OMB guidance in Circular A-4 recommends that discount rates of 3 percent and 7 percent be used in regulatory impact analysis. The 7 percent rate is an estimate of the average before-tax real rate of return to private capital in the U.S. economy. It is a broad measure that reflects the returns to real estate and small business and corporate capital and is meant to approximate the opportunity cost of capital in the United States. The 3

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2013-0007, Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis under Executive order No. 12,866, February 26, 2014

<sup>8</sup> Moore, Frances C., Diaz, Delavane B.; *Temperature impacts on economic growth warrant stringent mitigation policy*; *Nature Clim. Change*; 12 January 2015; <http://dx.doi.org/10.1038/nclimate2481>

<sup>9</sup> Hope, Chris, Hope, Mat; *The social cost of CO<sub>2</sub> in a low-growth world*; *Nature Clim. Change*; 02 July 2013; <http://dx.doi.org/10.1038/nclimate1935>

<sup>10</sup> Ackerman, Frank and Stanton, Elizabeth A.; *Climate Risks and Carbon Prices: Revising the Social Cost of Carbon*; *Economics*; 04 April 2012; <http://dx.doi.org/10.5018/economics-ejournal.ja.2012-10>

<sup>11</sup> <https://www.opensecrets.org/revolving/indus.php?id=74237>

<sup>12</sup> Prof. Robert Brulle, *Institutionalizing delay: foundation funding and the creation of U.S. climate change counter-movement organizations*, *Climatic Change*, published online Dec. 21, 2013 – see <http://bit.ly/19OjxMO>

<sup>13</sup> *ibid*

<sup>14</sup> Naomi Oreskes and Erik M. Conway, *Merchants of Doubt: How a Handful of Scientists Obscured the Truth on Issues from Tobacco Smoke to Global Warming*, Bloomsbury Press, May 25, 2010

<sup>15</sup> Bracewell & Giuliani's Segal previews EPA's reproposal of new source standards, *OnPoint*, September 18, 2013, <http://www.eenews.net/tv/videos/1725/transcript> (emphasis added).

<sup>16</sup> <http://www.heritage.org/research/reports/2013/11/loaded-dice-an-epa-model-not-ready-for-the-big-game>

<sup>17</sup> <http://www.heritage.org/research/reports/2014/04/unfounded-fund-yet-another-epa-model-not-ready-for-the-big-game>

percent rate is an estimate of the real rate at which consumers discount future consumption flows to their present value, often referred to as the social rate of time preference or the consumption rate of interest. As stated in the 2010 TSD, in a market with no distortions, the return to savings would equal the private return on investment, and the market rate of interest would be the appropriate choice for the social discount rate. In the real world, however, risk, taxes, and other market imperfections drive a wedge between the risk-free rate of return on capital and the consumption rate of interest.<sup>18</sup>

Dr. Michaels gave a talk at the Heritage Foundation on June 23, 2015 about the Social Cost of Carbon. There he made the case that temperatures predicted by models do not match “observed” temperatures taken from satellites and weather balloons. He also asserted there has not been any warming of the atmosphere in the last 22 years.<sup>19</sup> Also in that talk, he said of the California drought “Severe weather in California, there is none. If you want to talk about the drought in California, that is man-made by the people – the effects of it are man-made by the people in Sacramento. The California water system can hold 5 years’ worth of water. And so there should not be a problem there except they chose to make it a problem.”<sup>20</sup> He also spoke candidly about adaptation as a policy response to climate change; “People adapt to their environment, as long as they have enough money to do so.”<sup>21</sup>

Dr. Dorsey has written extensively about the impacts of climate change on low income communities and communities of color. He will discuss the implications for those communities if the SCC is incorrect or nonexistent.

The hearing is unlikely to include a witness from the OMB or the Council of Economic Advisers (CEA), the co-leads on developing the SCC, who can speak with first-hand experience about the SCC and its derivation. They were invited, but the majority did not give them sufficient notice.

**Staff Contact: Vic Edgerton (x5-6065)**

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<sup>18</sup> [Response to Comments: Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866](#), Interagency Working Group on Social Cost of Carbon, United States Government, July 2015

<sup>19</sup> <http://www.c-span.org/video/?326734-1/discussion-obama-administrations-carbon-regulations>

<sup>20</sup> <http://www.c-span.org/video/?c4545154/pat-michaels-ca-drought>

<sup>21</sup> <http://www.c-span.org/video/?c4544882/pat-michaels-can-adapt-severe-weather>

**From:** Gins, Meagan  
**To:** [Hermann, Maya \(Heinrich\)](#)  
**Subject:** Re: PLREDA testimony?  
**Date:** Friday, July 24, 2015 11:28:35 AM  
**Attachments:** [BLM Statement for the Record 6 9 15 SENR.pdf](#)

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Here you go. S.1407 testimony starts on the bottom of page 14. Renewable energy background is on page 3. Let me know if you have any questions.

So nice to catch up with you last night!

On Fri, Jul 24, 2015 at 10:35 AM, Hermann, Maya (Heinrich)  
<[Maya\\_Hermann@heinrich.senate.gov](mailto:Maya_Hermann@heinrich.senate.gov)> wrote:

Can you send it? ☺

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**Statement for the Record  
United States Department of the Interior**

**Senate Committee on Energy and Natural Resources**

**S. 15, Protecting States' Rights to Promote American Energy Security Act,  
S. 1218, Nexus of Energy and Water for Sustainability Act of 2015,  
S. 1230, Memoranda of Understanding with State Oil & Gas Programs,  
S.1310, Deficit Reduction Through Fair Oil Royalties Act  
S. 1311, The Oil Spill Deterrent Act,  
S. 1340, Coal Oversight and Leasing Reform Act of 2015,  
S. 1407, Public Land Renewable Energy Development Act of 2015**

**June 9, 2015**

**Introduction**

The following is the Department of the Interior's Statement for the Record on seven bills pertaining to energy accountability and reform: S. 15, the Protecting States' Rights to Promote American Energy Security Act; S. 1218, the Nexus of Energy and Water for Sustainability Act of 2015; S. 1230, a bill to require Memoranda of Understanding with State Oil & Gas Programs; S. 1310 the Deficit Reduction Through Fair Oil Royalties Act; S. 1311, the Oil Spill Deterrent Act; S. 1340, the Coal Oversight and Leasing Reform Act of 2015; and S. 1407, the Public Land Renewable Energy Development Act of 2015.

This statement is being submitted in response to the third hearing convened by the Committee, with very short notice, that addressed a large number of significant bills. The following statement represents an initial review and analysis of the legislation; however, the Administration may identify additional concerns with the bills.

**Background**

The Department's mission affects the lives of all Americans. Interior stewards 20 percent of the Nation's lands, oversees the responsible development of 21 percent of U.S. energy supplies, is the largest supplier and manager of water in the 17 western States, maintains relationships with 566 federally recognized Tribes, and provides services to more than two million American Indian and Alaska Native peoples. In 2013, Interior's programs contributed an estimated \$360 billion to the U.S. economy and supported more than two million jobs in activities including outdoor recreation and tourism, energy development, grazing, and timber harvesting.

The Department protects and enables development of America's shared natural resources to supply the energy that powers the Nation's future. The Department's efforts are critical to ensure all development – energy, timber, forage, and non-energy minerals – is managed safely, smartly, and in compliance with the highest scientific and environmental standards. As a steward of lands, water, wildlife, and cultural heritage, Interior strives to ensure the sustainability of these assets to support the American economy, communities, and the wellbeing of the planet.

To encourage these resource stewardship and development objectives, Interior is shifting from a reactive, project-by-project resource planning approach to a more predictable and effective management of its lands and resources. The goal is to provide greater certainty for project developers when it comes to permitting and better outcomes for conservation through more effective and efficient project planning. This approach to smart development is being incorporated into all of Interior's energy and natural resource planning and is an important part of the plan to accomplish President Obama's all-of-the-above energy strategy. Interior's focus on powering America's energy future supports an all-inclusive approach – one that responsibly balances the development of conventional and renewable resources on the Nation's public lands.

**Oil & Gas** – Secretary Jewell has made it clear that as we expand and diversify our nation's energy portfolio, the development of conventional energy resources from BLM-managed lands will continue to play a critical role in meeting our energy needs and fueling our economy. Facilitating the safe and efficient development of these resources is one of the BLM's many responsibilities and part of the Administration's broad energy strategy, outlined in the President's *Blueprint for a Secure Energy Future*. Environmentally responsible development of these resources will improve economic conditions by increasing supplies for consumers and reducing our nation's reliance on oil imports, while also protecting our federal lands and the environment. As part of this effort, the Department is working with various agencies in support of Executive Order 13604 to improve the performance of Federal permitting and review of infrastructure projects by increasing transparency and predictability of infrastructure permitting and reviews.

In recent years, the BLM has overseen a significant increase in oil production, while also supporting continued natural gas production. Oil production from the Federal and Indian lands for which the BLM has permitting and oversight responsibility rose twelve percent in 2014 from the previous year and is now up 81 percent since 2008 – from 113 million barrels in 2008 to 205 million barrels today. By comparison, nationwide oil production over the same period increased 73 percent. The BLM is proud to be a leader in this area and of its efforts to make public lands available for oil and gas development in excess of industry demand.

**Coal** – The BLM is responsible for coal leasing on approximately 570 million acres of the 700 million acres of mineral estate that is managed by the BLM for the American people. Although only a fraction of these acres are actually leased for coal development, they comprise an outsized portion of domestic coal production, with roughly 40 percent of the coal produced in the United States in recent years coming from Federal lease tracts. The BLM works to ensure that the development of coal resources is done in an environmentally sound manner and that American taxpayers receive fair market value (FMV) for those resources. The BLM's coal program manages approximately 310 active leases covering 475,692 acres.

During the last decade, Federal coal leases produced 4.56 billion tons of coal with an approximate market value of \$55.4 billion, generating \$6 billion in royalty payments that were split between the states and the U.S. Treasury. During the same period, 46 Federal coal lease sales were held, covering 71,165 acres and containing 5.3 billion tons of recoverable coal. Approximately \$4.5 billion in bonus bids were collected for these 46 leases.

The Department is focused on addressing concerns about the Federal coal program raised by the Government Accountability Office (GAO) in a December 2013 report, the Department's Office of Inspector General (OIG) in a June 2013 report, Members of Congress, and others. The BLM recently published new guidance based on recommendations from the GAO and OIG regarding procedures for coal lease sale valuations and the inspection and enforcement of coal leases, permits, and licenses. Given the significant revenues at stake within the Federal coal program, we appreciate the Congressional focus on these critical issues and look forward to a continued and robust dialogue.

**Renewable Energy** –Facilitating the responsible development of renewable energy resources on public lands is a cornerstone of the Administration's broad energy strategy. Due in large part to effective collaboration among the Federal agencies, the BLM successfully accomplished the Energy Policy Act of 2005's (EPAct) goal of authorizing over 10,000 megawatts (MWs) of renewable energy on public lands – three years ahead of schedule.

Since 2009, The BLM has approved significant utility-scale renewable energy generation and transmission projects, including 32 utility-scale solar facilities, 11 wind farms, and 12 geothermal plants, with associated transmission corridors and infrastructure to connect with established power grids. If fully built, these projects will provide more than 14,000 megawatts of power, or enough electricity to power nearly 5 million homes, and will provide over 20,000 construction and operations jobs. Further, in support of the President's Climate Action Plan to ensure America's continued leadership in clean energy, the BLM is continuing to work to reach 20,000 MWs of permitted renewable energy capacity on public lands by 2020.

Renewable energy projects authorized by the BLM constitute a major contribution not only to the nation's energy grid, but also to the national economy. Projects on public lands have already garnered an estimated \$8.6 billion in total capital investments, and the potential for approved projects pending construction is estimated at \$28 billion. Through efficient and environmentally-responsible permitting, the BLM is helping to bring tens of billions of dollars in investments to the United States economy.

The BLM is furthering these contributions by moving from an application-by-application approach for solar energy projects to a competitive leasing process in designated development areas called Solar Energy Zones (SEZs). In October 2012, the Department finalized the Western Solar Plan, a Solar Energy Programmatic Environmental Impact Statement that identified 17 SEZs and established a blueprint for fast track utility-scale solar energy permitting with access to existing or planned transmission infrastructure. On June 1, 2015, three projects within the Dry Lake SEZ in Nevada were approved and were the first to benefit from this streamlined permitting process. Using the expedited review process made available by the Western Solar Plan, reviews of these three projects were completed in less than 10 months; this is less than half the amount of time it took to review and approve projects under the previous system. The Western Solar Plan also provides the foundation for the BLM's current rulemaking process to implement competitive solar and wind energy leasing within designated areas.

In authorizing existing projects, reviewing proposed projects, and developing a competitive leasing rule, the BLM has focused on managing renewable energy development in an accelerated but environmentally sound and responsible manner to ensure the protection of landscapes, wildlife habitats, and other natural and cultural resources. This “smart from the start” approach is consistent with the Administration’s goal of authorizing environmentally sound and sustainable geothermal, wind, and solar energy projects on public lands. The BLM achieves these goals through close working relationships with local communities, state regulators, private industry, key stakeholders, and other Federal agencies.

**Energy Revenue** – The Department of the Interior manages the public lands and federal waters that provide resources critical to the Nation’s energy security; is responsible for collecting and distributing revenue from energy development; and ensures that the American taxpayer receives a fair return for development of those federal resources. Authorities to assess and collect penalties for violation of lease terms, permit conditions, regulations and orders are principally provided, for onshore production in the Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA), and for offshore production in the Outer Continental Shelf Lands Act of 1953 (OCSLA). FOGRMA and OCSLA cover a broad array of violations, including oil spills.

**Energy and Water** – The Department recognizes the importance of the energy-water nexus and supports a closer level of communication and coordination between the Department of the Interior, Department of Energy and the broader federal community. The Department of the Interior appreciates the Committee’s leadership on the energy-water nexus issue. Energy and water issues intersect across a range of Interior activities, including hydropower generation, energy development, electricity generation, and water treatment, distribution, and conservation. Interior has a variety of programs that address the energy-water nexus, including USGS monitoring systems and research programs (including the National Water Census), Reclamation Basin Studies, and WaterSMART Grants. Understanding the value of interagency coordination, Interior has partnered with the Department of Energy and the Department of the Army (working with the U.S. Army Corps of Engineers) to recently renew the 2010 Memorandum of Understanding (MOU) to collaboratively address a host of energy-water nexus issues related to hydropower. By coordinating efforts, the signatory agencies have completed a number of projects that promote sustainable hydropower development, including hydropower resource assessments, unit-dispatch optimization systems, climate change studies, integrated basin-scale opportunity assessments, and funding opportunities to demonstrate new small hydropower technologies.

The Department is committed to integrating energy and water policies to promote the sustainable use of all resources, including incorporating water conservation criteria and the water/energy nexus into the Department’s planning efforts. On May 20, 2015, the Department announced that Reclamation will make \$24 million in WaterSMART Water and Energy Efficiency Grants available to 50 new and ongoing projects in the Western United States for activities such as conserving and using water more efficiently, increasing the use of renewable energy, improving energy efficiency, encouraging water markets, and carrying out activities to address climate-related impacts on water. Reclamation also announced that it will make \$23 million for seven water reclamation and reuse projects in California, and nearly \$2 million for seven water reclamation and reuse feasibility studies in California and Texas. These announcements support

the President's Climate Action Plan by providing tools for states and water users to create water supply resilience to meet future water and energy demands in the face of a changing climate.

Water and Energy Efficiency Grants and Basin Studies are part of the Department's WaterSMART Program. WaterSMART Grants provide cost-shared funding to States, tribes, and other entities with water or power delivery authority for water efficiency improvements, with additional consideration given to proposals that include energy savings as a part of planned water efficiency improvements. Water management improvements that incorporate renewable energy sources are also prioritized for WaterSMART Grant funding. These grants directly address the energy-water nexus and provide a concrete means of implementing on-the-ground solutions to energy-water issues. The FY 2014 Water and Energy Efficiency Grant projects are expected to conserve more than 67,000 acre-feet of water annually and 22.9 million kilowatt-hours of electricity — enough water for more than 250,000 people and enough electricity for more than 2,000 households.

In addition to long-standing USGS efforts in water supply and availability and in energy resource assessments and research, several of which are highlighted in the recently published USGS Circular 1407, "The Water-Energy Nexus—An Earth Science Perspective," and which provide an essential foundation for understanding issues related to the energy-water nexus, the USGS participates in a number of interagency efforts. The USGS has been working with the Energy Information Administration (EIA) since 2010 to improve estimates of water withdrawals and consumptive use associated with cooling water at thermoelectric generating plants across the Nation. Cooling water for such plants is the largest sector of water withdrawals in the United States, at 49% of all water withdrawals nationwide, according to USGS Circular 1344, Estimated Use of Water in the United States in 2005. A recent USGS report, Methods for Estimating Water Consumption for Thermoelectric Power Plants in the United States (Scientific Investigations Report 2013-5188), documents the model that the USGS developed with the assistance of the EIA for estimating electric generating plant water withdrawals and consumptive use, which are currently not consistently reported. This ground-breaking model, which incorporates the heat budget of each of the approximately 1,300 thermoelectric generating plants that rely on water for cooling, can be used both to estimate current and historical water use and to forecast future water use with different plant configurations and cooling water technologies.

In addition to the efforts above, the FY 2016 President's Budget requests an additional \$1.5 million for the USGS to provide water use grants to States that will increase availability and quality of water use data – including data related to water used for energy. These grants would provide financial resources, through State water resources agencies, to improve the availability and quality of water use data that they collect and would integrate those data with the USGS Water Census. Funding provided to States through these grants would be targeted at improvements to water use data collection and integration that will be of the greatest benefit to a national assessment of water availability and use. As the energy sector is a primary user of water, increased availability of water use information related to energy will be an important part of this effort.

In mid-April 2014, the USGS released an expanded and updated version of the USGS oil, gas, and geothermal Produced Waters Database and Map Viewer; the revised database contains

nearly 100,000 new samples from conventional and unconventional well types, including geothermal. The availability of more samples and more types of analyses will help farmers determine the quality of local produced water available for possible remediation and reuse, will enable local and national resource managers to track the composition of trace elements, and will help industry plan for waste-water injection and recycling.

Although industry interest in coalbed natural gas development has declined in recent years as development of shale gas resources elsewhere has grown, the Powder River Basin in northern Wyoming and southern Montana experienced a rapid expansion in the development of coalbed natural gas between 2002 and 2011. During this period, about 90 billion liters of water were produced annually in the Wyoming portion of the Basin as part of the extraction process. Produced waters from this development are moderately saline and have high proportions of sodium relative to calcium and magnesium, thus rendering the waters unsuitable for irrigation without treatment. USGS studies have examined the environmental impacts of different disposal options. Results indicated that infiltration impoundments had the potential to contaminate underlying fresh groundwater supplies, but that with specific treatment the produced waters could be used in subsurface drip irrigation operations that minimized potential for groundwater contamination and provided beneficial use of the waters to enhance agricultural production in this semiarid region.

Other Departmental programs and activities relate directly to the energy-water nexus, including hydropower development, water treatment and desalination, pumping and water delivery, BLM energy permitting, and USGS research on energy resources and induced seismicity. We are happy to provide the Committee with additional information on these programs as needed.

### **S. 15, Protecting States' Rights to Promote American Energy Security Act**

S. 15 amends the Mineral Leasing Act to prohibit the Department of the Interior from enforcing Federal regulations regarding hydraulic fracturing activities on any land in any state that has existing regulations on hydraulic fracturing. This deferral to state authority would occur regardless of the quality or comprehensiveness of the state rules, even if the rules are less protective or otherwise in conflict with Federal guidelines.

#### Analysis

The Department strongly opposes S. 15 as it would prevent the BLM from ensuring that hydraulic fracturing activities on public lands operate under consistent standards that provide an appropriate level of environmental protection. The increasing use of hydraulic fracturing on BLM lands, and the deployment of new drilling technologies, has necessitated that the BLM update its framework for managing the extraction of fluid minerals from the Federal and Indian mineral estate. The BLM's recently issued hydraulic fracturing rule – which becomes effective on June 24, 2015 – is the culmination of four years of work by the BLM that began in November 2010 when it held its first public forum on this topic. Since that time, the BLM has published two proposed rules and held numerous meetings with the public and state officials, as well as many tribal consultations and meetings. Informed by the experience of its experts and the technical expertise and concerns of state regulators, tribes, industry, and the public, the BLM's

hydraulic fracturing rule strengthens existing oversight procedures for hydraulic fracturing on lands where the BLM has permitting responsibilities and provides all stakeholders with additional assurance that operations are being carried out safely and responsibly.

The BLM has established and maintained regulations governing oil and gas operations on public lands for decades, and has worked successfully with operators, tribes and state governments to avoid duplication and delay in the enforcement and monitoring of these regulations. The implementation of the hydraulic fracturing rule will continue this longstanding practice while also ensuring the BLM satisfies its obligations to ensure federal standards are met. The BLM remains committed to working with states to ensure safe, responsible, and environmentally sound domestic oil and gas production, and recognizes the efforts of states that currently have hydraulic fracturing regulations.

Included in the final rule is a variance process that allows for the application of state and tribal standards on public lands where those standards meet or exceed those proposed by the rule. In addition, the BLM continues to reach out to states to establish new or build upon existing formal agreements regarding implementation of federal and state oil and gas rules. These agreements will leverage the strengths of existing partnerships, reduce duplication of efforts for agencies and operators, and implement the final rule as consistently as possible with state regulations, while fulfilling the Secretary's responsibilities mandated by statute as steward for the public lands and trustee for Indian lands. The BLM State Offices are meeting regularly with their state counterparts and have undertaken state-by-state comparisons of regulatory requirements in order to identify opportunities for variances and to establish Memorandums of Understanding (MOUs) that will realize efficiencies and allow for successful implementation of the rule. The BLM is in active discussions with: the North Dakota Industrial Commission; the Wyoming Oil and Gas Commission; and the states of Alaska, California, Colorado, New Mexico, Nevada, and Utah. The BLM also recently discussed the rule with state representatives at the Interstate Oil and Gas Compact Commission's meeting in Salt Lake City the week of May 18, 2015.

### **S. 1218, Nexus of Energy and Water for Sustainability Act of 2015**

S. 1218, Nexus of Energy and Water for Sustainability Act of 2015 would create a Committee or Subcommittee on Energy-Water Nexus for Sustainability under the National Science and Technology Council (NSTC), co-chaired by the Secretary of Energy and Secretary of the Interior and require the Office of Management and Budget to submit a crosscut budget report on research, development and demonstration activities to advance energy-water nexus related science and technologies. The Department of the Interior shares the Committee's goals to promote coordination between Federal agencies as it relates to the energy-water nexus. We note that the Department is already working on the energy-water nexus through several interagency bodies and federal processes- for example through the Natural Drought Resilience Partnership and the Build America Initiative. The Department also has a number of existing programs that address many of these energy-water nexus issues, and that many of the activities called for in S. 1218 are within the scope of existing authorities available to the Department of the Interior, and the Administration as a whole. Some of the existing programs are summarized below.

Section 3 of S. 1218 requires the Director of the Office of Science and Technology Policy to establish either a Committee or Subcommittee on the Nexus of Energy and Water for

Sustainability under the NSTC, co-chaired by the Secretary of Energy and Secretary of the Interior. The Committee or Subcommittee is directed to: (1) serve as a forum for developing common federal goals and plans on energy-water nexus research, development, and demonstration activities; (2) issue a strategic plan on energy-water nexus research, development, and demonstration activities priorities and objectives, (3) promote coordination of the activities of federal departments and agencies on energy-water nexus research, development, and demonstration activities; (4) coordinate and develop capabilities and methodologies for data collection, management, and dissemination of information related to energy-water nexus research, development, and demonstration activities from and to other federal departments and agencies; and (5) promote information exchange between federal departments and agencies. Reclamation, USGS, and the Army Corps of Engineers recently identified common research priorities in water resources infrastructure resilience, threatened and endangered species, and measuring and monitoring for knowledge extraction.

Section 4 of S. 1218 requires the Director of the Office of Management and Budget to submit to Congress a report that includes an interagency budget crosscut that displays at the program, project, and activity level for each of the Federal agencies that carry out or support basic and applied research, development, and demonstration activities to advance the energy-water nexus related science and technologies in the President's budget request, expenditures and obligations for the prior fiscal year, and estimated expenditures and obligations for the current fiscal year.

The Department appreciates the Committee's leadership and the opportunity to strengthen capabilities to address the energy-water nexus. Given the breadth and many facets of this issue, we support close collaboration with the DOE and other Federal agencies. Moving forward, we would like to continue working with the Committee to ensure sufficient interagency collaboration and information sharing to support sound decision-making, leverage resources, and reduce duplication. The Administration believes this can be done through more effective and efficient collaboration and program management utilizing existing authorities.

If enacted, it is the Department's view that the committee or subcommittee created under S. 1218 should focus its attention on key vulnerabilities where there is an appropriate federal role and capability to have a positive impact. It is the Department's view that that focus should be on data gaps associated with water use and availability. We appreciate that the Committee narrowed the focus of S. 1218 to focus on energy-water nexus research, development and demonstration activities, and we look forward to working with you to ensure adequate coordination.

Water availability, severe drought, and long-term climate trends have always posed a significant risk to energy development and electric generation. This is one of the broad, systemic risks at the core of the energy-water nexus. Decreased water availability, prolonged drought, and more pronounced climate trends could increase that risk and require the use of accelerated adaptation strategies.

The Department supports the type of coordination and data exchange encouraged under S. 1218 and is already undertaking a number of steps to do so as discussed in the testimony above. Such

efforts could help close existing gaps, increasing our understanding of water supply availability to benefit water and energy decision makers.

While S. 1218 allows for the coordination of federal activities, the Department would like to stress the importance of providing the scientific community with autonomy to design and execute studies. Finally, States play the key role in allocating and administering water, and they must be a partner in energy-water efforts. S. 1218 does not address the important relationships with states and the private sector, where significant work on energy-water nexus projects is accomplished.

The Department shares the Committee's goals to promote coordination between Federal agencies as it relates to the energy-water nexus. We appreciate the leadership of this Committee in engaging Federal agencies. The Department has numerous programs in place that encourage coordination not only within the Federal Government, but as public-private partnerships. These and other existing authorities can provide more effective and efficient collaboration and program management related to energy-water nexus challenges and opportunities. The Federal Government has a role in providing leadership and tools to address the challenges of imbalance between supply and demand. Sustainable water supplies and energy use are important parts of a stable economic base, employment continuity, and smart growth.

### **S. 1230, Memoranda of Understanding with State Oil & Gas Programs**

S. 1230 directs the Secretary of the Interior to establish a program in which the BLM Director, at the request of a State Governor, would establish a Memorandum of Understanding (MOU) with that state to develop rules and processes for certain oil and gas inspection activities on Federal lands. These activities would include the measurement of oil and gas production, inspection of meters or other measurement methodologies, and other operational activities deemed appropriate by the Secretary. To be eligible for such an MOU with the BLM, the Secretary must determine the state's oil and gas program is sufficient to fulfill the oversight and enforcement responsibilities of the BLM.

#### Analysis

The BLM has a longstanding practice of working in partnership with state governments and other partners to enhance public lands and carry out its multiple-use mission. In the oil and gas context, we have memorialized this practice in MOUs with state governments, including CA, CO, MT and WY, which date back as far as 1990. These MOUs recognize the interests, expertise, and jurisdictional responsibilities of both the BLM and our state partners and typically outline respective authorities, roles, and responsibilities. The existing MOUs address issues such as well spacing, surface operations, and data sharing.

In recent years, we have been actively engaged in discussions with State Governors and their respective oil and gas officials to seek ways to further increase efficiencies by developing updates to or establishing new MOUs that will facilitate the efficient oversight of oil and gas operations in those states. The goal of these MOUs is to provide for an effective and coordinated oil and gas application and permitting/approval process. We are in active discussions and have

been meeting regularly with: the North Dakota Industrial Commission; the Wyoming Oil and Gas Commission; and the states of Alaska, California, Colorado, New Mexico, Nevada, and Utah. With respect to the recent hydraulic fracturing rule, these discussions have involved state-by-state comparisons of regulatory requirements in order to identify opportunities for variances and to establish MOUs that will realize efficiencies and allow for the successful implementation of the rule.

That said, the BLM cannot support S. 1230's proposed delegation of the BLM's stewardship responsibilities to state officials. While it is common practice for the BLM to enter into an MOU with states to help achieve better coordination among their respective oil and gas programs, such agreements do not revoke or modify the BLM's obligation to make certain final decisions concerning oil and gas operations on Federal and Indian lands. The BLM regulates oil and gas operations on Federal lands, and on Indian lands held in trust by the Federal government, pursuant to the requirements of several statutes, including the Mineral Leasing Act, the Mineral Leasing Act for Acquired Lands, the Federal Land Policy and Management Act, the Indian Mineral Leasing Act, and the Indian Mineral Development Act.

To ensure the various BLM obligations established by these statutes are met the state-run program envisioned by the bill would still require Federal oversight to ensure Federal responsibilities, including the Secretary's trust responsibilities to the tribes, are being met consistently from state-to-state. The necessary oversight could, instead of creating efficiencies, create an additional layer in the administration of oil and gas operations on public lands. This would result in potential duplication of efforts and additional costs to the taxpayer. S. 123 is silent in regards to how such a state program would be funded.

The highest priority of the BLM oil and gas program is ensuring that the operations it authorizes on public and tribal lands are safe and environmentally responsible. We have established and maintained regulations governing oil and gas operations on public lands for decades, and have worked successfully with operators and in partnership with tribes and state governments to avoid duplication and delay in the enforcement and monitoring of these regulations. The BLM continues to advocate for further coordination with its state partners to maximize efficiency in oil and gas operations on public lands, but does not agree that a legislative remedy is necessary to accomplish our common goals. Instead, the agency believes the best and most efficient results can be achieved by BLM state and field offices working directly with their partners at the state government level to ensure the applicable Federal standards and statutory requirements are met. Ideally the state and Federal partners enter into agreements as appropriate to address the operational activities in the field to ensure that BLM and state oversight responsibilities are met as efficiently as possible.

With respect to the bill's direction that consistent rules be established, it should be noted that the BLM's existing regulatory framework governing oil and gas operations on the lands and mineral resources it manages is robust and longstanding. The BLM's rules were developed consistent with the applicable statutes and have been periodically updated based on BLM's extensive experience in this area. These rules govern operations in over 30 states and were designed to support responsible development using a consistent set of standards across all of the lands managed by the BLM. S. 1230 would create a significant administrative burden as both state and

federal regulations would likely require an extensive overhaul and revisions to achieve that objective; a process that would take a substantial amount of time.

### **1310, Deficit Reduction Through Fair Oil Royalties Act**

In the previous decade, the Minerals Management Service (MMS), the bureau in the Department then charged with managing energy development on the Outer Continental Shelf, discovered that leases issued in the four offshore lease sales held in 1998 and 1999 did not include price thresholds to cut off royalty relief mandated by section 304 of the 1995 Deepwater Royalty Relief Act (DWRRA). (Consistent with the MMS interpretation of the DWRRA, price thresholds were included in the leases issued in the lease sales held in 1996, 1997, and 2000.) The Department subsequently entered into negotiations with the holders of the 1998 and 1999 leases to amend their leases to include price thresholds on royalty relief and successfully came to agreements with several companies. In the meantime, however, several lessees sued to challenge the legality of the royalty relief price thresholds included in the 1996, 1997, and 2000-issued leases, arguing that the price thresholds did not apply to the mandated royalty relief volumes in the DWRRA. Both the prior Administration and the current Administration disagreed with this interpretation of the DWRRA. Unfortunately, the lessees prevailed in district court, and the price thresholds included in the leases were declared legally invalid. The district court opinion was upheld by the 5<sup>th</sup> Circuit Court of Appeals, and in 2009, this Administration appealed that decision to the Supreme Court, which declined to hear the case.

As a result of the court's decision, successfully negotiated agreements were voided and ongoing administrative attempts to negotiate to amend those leases that did not include prices thresholds have been precluded.

S. 1310 would prohibit the acquisition of new oil or natural gas leases or any interest in existing leases in the Gulf of Mexico by certain persons unless they meet certain conditions. Specifically, it would disallow acquisition by parties that did not agree to renegotiation of existing leases issued between 1996 and 2000 subject to congressionally mandated royalty relief under the 1995 DWRRA. The bill seeks to encourage holders of DWRRA leases to renegotiate their leases to incorporate the price thresholds that the courts had found invalid.

The Administration continues to pursue actions to ensure a better return to taxpayers from oil and gas development both onshore and offshore in a way that ensures a level playing field in the sale and development of public resources. We note that the FY 2016 President's Budget contains a package of administrative and legislative oil and gas management reforms that would encourage diligent development of Federal energy resources as well as provide a fair return to the taxpayer. These royalty and other reforms are estimated to generate \$2.5 billion in savings to the Treasury over 10 years. The Administration is working to implement the administrative components of this package where it has the flexibility to do so. We would like to work with the sponsor and the Committee on the legislative components of this package.

### **S. 1311, the Oil Spill Deterrent Act**

S. 1311 amends the Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA) and the Outer Continental Shelf Lands Act of 1953 (OCSLA), providing increased penalty authority

intended to deter oil spills. The Department supports the goal of deterring oil spills, and would like to work with the Committee in furtherance of this goal.

### Analysis

#### *Penalties Authorized by the Federal Oil and Gas Royalty Management Act*

Section 109 of FOGRMA authorizes the Department of the Interior to issue civil penalties when companies fail to comply with applicable rules, regulations and lease terms. Codified in 30 U.S.C. 1719, the authority includes escalated civil penalties for companies that fail to take corrective action, and those that knowingly or willfully violate applicable regulations or laws.

As drafted, the maximum penalty increases provided in Section 2 of S. 1311 would apply to the entire range of violations covered by 30 U.S.C. 1719, the majority of which have no association with drilling or oil spills. While the Department supports to increased administrative flexibility to issue tougher penalties for violations, it is worth noting that the legislation as drafted could have unintended outcomes. For example, the Department notes that increasing the civil penalty amount for failure to take corrective action from \$5,000 to \$100,000, would leave FOGRMA, as amended, with a penalty scheme that authorizes smaller maximum civil penalties (\$10,000 and \$25,000 respectively) for more egregious knowing or willful violations.

The Department supports increasing the maximum civil penalties for all violations in order to provide more realistic deterrent benefits while maintaining the Secretary's discretion to levy civil penalties below the maximum, if appropriate.

#### *Penalties Authorized by the Outer Continental Shelf Lands Act*

The Outer Continental Shelf Lands Act of 1953 (OCSLA) authorizes the Department of the Interior to issue civil penalties of up to \$20,000 per day when companies fail to comply with applicable regulations or laws or with any term of a lease or permit issued pursuant to OCSLA. OCSLA also directs the Secretary of the Interior to adjust the maximum civil penalty amount at least once every three years to reflect any increase in the Consumer Price Index prepared by the U.S. Department of Labor. Through these periodic adjustments, the current maximum civil penalty is \$40,000 per day. Section 3 of S. 1311 substantially increases the maximum penalty from \$20,000 per day to \$250,000 per day for violations and authorizes the Secretary to increase the maximum, after notice and an opportunity for public comment.

While the proposed changes to OCSLA may be broader than necessary to address oil spills, the new authority would authorize increased civil penalties for the entire range of violations covered by 43 U.S.C. 1350. The Department supports increasing the maximum civil penalties for all violations in order to provide more realistic deterrent benefits while maintaining the Secretary's discretion to levy civil penalties below the maximum, if appropriate.

### **S. 1340, Coal Oversight and Leasing Reform Act of 2015**

S. 1340 would amend the Mineral Leasing Act to establish a new Federal coal leasing program and make various changes to current coal leasing practices. These changes include new requirements to be used in the determination of fair market value for coal leases, increased

royalty and rental rates, and shorter lease terms. The bill also imposes a moratorium on new leases until the new program has been fully implemented.

The Department appreciates the work of the sponsor on these issues. We have recently undertaken a major effort to strengthen the management of coal production on public lands by issuing updates to our Coal Evaluation Manual and Handbook. Additionally, the BLM will be further engaging with stakeholders and the public to discuss how the BLM can best carry out its responsibility to manage coal production on public lands, and help to ensure that taxpayers receive a fair return from the development of these public land resources. Consistent with these efforts, we would like to continue discussions with the sponsor and the Committee on how best to continue these program improvements.

#### *Federal Coal Leasing Program*

S. 1340 (Sec. 10) establishes a new Federal coal leasing program. As currently written, the leasing program would require the Secretary to establish and approve a 5-year leasing plan. The leasing program would have to ensure FMV and maximize both competition for leases and a fair return to the U.S. taxpayer. S. 1340 directs the Secretary to solicit comments from Federal and state agencies and the public, and establishes a timeframe for government officials to review and comment before publication of the leasing plan. The bill provides that the Secretary can only lease those parcels that are included in an approved 5-year leasing plan. The bill also would require the Department to issue regulations to implement the new lease program within 180 days of enactment, and to publish the first leasing plan within 270 days of enactment.

The Department supports the goal of improving the BLM's management of the Federal coal program, but notes that it is important to assess fully the effects of the proposals included in Section 10 on the program's efficiency and ultimately the return to the U.S. taxpayer. We are committed to working closely with the sponsor and the Committee on any legislative changes that are needed to strengthen the management of coal production on public lands.

#### *Lease Terms & Lease Modifications*

S. 1340 (Sec. 12) reduces the primary term of a lease from 20 years to 10 years; the diligent development period from 10 years to five years; the renewal terms of a lease from 10 years to five years, and the period for advanced royalty payments from 20 years to 10 years. S. 1340 (Sec. 9) reduces the maximum size of a lease modification from 960 acres to 160 acres, requires a FMV determination for lease modifications (Sec. 7), and specifies that lease modifications cannot result in a decrease in revenue (Sec. 8). Lease modifications were limited to 160 acres prior to the Energy Policy Act of 2005, and S. 1340 would reinstate that limit. We are open to further discussion and analysis of these issues.

#### *Revenues*

S. 1340 raises the minimum royalty rate for coal and onshore oil and gas production from 12.5 percent to 18.75 percent (Sec. 13), and the rental rate for coal leases from \$3 per acre per year to no less than \$100 per acre per year (Sec. 11). S. 1340 (Sec. 2) also repeals the option for five equal deferred bonus payments. With respect to oil and gas, the Department notes that it has issued an Advanced BLM Notice of Proposed Rulemaking asking the public for input on potential changes to the BLM's royalty rate regulations. The comment period on that notice closes on

June 19, 2015. The Department is interested in working with the sponsor and the Committee to determine the appropriate royalty, rental rates, and other related revenues, and plans to engage stakeholders further on this topic in the very near future.

#### *Fair Market Value*

S. 1340 (Sec. 5) includes new requirements to determine FMV. The bill requires that the export potential of coal be considered in the FMV determination, and that the Secretary is not to accept any bids for a lease that is less than FMV. Finally, S. 1340 requires the GAO to complete an audit two years after enactment to determine whether the Secretary has complied with the FMV determination requirements.

The Department shares the goal of S. 1340 to capture FMV of leased coal, and the BLM has recently made improvements to its presale estimate process. In December 2014, the BLM published a new Coal Evaluation Manual and a new Coal Evaluation Handbook following the recommendations of GAO and OIG audits. The Coal Manual and Handbook enhance the evaluation process, while ensuring there is adequate and appropriate accounting for coal exports, with a consistent application throughout the BLM. There is also greater transparency, including an independent third-party review of each coal evaluation by the Department's Office of Valuation Services. Taken together, these enhancements will result in more thorough and better-documented coal evaluations for the benefit of the taxpayer. Finally, existing BLM rules provide that the BLM will reject bids that are less than the presale estimated FMV.

#### *Inspection & Enforcement*

S. 1340 (Sec. 14) requires the development of new regulations to ensure consistent and effective inspection and enforcement by providing additional national oversight of state inspections; standardizing the BLM inspection and enforcement practices; requiring that inspections and enforcement data be stored in a central database; and requiring periodic unannounced inspections. S. 1340 (Sec. 15) also provides the BLM with the authority to assess civil penalties of up to \$100,000 per incident per day. The Department supports establishing the authority to assess civil penalties per incident per day which would provide a useful tool to encourage compliance with applicable coal statutes and regulations. We are interested in working with the sponsor and the Committee to further develop potential improvements to the BLM's inspection and enforcement program.

#### *Additional Provisions*

Other proposals in S. 1340, include: a confidentiality requirement for consultants (Sec. 3); the requirement for licensees to provide an assertion of accuracy for data developed for exploration licenses (Sec. 4); and the requirement to make coal lease data publicly available (Sec. 6). In each instance, these issues have been addressed by existing BLM or Office of Natural Resources Revenue (ONRR) rules, policies, and guidance, including the recently updated Evaluation Handbook and Manual. While the BLM and ONRR have already addressed these issues administratively, BLM is interested in working with the sponsor and the Committee to provide greater transparency regarding its management of the Federal coal program.

### **S. 1407, Public Land Renewable Energy Development Act**

S. 1407 seeks to expedite the development of geothermal, wind, and solar energy projects on Federal lands managed by the Departments of the Interior and Agriculture by designating priority and other variance development areas in Bureau of Land Management (BLM) Resource Management Plans (RMPs), and establishing interagency coordination procedures. The bill also reestablishes a special account for processing geothermal energy authorizations, establishes a royalty system for wind and solar energy authorizations, and creates a conservation fund to address impacts of wind and solar energy development on public lands. The bill's provisions are directed toward public lands that have not been excluded from geothermal, solar or wind energy development through BLM RMPs or Federal law. This statement addresses the provisions relevant to the Department.

The Department and the BLM are committed to responsibly mobilizing the tremendous renewable energy resources available on public lands, and share the Committee's interest in identifying efficiencies in the development of those resources that are consistent with our multiple use and sustained yield mandate under the Federal Lands Policy and Management Act, environmental protection, and public involvement in agency decision-making. The Department supports the goals of S. 1407, and is already utilizing administrative authorities to implement the Western Solar Plan and to expand wind and geothermal development opportunities on public lands where appropriate. We are pleased to continue to work with the Committee and the sponsor to further harness the vast renewable resources on public lands while continuing to ensure a fair return to U.S. taxpayers.

### Analysis

#### *Land Use Planning, Environmental Review, & Permit Coordination*

S. 1407 (Title II, Sec. 202) requires that within five years BLM update existing land use plans to establish priority and other "variance" areas for geothermal and wind energy development. The bill acknowledges that the BLM completed a wind energy programmatic EIS and land use planning effort in 2005, completed a geothermal programmatic EIS and land use planning effort in 2008, and completed a solar energy programmatic EIS and land use planning in 2012. The BLM's wind energy land use plan identified exclusion areas but did not identify priority or variance areas for wind development. The geothermal planning effort involved both BLM public lands and National Forest System lands that were available and open for geothermal leasing, however, did not designate priority or variance areas for geothermal development. Finally, the BLM's solar energy planning effort designated exclusion lands as well as priority and variance areas for development.

The Department shares goals similar to those advanced by Section 202 and, through its existing authorities, is currently developing a competitive leasing program for solar and wind energy projects on public lands. As part of the Western Solar Plan, the BLM recently completed a successful competitive leasing auction in the Dry Lake SEZ in Nevada, which resulted in \$5.8 million in high bids. Building on the success of the Dry Lake auction, the BLM published a Proposed Rule for a competitive leasing program for wind and solar in September 2014 and expects to publish a Final Rule before the end of the year. This rule will give additional detail to the competitive leasing program for the solar and wind energy programs. The land use planning

requirements as outlined by S. 1407 would require significant time and resources and substantial public involvement if applicable to all BLM lands throughout the West. We would like to work with the sponsor and the Committee on coordinating the Department's existing efforts with those identified in the bill.

S. 1407 (Title II, Sec. 203) directs that in some cases additional review under the National Environmental Policy Act (NEPA) may not be required for renewable energy projects. It is the BLM's responsibility to complete an appropriate analysis of these types of activities before they are undertaken. The BLM believes analysis under NEPA allows for the reasoned consideration of the environmental effects of renewable energy projects and provides opportunity to consider alternatives with less adverse impacts on communities and the environment. Failure to complete an adequate NEPA review reduces transparency in agency decision-making and would impact our ability to identify relevant and useful information for consideration by the public and by the BLM as a decision-maker.

S. 1407 (Title II, Sec. 204) establishes a program to improve renewable energy permit coordination that is similar to the process BLM used to establish oil and gas permitting offices under the provisions of the EAct of 2005. Combined with increased overall funding, this process has helped to focus and coordinate resources to improve permitting for oil and gas development. Following this model, the BLM has already established renewable energy coordination offices in several state and field offices that have a significant renewable energy workload. While we support the general concept to expedite interagency coordination, it may be more advantageous to utilize existing renewable energy coordination offices and establish an interagency renewable energy team in those additional states with the highest expected renewable energy workload. The BLM should have the flexibility to adjust these offices in the future to adapt to emerging renewable energy workloads across the West. The BLM would like to work with the sponsor and Committee to discuss how best to achieve these goals.

### *Revenue & Enforcement*

The Department also shares the goal of S. 1407 to capture the fair market value of leased projects as part of its commitment to ensure an appropriate return to U.S. taxpayers. While the BLM currently ensures a fair return to the public from solar and wind energy authorizations through an annual acreage rent and MW capacity fee, the agency is also supportive of efforts which could improve and simplify how that return is captured.

S. 1407 (Title I, Sec 101) amends the EAct of 2005 to reestablish the geothermal special account, which expired in 2010, through Fiscal Year 2020 to provide funds for the processing of geothermal leases and use authorizations. Under current law, 50 percent of geothermal revenues are directed to the state in which the project is located, with the remaining funds divided evenly between the county in which the project is located and the Treasury. Under S. 1407, the states would continue to receive 50 percent of geothermal revenues; while the BLM would receive an amount subject to appropriation and without fiscal year limitation from the total directed to the Treasury. The BLM estimates the proposed special account would shift approximately \$4 million per year from the general Treasury to supplement discretionary appropriations that currently total roughly \$7 million annually. The Department has generally proposed funding geothermal program operations through a combination of cost recovery fees and the regular appropriations

process. We have concerns about the redirection of Federal receipts traditionally deposited in the Treasury toward this special-purpose account. We look forward to working with this Committee and the Interior appropriations committees in evaluating appropriate funding options for the geothermal leasing program.

S. 1407 (Title II, Section 212) provides for the allocation of all revenues from solar and wind energy authorizations to states (25 percent), counties (25 percent), a new Renewable Energy Resource Conservation Fund (35 percent and increasing after 15 years), and the U.S. Treasury (15 percent and decreasing after 15 years). Under the bill, funds deposited in the U.S. Treasury are to be directed to the BLM or other Federal or state agencies to assist in the processing of renewable energy permits for 15 years, after which the 15 percent is decreased incrementally each year and redirected to the new Conservation Fund. Currently all such revenues from solar and wind energy authorizations on public lands go to the U.S. Treasury. As written, the bill would limit expenditure of funds from the Renewable Energy Conservation Fund to fish and wildlife habitat issues, and access related to fishing, hunting and other forms of outdoor recreation.

The S. 1407 (Title II, Section 213) directs the Secretary of the Interior, in consultation with the Secretary of Agriculture, to establish royalties based on a percentage of the gross proceeds from the sale of MW production. The Department is concerned, however, that the royalty system would not provide a fair return from projects during periods without electric generation. We recommend the Committee consider additional language that would provide for a revenue collection system covering all phases of project development and operation, and also provide some guidelines on the appropriate range of royalty. The Department also wants to note that the current fee structure encourages a limited footprint; by implementing a similar structure for royalties, this key benefit could be reflected in the royalty system. The Department is glad to work with the sponsor and the Committee on exploring appropriate measures to ensure fair return to taxpayers from solar and wind projects' use of public lands.

S. 1407 (Title II, Section 214) would require the development of a comprehensive inspection, collection, fiscal, and production accounting and auditing system by the BLM and Department's Office of Natural Resources Revenue. Replacing the existing annual acreage and MW capacity fee with the system necessary to accurately determine royalties would require the Department to collect, track, and audit significantly different types of information from what is currently collected. The Department would need additional time and resources to develop a robust royalty auditing system capable of ensuring a fair return. The Department looks forward to working with the sponsor and the Committee to determine the best way to meet the revenue capturing objectives of the legislation without creating significant new administrative costs and burdens for the Department.

S. 1407 (Title II, Section 217) would require the Department to carry out a study of mitigation banking on Federal lands. Under Secretary's Order 3330, the Department has been working to update its policies and program direction with regard to landscape-level mitigation. While we believe that mitigation banking is an important tool for offsetting the unavoidable impacts of certain developments on the natural and cultural resources on public lands, we believe a separate study on mitigation banking would be duplicative of ongoing efforts to improve and expand

opportunities for mitigation at this time, including mitigation banking, the establishment of credit exchanges, and other tools being developed by states, private partners, and the Federal agencies. We would prefer to incorporate this review into our ongoing mitigation efforts.

Finally, S. 1407 (Title II, Section 218) of the bill would revoke the rental fee exemptions provided under the Rural Electrification Act (REA) for solar and wind projects with a capacity of 20 MWs or more. While the BLM has not yet approved any eligible projects under the REA, future projects may qualify for rental exemptions under existing authorities. The BLM supports the removal of the rental fee exemption as provided under S. 1407.

### **Conclusion**

Thank you for inviting the Department to submit its views on S. 15, S. 1218, S. 1230, S. 1310, S. 1311, S. 1340, and S. 1407. The Department of the Interior is committed to supporting the responsible supply of energy for our nation.

**From:** Senator Harry Reid  
**To:** [Shaun Knutson](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 3:09:46 PM

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Sincerely,

HARRY REID  
U.S. Senator for Nevada

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John Podesta, former Counselor to President Barack Obama

Secretary Ernest Moniz, Secretary of Energy

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Geisha Williams, President of Electric Operations at Pacific Gas and Electric Company

**WHEN:** Monday, Aug. 24, 2015

9 a.m. – 6 p.m.

**WHERE:** Mandalay Bay Resort Convention Center

3950 S. Las Vegas Blvd. Las Vegas, NV 89119

**REGISTER:** To register for Summit 8.0 and for the latest information about the panels and panelists, please visit [www.cleanenergysummit.org](http://www.cleanenergysummit.org)



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**To:** [Vern Graham](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 3:14:57 PM

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**To:** [Paul Merlin](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 3:19:50 PM

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**From:** Senator Harry Reid  
**To:** [Amy Lueders](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 3:24:59 PM

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United States Senator Harry  Reid



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Bill Ritter, Former Governor of Colorado

Antonio Villaraigosa, Former Mayor of Los Angeles

Nancy Pfund, Founder and Managing Partner of DBL Investors

Geisha Williams, President of Electric Operations at Pacific Gas and Electric Company

**WHEN:** Monday, Aug. 24, 2015

9 a.m. – 6 p.m.

**WHERE:** Mandalay Bay Resort Convention Center

3950 S. Las Vegas Blvd. Las Vegas, NV 89119

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**From:** Senator Harry Reid  
**To:** [Tim Smith](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 3:29:51 PM

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**From:** Senator Harry Reid  
**To:** [Victoria Barr](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 3:34:56 PM

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**From:** Senator Harry Reid  
**To:** [Maria Knutson](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 3:39:46 PM

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**From:** Senator Harry Reid  
**To:** [Geoff Smith](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 3:44:46 PM

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**From:** Senator Harry Reid  
**To:** [Shaun Knutson](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 4:57:47 PM

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**From:** Senator Harry Reid  
**To:** [Vern Graham](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 5:02:51 PM

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United States Senator Harry  Reid



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Bill Ritter, Former Governor of Colorado

Antonio Villaraigosa, Former Mayor of Los Angeles

Nancy Pfund, Founder and Managing Partner of DBL Investors

Geisha Williams, President of Electric Operations at Pacific Gas and Electric Company

**WHEN:** Monday, Aug. 24, 2015

9 a.m. – 6 p.m.

**WHERE:** Mandalay Bay Resort Convention Center

3950 S. Las Vegas Blvd. Las Vegas, NV 89119

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**From:** Senator Harry Reid  
**To:** [Paul Merlin](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 5:07:51 PM

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**From:** Senator Harry Reid  
**To:** [Amy Lueders](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 5:12:47 PM

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**From:** Senator Harry Reid  
**To:** [Tim Smith](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 5:17:51 PM

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**From:** Senator Harry Reid  
**To:** [Victoria Barr](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 5:22:47 PM

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**From:** Senator Harry Reid  
**To:** [Maria Knutson](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 5:27:51 PM

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**WHERE:** Mandalay Bay Resort Convention Center

3950 S. Las Vegas Blvd. Las Vegas, NV 89119

**REGISTER:** To register for Summit 8.0 and for the latest information about the panels and panelists, please visit [www.cleanenergysummit.org](http://www.cleanenergysummit.org)



#### OFFICE LOCATIONS

##### Las Vegas

Lloyd D. George Building  
333 Las Vegas Boulevard South  
Suite 8016  
Las Vegas, NV 89101  
Phone: 702-388-5020  
Fax: 702-388-5030

##### Reno

Bruce R. Thompson Courthouse  
and Federal Building  
400 South Virginia Street, Suite 902  
Reno, NV 89501  
Phone: 775-686-5750  
Fax: 775-686-5757

##### Carson City

600 East Williams Street  
Suite 304  
Carson City, NV 89701  
Phone: 775-882-REID (7343)  
Fax: 775-883-1980

##### Washington

522 Hart Senate Office Building - Washington, DC 20510  
Phone: 202-224-3542 - Fax: 202-224-7327  
Toll Free for Nevadans: 1-866-SEN-REID (736-7343)  
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**From:** Senator Harry Reid  
**To:** [Geoff Smith](#)  
**Subject:** President Barack Obama To Deliver Keynote Address In Las Vegas At The National Clean Energy Summit 8.0: Powering Progress on Aug. 24  
**Date:** Saturday, August 01, 2015 5:32:56 PM

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United States Senator Harry  Reid



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August 1, 2015

Dear Fellow Nevadan,

President Barack Obama will lead the nation's foremost clean energy conversation as the keynote speaker during the "[National Clean Energy Summit 8.0: Powering Progress](#)" at [Mandalay Bay Resort Convention Center](#) in Las Vegas Monday, Aug. 24. In its eighth year, the annual summit brings together clean energy advocates, business leaders, students, public officials and decision makers to discuss solutions for the advancement of the clean energy economy. To register for Summit 8.0 and for the latest information about the panels and panelists, please visit [www.cleanenergysummit.org](http://www.cleanenergysummit.org)

I have so much affection and admiration for President Obama and we are thrilled to welcome him to participate in this year's summit. President Obama's record on clean energy and climate stands above all others. His administration has made the largest investment in clean energy in American history and there is no place better than Nevada to discuss how we will continue this progress.

Under the direction of President Obama, the United States is leading global efforts to address the threat of climate change, while making great strides domestically by increasing the use of wind, geothermal and solar power, and reducing carbon emissions in record numbers. During the summit, President Obama and other clean energy visionaries will discuss topics such as securing greater energy independence, empowering Americans to develop existing clean energy resources and job creation through renewable energy initiatives.

I look forward to an enthusiastic dialogue on how Americans can continue to build a 21st century clean energy future and hope you can join us.

To learn more about my work in the Senate on behalf of Nevadans or to contact me, please visit <http://www.reid.senate.gov>, sign up for my e-newsletter, [The Reid Report](#), or connect with me on [Facebook](#) and [Twitter](#).

Sincerely,

HARRY REID  
U.S. Senator for Nevada

---



“National Clean Energy Summit 8.0: Powering Progress” is co-sponsored by [U.S. Senator Harry Reid](#), [Center for American Progress](#), the [Clean Energy Project](#), [MGM Resorts International](#) and the [University of Nevada, Las Vegas](#). Past speakers at the annual summit include Hillary Clinton, Bill Clinton, Joe Biden, Arnold Schwarzenegger, Elon Musk and many more. Sen. Harry Reid, John Podesta and Secretary Ernest Moniz will join President Obama as speakers at this year’s summit, with additional speakers and details about panels to follow.

**WHAT:** “National Clean Energy Summit 8.0: Powering Progress”

**WHO:** **President Barack Obama**, 44<sup>th</sup> President of the United States

John Podesta, former Counselor to President Barack Obama

Secretary Ernest Moniz, Secretary of Energy

Dan Klaid, Chancellor of the Nevada System of Higher Education (NSHE)

Diarmuid O’Connell, Vice President of Business Development at Tesla Motors

Jamie Evans, Managing Director at Panasonic Eco Solutions

Dr. Ellen Williams, Director of the Advanced Research Projects Agency–Energy (ARPA-E)

Thomas Voss, Chairman of Smart Wires

Amy Ericson, Country President for the United States at Alstom

Susan Kennedy, CEO and Board Member of Advanced Microgrid Solutions

Neera Tanden, President of the Center for American Progress

Bill Ritter, Former Governor of Colorado

Antonio Villaraigosa, Former Mayor of Los Angeles

Nancy Pfund, Founder and Managing Partner of DBL Investors

Geisha Williams, President of Electric Operations at Pacific Gas and Electric Company

**WHEN:** Monday, Aug. 24, 2015

9 a.m. – 6 p.m.

**WHERE:** Mandalay Bay Resort Convention Center

3950 S. Las Vegas Blvd. Las Vegas, NV 89119

**REGISTER:** To register for Summit 8.0 and for the latest information about the panels and panelists, please visit [www.cleanenergysummit.org](http://www.cleanenergysummit.org)



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**From:** Ripchensky, Darla (Energy)  
**To:** ["director@blm.gov"](mailto:director@blm.gov)  
**Cc:** [Murfitt, Lucy \(Energy\)](#); [Gray, Spencer \(Energy\)](#); [Hansen, Heidi \(Energy\)](#); [McCormick, Patrick \(Energy\)](#)  
**Subject:** RE: Questions for the Record from the Senate ENR Committee" Subcmte on Public Lands, Forests, and Mining on April 30, 2015  
**Date:** Monday, August 03, 2015 12:42:47 PM

---

Director Kornze, can you please provide status of your responses to QFRs from the April 30<sup>th</sup> hearing?

Sincerely,  
Darla Ripchensky

---

**From:** Ripchensky, Darla (Energy)  
**Sent:** Friday, June 26, 2015 12:59 PM  
**To:** 'director@blm.gov'  
**Cc:** Murfitt, Lucy (Energy); Gray, Spencer (Energy); Hansen, Heidi (Energy)  
**Subject:** RE: Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

Good afternoon, Director Kornze. Can you please provide status of your responses to QFRs from the April 30<sup>th</sup> hearing regarding the BLM's Final Rule on Hydraulic Fracturing?

Sincerely,

**Darla Ripchensky, PMP**  
**Chief Clerk**  
**U.S. Senate Committee on Energy and Natural Resources**  
**304 Dirksen Senate Office Building**  
**Washington, DC 20510**  
**202.224.3607**

---

**From:** Ripchensky, Darla (Energy)  
**Sent:** Thursday, May 07, 2015 1:07 PM  
**To:** 'director@blm.gov'  
**Cc:** Murfitt, Lucy (Energy); Gray, Spencer (Energy); Hansen, Heidi (Energy)  
**Subject:** Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

Good afternoon, Director Kornze. Attached are Questions for the Record which have been submitted to you by various Members of the ENR Committee from the subcommittee hearing which was held last Thursday regarding "The BLM's Final Rule on Hydraulic Fracturing." We respectfully request that you provide your responses to these questions by **Thursday, May 21, 2015** for inclusion in the official hearing record.

Please provide the responses directly to me, and feel free to contact me if you have any questions. Thank you for your assistance with this request.

Sincerely,

Darla Ripchensky, PMP  
Administrative Director  
U.S. Senate Committee on Energy and Natural Resources  
304 Dirksen Senate Office Building  
Washington, DC 20510  
202.224.3607

**From:** Ripchensky, Darla (Energy)  
**To:** [Lara Douglas \(ledouglas@blm.gov\)](mailto:Lara.Douglas@blm.gov)  
**Cc:** [Patrick Wilkinson \(p2wilkin@blm.gov\)](mailto:Patrick.Wilkinson@blm.gov)  
**Subject:** FW: Questions for the Record from the Senate ENR Committee" Subcmte on Public Lands, Forests, and Mining on April 30, 2015  
**Date:** Monday, August 03, 2015 12:47:21 PM  
**Attachments:** [QFRs for Director Kornze 4-30-15 ENR PLFM Subcmte Hrg.docx](#)

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**From:** Ripchensky, Darla (Energy)  
**Sent:** Thursday, May 07, 2015 1:07 PM  
**To:** 'director@blm.gov'  
**Cc:** Murfitt, Lucy (Energy); Gray, Spencer (Energy); Hansen, Heidi (Energy)  
**Subject:** Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

Good afternoon, Director Kornze. Attached are Questions for the Record which have been submitted to you by various Members of the ENR Committee from the subcommittee hearing which was held last Thursday regarding "The BLM's Final Rule on Hydraulic Fracturing." We respectfully request that you provide your responses to these questions by **Thursday, May 21, 2015** for inclusion in the official hearing record.

Please provide the responses directly to me, and feel free to contact me if you have any questions. Thank you for your assistance with this request.

Sincerely,

Darla Ripchensky, PMP  
Administrative Director  
U.S. Senate Committee on Energy and Natural Resources  
304 Dirksen Senate Office Building  
Washington, DC 20510  
202.224.3607

**U.S. Senate Committee on Energy and Natural Resources  
April 30, 2015 Hearing: BLM Hydraulic Fracturing Rule  
Questions for the Record Submitted to the Honorable Neil Kornze**

**Questions from Senator John Barrasso**

**Question 1:** The Bureau of Land Management’s final rule on hydraulic fracturing says that: “The BLM believes that there will be no financial impacts to the states as a result of this rule.” It goes on to say that: “the BLM does not believe that production from Federal lands will be reduced as a result of this rule. Therefore, a Federalism assessment is not required.” At the hearing, I asked you: (1) whether BLM relied on any empirical data to show that a rule of this significance would not reduce oil and gas production on federal lands; and (2) if BLM did not rely on empirical data, what is the basis for BLM’s finding that the rule will not reduce oil and gas production on federal lands?

In response, you indicated that you would provide a written answer to this question. I look forward to your answer.

**Question 2:** BLM has not issued a final environmental impact statement (EIS) for an oil and gas production project in Wyoming since 2008. Currently, there are nine EISs for oil and gas production projects in Wyoming pending with BLM. Some of the EISs have been pending with BLM for more than 8 years. During the hearing, you said that “about half of those [project proposals] came in in the last two years.” Of these nine, you indicated that BLM would issue two to three final EISs in Wyoming this year.

- A. Would you please provide the date that each of the nine projects were first proposed to BLM?
- B. Would you please provide the date (month/year) when we can expect BLM to issue the final EIS for each of the nine projects?

**Question 3:** On April 17, 2015, the Secretary of the Interior issued an advanced notice of proposed rulemaking for the purpose of seeking public comment on potential updates to BLM rules governing oil and gas royalty rates, rental payments, lease sale minimum bids, civil penalty caps and financial assurances.

I am concerned that any proposal to raise royalty rates and other fees will put federal lands at an even greater competitive disadvantage with state and private lands—and, as a consequence, Wyoming and other public land states at a greater disadvantage with other areas of the country.

In 2011, DOI commissioned a study which found that higher royalty rates for federal lands in Wyoming “will deteriorate their competitive position in the market, which is rather weak as it is.”

On March 14, 2012, then BLM Director, Bob Abbey, testified before the Senate that there has been “a shift [in oil and gas production] to private lands in the East and to the South where there are fewer amounts of Federal mineral estate.”

**U.S. Senate Committee on Energy and Natural Resources  
April 30, 2015 Hearing: BLM Hydraulic Fracturing Rule  
Questions for the Record Submitted to the Honorable Neil Kornze**

According to the Energy Information Administration (EIA), federal onshore natural gas production has decreased by 22 percent since 2009. EIA has found that federal onshore natural gas production makes up a smaller percentage of total U.S. gas production than it has in at least 11 years. EIA has also found that federal onshore oil production makes up a smaller percentage of total U.S. oil production than it has in nine years. While these numbers reflect new production on state and private lands, they also show that federal lands are becoming less competitive with state and private lands.

Please explain, in detail, how raising the royalty rates on onshore oil and gas production on federal lands will not further reduce their competitive position relative to state and private lands. In your answer, please address the additional regulatory burdens, including those associated with the National Environmental Policy Act, which apply to oil and gas production on federal lands but not oil and gas production on state and private lands.

**Question 4:** I understand there are significant delays in obtaining sundry notices and rights-of-way (ROWs) for natural gas gathering lines on federal lands from BLM.

In February 2015, I asked Secretary Jewell to provide detailed information about pending requests for sundry notices and ROWs for natural gas gathering lines on federal land.

In response, the Secretary explained that BLM “lacks capability to query for details of each sundry notice” and BLM, with respect to requests for ROWs, “does not distinguish between requests for oil or gas, gathering or transport, lines.”

- A. What is the total number of requests for ROWs pending at BLM?
- B. What is the total number of requests for ROWs pending at each BLM Field Office?
- C. When were each of the pending requests for ROWs first submitted to BLM?

**Question 5:** Secretary Jewell has stated that BLM will propose a new rule for flaring and venting of natural gas on federal lands and Indian lands shortly.

Does BLM plan to conduct a federalism assessment on the impacts of the proposed rule to states pursuant to Executive Order 13132? If not, why not?

**Questions from Senator Lisa Murkowski**

**Question 1:** The Montana BLM office already oversees the North Dakota mineral activities, and Washington state and Oregon activities are managed out of the Portland office. E&E reported March 13, 2015 that there is speculation of a merger of the New Mexico and Arizona BLM offices. Is consolidation of the state offices part of a larger

**U.S. Senate Committee on Energy and Natural Resources  
April 30, 2015 Hearing: BLM Hydraulic Fracturing Rule  
Questions for the Record Submitted to the Honorable Neil Kornze**

policy vision for the future organizational structure of the BLM, and if so, what impacts and results does the BLM anticipate from such a shift?

**Question 2:** You stated during the hearing that significant consultations with States and Tribes occurred in the development of the rule. Did BLM consult with the State of Alaska, the Alaska Oil and Gas Conservation Commission, Alaska Native Village or Regional Corporations or tribal councils? Please list the entities in Alaska with whom the BLM consulted in the development of this rule.

**Questions from Senator Jeff Flake**

**Question 1:** On Friday, April 24, BLM Deputy Director Steve Ellis held a congressional briefing on a proposal to merge the Arizona and New Mexico state BLM offices. Can you provide an update on the status of that decision making process? That is, when does BLM plan to make a decision?

**Question 2:** If BLM decides to move forward with merging the offices, what sort of notice and consultation is the Bureau required to engage in with Congress before finalizing its decision?

**Question 3:** What type of outreach has the BLM conducted with interested stakeholders in Arizona and New Mexico?

**Question 4:** During the briefing, Deputy Secretary Ellis made frequent references to the joint offices in Oregon and Washington, as well as Montana and the Dakotas. Please provide information on the average length of time it takes those offices to process permits, environmental analyses, and other approvals before and after those officer mergers were completed.

**Question 5:** Please provide information on the cost savings that were realized from prior BLM office mergers (e.g., Oregon-Washington, Montana-Dakotas), and whether those cost savings were retained by those new regional offices or used elsewhere in the Bureau.

**Questions from Senator Mazie Hirono**

**Question 1: BLM MOU with FracFocus**

At the time that the Bureau of Land Management published the final rule on hydraulic fracturing on public lands the agency indicated that it was entering into a MOU with the managers of FracFocus to clear up concerns and recommendations by the Department of Energy's Science Advisory Board relating to functionality and accessibility of data.

**U.S. Senate Committee on Energy and Natural Resources  
April 30, 2015 Hearing: BLM Hydraulic Fracturing Rule  
Questions for the Record Submitted to the Honorable Neil Kornze**

Can you explain in more detail the specifics of the MOU? Does it address all recommendations and actions in the Department of Energy's FracFocus 2.0 report or only a portion of those?

**Question 2: Environmental Impacts of Fracking**

*The New Yorker* recently ran a lengthy piece that discussed the linkage between oil and gas development and the frequency of earthquake activity in Oklahoma. It noted that "Until 2008, Oklahoma experienced an average of one to two earthquakes of 3.0 magnitude or greater each year. In 2014, there were five hundred and eighty-five, nearly triple the rate of California. Including smaller earthquakes in the count, there were more than five thousand."

The article goes on to say, "Disposal wells trigger earthquakes when they are dug too deep, near or into basement rock, or when the wells impinge on a fault line." The research geologist from the United States Geological Survey that was interviewed for the article said, when discussing the linkage, "Scientifically, it's really quite clear." Do you agree with the USGS geologist that oil and gas exploration has contributed to increased seismic activity? Do you believe that additional steps should be taken to limit hydraulic fracturing or better regulate the placement of disposal wells, which house wastewater from hydraulic fracturing, in areas known to trigger earthquakes?

**From:** Schafle, Matt  
**To:** [p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)  
**Subject:** Questions For The Record  
**Date:** Thursday, August 06, 2015 3:51:45 PM  
**Attachments:** [image001.png](#)  
[Thank You QFR\\_Kornze.pdf](#)  
[Lamborn\\_QFR\\_Kornze.doc](#)

---

Good Afternoon Patrick,

I hope your August is off to a good start. Attached please find additional questions for the record for Director Kornze from the Subcommittee on Energy and Mineral Resources oversight hearing titled "*The Future of Hydraulic Fracturing on Federally Managed Lands.*"

Please submit responses in **Microsoft Word** format by August 20, 2015. Please let me know if you have any questions.

Thank you,

**Matt Schafle**  
**Subcommittee on Energy and Mineral Resources**  
**Committee on Natural Resources**  
1333 Longworth House Office Building  
Washington, D.C. 20515  
Phone: (202) 225-9297  
Fax: (202) 225-5929





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CRESENT HARDY, NV

JASON KNOX  
STAFF DIRECTOR

**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

August 6, 2015

RAÚL M. GRIJALVA, AZ  
RANKING MEMBER  
GRACE F. NAPOLITANO, CA  
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MARK TAKAI, HI  
RUBEN GALLEG0, AZ  
LOIS CAPPs, CA  
JARED POLIS, CO

DAVID WATKINS  
DEMOCRATIC STAFF DIRECTOR

The Honorable Neil Kornze  
Director  
Bureau of Land Management  
U.S. Department of the Interior  
1849 C Street NW, Rm. 5665  
Washington DC 20240

Dear Director Kornze:

Thank you for appearing before the Subcommittee on Energy and Mineral Resources oversight hearing on Wednesday, July 15, 2015 to present testimony on "*The Future of Hydraulic Fracturing on Federally Managed Lands.*"

Your testimony was extremely helpful in defining the Subcommittee's understanding of the issue and I appreciate the effort you took to prepare and present your testimony. While many questions were asked during the hearing, the Subcommittee has additional questions, attached, for your reply.

Please forward your responses to Matt Schafle, Clerk, with the Subcommittee on Energy and Mineral Resources, at [Matt.Schafle@mail.house.gov](mailto:Matt.Schafle@mail.house.gov) by no later than August 20, 2015. Your assistance in meeting this deadline is requested, as failure to meet it will be noted in the printed transcript.

Once again, thank you for your extensive effort in making this a valuable hearing.

Sincerely,



Doug Lamborn  
Chairman  
Subcommittee on Energy and Mineral Resources

Enclosure

**Committee on Natural Resources**  
**Subcommittee on Energy and Mineral Resources**  
**1324 Longworth House Office Building**  
**Wednesday, July 15, 2015**  
**10:30 AM**

**Oversight hearing on:**

*"The Future of Hydraulic Fracturing on Federally Managed Lands"*

**Questions from Rep. Lamborn** for Neil Kornze, Director, U.S. Bureau of Land Management

1. In your written testimony, you state the implementation of the Hydraulic Fracturing ("HF") rule will be \$11,400 for each HF operation which you term "a modest cost." When developing this cost, did the bureau look at the many other costly inhibitors and costs including leasing and appraisal delays, APD fees, the lack of cadastral surveys? How are you going to provide operators with certainty that their Notice of Intent to hydraulically fracture a well will be reviewed on a timely basis, by employees trained in well completion, and under a scenario that respects the investments made by operators in well drilling?
2. Because of the added costs of federal approvals and processes, the GAO recently found that "... an oil or gas well that develops Indian resources generally costs almost 65 percent more for regulatory compliance than a similar well developing private resources." Do you think adding the final HF rule to this mountain of approvals, fees and permits will help or hurt Indian tribes who are interested in developing their energy resources and providing jobs for their tribal members?
3. The final HF rule would be applicable to operators on public as well as Indian lands. In developing, drafting and now finalizing the rule, did the bureau keep in mind the truly unique political and legal relationship the U.S. has with Indian tribes?

Does the U.S. trust responsibility to Indian tribes impose on the federal government additional obligations to ensure the value of their energy resources are maximized for benefit of tribal members?

4. Your statement suggests that one rationale for the HF rule is because it has not been updated and a lot has happened in the last 30 years. Indeed, a lot has happened in Indian Country in the last three decades and several Indian tribes repeatedly recommended to the bureau that tribal regulatory authority and decision-making be respected in the final rule. Why did the bureau ignore these recommendations?
5. You cite the growth of production on federal land as a testament to this Administration's commitment to onshore oil and gas development; how do you reconcile this commitment to onshore oil and gas with Lloyd Hetrick's testimony that this additional bureaucratic layer will further dissuade producers from federal land production?
6. You admitted that you had not prepared any instructional memoranda directing your state offices on how to implement the rule; as such, not a single variance was in place on June 23, and several offices were providing conflicting information concerning the rule's application. How is your agency taking steps to ensure uniform implementation of the rule throughout all state offices?
7. One of the associated costs with the hydraulic fracturing rule is an additional National Environmental Policy Act ("NEPA") analysis that will occur if an operator submits a standalone notice of intent to hydraulically fracture, separate from the Application for a Permit to Drill. Did the final rule analyze the cost of this additional NEPA analysis, and why or why not? Can NEPA analyses add substantial costs and delays to a project?

**Committee on Natural Resources**  
**Subcommittee on Energy and Mineral Resources**  
**1324 Longworth House Office Building**  
**Wednesday, July 15, 2015**  
**10:30 AM**

**Oversight hearing on:**

*“The Future of Hydraulic Fracturing on Federally Managed Lands”*

**Questions from Rep. Lamborn** for Neil Kornze, Director, U.S. Bureau of Land Management

1. In your written testimony, you state the implementation of the Hydraulic Fracturing (“HF”) rule will be \$11,400 for each HF operation which you term “a modest cost.” When developing this cost, did the bureau look at the many other costly inhibitors and costs including leasing and appraisal delays, APD fees, the lack of cadastral surveys? How are you going to provide operators with certainty that their Notice of Intent to hydraulically fracture a well will be reviewed on a timely basis, by employees trained in well completion, and under a scenario that respects the investments made by operators in well drilling?
2. Because of the added costs of federal approvals and processes, the GAO recently found that “... an oil or gas well that develops Indian resources generally costs almost 65 percent more for regulatory compliance than a similar well developing private resources.” Do you think adding the final HF rule to this mountain of approvals, fees and permits will help or hurt Indian tribes who are interested in developing their energy resources and providing jobs for their tribal members?
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**From:** Gins, Meagan  
**To:** [Hermann, Maya \(Heinrich\)](#); [Lara Douglas](#); [Patrick Wilkinson](#)  
**Subject:** Re: (SENDER VALIDATION FAILED --- May not have originated from apparent sender ) Re: Hardrock mining cleanup  
**Date:** Wednesday, August 12, 2015 11:45:10 AM  
**Attachments:** [FY2016 BLM Greenbook.pdf](#)

---

Maya- I've attached our 2016 budget justification which includes additional information on hardrock mining reform.

On Wed, Aug 12, 2015 at 10:54 AM, Hermann, Maya (Heinrich) <[Maya\\_Hermann@heinrich.senate.gov](mailto:Maya_Hermann@heinrich.senate.gov)> wrote:

Thanks Meagan, that sounds great. Thanks for the testimony—that will be very helpful.

**From:** Gins, Meagan [mailto:[mgins@blm.gov](mailto:mgins@blm.gov)]  
**Sent:** Wednesday, August 12, 2015 10:51 AM  
**To:** Hermann, Maya (Heinrich) <[Maya\\_Hermann@heinrich.senate.gov](mailto:Maya_Hermann@heinrich.senate.gov)>; Lara Douglas <[LEDouglas@blm.gov](mailto:LEDouglas@blm.gov)>; Patrick Wilkinson <[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)>  
**Subject:** (SENDER VALIDATION FAILED --- May not have originated from apparent sender ) Re: Hardrock mining cleanup

That sounds good. It will give our staff time to get refreshed on these bills.

Attached is Department testimony on S.796, in case

it's

helpful. I will work with our solids group to get something scheduled for August 24

or

25. If I find anything else that could be helpful

in the meantime,

I'll forward it on to you.

On Wed, Aug 12, 2015 at 10:07 AM, Hermann, Maya (Heinrich) <[Maya\\_Hermann@heinrich.senate.gov](mailto:Maya_Hermann@heinrich.senate.gov)> wrote:

Oh recess...perfect time for a massive mine disaster!

My boss would like to introduce something fairly soon after getting back in September, so I'm hoping to get my ducks in a row pretty quickly. That said, I'm still just beginning to figure out what my questions might be for your folks, so there might be some value in waiting a bit.

Perhaps I'll just say this: I'm looking at the current Grijalva bill from this Congress, HR 963, and the Bingaman bill from the 111<sup>th</sup> Congress, S 796. If anyone at BLM has information or technical assistance about either of those texts that seems pressing, or would point towards **\*not\*** using those as the starting point for a bill, it would be great to have that info sooner rather than later. If no one is moved to share information urgently, let's plan for a call on the 24<sup>th</sup> or 25<sup>th</sup>, and I should have some more specific questions by then.

Thanks for your help—I'm going to make sure to schedule all future disasters for June, when everyone is in town.

---

**From:** Meagan Gins [mailto:[mgins@blm.gov](mailto:mgins@blm.gov)]  
**Sent:** Wednesday, August 12, 2015 9:49 AM  
**To:** Hermann, Maya (Heinrich) <[Maya\\_Hermann@heinrich.senate.gov](mailto:Maya_Hermann@heinrich.senate.gov)>  
**Cc:** Patrick Wilkinson <[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)>; Lara Douglas <[LEDouglas@blm.gov](mailto:LEDouglas@blm.gov)>  
**Subject:** Re: Hardrock mining cleanup

Hi Maya,

I'm actually on leave starting Thursday (8/13) for ten days. Can the call take place the week of August 23? If you prefer to have the call this week we'll check with the solids group to see if they are available Thursday or Friday, and someone else from our office will cover it.

Let me know what works best for you.

Safe travels back to D.C.

Meagan

On Aug 11, 2015, at 7:41 PM, Hermann, Maya (Heinrich)  
<[Maya\\_Hermann@heinrich.senate.gov](mailto:Maya_Hermann@heinrich.senate.gov)> wrote:

I'm actually on a Forest Service field trip in California until tomorrow. Any chance Thursday or Friday morning would work?

---

Maya Hermann  
Office of Senator Martin Heinrich

Sent on my Blackberry, please excuse typos

---

**From:** Gins, Meagan  
**Sent:** Tuesday, August 11, 2015 12:51 PM  
**To:** Hermann, Maya (Heinrich)  
**Cc:** Patrick Wilkinson; Lara Douglas  
**Subject:** Fwd: Hardrock mining cleanup

Hi Maya!

Jeremy Bratt passed your request along. I spoke with the Chief of our Solid Minerals Division, Mitch Leverett, and he is available to chat with you tomorrow at 3:30pm. Does that work for you?

Let me know and I can set something up.

Thanks!

Meagan

---

**From:** Hermann, Maya (Heinrich)  
<[Maya\\_Hermann@heinrich.senate.gov](mailto:Maya_Hermann@heinrich.senate.gov)>

**Sent:** Saturday, August 8, 2015 6:48 PM

**To:** Stephenne Harding

**Subject:** Hardrock mining cleanup

Hi Stephenne,

In light of the mine waste disaster, my boss is interested in introducing legislation on hardrock mining cleanup, along the lines of the 1872 Mining Law reform that's been floating around for years.

I'm traveling for the next few weeks, but would it be possible to chat in the next few days with some of your mining folks about this? We're likely to start from the Grijalva bill HR 963, but would be interested in any input or technical assistance your folks might have.

Thanks!

Maya

--

Meagan Gins

U.S. Department of the Interior

Bureau of Land Management

Legislative Affairs Division (WO-620)

(202) 912-7399

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Meagan Gins

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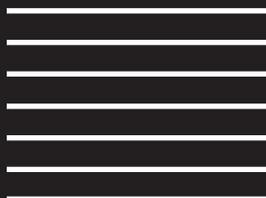
Meagan Gins

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(202) 912-7399



# **BUDGET** The United States Department of the Interior **JUSTIFICATIONS**

and Performance Information  
Fiscal Year 2016

## **BUREAU OF LAND MANAGEMENT**

NOTICE: These budget justifications are prepared for the Interior, Environment and Related Agencies Appropriations Subcommittees.

Approval for release of the justifications prior to their printing in the public record of the Subcommittee hearings may be obtained through the Office of Budget of the Department of the Interior.



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# Executive Summary



## Executive Summary

The Bureau of Land Management (BLM) serves as the steward of vast tracts of western and Alaskan lands with a multiple use and sustained yield mission to maintain the health, diversity and productivity of public lands for present and future generations. Public demands placed on these lands continue to change and grow, as does the complexity of land management decisions and their implications for the future.

The *Federal Land Policy and Management Act of 1976 (FLPMA)* defined the concept of managing public lands on the basis of multiple use and sustained yield, and it is this unique mandate that is the BLM's greatest strength. This approach emphasizes how people and the lands are interconnected and interdependent, and balances the diversity of interests and values associated with the public lands. Doing so on a landscape basis further enhances the ability to meet the diverse needs of our public land users in a balanced and sustainable way.

The 2016 budget request for the BLM strikes this balance in a year that presents history-making opportunities for managing public lands. The Bureau must invest in conservation of America's sage-steppe ecosystem, which spans over a little more than 65 million acres. Conserving this iconic landscape, the sagebrush habitat, and the over 350 species that call it home, would not only save one of America's great treasures, it will protect our ability to sustainably manage these lands for future generations, including traditional and renewable energy development, recreation, livestock grazing, wild horses and burros, and wildfire. All of these have far-reaching consequences for the Nation's economy.

Accordingly, it is vital that the Bureau have the resources necessary to manage both safely and effectively the 100,000 oil and gas production wells that we are responsible for overseeing. However, funding for the BLM's onshore oil and gas program has not kept pace with its workload, thus presenting difficult choices for the BLM. To help bolster BLM's capacity to effectively respond to industry demand and manage the increasing workload in its Oil and Gas Management program, the 2016 budget includes important funding increases aimed at leasing, permitting, and management efficiencies through technology. The budget proposes to institute a fee system for its inspection program, similar to the one already in place for Federal offshore oil and gas leases. The new fee revenue, estimated at \$48 million in 2016, will allow for a net increase of \$6.9 million in program capacity for this critical management responsibility. The fee proposal will allow the BLM to be nimble in responding to industry demands while reducing the need for direct appropriations by \$41.1 million, funds that can be directed toward other priority activities within the oil and gas program and elsewhere in BLM.

This budget seeks a significant increase in funding for one of the greatest gifts we can give future generations, one that transcends Administrations and will span generations – our National Conservation Lands. Through legislative action and Presidential initiative, special designations for these lands protect significant resource values while providing opportunities for recreation and making significant contributions to the US economy. The proposed investments will help to ensure that these legacy lands are managed for the enjoyment of all Americans and preserved in perpetuity.

The budget request also includes a legislative proposal to help link individual Americans to their public lands through the formation of the BLM Foundation, which would raise private funds and foster productive partnerships to promote the BLM's multiple use and sustained yield mission. Such a foundation would allow individuals to demonstrate their commitment to public lands with

their time and money. The BLM is the Nation's only large land management agency without a congressionally chartered foundation to support its work.

### Bureau Overview

More than 10,000 employees manage an outsized portfolio of lands and resources that encompasses more than 247 million surface acres, primarily in 11 western States, including Alaska, and 700 million acres of Federal mineral estate, as well as the mineral operations and cadastral surveys on 56 million acres of Indian trust lands. In other words, the BLM is entrusted with 13 percent of the Nation's surface land and roughly one third of its minerals resources. While often thought of as a Western agency, the BLM also has significant management responsibilities east of the Mississippi River.

The public lands serve several important functions. As population growth in the West has expanded since World War II, the BLM has faced a corresponding rise in public demand for uses such as recreation, wildlife, and open space. At the same time, BLM lands have provided energy and minerals, forage, forest products, and other goods to a growing Nation. Today, these lands not only continue producing natural gas, oil and coal, but are also driving the Nation's new energy economy by producing solar, wind and geothermal energy to reduce our dependence on fossil fuels.

BLM-managed lands also provide critical open-space for an expanding population in western cities and towns. The BLM is also a steward of the Nation's public lands - helping to protect threatened or endangered species, restore valuable habitat, manage forest and rangeland fires, preserve historical and paleontological resources, and administer a range of resources that benefit a growing economy. In these ways, BLM management contributes to the vitality of local economies, and delivers benefits to all Americans.

As with all great responsibilities, effective public land management also entails considerable challenges that the BLM addresses through cooperation and creativity. Collaboration is the hallmark of the BLM's management approach, engaging a wide range of stakeholders and communities in all its land management decisions.

### 2016 Budget Request



\$18.3 million above the 2015 enacted level.

The 2016 BLM budget request for current appropriations is \$1.2 billion, an increase of \$107.6 million above the 2015 enacted level. The budget proposes \$1.1 billion for the Management of Lands and Resources appropriation and \$107.7 million for the Oregon and California Grant Lands appropriation, BLM's two operating accounts. The request for these two accounts represents a total increase of \$91.4 million above the 2015 enacted level. The budget also proposes \$38.0 million in discretionary funding for Land Acquisition, an increase of

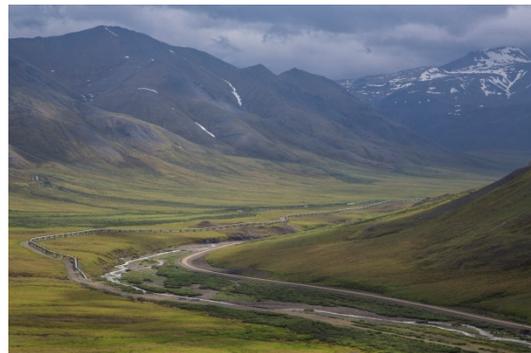
The BLM budget request translates to a cost per acre of about \$5.04 to American taxpayers.<sup>1</sup> Recent Interior studies indicate that BLM's management of the public lands provides an outstanding economic return to the American people. In 2013,<sup>2</sup> activities on BLM managed lands were estimated to contribute \$107 billion to the Nation's economic output and supported over 446,223 domestic jobs through extractive and non-extractive uses of public lands.<sup>3</sup>

This request provides sustainable benefits across the West and for the Nation as a whole. It maintains working landscapes for grazing, timber and recreation; it strengthens oversight of onshore oil and gas development while providing increased opportunities for developing these economic resources; and it protects unique wildlife habitat and ecosystem functions that are also essential sources for clean water, clean air, carbon sequestration, nutrient cycling and cultural preservation.

**Powering Our Future** – The Bureau plays an essential role in meeting the Administration's "All-of-the-Above" energy strategy. BLM's oil and gas program accounts for 11 percent of the natural gas and five percent of the oil that is domestically produced. In addition, coal from public lands provides approximately 22 percent of U.S. electrical production annually. Since 2009, the BLM has approved 52 renewable energy projects, including 29 utility-scale solar facilities, 11 wind farms, and 12 geothermal plants, with associated transmission corridors and infrastructure to connect with established power grids. If fully constructed, these projects will provide more than 14,000 megawatts of power, or enough electricity to power about 4.8 million homes, and provide over 20,000 construction and operations jobs.

The 2016 budget continues strong support for the Administration's energy goals and strengthens management of onshore oil and gas development. This budget request proposes an increase of \$12.8 million above 2015 enacted levels to develop master leasing plans, support the work of the pilot project offices, and advance the technologies needed to improve management of the program.

Since 2000, the BLM has permitted nearly 47,000 new wells; however, the agency's role does not end when a well goes into production. The BLM has oversight responsibility for each of the approximately 100,000 wells on public land from cradle to grave. This is a significant responsibility and one that the BLM takes seriously to protect the public, the environment and taxpayer interests. The 2016 budget request includes a proposal to charge an inspection fee to cover the costs of performing those functions for industry. The BLM estimates that the fee schedule included in the budget will generate \$48.0 million in offsetting collections for the inspection and oversight program, allowing for a \$6.9 million increase in program capacity compared to the 2015 enacted level. This new fee authority will also bring onshore oil and gas inspections and oversight into congruence with offshore oil and gas management, where inspection and related activities are presently funded through operator fees.



<sup>1</sup> *Public Land Statistics, 2013* ([http://www.blm.gov/public\\_land\\_statistics/pls13/pls2013-web.pdf](http://www.blm.gov/public_land_statistics/pls13/pls2013-web.pdf))

<sup>2</sup> The most recent year for which figures are available.

<sup>3</sup> Department of the Interior Economic Impact Report, 2013 (page 17)

Permanent funds provided in the 2015 National Defense Authorization Act and additional current appropriations requested in the 2016 budget will enhance the BLM's ability to process APDs more quickly and efficiently despite the increased complexity and technical challenges involved in today's oil and gas operations. The NDAA provides for a 10-year authorization of APD processing fees, adjusted each year for inflation, which will replace the fee currently provided through annual appropriations language. The NDAA sets the fee at \$9,500 in 2016, an increase of \$3,000 over the 2015 APD fee of \$6,500. This will generate an estimated \$47.5 million in APD fee revenues, \$15.0 million more than the \$32.5 million provided for in the 2015 appropriations bill. However, of this amount, only 85 percent or \$40.4 million is available for BLM use to expand its APD processing capacity (for each year from 2016 to 2019). The budget requests that Congress appropriate the remaining \$7.1 million in estimated APD fee revenues as part of the annual Interior appropriations bill. In addition, the 2016 BLM budget request includes an additional \$3.0 million in discretionary funds to enhance the capacity of BLM's permit processing project offices. The NDAA also permanently extends BLM access to the mandatory pilot office funding authorized under section 365 of the Energy Policy Act of 2005. In the absence of the NDAA provision, BLM's authority to use the lease rental revenues deposited into the Permit Processing Improvement Fund would have expired at the end of 2015.

The BLM budget request maintains funding for Renewable Energy at essentially the 2015 enacted level, providing the BLM with the necessary resources to continue to aggressively facilitate and support solar, wind, and geothermal energy development.

While this request addresses greater use of renewable energy sources and the responsible development of onshore oil and gas to meet U.S. energy needs, coal provides for the preponderance of near-term electrical generation for the Nation. Coal produced from Federal lands is the source of over 20 percent of all U.S. electricity. An increase of \$1.1 million in both the Coal Management program and the Other Minerals program will support the automation and tracking of licenses, leases and permitting as well as inspection activities, including production verification associated with coal and other minerals.

The BLM role in meeting the Nation's energy requirements goes beyond the production side of the equation. Across the vast public lands of the West, the BLM, through rights-of-way issuance, facilitates the efficient delivery of energy to meet growing demand and address the West's aging electrical infrastructure, which impedes efficient energy transmission and inhibits renewable energy development. To support necessary upgrades for reliability and increased capacity, the budget includes a \$5.0 million increase in the Cadastral, Lands and Realty Management program to identify and designate energy corridors for the siting of transmission lines and other related infrastructure in an environmentally sensitive manner. This increase complements the Secretary's Powering Our Future initiative.

**Sage-Grouse Conservation** – Greater sage-grouse once occupied more than 290 million acres of sagebrush in the West. Unfortunately, the bird, known for its flamboyant mating ritual, has lost much of its habitat over the last century. Large amounts of the habitat that remain have become fragmented or degraded. The species currently resides in eleven States and two Canadian provinces. In a March 2010 decision, the U.S. Fish and Wildlife Service (FWS) determined that listing Greater sage-grouse under the Endangered Species Act (ESA) was “warranted, but precluded.” The FWS stated that the BLM was not “fully implementing the regulatory mechanisms available” to ensure the species' conservation. To address those concerns, the BLM initiated a formal land use planning process in 2011.

Since 2013, the BLM has targeted \$15.0 million per year toward implementation of broad-scale sage-grouse planning and conservation activities, including amendment or revision of 98 land use plans to designate priority habitat, perform habitat restoration and improvement, and map, assess and monitor that habitat. To avoid the need to list the sage-grouse under the ESA, the BLM is creating and implementing a strategy to stabilize the population. These efforts have involved unprecedented collaboration between the BLM, western State governments, and non-governmental partners.

Success in conserving the sage-grouse will demonstrate the value of planning for conservation and development at a landscape level. It will also help demonstrate that working at this level – across lands administered by State and Federal agencies – successful measures can be developed and implemented to effectively recover a species that was previously headed on the road to extinction through landscape-level planning, interagency collaboration, and public-private partnerships.



Success in avoiding the need to list the Greater sage-grouse will also bring economic benefits in regions where the largest concentrations remain: the Rocky Mountain region, where development pressure is greatest; and the Great Basin, where the primary threats are increasing due to a changing climate, drought, invasive species and increased risk of more devastating wildfires.

The 2016 budget request includes an additional \$45.0 million to expand BLM wildlife conservation efforts, including restoration and protection of the sage-grouse habitat. With this request, BLM's resources dedicated to sage-grouse conservation will total \$60.0 million and are an investment in preserving Western values and economies. This effort to restore and protect the sagebrush is vital. Sagebrush areas support the sage-grouse and over 350 other species, including mule deer and pronghorn, are integral to local economies for hunting, biking, and other recreational activities, and are the site of much of our most prolific energy development. The \$60 million request builds on the investment in resource planning and involves the local community in an effort to take a meaningful step forward to minimize the threat of wildfire, control invasive plants and removing unwanted trees and restoring and protecting habitat, as well as monitoring and assessing conditions of the sagebrush habitat.

The BLM will also implement new methods to measure and track the effectiveness of its conservation efforts, and set as a goal providing a net conservation gain for the species. The BLM will create measurable objectives for habitat management, use common criteria that can be shared with partner agencies, and use unbiased measures to assess and publicly report on the outcomes of mitigation. In the Great Basin alone, there are 17 million acres of sage-grouse habitat at risk of loss due to drought, wildfire, and invasive grasses. The BLM manages about 13 million of those acres. The BLM's ability to assess and monitor the results across these large landscapes is crucial to a successful effort and consistent with a commitment to use adaptive management as a means of ensuring that investments in sage grouse conservation are effective and efficient. The importance of having accurate ongoing data and information extends to the Rocky Mountain region as well.

**Cooperative Landscape Conservation** – Understanding and responding to the impacts of a changing climate is an Administration priority, one in which the Bureau plays a critical role as both the Nation’s largest land manager and a partner with States, Tribes, local governments, and private stakeholders. Among the most significant challenges of the changing climate is a projected increase in the frequency and intensity of extreme weather events – including severe storms, wildfire and drought. In 2016, the Department proposes investments to increase the resilience of both coastal and inland communities to impacts of these events. These investments will focus on areas at high risk to climate challenges to address vulnerabilities to extreme events in these geographies in partnership with State, local, and tribal governments and other stakeholders. Given this challenge, the 2016 budget includes a total of \$25.0 million for Cooperative Landscape Conservation. This reflects an increase of \$10.0 million in BLM’s Challenge Cost Share program for leveraged partnership projects to address community resiliency. The Challenge Cost Share program is a 50:50 non-Federal partner matching program which supports mutually beneficial public and partner projects. The funding would support work with non-Federal partners on projects that increase the resilience of landscapes to extreme weather events with a focus on the inland challenges of wildfire, flooding and drought.

Projects funded through the Challenge Cost Share programs will improve community resilience at the project site and provide new and needed data to communities around the Nation on what natural infrastructure designs and solutions contribute to resilience.

To accomplish this effectively, the Department will draw on scientific expertise to identify ecosystem restoration and enhancement strategies likely to successfully build resilience to fire, flooding and drought. Efforts might also identify focal areas where these strategies are likely to have a significant return on investment by protecting communities and at risk infrastructure as well as improving landscape resilience in areas of strategic importance to the Department. As part of this initiative the Department will develop project criteria and evaluation metrics relevant to these new project types. Modeled on the Department’s approach to implementing Hurricane Sandy resilience investments, the Department would request proposals and conduct a coordinated evaluation of projects.

Climate change is already altering the structure and functions of ecosystems, changing the distribution and abundance of plants and animals, and in many cases limiting the ability of lands and waters to provide services to communities. As average temperatures rise, droughts are increasing, wildfire is more frequent and catastrophic, snowpack is declining, water supplies are diminishing in key areas of the West, and Arctic permafrost is thawing in Alaska, creating challenges, as well as opportunities, on the national landscape. Landscapes are large, connected geographical regions that have similar environmental characteristics, such as the Sonoran Desert or the Colorado Plateau. Because these landscapes and the issues affecting them are not bound by political or jurisdictional boundaries, the BLM is moving towards implementation of a landscape-scale management approach to better understand these challenges and support balanced stewardship of the diverse natural resources of the public lands.

To achieve this goal, BLM is undertaking two connected initiatives: Rapid Ecoregional Assessments (REAs) and a landscape approach for managing public lands. The purpose of these initiatives is to help BLM managers and land stakeholders, both public and private, understand environmental conditions and trends from a broader landscape perspective, and to use this information to inform, focus, and coordinate management efforts on-the-ground.

Since 2010, the BLM has launched 15 REAs to improve the understanding of the existing condition of these landscapes and anticipate how they might change. The REAs provide a science-based information platform for formulating coordinated, multi-agency strategies that can respond effectively to climate change, wildfire, and other environmental challenges that transcend local administrative boundaries.

In 2016, the BLM will finalize the Planning 2.0 initiative, which focuses on designing a more proactive and flexible approach to planning across landscapes. The planning process uses more up-front collaboration with partners to produce durable decisions that can also readily address the rapidly changing environment and conditions posed by climate change, urban growth near public lands and expanding resource development, and other stressors.

Informed decision making and adaptive management require current data about the status and trend of terrestrial and aquatic systems and about the location and extent of natural and human-caused disturbances. The BLM's Assessment, Inventory, and Monitoring (AIM) Strategy is the framework for this data collection. The 2016 budget request includes an increase of \$5.0 million to facilitate and expand implementation of the AIM strategy, which is central to meeting commitments outlined in the Greater Sage-grouse land use plans, Secretary Jewell's landscape mitigation strategy and other initiatives.

The budget request also includes a \$7.8 million increase in Resource Management Planning, Assessment, & Monitoring to support implementation of the BLM's geospatial strategy. The BLM's Enterprise Geospatial Information System (EGIS) aggregates data and viewing information across boundaries to capture ecological conditions and trends; natural and human influences; and opportunities for resource conservation, restoration, development, and partnering. The BLM geospatial proposal is integrated within Interior's growing enterprise GIS capabilities and serves as a critical component of the Department's corporate geospatial strategy.

Today the BLM has an unprecedented opportunity – using science and technology to create a better understanding of landscapes – to advance important conservation goals and appropriately develop resources. The President's Budget continues to promote research and development, scientific investments, and monitoring to best manage the country's natural resources and heritage. Continued and enhanced coordination of science activities across bureaus will be required to achieve the Department's important mission objectives. The 2016 Budget facilitates this need by better supporting integrated efforts to achieve resource management outcomes. The *BLM* has identified several key areas for investment where coordination with other Department bureaus will leverage results to more effectively achieve mission outcomes.

The BLM has been the lead for the United States for the period of 2013-2017 on the Arctic Council's Conservation of Flora and Fauna Working Group (CAFF) Circumpolar Biodiversity Monitoring Program (CBMP), which coordinates living resource monitoring among an international network of scientists, government agencies, Indigenous organizations and conservation. For fiscal year 2016, the Terrestrial, Marine, and Freshwater monitoring plans are underway, and the U.S. and Canada are leading the newly established coastal monitoring plan. <http://www.caff.is/about-the-cbmp>

During fiscal year 2016, BLM will continue to support the North Slope Science Initiative (NSSI), an intergovernmental effort to increase collaboration at the local, State, and Federal levels to address research, inventory, and monitoring on the North Slope of Alaska. BLM will pursue

scenario planning for energy and resource extraction development on the North Slope of Alaska and in the offshore environments of the Chukchi and Beaufort Seas in coordination with the Bureau of Ocean Energy Management, the State of Alaska, the North Slope Borough, and other local, regional, and national stakeholders. The project will help decision makers prioritize monitoring and research needed to address emerging issues regarding: weather and climate, increasing marine activity, permafrost, coastal and riverine erosion, hydrology and lake drying, coastal salinization, contaminants, fire regime, and vegetation changes. <http://northslope.org/>

In 2016, the BLM's Wild Horse and Burro (WHB) Program will continue its efforts to find innovative solutions to wild horse and burro management challenges through implementation of a Prize Challenge. With the assistance of InnoCentive, a global leader in crowdsourcing innovation problems, BLM will fundraise and launch Prize Challenge in FY15.

**America's Great Outdoors** – With more than 64 million people living within 100 miles of BLM-managed lands in the West, the BLM, through America's Great Outdoors and other initiatives, is vital to connecting Americans to outdoor opportunities that help preserve the social fabric of the Nation, bond families across generations, and preserve the character of the rural American West. In 2013, 61 million recreational visits to public lands and waters generated over \$5.5 billion in economic outputs, and supported over 42,000 jobs<sup>4</sup>. However, financial investment in the Recreation and Visitor Services program has not kept pace with the growing recreation-related demands on BLM lands. In 2016, the BLM would use additional funding of \$6.6 million to implement its National Recreation Strategy - Connecting with Communities. This strategy aligns the resources of the BLM's Recreation & Visitor Services Program with the desired benefits sought by local communities.



The 2016 President's Budget Request for the BLM includes an \$11.2 million increase for the National Conservation Lands, which celebrate their 15<sup>th</sup> anniversary in 2016, to address high priority needs in national monuments and national conservation areas, including developing management plans for recently designated units, and developing and implementing travel management plans for high-use units.

A strong commitment to conservation on the public lands also means proactive management of the cultural and paleontological resources that reside there. America's cultural resources embody a rich heritage of human experiences, architectural achievements, and cultural identities. The BLM manages the largest, most diverse and scientifically important collection of heritage resources in North America. Through the Cultural Resources Program, a proposed \$2.0 million increase will enhance the BLM's capacity to preserve and protect these vast heritage resources, moving from a compliance-driven support program to one that is more capable of addressing large-scale, cross-jurisdictional projects. Currently, only 10 percent of BLM lands have completed cultural resource inventories.

<sup>4</sup> Department of the Interior Economic Impact Report, 2013 (page 17)

The BLM also has an excellent opportunity to meet the Secretary's ambitious initiative to connect America's young people to the great outdoors. With adequate resources, the BLM can meet the Secretary's goals. The 2016 Budget request includes an increase of \$5.0 million for the BLM's youth programs and partnerships, including a \$2.5 million increase in the Soil, Water and Air program and \$2.5 million in the Recreation Management program over the 2015 enacted level. These resources will enable the BLM to accomplish high priority projects and promote quality participant experiences and pathways to careers.

The 2016 budget also includes increases for programs funded through the Land and Water Conservation Fund, a vital component of the America's Great Outdoors initiative. The 2016 budget proposal includes a total of \$93.4 million for BLM Federal land acquisition, including \$38.0 million in requested discretionary appropriations and \$55.4 million in mandatory funding.

**Other Key Program Changes** – A \$2.9 million increase in the Wild Horse and Burro program will allow the BLM to aggressively implement recommendations in the June 2013, National Academy of Sciences report "Using Science to Improve the BLM Wild Horse and Burro Program – A Way Forward", including expanding ongoing research on population control methods. Curbing reproduction of wild horses on the range is critical to controlling the costs of this program.

The budget includes program reductions totaling \$6.9 million in the Oregon and California Grant Lands account from FY 2015. A reduction of \$3.8 million in the Western Oregon Other Forest Resources program will be achieved by reducing a range of activities, including inventory and monitoring, rangeland health assessments and restoration projects, and activities in support of recreation. A \$3.2 million decrease in the Western Oregon Resource Management Planning program reflects lower funding needs as the program moves to completing the six revised resource management plans.

**Offsetting Collections for Grazing**

**Collections for Grazing** – The BLM proposes to begin a pilot project for accelerating grazing permit renewal through proposed grazing administration fees. A fee of \$2.50 per animal unit month is estimated to generate \$16.5 million in fee collections in 2016, more than offsetting a decrease of \$3.0 million in the request for appropriations, thereby enhancing the BLM's capacity for processing grazing permits. The increase will allow the BLM to make more progress in addressing the grazing permit backlog, which totaled approximately 5,600 of the nearly 17,800 permits for fiscal year 2014.



The tables below summarize the BLM's 2016 Budget Request and available mandatory appropriations by major appropriation account:

Current Appropriations (in \$000)	2014 Actual	2015 Enacted	2016 President's Budget	
			vs. 2015	Requested
Management of Lands & Resources	1,031,071	1,044,212	+129,450	1,173,662
Grazing Administration Management*	-	-	-16,500	(16,500)
Mining Law Administration*	(39,696)	(39,696)	+0	(39,696)
Oil & Gas Permit Processing*	(32,500)	(32,500)	+32,500	+0
Onshore Oil & Gas Inspection Activities*	-	-	-48,000	(48,000)
Communication Site Management^	(2,000)	(2,000)	+0	(2,000)
<b>Management of Lands &amp; Resources, Before Offsets</b>	<b>956,875</b>	<b>970,016</b>	<b>+97,450</b>	<b>1,067,466</b>
Offsetting Collections †	+74,196	+74,196	+32,000	+106,196
<b>Management of Lands &amp; Resources</b>	<b>1,031,071</b>	<b>1,044,212</b>	<b>+129,450</b>	<b>1,173,662</b>
<b>Oregon and California Grant Lands</b>	<b>114,467</b>	<b>113,777</b>	<b>-6,043</b>	<b>107,734</b>
<b>Land Acquisition•</b>	<b>19,463</b>	<b>19,746</b>	<b>+18,254</b>	<b>38,000</b>
Service Charges, Deposit, & Forfeitures ‡~	29,998	32,465	-1,415	31,050
Offsetting Collections	-29,998	-32,465	+1,415	-31,050
<b>Total, Service Charges, Deposits &amp; Forfeitures</b>	<b>+0</b>	<b>+0</b>	<b>+0</b>	<b>+0</b>
<b>Total, Current Discretionary</b>	<b>1,165,001</b>	<b>1,177,735</b>	<b>+141,661</b>	<b>1,319,396</b>
Range Improvements ◊♦	9,280	9,270	+730	10,000
<b>Total, Current Mandatory, Federal Funds</b>	<b>9,280</b>	<b>9,270</b>	<b>+730</b>	<b>10,000</b>
<b>Total, Current, Federal Funds</b>	<b>1,174,281</b>	<b>1,187,005</b>	<b>+142,391</b>	<b>1,329,396</b>
Miscellaneous Trust Funds, Current Portion ‡Δ◊	24,617	25,759	-2,829	22,930
<b>Current Mandatory, Contributed Funds</b>	<b>24,617</b>	<b>25,759</b>	<b>-2,829</b>	<b>22,930</b>
<b>Total, Current Appropriations</b>	<b>1,198,898</b>	<b>1,212,764</b>	<b>+139,562</b>	<b>1,352,326</b>

\*Direct budget authority for program activities appropriated within the Management of Land and Resources Account, but offset through collections (See Offsetting Collections line)

^Available budget authority, up to the amount shown, derived from offsetting collections from communication site rental fees

†Amount for fiscal years 2014 and 2015; includes estimates of offsetting collections for direct spending authority for program activities: Annual Maintenance (currently \$140/claim) and Location Fees (currently \$34/claim) for Locatable Minerals offsetting Mining Law Administration, Application for Permit to Drill (APD) Fees (currently \$6,500/ADP) offsetting Oil & Gas Permit Processing, Communication Site rental fees offsetting Communication Site Management, Onshore oil and gas inspection fees proposed in this request offsetting Onshore Oil & Gas Inspection & Enforcement, and A \$2.50 per animal unit month administrative fee proposed in this request offsetting Grazing Administration Management

‡Shown as estimated amounts for fiscal years 2014 and 2015; Authority to spend collections appropriated annually; budget authority created when collections are recognized

~Collections authorized by the Federal Land Policy and Management Act of 1976 (FLPMA), as amended (43 USC 1735), and the Mineral Leasing Act of 1920, as amended by the Trans-Alaska Pipeline Act of 1973 (30 USC 185)

◊ 2014 Amount includes 7.2% sequester and 2015 amount includes a 7.3% sequester pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended

♦ Change between 2015 and 2016 reflects the change in available appropriations between 2015 and 2016 due to sequester in 2015

Δ Contributed amounts authorized to be collected under Section 307(c) of FLPMA (43 USC 1701)

• The 2014 Land Acquisition amount does not include \$700K for fire repayments

Permanent Appropriations (in \$000)	2014 Actual	2015 Enacted	2016 President's Budget	
			vs. 2015	Requested
Miscellaneous Trust Funds, Permanent Portion◊	1,388	2,390	-170	2,220
Permanent Operating Funds◊	96,671	129,832	+81,946	211,778
Abandoned Well Remediation Fund▽	10,000	33,372	-33,372	-
Miscellaneous Permanent Payment Accounts^	47,921	17,239	+4,930	22,169
Land Acquisition	-	-	+55,397	55,397
Helium Fund▽	242,111	22,512	+2,029	24,541
Helium Fund Offsetting Collections	-242,111	-22,512	-2,029	-24,541
<b>Total, Permanent Funds</b>	<b>155,980</b>	<b>182,833</b>	<b>+108,731</b>	<b>291,564</b>

Employees	2014 Actual	2015 Enacted	2016 President's Budget	
			vs. 2015	Requested
<b>Fulltime Equivalents (FTEs)</b>	<b>9,711</b>	<b>9,745</b>	<b>+117</b>	<b>9,862</b>

◊ 2014 amount includes 7.2% sequester pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended

◊ 2015 amount includes 7.3% sequester pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended  
 ▽ - Exempt from Sequestration in 2014 & 2015

^ 2014 amount includes 7.2% sequester of payments to States and Counties pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, except for Secure Rural Schools and Community Self-Determination Act payments authorized to be made in 2014 (for 2013) to Oregon & California Grant Lands and Coos Bay Wagon Road counties under Public Law 113-40

^ 2015 amount includes 7.3% sequester of payments to States and Counties pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Note: The Helium Stewardship Act of 2013 does not authorize further appropriations to the Abandoned Well Remediation Fund until Fiscal Year 2019

Note: Does not include the BLM Working Capital Fund, nor the offsetting collections of that fund

## Legislative Proposals

**National BLM Foundation** – The BLM proposes to establish a congressionally chartered foundation to help link individual Americans to their public lands. The BLM Foundation would raise private funds to promote the BLM's multiple use and sustained yield mission and foster productive partnerships. A foundation would provide the Bureau with significant new tools to expand its partnerships and allow the public to support critical programs and activities for which they have a passion, whether that is the Wild Horse and Burro Program, the National Conservation Lands, habitat restoration, or others. Established as a charitable, nonprofit organization, the foundation would benefit the public by protecting and restoring natural, cultural, historic, and recreational resources for future generations. The BLM is unique in that it is the Nation's only large land management agency without a congressionally chartered foundation to support its work.

As resource issues broaden and diversify across larger landscapes and include a wider set of constituents, the BLM believes this approach will help reach these broader communities and enhance our efforts to better engage with the public. Establishing the foundation would broaden the BLM's partnership capabilities to a national scale.

**Oil and Gas Management Reforms** – The Administration proposes a package of legislative reforms to bolster and backstop administrative actions being taken to reform the management of Interior's onshore and offshore oil and gas programs, with a key focus on improving the return to

taxpayers from the sale of these Federal resources and on improving transparency and oversight. Proposed statutory and administrative changes fall into three general categories: advancing royalty reforms, encouraging diligent development of oil and gas leases, and improving revenue collection processes.

Royalty reforms include evaluating minimum royalty rates for oil, gas, and similar products; adjusting onshore royalty rates; analyzing a price-based tiered royalty rate; and repealing legislatively mandated royalty relief. Diligent development requirements include shorter primary lease terms, stricter enforcement of lease terms, and monetary incentives to get leases into production, for example, through a new per-acre fee on nonproducing leases. Revenue collection improvements include simplification of the royalty valuation process, elimination of interest accruals on company overpayments of royalties, and permanent repeal of Interior's authority to accept in-kind royalty payments. Collectively, these reforms will generate roughly \$2.5 billion in revenue to the Treasury over ten years, of which an estimated \$1.7 billion will result from statutory changes.

**Hardrock Mining Reform** – The 2016 budget includes two legislative proposals to reform hardrock mining on public and private lands by addressing abandoned mine land hazards and providing a better return to the taxpayer from hardrock production on Federal lands.

The first component of this reform addresses abandoned hardrock mines across the Nation through a new Abandoned Mine Lands (AML) fee on hardrock production. Just as the coal industry is responsible for remediating abandoned coal sites, the Administration proposes holding the hardrock mining industry responsible for the remediation of abandoned hardrock mines. The legislative proposal will levy an AML fee on uranium and metallic mines on both public and private lands. The proposed AML fee on the production of hardrock minerals will be assessed on the volume of material displaced after January 1, 2016. The receipts will be split between Federal and non-Federal lands. The Secretary will disperse the share of non-Federal funds to each State and Tribe based on need. Each State and Tribe will select its own priority projects using established national criteria. The proposed hardrock AML fee and reclamation program will operate in parallel with the coal AML reclamation program as part of a larger effort to ensure the Nation's most dangerous abandoned coal and hardrock AML sites are addressed by the industries that created the problems.

The second legislative proposal institutes a leasing process under the Mineral Leasing Act of 1920 for certain minerals - gold, silver, lead, zinc, copper, uranium, and molybdenum - currently covered by the General Mining Law of 1872. After enactment, mining for these metals on Federal lands will be governed by the new leasing process and subject to annual rental payments and a royalty of not less than five percent of gross proceeds. Half of the receipts will be distributed to States in which the leases are located and the remaining half will be deposited in the Treasury. Existing mining claims will be exempt from the change to a leasing system. The proposal also increases the annual maintenance fees under the General Mining Law of 1872 and eliminates the fee exemption for miners holding 10 or fewer mining claims. These changes will discourage speculators from holding claims that they do not intend to develop. Holders of existing mining claims for these minerals could voluntarily convert their claims to leases. The Office of Natural Resources Revenue will collect, account for, and disburse the hardrock royalty receipts.

**Reauthorize the Federal Land Transaction Facilitation Act (FLTFA)** – The 2016 budget proposes to reauthorize FLTFA, which expired in July 2011, and allow lands identified as suitable for disposal in recent land use plans to be sold using the FLTFA authority. The FLTFA

sales revenues would continue to fund the acquisition of environmentally sensitive lands and to cover the administrative costs associated with conducting sales.

**Land and Water Conservation Fund** -- The Department of the Interior will submit a legislative proposal to authorize permanent annual funding, without further appropriation or fiscal year limitation, for the Land and Water Conservation Fund (LWCF). In 2016, the proposal includes \$38.0 million in discretionary funding and \$55.4 million in mandatory funding for the BLM's land acquisition program.

### **Health Benefits for Seasonal Employees**

On July 29, 2014, OPM issued a proposed rule that would expand eligibility for enrollment under the Federal employee health benefits (FEHB) program to certain temporary, seasonal and intermittent employees. This regulation would make FEHB coverage available to these newly eligible employees no later than January 2015. The Department developed a model to estimate the number of employees who would accept the new coverage and the estimated cost to the government. The Management of Lands and Resources account includes \$2.3 million for the 2016 program and fixed cost changes associated with the estimated cost for new coverage under FEHB.

### **Expand Analytical Capabilities of the Secretary's Indian Water Rights Office**

This Administration has put a high priority on settling Indian water rights claims as part of its trust relationship with tribes, and anticipates dozens of water rights negotiation in the coming years. The Department recommends instituting policies and strategies that ensure an analytically robust, methodical, and cost-effective approach to negotiating Indian water settlements that result in optimal infrastructure and water delivery results for stakeholders, appropriate roles for financial contributors, and which strengthen climate resilience, promote sound watershed management, and advance water security in Indian country. The new approach will better coordinate expertise of the Department, Indian tribes, States, and other stakeholders to reach Indian water settlements more effectively and expediently. In this budget, the BLM supports the expanded duties and responsibilities of the Secretary's Indian Water Rights Office through payments made to the Working Capital Fund.

### **Supporting the President's Management Agenda**

The President's Management Agenda seeks to improve the way that government works and delivers for citizens. The Bureau of Land Management has been particularly focused on delivering world-class customer services to citizens by making it faster and easier for individuals and businesses to complete transactions and have a positive experience with government, including through the use of electronic permitting ("e-permitting").

Within the Oil & Gas Management program, the BLM is redesigning the Automated Fluid Minerals Support System (AFMSS) to improve the oil and gas permitting process. The first module under development will automate all of the internal and external processes for submitting and processing Notices of Staking (NOS) and Applications for Permit to Drill (APD) for federal and Indian oil and gas resources. This module will automate the process from the time the operator submits the NOS or APD, through the required BLM reviews, to its approval/denial decision. The system will provide enhanced reporting capabilities that will allow the BLM to track the NOS/APD through the process, identify bottlenecks, and provide increased transparency and accountability.

The new APD module will enhance the current capabilities of the Well Information System (WIS) and the functionality of the current AFMSS system by automating workflows and having all data in electronic format. This module is the first of many that will include processing of Sundry Notices, additional reporting, and automation of inspections using mobile applications on tablets.

With respect to APDs, the goal of e-permitting is to continue to reduce the time spent with the operators fine-tuning and completing the field data required for proper surface and downhole technical analysis. The BLM continues to experience challenges in the permit approval process, and the level of analysis has grown to match the complex and sophisticated horizontal well completions that BLM increasingly deals with. The BLM anticipates an improvement in processing time and overall greater program efficiency as a result of instituting an e-permitting system.

The Bureau also continues to pursue shared services and common infrastructure, facilitate agency collaboration and co-funding, and implement innovative approaches to resource management. The BLM's IT Transformation initiative will continue to achieve savings through labor reductions, consolidation of infrastructure staff, servers and data center closures, contract consolidations and the promotion of mobility which will allow us to reduce our overall footprint. Additionally, all IT contracts are being reevaluated through the IT Spend Plan process, resulting in the consolidation of contracts, maximization of bulk purchases to achieve additional savings and standardization. The BLM will continue its commitment to ensuring that information technology efforts align with Departmental initiatives focused on consolidation, shared services, and improving IT cost efficiency. The Bureau will continue to seek further centralization efforts internally, while expanding consolidation efforts by working with other Bureaus to share services in areas the of Data Center Consolidation, Geospatial, IT Acquisitions, and Application Consolidation to achieve greater cost efficiency.

# Summary of Program and Legislative Changes



## SUMMARY OF PROGRAM AND LEGISLATIVE CHANGES

The following describes the major increases, decreases, transfers, legislative and administrative changes and management efficiencies in the BLM's 2016 budget.

### Fixed Costs

**Fixed Costs Increases (+\$13,312,000/+0 FTE)** – Requested fixed cost increases include costs such as planned pay increases, space rental costs, retirement system costs, health plan costs, workers compensation costs, unemployment compensation costs, and specified Department of the Interior costs funded through the Department's Working Capital Fund.

### America's Great Outdoors

**Recreation Resources Management: National Recreation Strategy (+\$6,615,000/+5 FTE)** – The requested increase will allow the BLM to implement its National Recreation Strategy, which aligns the resources of the BLM's Recreation & Visitor Services Program with the desired outcomes of local communities, businesses, and other service providers to increase delivery of benefits to the recreating public and refines program objectives to achieve recreation-tourism outcomes that communities value most, while capitalizing on the inherent advantages of the BLM's unique recreation brand. In 2016, the program will address safety needs, provide better signage and interpretive exhibits, improve accessibility standards at 26 BLM Visitor Centers, and implement the Mountain Bike Action Plan with national partners. Funding will also be used for an interactive national level map; a site specific webpage design that features recreation information; and static, printable PDF maps showing recreation facilities and amenities.

**National Conservation Lands (+\$11,181,000/+20 FTE)** – The 2016 budget request includes an increase of \$11.2 million to support critical resource protection and maintenance work on the National Conservation Lands. Efforts to be undertaken will include eradicating invasive plants that jeopardize native species and contribute to unnatural, increasingly difficult-to-manage fire regimes; protecting equipment investments from weather; conducting inventories of the world-class and often endemic resources, objects, and values for which each NM&NCA was designated; and implementing resource, science and travel management plans. The BLM will also address additional maintenance needs, accommodate public demand for increased hours of operation, program offerings and greater capacity on National Conservation Lands, and support critical staff positions.

**Cultural Resources: Safeguarding Our Irreplaceable Heritage (+\$2,000,000/0 FTE)** – The 2016 budget request includes a program increase of \$2.0 million to enhance the BLM's capacity to manage unique, irreplaceable heritage resources. The program will conduct up to 60 additional localized on-the-ground inventories of sensitive areas, and site protection and stabilization projects for priority sites vulnerable to the effects of climate change (e.g. fire, erosion, water levels) and unauthorized activities. Projects will also focus on updating regional overviews and further implementing predictive modeling and data analysis to plan across broad landscapes and enhance the bureau's ability to address large-scale, cross-jurisdictional land-use.

## Land Acquisition – America’s Great Outdoors

**Landscape Acquisition Projects: High Priority Projects (+\$18,158,000 / 0 FTE)** - In 2016, the BLM will acquire high priority acquisition projects in the core and collaborative landscape planning land acquisition programs. The 2016 core program is \$10.4 million and will fund nine of BLM’s highest priorities. The collaborative landscape-planning component builds on efforts begun in 2011 to invest strategically in interagency landscape-scale conservation projects while continuing to meet bureau-specific programmatic needs. The Department of the Interior and the U.S. Forest Service (USFS) collaborated extensively to develop a process to more effectively coordinate land acquisitions with government and local community partners to achieve the highest priority shared conservation goals. The 2016 request includes a total of \$19.9 million for four collaborative landscapes consisting of nine projects. Within this total, the BLM includes \$9.2 million for the Upper Rio Grande landscape, \$5.8 million for the High Divide landscape, \$2.6 million for the Rivers of the Chesapeake landscape and \$2.3 million for projects that are part of the National Trails System landscape. The 2016 request also includes a total of \$4.0 million to benefit Sportsmen/Recreational access, a program change of +\$2.0 million from the 2015 enacted level.

**Permanent Appropriation: Permanent Land Acquisition** – The Department of the Interior will submit a legislative proposal to permanently authorize annual funding, without further appropriation or fiscal year limitation for the Land and Water Conservation Fund (LWCF). Starting in 2017, \$900 million annually in permanent funds would be available. During the transition to full permanent funding in 2017, the budget proposes \$900 million in total LWCF funding in FY 2016, comprised of \$500 million in permanent and \$400 million discretionary funds. The amounts requested include the authorized levels for the Department of the Interior and the Department of Agriculture. The 2016 permanent proposal includes \$55.4 million for BLM. See the Land Acquisition chapter for details.

## Powering Our Future

**Oil & Gas Management: Master Leasing Plans (+\$5,757,000/0 FTE)** – The 2016 budget request includes an increase of \$5.8 million to fund the development of oil and gas master leasing plans (MLPs) that are currently in process or are scheduled to begin in 2016. The BLM typically prepares MLPs in areas where the BLM anticipates high interest for leasing and there are potential conflicts with other natural resources. The MLPs build upon Resource Management Plan decisions by providing a more focused and detailed analysis, including an analysis of optimal lease parcel configurations and potential development scenarios; identifying and addressing resource conflicts and associated environmental impacts; and identifying mitigation strategies and constraints. Through the MLP process, the BLM analyzes and resolves these issues prior to conducting lease sales; therefore, the MLPs will provide oil and gas operators increased regulatory certainty when obtaining and developing lease parcels. The requested funding will be used to complete or begin MLPs within the BLM Utah, New Mexico, Colorado, and Wyoming State offices.

**Oil & Gas Management: Enhance Capacity of Oil and Gas Pilot/Project Offices (+\$3,000,000/+25 FTE)** – In addition to authorizing APD fees for 2016 through 2026, the National Defense Authorization Act, 2015, also permanently extends BLM access to mineral lease rent revenues deposited in the Permit Processing Improvement Fund, which have been the primary source of funding for the BLM Pilot Offices established under the Energy Policy Act

(EPAAct) of 2005. Under EPAAct, BLM's access to these mandatory rent revenues was set to expire at the end of fiscal year 2015. The budget estimates that \$16,120,000 in rental receipts will be deposited in the PPIF in 2016, an increase of \$702,000 over the 2015 estimate. Given the heavy workload and increasing need for the BLM to support increased domestic oil and gas production, the budget proposes to not only sustain, but enhance the capacity of current and future oil and gas pilot/project offices with an additional \$3.0 million in requested discretionary appropriations. Funding levels for pilot offices and other energy-intensive district and field offices have not kept pace with the increasingly time-consuming and complex work associated with processing current APDs. The requested funding will help the BLM reduce the backlog of APDs, accelerate the processing times of new APDs and other use authorizations, ensure new drilling projects meet stronger wellbore integrity requirements through implementation of the hydraulic fracturing regulation, and allow the BLM to address the complexities related to longer horizontal well completions. This will require better technical knowledge, training and a need to replace departing engineers due to retirement or other career moves.

**Oil & Gas Management: Automated Support System Modernization (+\$4,000,000/0 FTE):**

The 2016 budget request includes an increase of \$4.0 million to complete the final phase of the information technology modernization project to update the 19-year old Automated Fluid Minerals Support System (AFMSS). The AFMSS system is used for the collection, management, and sharing of information on authorized use of fluid minerals (e.g. oil, gas, geothermal and helium), including the issuance of drilling permits and collection of inspection and enforcement data across Federal and Indian onshore operations. The new system will automate workflows to be consistent with BLM standards and will minimize the need for manual data entry, thereby improving data quality. The funding increase of \$4.0 million requested as part of the 2016 President's Budget will be used for completing the final phase that will automate processes not supported by the current system, allowing BLM employees to gather and evaluate a wider range of information in a more efficient manner.

**Oil and Gas Permit Processing from Fees (net change of -\$25,375,000/-234 FTE) –**

As noted above, Section 3021 (d) of the National Defense Authorization Act, 2015 amended the Mineral Leasing Act to authorize APD fees in 2016 through 2026 and to permanently appropriate the majority of these fee revenues in 2016-2026 to process applications for permits to drill (APDs). As a result, the offsetting collection currently provided in the annual appropriations language is no longer required in 2016. The NDAA sets the APD fee at \$9,500, adjusted annually for inflation, an increase \$3,000 over the \$6,500 fee set in the 2015 appropriations act. The budget estimates that the \$9,500 APD fee will generate \$47.5 million in revenues in 2016. In 2016 through 2019, the NDAA permanently appropriates only 85 percent of this amount, estimated at \$40.4 million in 2016, and makes the other 15 percent of fee revenues subject to appropriation. The budget request proposes that Congress appropriate the remaining 15 percent of fee revenues (estimated at \$7.1 million) as part of the 2016 Interior appropriations bill. The net change of -\$25.4 million reflects the difference between the \$32.5 million provided in offsetting collections in 2015, and a current appropriation of \$7.1 million in 2016 that will be covered by the 15 percent of APD fees proposed to be appropriated.

**Oil and Gas Inspection Activities (Net program change of +\$6,874,000/+15 FTE):**

The 2016 budget request proposes to institute new onshore oil and gas inspection fees to cover the costs of BLM's inspection activities and reduce the net cost to taxpayers of operating BLM's oil and gas program. The estimated \$48.0 million in collections generated from the inspection fees will reduce the need for direct appropriations for the program by -\$41.1 million while also

providing for an increase of \$6.9 million above the amount appropriated in 2015 for this critical BLM management responsibility. The increased funding is aimed at correcting deficiencies identified by the Government Accountability Office in its February 2011 report, which designated Federal management of oil and gas resources, including production and revenue collection, as high risk. The BLM will also complete more environmental inspections to ensure environmental requirements are being followed in all phases of development. The fees are similar to those already in place for offshore operations. Proposed appropriations language to implement the fees is included in the proposed General Provisions for the Department of the Interior, and is shown below for convenience.

*SEC.114. (a) In fiscal year 2016 the designated operator of each lease on Federal or Indian lands, or each unit and communitization agreement that includes one or more Federal or Indian leases, that is subject to inspection under 30 U.S.C. 1718(b), and that is in force at the start of fiscal year 2016 shall pay a nonrefundable inspection fee that the Bureau of Land Management (BLM) shall collect and deposit in the "Management of Lands and Resources" account.*

*(b) Fees for 2016 shall be:*

*(1) \$700 for each lease or unit or communitization agreement with no active or inactive wells, but with surface use, disturbance or reclamation;*

*(2) \$1,225 for each lease or unit or communitization agreement with 1 to 10 wells, with any combination of active or inactive wells;*

*(3) \$4,900 for each lease or unit or communitization agreement with 11 to 50 wells, with any combination of active or inactive wells; and*

*(4) \$9,800 for each lease or unit or communitization agreement with more than 50 wells, with any combination of active or inactive wells.*

*(c) BLM will bill designated operators within 60 days of enactment of this Act, with payment required within 30 days of billing.*

*(d) If the designated operator fails to pay the full amount of the fee as prescribed in this section, BLM may, in addition to utilizing any other applicable enforcement authority, assess civil penalties against the operator under 30 U.S.C. 1719 in the same manner as if this section were a mineral leasing law as defined in 30 U.S.C. 1702(8).*

**Coal Management and Other Minerals Management: Mineral Tracking System (+\$2,200,000/0 FTE)** – The 2016 budget request includes an increase of \$1.1 million in the Coal Management program and \$1.1 million in the Other Minerals Management program to develop the Mineral Tracking System (MTS). The funding for the MTS will be used to support the automation and tracking of licenses, leases and permitting as well as inspection activities, including production verification, associated with coal and other solid mineral commodities (e.g. phosphate, sodium, potassium, etc.).

**Federal Oil and Gas Reforms** - The 2016 budget includes a package of legislative reforms to bolster and backstop administrative actions being taken to reform management of Interior's onshore and offshore oil and gas programs, with a key focus on improving the return to taxpayers from the sale of these Federal resources and on improving transparency and oversight. Proposed statutory and administrative changes fall into three general categories: (1) advancing royalty reforms; (2) encouraging diligent development of oil and gas leases; and (3) improving revenue collection processes.

Royalty reforms include evaluating minimum royalty rates for oil, gas, and similar products, adjusting the onshore royalty rate, analyzing a price-based tiered royalty rate, and repealing legislatively-mandated royalty relief. Diligent development requirements include shorter primary

lease terms, stricter enforcement of lease terms, and monetary incentives to get leases into production through a new per-acre fee on nonproducing leases. Revenue collection improvements include simplification of the royalty valuation process, elimination of interest accruals on company overpayments of royalties, and permanent repeal of Interior's authority to accept in-kind royalty payments. Collectively, these reforms will generate an estimated \$2.5 billion in revenue to the Treasury over 10 years, of which approximately \$1.7 billion will result from statutory changes. Many States will benefit from higher Federal revenue sharing payments as a result of these reforms.

**Repeal Geothermal Payments to Counties** - The Administration proposes to repeal Section 224(b) of the *Energy Policy Act of 2005*. Prior to passage of this legislation, geothermal revenues were split between the Federal government and States, with 50 percent directed to States, and 50 percent to the Treasury. The *Energy Policy Act of 2005* changed this distribution beginning in 2006 to direct 50 percent to States, 25 percent to counties, and for a period of five years, 25 percent to a new BLM Geothermal Steam Act Implementation Fund. The allocations to the new BLM geothermal fund were discontinued a year early through a provision in the 2010 Interior Appropriations Act. The repeal of Section 224(b) will permanently discontinue payments to counties and restore the disposition of Federal geothermal leasing revenues to the historical formula of 50 percent to the States and 50 percent to the Treasury. This results in estimated savings of \$4.0 million in 2015 and \$47 million over ten years.

### Engaging the Next Generation

**Soil, Water and Air Management: Youth in the Great Outdoors (+\$2,500,000/0 FTE)** – The 2016 budget request includes a \$2.5 million increase for the Secretary's Youth in the Great Outdoors Initiative in the Soil, Water & Air Management Program. Funding will allow the BLM to expand efforts to provide opportunities for "the next generation to play, learn, serve, and work" on public lands. Special consideration will be given to those programs that provide youth from diverse backgrounds with hands-on learning in Science, Technology, Engineering, and Mathematics (STEM), and prepare them for careers in STEM fields.

**Recreation Resources Management: Youth in the Great Outdoors (+\$2,500,000/0 FTE)** – The 2016 budget request includes a \$2.5 million increase for the Secretary's Youth in the Great Outdoors Initiative in the Recreation and Visitor Services program. Funding will allow the BLM to expand efforts to educate, engage, and employ young people. Special consideration will be given to those programs that provide youth from diverse backgrounds with hands-on learning in Science, Technology, Engineering, and Mathematics (STEM), and prepare them for careers in STEM fields.

### Sage-Grouse Conservation

**Wildlife Management: Implement Sage-Grouse Conservation Plans (+\$37,000,000/+20 FTE)** – The 2016 Budget request includes an increase of \$37.0 million to support the long-term stage of implementing 68 resource management plan revisions and amendments which describe habitat restoration and conservation needs across 27 priority areas in 11 States. The requested funds support activities that fall into three broad categories which involve both on-the-ground work and establishing the processes and organizational capability to plan and oversee the effort: managing resource uses in greater sage grouse habitats; restoring and reconnecting

greater sage grouse habitats; and assessing, monitoring, and reporting on conditions in priority habitats.

**Resource Management Planning, Assessment and Monitoring: Sage-Grouse Monitoring (+\$8,000,000/0 FTE)** – The 2016 budget request includes an increase of \$8,000,000 to develop assessment and monitoring protocols using core indicators, standardized field methods, remote sensing, and a statistically valid study design to provide nationally consistent and scientifically defensible information. These protocols will be used to meet the monitoring commitments made during the Greater Sage Grouse planning effort. These commitments include gathering information on terrestrial and aquatic site condition, ecological sites, special status species, treatments, disturbance of the public lands, fire, and land uses.

### Applied Science

**Wild Horse and Burro: Implementation of National Academy of Sciences (NAS) Recommendations (+\$2,993,000/0 FTE)** – The program increase will be used to: continue ongoing multi-year research studies that focus on the development of more effective and longer lasting population growth suppression methods including sterilization; conduct population inventories using recommended survey methods; continue the programmatic environmental impact statement initiated in FY 2015; engage in genetic diversity monitoring; continue development of a robust population model; continue sentinel population studies; and apply the most effective, available population growth suppression methods to on-range animals. The BLM will continue to develop a scientific foundation that will be the basis for an ecologically and financially sustainable Wild Horse and Burro Program.

**Resource Management Planning, Assessment, and Monitoring: Enterprise Geospatial System (+\$7,800,000 /0 FTE)** – The BLM is requesting an increase of \$7,800,000 to expand the implementation of BLM's enterprise geospatial system in 2016. This expansion will include the aggregation of BLM's data across administrative units, the centralization of those data in an enterprise system that supports all programs and offices, and the delivery of data to both desktop and mobile computers across the agency to improve efficiency. The enterprise geospatial system will support accurate and effective analysis and decision making across various priority landscape-scale initiatives, including the Greater Sage-Grouse Plan Implementation and Monitoring, Renewable and Conventional Energy Development, Rapid Ecoregional Assessments, Climate Change Adaptation, and Regional Mitigation.

### Rangeland Management

**Grazing Permit Issuance/Shift Cost to Fees (-\$2,976,000/-25 FTE)** – The budget proposes to shift a portion of the costs of issuing and managing grazing permits from appropriated funds to fees. The reduction of \$3.0 million in the request for appropriations combined with the estimated \$16.5 million in fee collections from a new grazing administration fee will result in a net increase of \$13.5 million in funding resources available to address the grazing permit backlog.

**Permit Administrative Processing Fee** - The 2016 budget includes appropriations language for a three-year pilot project to allow the BLM to recover some of the costs of issuing grazing permits/leases on BLM lands. The BLM would charge a permit administrative fee of \$2.50 per Animal Unit Month, which would be collected along with current grazing fees. The budget estimates the permit administrative fee will generate \$16.5 million in 2016 and that it will assist

the BLM in processing pending applications for grazing permit renewals. During the period of the pilot, the BLM will promulgate regulations for the continuation of the administrative fee as a cost-recovery fee, to be in place once the pilot expires.

*SEC. 417. Beginning on March 1, 2016, and only to the extent and in the amount provided in advance in appropriations Acts, the Secretary of Agriculture shall collect an annual administrative fee for grazing domestic livestock on National Forests in the 16 contiguous western States and on National Grasslands in the amount of \$2.50 per head month for cattle and its equivalent for other livestock. The administrative fee shall be billed and collected using the process as provided in sections 222.50 through 222.52 of title 36, Code of Federal Regulations. Fees collected may be used, subject to appropriation, to offset the cost of administering the livestock grazing program. Nothing in this provision shall affect the calculation, collection, distribution, or use of the grazing fee under 43 U.S.C. 1751(b), title III of the Bankhead Jones Farm Tenant Act (7 U.S.C. 1010), and implementing regulations.*

*In fiscal year 2016, beginning on March 1, 2016, and only to the extent and in the amount provided in advance in appropriations Acts, the Secretary of the Interior shall collect an administrative fee to offset the increased cost of administering the livestock grazing program on public lands managed by the Bureau of Land Management by charging \$2.50 per Animal Unit Month, which shall be billed, collected, and subject to the penalties using the same process as the annual grazing fee in 43 C.F.R. 4130.8–1. Penalties assessed shall be deposited in the General Fund of the Treasury. Nothing in this provision affects the calculation, collection, distribution, or use of the grazing fee under 43 U.S.C. 315–315rr, 43 U.S.C. 1751(b), 43 U.S.C. 1905, Executive Order 12548, or administrative regulation.*

### Western Oregon

**Other Forest Resources Management: Reduce Core Capability (-\$3,753,000/24 FTE)** – A decrease of \$3.8 million will reduce a range of activities, including inventory and monitoring, rangeland health assessments and restoration projects, and activities in support of recreation, soil, water, and air. Some cost savings are expected by primarily thinning stands less than 80 years old, where less pre-disturbance surveys are needed.

**Resource Management Planning: Planned Completion of Six Resource Management Plans (-\$3,175,000/0 FTE)** –The BLM plans to complete the six revised RMPs in Spring 2016. As the final environmental impact statements are released and decisions are signed, the program's emphasis will be to support plan implementation with continued collaboration both internally and externally.

### Other Program Changes

**Soil, Water and Air Management: Enhance Core Capabilities (+\$1,520,000/0 FTE)** – The 2016 budget request includes a program increase of \$1.5 million. The additional funds will be used to increase regional air resource monitoring and modeling efforts, specifically designed to share data across Federal agencies and support regional conventional and renewable energy development; enhance the development of Ecological Site Descriptions on range lands and within pilot areas for forestry, riparian and wetlands; increase water quantity compliance monitoring and reporting necessary to meet regulatory requirements as well as protect Federal

reserve water rights; and support watershed assessment projects that promote an integrated implementation approach across BLM programs.

**Riparian Management: Enhance Core Capability (+\$1,340,000/+2 FTE)** – The 2016 budget request includes a \$1.3 million increase to strengthen BLM’s core capability to pursue a landscape approach to managing BLM vegetation resources, including managing over 150,000 miles of riparian areas and nearly 13 million acres of wetlands. Increased funding will be used to treat acres not meeting land health standards in sage-grouse habitat and to identify and prioritize management and restoration efforts and to support BLM management decisions. Increased funding will also be used for monitoring and assessment of drought conditions with a goal of improving the quality and quantity of water for wildlife.

**Resource Management Planning, Assessment and Monitoring:**

**Assessment, Inventory and Monitoring Strategy (AIM) (+\$5,000,000 /+3 FTE)** – The BLM is requesting an increase of \$5,000,000 to support implementation of its comprehensive assessment, inventory and monitoring strategy. The increase will facilitate an integrated approach in managing resources across multiple scales and determining the condition and trends in public lands across large landscapes. The AIM Strategy is intended to reach across programs, jurisdictions, stakeholders, and agencies to provide data and information valuable to decision makers. In 2016, five interrelated monitoring efforts will be implemented to inform the regional mitigation and monitoring strategies for the Solar Programmatic EIS and for the Greater Sage-Grouse Planning Initiative.

**Cadastral, Lands and Realty: Transmission Corridors (+\$5,000,000/0 FTE)** – The requested funding would position the BLM to strategically plan for the long term increased demand and updates to the electric grid throughout the West with an improved and updated assessment process for the development and siting of energy corridors and rights-of-way (ROWs). Strategic planning would take into consideration renewable energy development including wind, solar, geothermal and hydropower. Planning activities would include revising land use plans in coordination with Federal, State, local and tribal stakeholders; revising energy corridors; developing landscape-level mitigation and best management practices; and synchronizing BLM and U.S. Forest Service (USFS) land use/management plans with transmission planning conducted by the Western Electricity Coordinating Council.

**Abandoned Mine Lands: Red Devil Mine Remediation (+\$2,800,000/0 FTE)** – The Red Devil Mine (RDM), located on the Kuskokwim River in Southwestern Alaska, is an abandoned cinnabar mine which produced mercury from 1939 thru 1971. In 2009, the BLM initiated a Remedial Investigation/Feasibility Study (RI/FS) of the Red Devil Mine site under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The \$2.8 million proposed increase for 2016 would be used for ground and surface water monitoring, Proposed Plan Development and Remedial Design/Remedial Action (RD/RA) development.

**Annual Maintenance: Enhance Core Capability (+500,000/0 FTE)** – The increase will fund additional preventive maintenance on constructed assets supporting administrative, recreational, and infrastructure needs, with an emphasis in areas under greatest pressure from community growth.

**Deferred Maintenance: High-Priority Projects (+\$4,240,000/0 FTE)** – The requested increase will support additional facility repair projects that otherwise would not have been funded.

Priorities will be identified using the Department's capital investment guidelines. The projects include sustainability upgrades, radio infrastructure, and bridge, dam, and facilities repairs on critical assets.

**Challenge Cost Share: Climate Resilient Landscapes (+\$10,000,000/0 FTE)** - The increase of \$10.0 million in Challenge Cost Share funds will be used to expand collaborative partnerships and projects that address the adverse impacts of climate change on public resources. The BLM will prioritize projects using criteria developed in coordination with the U.S. Fish and Wildlife Service and National Park Service to conserve and restore the most vulnerable lands. Projects will invest in heritage resources, fish, wildlife and plants, and recreation lands that can recover quickly from disturbance change. The BLM will use novel, cost-effective methods maximizing the return on investment.

**Administrative Support: Health Benefits for Seasonal Employees (+\$2,275,000/0 FTE)** – On July 29, 2014, the Office of Personnel Management issued a proposed rule that would expand eligibility for enrollment under the Federal employee health benefits (FEHB) program to certain temporary, seasonal and intermittent employees. This regulation would make FEHB coverage available to these newly eligible employees no later than January 2015. The Department developed a model to estimate the number of employees who would accept the new coverage and the estimated cost to the government.

**Administrative Support: Enhance Core Capabilities (+\$1,000,000/0 FTE)** – The increased funding supports increased costs associated with operating the BLM's management and support infrastructure, continuous improvements to internal controls and compliance to support mission assurance and accountability, and supports human capital planning and workforce planning.

### Permanent Reprogrammings and Internal Transfers

**Transfer to National Conservation Lands (+\$5,009,000/+0 FTE)** – In 2016, the BLM will transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the amount these various MLR subactivities have contributed to the operations of the National Conservation Lands in recent years.

### Other Legislative Proposals

**National BLM Foundation** – The budget request includes a legislative proposal to establish a congressionally-chartered BLM Foundation. This foundation is an opportunity to leverage private funding to support public lands, achieve shared outcomes, focus public support of the BLM mission, and improve messaging.

The legislative proposal to be transmitted soon will follow the structure of statutes establishing similar foundations for other land management agencies. As a charitable corporation under section 501(c)(3) of the Internal Revenue Code of 1986, the foundation will not be considered an agency of the United States and will be authorized to encourage, accept and administer

private gifts of money for the benefit of BLM activities. It will also undertake activities that further the purposes of public lands and support the mission of BLM.

As with similar organizations, the foundation will have a board of directors appointed by the Secretary for set terms and may receive support from the Secretary. For the purposes of audits, it will be treated as a private corporation under Federal law. The foundation will not be authorized to perform any function the authority for which is provided to BLM under any other provision of law.

**Mining Law** – The 2016 budget includes a legislative proposal to reform hardrock mining by instituting a leasing process under the Mineral Leasing Act of 1920 (MLA) for certain minerals (gold, silver, lead, zinc, copper, uranium, and molybdenum). Half of the receipts will be distributed to the State where the lease is located and half would be deposited to the Treasury's General Fund. The proposal also increases annual maintenance fees and eliminates the fee exemption for miners holding 10 or fewer mining claims.

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**Federal Land Transaction Facilitation Act (FLTFA)** – The 2016 Budget includes a proposal to reauthorize FLTFA and allow lands identified as suitable for disposal in recent land use plans to be sold using the FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally sensitive lands and the administrative costs associated with conducting sales.

**Hardrock Abandoned Mine Land Fund** – To provide additional resources for the reclamation of abandoned hardrock mines, the 2016 budget proposes a new AML fee on hardrock production. Just as the coal industry is held responsible for abandoned coal sites, the Administration proposes to hold the hardrock mining industry responsible for the remediation of abandoned hardrock mines. The legislative proposal will levy an AML fee on uranium and metallic mines on both public and private lands. The proposed AML fee on the production of hardrock minerals will be charged on the volume of material displaced after January 1, 2016. The receipts would be split between Federal and non-Federal lands. The Secretary will disperse the share of non-Federal funds to each State and Tribe based on need. Each State and Tribe will select its own priority projects using established national criteria. The proposed hardrock AML fee and reclamation program will operate in parallel with the coal AML reclamation program as part of a larger effort to ensure the Nation's most dangerous abandoned coal and hardrock AML sites are addressed by the industries that created the problems.

**Recreation Fees Mandatory Appropriation** – The 2016 budget proposes legislation to permanently authorize the Federal Lands Recreation Enhancement Act, which was extended by P.L. 113-235 through September 30, 2016. In addition, as a short-term alternative to proposed legislation for long-term reauthorization, the 2016 budget proposes appropriations language to further extend authorization for the Federal Lands Recreation Enhancement Act through September 30, 2017.

**Reauthorization of Secure Rural Schools payments** – In 2012, under PL 112-141, the Secure Rural Schools Act was reauthorized for one year (2012). The payments made to counties in 2013 (for 2012) again used a formula based on acreage of Federal land, previous payments, and per capita personal income. In October 2013, Congress enacted Public Law 113-40 which extended payments for one year to the O&C Grant Lands and the Coos Bay

Wagon Road counties through fiscal year 2013 (with the payment made in 2014). The 2016 President's budget includes a legislative proposal to reauthorize the Secure Rural Schools (SRS) Act for five years, starting in 2015, with funding through mandatory U.S. Forest Service appropriations. This SRS proposal revises the allocation split between the three portions of the program from the current authority emphasizing enhancement of forest ecosystems, restoration and improvement of land health and water quality, and the increase of economic activity.

If no proposal is enacted, payments to O&C and CBWR counties in 2016 would be under the 1937 and 1939 statutes. For more information on this proposal, see the U.S. Forest Service 2015 Budget Justification.

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# Performance Overview



# PERFORMANCE OVERVIEW

This section discusses the BLM's Priority Goals and their relationship to the BLM's major initiatives, and the BLM's contributions to the Department of the Interior's Strategic Plan.

## Priority Goals

The four areas where the BLM contributes to DOI's success in meeting its priority goals are:

- Renewable Energy Resource Development,
- Climate Change Adaptation,
- Youth Stewardship of Natural and Cultural Resources, and
- Oil & Gas Resources Management.

The BLM programs affected include: Soil, Water, and Air Management; Range Management; Forestry; Riparian Management; Wildlife and Fisheries Management; Threatened and Endangered Species Management; Wild Horse and Burro Management; Recreation Management; National Monuments and Conservation Areas; Wilderness Management; Oil and Gas Management; and Renewable Energy Management.

**Renewable Energy Resource Development** – By September 30, 2015, increase approved capacity authorized for renewable (solar, wind, and geothermal) energy resources affecting Department of the Interior managed lands, while ensuring full environmental review, to at least 16,500 Megawatts since 2009.

*BLM Contribution:* The BLM's Renewable Energy Management Program contributes to the Secretary's Powering Our Future and Responsible Use of the Nation's Resources Initiative. Public lands managed by the BLM in the western U.S. have high potential for wind, solar and geothermal energy production. Public lands also provide crucial transmission corridors for renewable energy generated on non-Federal lands. The BLM has identified approximately 20 million acres with wind energy potential in 11 western States, 22 million acres with solar energy potential in six southwestern States, and 149 million acres with geothermal potential in several western States and Alaska. The 2016 President's Budget requests \$29.4 million for Renewable Energy Management, which maintains funding at the 2015 enacted level plus an increase of \$295,000 for fixed costs.

*Implementation Strategy:* In 2016, the BLM will implement a competitive leasing program using new regulations for solar and wind energy leasing developed under Federal Land Policy and Management Act authority. Prior to that, it will continue to selectively offer for competitive leasing some lands made available by the solar energy Programmatic Environmental Impact Statement (PEIS). The Record of Decision on the Solar PEIS includes 17 solar energy zones, containing approximately 285,000 acres potentially available for solar energy development. The BLM has added two additional solar energy zones through land use planning efforts for the Arizona Restoration Design Project and the West Chocolate Mountains Renewable Energy Evaluation Area in California. More are anticipated with future land use planning efforts. Making these lands available for BLM leasing proposals provides for the best siting locations for environmentally-sound solar energy development projects. The BLM is continuing this leasing

program through a nomination and request for proposal process, until competitive leasing is fully established through rulemaking.

In 2016, a West Wide Wind Mapping Project will be available to identify wind energy exclusion areas and sensitive resource conflicts for wind energy development on public lands. This project is expected to be completed in 2015 and be available to assist in BLM land use planning efforts and in siting reviews of proposed wind energy projects on BLM public lands in the western States. The wind energy constraint analysis methodology will further streamline the environmental review of site-specific wind projects. It will also broaden the analysis of additional planned transmission development. The final Wyoming wind analysis report will provide new information to address a greater level of wind energy development in Wyoming.

*Performance Metrics:* The Department is presently employing a set of internal measures and milestones to monitor and track achievement of the priority goals. Progress in these areas is reported and reviewed throughout the year by the Deputy Secretary's Principals Operations Group to identify and address any need for enhanced coordination or policy measures to overcome barriers to the achievement of the priority goal. The BLM has identified the following existing Strategic Plan measure that relates to this priority goal: "Number of megawatts of approved capacity authorized on public land for renewable energy development while ensuring full environmental review." Through the end of 2014, the BLM issued decisions on solar, wind, and geothermal energy development project proposals with a combined capacity of more than 14,140 megawatts under the priority goal. Projects approved in 2015 and 2016 are projected to provide sufficient additional capacity to reach the goal of over 16,500 megawatts of capacity. Though the specifics of any priority goals beyond FY 2015 will be developed as part of the FY 2017 budget process, the BLM will continue its work on processing renewable energy rights-of-way in FY 2016 and expects to contribute 16,500 MW towards the 17,000 megawatts target for the Department as a whole by the end of 2016.

***Climate Change Adaptation*** – By September 30, 2015, the Department of the Interior will demonstrate maturing implementation of climate change adaptation, as scored when implementing strategies provided in its Strategic Sustainability Performance Plan.

*BLM Contribution:* The BLM will work within five broad strategies developed by DOI to demonstrate implementation of climate change adaptation. These five broad strategies are mainstream and integrate climate change adaptation into both agency-wide and regional planning efforts; ensure agency principals demonstrate commitment to adaptation efforts through internal communications and policies; ensure workforce protocols and policies reflect projected human health and safety impacts of climate change; design and construct new or modify/manage existing agency facilities and/or infrastructure with consideration for the potential impacts of projected climate change; and update agency external programs and policies to plan for and address the impacts of climate change. Each of these five strategies will have a BLM component that will contribute to the Department's overall goal of addressing the impacts of climate change. The 2016 BLM budget request includes \$25.0 million for climate change adaptation an increase of \$10 million over the 2015 enacted budget.

*Implementation Strategy:* In 2015 and 2016, the BLM will identify priority focal areas for funding to restore or enhance landscape resiliency as one of many efforts to integrate climate change adaptation into planning efforts. The Bureau will integrate national science committee recommendations into decision making as part of its ongoing management commitment. Similarly, the BLM will review design criteria for climate change considerations in deferred

maintenance or capital improvement projects over \$1.0 million to ensure they incorporate best available sustainable measures, reduce water use to help mitigate possible water shortages, install photovoltaic cells where possible to help alleviate energy use, and use inspections to identify potential energy savings in facilities. Each of these measures helps to alleviate greenhouse gas emissions. Finally in working with our public land users, the BLM will develop a program to help visitors understand how climate change may affect their ability to use and enjoy the public lands.

*Performance Metrics:* The Department is presently employing a set of internal measures and milestones to monitor and track achievement of the priority goals. Progress in these areas will be reported and reviewed throughout the year by the Deputy Secretary's Principals Operations Group to identify and address any need for enhanced coordination or policy measures to overcome barriers to the achievement of the priority goal.

**Youth Stewardship of Natural and Cultural Resources** – By September 30, 2015, the Department of the Interior will provide 40,000 work and training opportunities over two fiscal years (FY2014 and FY 2015) for individuals age 15 to 25 to support the mission of the Department. The Department is proposing to expand this goal to provide 100,000 work and training opportunities over four fiscal years, FY 2014 through FY 2017, for individuals ages 15 to 35.

*BLM Contribution:* The BLM has incorporated this priority goal into its Celebrating and Enhancing America's Great Outdoors Initiative. The Bureau will continue to focus on providing a continuum of experiences through its youth education, engagement, and employment programs. Special consideration is given to those programs that involve young people ages 15 to 25 through various student employment programs, the 21<sup>st</sup> Century Conservation Service Corps and other youth partnership organizations. The BLM is also emphasizing recruiting youth from diverse backgrounds. Programs for school age youth such as Hands on the Land and conservation corps and internship programs for high school and older youth expose young people to natural and cultural resources and to career pathways in those fields. The 2016 BLM budget includes \$6.0 million for the Celebrating and Enhancing America's Great Outdoors initiative, which is \$5.0 million above the 2015 enacted level. This funding will provide youth opportunities assisting the BLM with trail construction and maintenance, habitat restoration, inventory and monitoring in support of a wide range of programs, such as archaeological resources; wilderness characteristics; soil, water, and air resources as well as climate change impacts.

*Implementation Strategy:* In 2016, the BLM will continue to pursue opportunities to facilitate, develop, and sustain partnership activities to support BLM's mission and will continue pursuing collaborative opportunities to educate, engage, and employ youth, particularly throughout the National Landscape Conservation System.

*Performance Metrics:* The Department is presently employing a set of internal measures and milestones to monitor and track achievement of the priority goals. Progress in these areas will be reported and reviewed throughout the year by the Deputy Secretary's Principals Operations Group to identify and address any need for enhanced coordination or policy measures to overcome barriers to the achievement of the priority goal.

***Oil and Gas Resources Management*** – By September 30, 2015, the BLM will increase the completion of inspections of Federal and Indian high-risk oil and gas cases by nine percent over FY 2011 levels, which is equivalent to covering as much as 95 percent of the potential high-risk cases.

***BLM Contribution:*** The inspection of high-risk-producing oil and gas cases ensures that hydrocarbon production on federally-managed lands is properly accounted for and results in accurate royalty payments to the public and Indian owners of the minerals. Oil and gas production on federally-supervised lands represents a significant part of the Nation's hydrocarbon production. Operating regulations at 43 CFR 3161.3 (a) require the BLM to inspect all leases which produce high volumes of oil or natural gas and those leases that have a history of non-compliance at least once a year. By focusing on high-risk-producing cases, rather than randomly selecting producing cases for inspection, the BLM's resources are more efficiently used. The high-risk cases account for about 13 percent of the total cases but account for over 60 percent of the oil and gas produced on Federal and Indian mineral estates. This effort is a component of addressing the deficiencies identified in the GAO High Risk report, including ensuring data on production verification and royalties are consistent and reliable, meeting goals for oil and gas verification inspections, and ensuring that informal employee training is supported by formalized training courses offered on a consistent basis. The 2016 President's Budget proposes establishing inspection fees to cover the cost of the inspections. The estimated collections generated from the proposed inspections fees is \$48.0 million. This will allow for a reduction of \$41.1 million in requested appropriations (the amount of the 2015 appropriation for inspection activities), resulting in a net increase of \$6.9 million in resources available for BLM inspections and oversight. The 2016 budget also proposes an increase to complete the final phase of its Automated Fluid Minerals Support System (AFMSS) modernization project allowing collection of inspection and enforcement data across Federal onshore operations to strengthen BLM's oversight and permitting functions and enable the BLM to effectively implement its leasing reforms.

***Implementation Strategy:*** High-risk cases are determined by seven risk factors, four generated by the BLM and three derived from the Office of Natural Resources Revenue risk model. The four BLM factors are: production rating; number of missing Oil and Gas Operations Reports; non-compliance rating; and last production inspection date rating. The Field Offices inspect the cases throughout the year, which are then entered into AFMSS. The Washington Office then runs reports from AFMSS showing the number of high-risk-production inspections completed. The number of high-risk-production cases is determined by the individual Field Offices, based on the Bureau's risk-based inspection strategy. The milestones for 2015 and 2016 will be 95 percent or above at the end of the year.

***Performance Metrics:*** The BLM is presently employing the following milestones to monitor and track achievement of this priority goal: 1) Revising Onshore Oil and Gas Orders 3, 4, 5, and 9 which cover how oil and gas is measured and stored in a secure facility to prevent theft and mishandling of production, waste, and beneficial use; 2) Evaluating and adjusting onshore royalty rates; and 3) Reinstating training for managers on oil and gas operations. Progress in these areas is reported and reviewed throughout the year by the Deputy Secretary's Principals Operations Group to identify and address any need for enhanced coordination or policy measures to overcome barriers to the achievement of the priority goal.

## **The BLM's Contribution to the Department's Strategic Plan**

The FY 2014-2018 DOI Strategic Plan, in compliance with the principles of the GPRA Modernization Act of 2010, provides a collection of mission objectives, goals, strategies and corresponding metrics that provide an integrated and focused approach for tracking performance across a wide range of DOI programs. While the DOI Strategic Plan for 2014 – 2018 is the foundational structure for the description of program performance measurement and planning for the 2016 President's Budget, further details for achieving the Strategic Plan's goals are presented in the DOI Annual Performance Plan and Report (APP&R). Bureau-and program-specific plans for 2016 are fully consistent with the goals, outcomes, and measures described in the 2014-2018 version of the DOI Strategic Plan and related implementation information in the Annual Performance Plan and Report (APP&R).

### Goal Performance Table

**Target Codes:** SP = Strategic Plan measure, BUR = Bureau specific measure

**Type Codes:** C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Enacted	2016 President's Budget
<b>Mission Area 1: Celebrating and Enhancing America's Great Outdoors</b>						
<b>Goal 1: Protect America's Landscapes</b>						
<b>Strategy 1: Improve land and water health.</b>						
Percent of DOI stream/shoreline miles that have achieved desired conditions where condition is known and as specified in management plans. (SP)	85% 132,466/ 154,976	86% 133,055/ 155,274	86% 133,866 155,151	85% 132,344/ 154,976	85% 131,976/ 154,976	85% 131,976/ 154,976
<b>Contributing Programs:</b> Land Resources; Wildlife and Fisheries Management; O&C Resources; Contributed Funds; Challenge Cost Share; and Other Subactivities.						
Percent of DOI acres that have achieved desired conditions where condition is known and as specified in management plans. (SP)	63% 155,970,340/ 248M	66% 163,558,379/ 248M	63% 155,210,537/ 248M	63% 155,317,905/ 248M	64% 155,500,000/ 248M	63% 155,600,000/ 248M
<b>Contributing programs:</b> Land Resources; Wildlife Management; O&C Resources Management; Contributed Funds/Reimbursables; and Other Subactivities.						
Percent of baseline acres infested with invasive plant species that are controlled. (SP)	0.99% 333,177/ 35,762,000	0.57% 204,667/ 35,762,000	0.68% 246,710/ 35,762,000	0.58% 210,395/ 35,762,000	1.3% 1,038,157/ 79,236,079	1.3% 1,038,157/ 79,236,079
<b>Comments:</b> Reporting of this measure changed based on a new baseline inventory done in 2014. The target also reflects changes due to the performance measure revision.						
<b>Contributing Programs:</b> Land Resources; Burned Area Rehabilitation; O&C Resources Management; Challenge Cost Share; and Other Subactivities.						

Target Codes: SP = Strategic Plan measure, BUR = Bureau specific measure

Type Codes: C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Enacted	2016 President's Budget
Number of DOI riparian (stream/shoreline) miles restored to the condition specified in management plans. (BUR)	749	867	671	510	600	700
<b>Contributing Programs:</b> O&C Resources Management; Land Resources; Wildlife Management; Reimbursables; Challenge Cost Share and Contributed Funds; and Range Improvements.						
Number of DOI acres restored to the condition specified in management plans. (BUR)	848,477	556,457	502,787	487,770	488,738	500,000
<b>Contributing Programs:</b> Land Resources; Wildlife Management; O&C Resources Management; Range Improvements; Forest Ecosystems; SNPLMA Conservation; Resource Management Planning; Forestry Pipeline Restoration; NM&NCA's; Other Reimbursables.						
Percent of surface waters (acres) managed by BLM that meet State (EPA-approved) water quality standards. (BUR)	87% 283,616/ 324,628	91% 335,765/ 371,060	90% 11,631,022/ 12,923,358	89% 3,049,333/ 3,426,217	89% 3,023,000/ 3,400,000	88% 2,816,000/ 3,200,000
<b>Contributing Programs:</b> Land Resources; Wildlife Management; O&C Resources Management; Range Improvements; Forest Ecosystems; SNPLMA Conservation; Resource Management Planning; Forestry Pipeline Restoration; NM&NCA's; Other Reimbursables.						
Percent of surface waters (stream miles) managed by BLM that meet State (EPA-approved) water quality standards. (BUR)	91% 124,188/ 136,327	89% 103,700/ 116,937	91% 221,722/ 243,706	91% 142,583/ 143,959	90% 127,000/ 142,000	88% 124,100/ 141,100
Percent of Wild Horse and Burro Herd Management Areas (HMAs) achieving appropriate management levels. (BUR)	39% 69/179	40% 72/179	26% 47/179	17% 31/179	15% 26/179	7% 13/179

**Target Codes:** SP = Strategic Plan measure, BUR = Bureau specific measure

**Type Codes:** C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Enacted	2016 President's Budget
Percent of Resource Management Plans completed within four years of start. (BUR)	41% 28/ 69	39% 28/72	39% 29/75	38% 29/77	31% 30/95	30% 31/104
Percent of Resource Management Plan evaluations completed within 5 years. (BUR)	41% 56/ 136	44% 65/149	42% 66/157	45% 73/164	45% 73/164	49% 81/164
Percent of Resource Management Plans with Implementation Strategies. (BUR)	36% 49/ 136	38% 56/149	37% 58/157	34% 55/164	34% 55/164	40% 66/164
Percent of Resource Management Plans evaluated as making significant progress toward achieving riparian condition goals. (BUR)	18% 24/136	22% 33/149	22% 34/157	25% 41/164	28% 44/164	32% 52/164
Percent of public lands where Visual Resource Management data have been recorded in digital format for both inventory and management classes. (BUR)	71% 177,427,913/ 248M	76% 187,663,813/ 248M	80% 198,541,465/ 248M	82% 201,506,063/ 248M	82% 201,506,063/ 248M	82% 201,506,063/ 248M
Percent of sites (acres) reclaimed or mitigated from the effects of degradation from past mining. (BUR)	32% 3,046/ 9,262	51% 4,723/ 9,262	64% 8,834/ 13,747	9% 2,982/ 34,510	9% 2,603/ 34,461	8% 2,925/ 35,000
<b>Comments:</b> Performance from 2014 forward reflects a revised method of calculating the percent of acres reclaimed and/or mitigated. The new system more precisely represents field performance in restoring/reclaiming abandoned mine lands.						
Percent of known contaminated sites remediated on BLM-managed land. (BUR)	34% 92/ 272	39% 108/ 272	46% 126/ 272	49% 131/269	50% 134/269	50% 137/269
Percent of physical and chemical hazards mitigated in appropriate time to ensure visitor or public safety. (BUR)	92% 740/800	91% 9601/1,052	92% 1,026/1,112	85% 980/1,159	85% 1,037/1,220	85% 1,037/1,220

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Supporting Performance Measures	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Enacted	2016 President's Budget
Number of incidents/investigations closed for natural, cultural, and heritage resources offenses.(BUR)	4,744	4,450	6,330	6,774	11,593	11,593
Number of natural, cultural, and heritage resource crimes detected that occur on BLM lands.(BUR)	9,438	9,434	15,307	17,640	17,640	17,640
<b>Strategy 2:</b> <i>Sustain fish, wildlife, and plant species by protecting and recovering the Nation's fish and wildlife, in cooperation with partners, including States.</i>						
Number of threatened and endangered species recovery activities implemented. (SP)	1,328	1,921	1,844	1,519	1,660	1,650
<b>Contributing Programs:</b> Threatened and Endangered Species Management; O&C Wildlife Habitat Management, and NM&NCA's.						
Number of stream/shoreline miles of habitat restored or enhanced that directly support the conservation of Bureau species of management concern. (BUR)	418	225	307	510	250	237
<b>Contributing Programs:</b> Fisheries; Wildlife Management; Threatened and Endangered Species Management; O&C Wildlife Management; and NM&NCA's.						
Number of acres of habitat restored or enhanced that directly support the conservation of Bureau species of management concern. (BUR)	295,799	250,000	250,000	218,500	300,000	382,000
<b>Contributing Programs:</b> Wildlife; Fisheries ; T&E Management; O&C Wildlife Management; and NM&NCA's.						

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Supporting Performance Measures	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Enacted	2016 President's Budget
<b>Goal 2: Protect America’s Cultural and Heritage Resources</b>						
<i>Strategy 1: Protect and maintain the Nation's most important historic areas and structures, archeological sites, and museum collections.</i>						
Percent of archaeological sites on DOI inventory in good condition (SP)	84% 60,521 71,644	86% 69,362/ 80,653	85% 64,562/ 75,918	85% 68,588/ 80,685	85% 70,000/ 82,350	85% 70,000/ 83,000
Percent of historic structures on DOI inventory in good condition (SP)	48% 193/ 400	48% 197/410	52% 217/421	51% 221/431	51% 225/435	53% 230/435
Percent of collections on DOI inventory in good condition. (SP)	83% 118 / 142	83% 120/144	86% 123/ 143	84% 132/158	85% 135/159	87% 139/160
Percent of paleontological localities in BLM inventory in good condition. (BUR)	95% 26,643/ 27,230	99% 26,376/ 26,621	98% 19,259/ 19,609	36% 6,191/ 17,129	44% 8,360/ 19,000	45% 9,000/ 20,000
<b>Comments:</b> BLM instituted a revised internal reporting format in 2014 to collect current data on paleontological localities, focusing on assessments conducted within the last five years as more accurate assessments of condition.						
Number of units of National Scenic and Historic Trail inventory completed to standards. (BUR)	384	222	106	91	50	50
Number of units of National Scenic and Historic Trail monitoring completed to standards. (BUR)	1,320	2,542	718	189	150	150
Percent of designated Wild and Scenic River miles achieving goals, objectives, and desired conditions in maintaining, protecting, and/or enhancing river-related values. (BUR)	94 % 2,512/2,681	88% 2,371/2,681	61% 1,505 / 2,450	62% 1,526/ 2,450	62% 1,526/ 2,450	62% 1,526/ 2,450

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Supporting Performance Measures	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Enacted	2016 President's Budget
Percent of Wilderness Areas under BLM Management with Completed Baseline Wilderness Character Monitoring. (BUR)	New Measure in 2015	New Measure in 2015	New Measure in 2015	New Measure in 2015	Establish Baseline	Baseline established
Percent of designated Monuments and NCAs inventoried for the resources, objects, and values for which they were designated. (BUR)	New Measure in 2014	New Measure in 2014	New Measure in 2014	46% 4,461,021/ 9,697,871	50% 4,848,936/ 9,697,871	55% 5,333,829/ 9,697,871
<b>Goal 3: Provide Recreation and Visitor Experience</b>						
<i>Strategy 1: Enhance the enjoyment and appreciation of our natural and cultural heritage by creating opportunities for play, enlightenment, and inspiration.</i>						
Percent of visitors satisfied with the quality of their experience. (SP)	95% 95/ 100	94% 94/100	96% 96/100	96% 96/100	96% 96/100	96% 96/100
Percent satisfaction among visitors served by facilitated programs. (SP)	90% 90/ 100	97% 97/100	94% 94/100	95% 95/100	94% 94/100	94% 94/100
Percent of customers satisfied with the value for fee paid. (BUR)	88%	70%	83% 83/100	75% 75/100	74% 74/100	74% 74/100
Percent of recreation fee program receipts spent on fee collection. (BUR)	3%	3%	3%	3%	3%	3%
<b>Mission Area 3: Powering Our Future and Responsible Use of the Nation's Resources</b>						
<b>Goal 1: Secure America's Energy Resources</b>						
<i>Strategy 1: Ensure environmental compliance and the safety of energy development.</i>						
Percent of oil and gas acres reclaimed to appropriate final land condition. (SP)	23% 2,327/ 10,062	23% 1,949/ 8,651	24% 1,661/ 6,992	24% 2,122/ 8,822	27% 2,400/ 8,900	27% 2,400/ 8,900

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Supporting Performance Measures	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Enacted	2016 President's Budget
Percent of producing fluid mineral cases that have a completed inspection during the year. (SP)	36% 9,869/ 27,419	33% 10,297/ 27,419	37% 10,204/ 27,719	27% 7,915/ 29,321	28% 8,100/ 29,200	31% 9,000/ 29,200
Percent of required coal inspection and enforcement reviews completed. (BUR)	93% 2,513/ 2,700	101% 2,731/ 2,700	95% 2,467/ 2,600	91% 2,353/ 2,600	100% 2,650/ 2,650	100% 2,650/ 2,650
Percent of Federal oil and gas lease assignments processed. (BUR)	90% 27,548/ 30,611	90% 12,706/ 14,087	80% 12,140/ 15,361	87% 12,194/ 14,000	82% 11,500/ 14,000	82% 11,500/ 14,000
<b>Strategy 2: Develop Renewable Energy Potential</b>						
Number of megawatts of approved capacity authorized on public land and the Outer Continental Shelf (OCS) for renewable energy development while ensuring full environmental review. (SP)	8,005	9,844	15,767	16,534	18,000	18,500
<b>Strategy 3: Manage Conventional Energy Development</b>						
Percent of coal lease applications processed. (SP)	7% 3/42	18% 8/45	15% 6/40	10% 4/41	10% 4/42	10% 4/42
Percent of pending fluid mineral Applications for Permit to Drill (APDs) which are processed. (SP)	56% 5,200/ 9,308	61% 5,861/ 9,549	60% 4,892/ 8,180	56% 4,924/ 8,862	57% 4,550/ 8,046	57% 4,550/ 8,046
Number of coal post-leasing actions approved for energy minerals. (BUR)	345	375	325	263	335	335

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Supporting Performance Measures	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Enacted	2016 President's Budget
Percent of pending cases of right-of-way grant applications. (BUR)	92% 1,872/ 2,041	47% 1,380/ 2,965	47% 1,402/ 3,000	49% 1,458/ 2,989	49% 1,518/ 3,110	50% 1,500/ 3,000
Percent of oil and gas Reservoir Management Agreements processed. (BUR)	90% 2,944/3,265	82% 3,605/4,385	86% 3,443/ 4,000	91% 4,089/4453	85% 3,400/4,000	85% 3,400/4,000
<b>Goal 2:</b> Sustainably Manage Timber, Forage, and Non-Energy Minerals						
<b>Strategy 1:</b> <i>Manage Timber and Forest Products Resources</i>						
Percent of allowable sale quantity timber offered for sale consistent with applicable resource management plans. (SP)	70% 143/ 203	85% 172/ 203	80% 162/ 203	77% 155/ 203	80% 162/ 203	80% 162/ 203
Volume of wood products offered consistent with applicable management plans (Public Domain & O&C) (SP)	240	242	243	269	240	228
<b>Contributing Programs:</b> O&C Forest Management; Forestry Management						
Administrative cost per thousand board feet of timber offered for sale. (BUR)	\$217	\$194	\$207	\$182	\$200	\$200
Volume of wood products offered (biomass for energy) consistent with applicable management plans. (BUR)	119,000	157,751	137,347	116,559	100,000	100,000
<b>Contributing Programs:</b> Forestry Management; Hazardous fuels; O&C Resources Management ; and Forest Ecosystem Health .						

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Supporting Performance Measures	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Enacted	2016 President's Budget
Percent of forestry improvements (acres) completed as planned. (BUR)	67% 17,301/ 25,700	62% 15,906/ 25,700	100% 16,050/ 16,000	111% 17,720/ 16,000	94% 15,000/ 16,000	91% 14,500/ 16,000
<b>Strategy 2: Provide for Sustainable Forage and Grazing</b>						
Percent of grazing permits and leases processed as planned consistent with applicable resource management plans. (SP)	36% 1,945/ 5,383	22% 1,491/ 6,685	21% 1,344/ 6,300	22% 1,374/ 6,300	23% 1,572/ 6,900	34% 2,295/ 6,800
<b>Contributing Programs:</b> Range Land Management; National Monuments and National Conservation Areas; O&C Range Management .						
Number of grazing administration actions conducted. (BUR)	96% 30,006/ 31,102	108% 34,200/ 31,617	115% 35,298/ 30,752	120% 33,738/ 28,000	100% 31,994/ 31,994	100% 32,016/ 32,016
<b>Contributing Programs:</b> Range Land Management; National Monuments and National Conservation Areas; O&C Range Management .						
<b>Strategy 3: Manage Non-Energy Mineral Development</b>						
Percent of non-energy mineral exploration and development requests processed. (SP)	5% 27/572	11% 73/ 645	25% 114/475	22% 105/475	13% 60/475	13% 60/475
Number of mined acres reclaimed to appropriate land condition and water quality standards. (SP)	1,317	1,408	2,279	1,554	1,300	1,300

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Supporting Performance Measures	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Enacted	2016 President's Budget
Percent of Mineral Material permits and contracts processed for non-energy minerals. (BUR)	52% 1,225/ 2,340	37% 740/ 2,000	21% 503/ 2,028	47% 513/1,082	37% 710/ 1,900	37% 710/ 1,900
Percent of Reclamation Bond Adequacy. (BUR)	105% 2,027,497,506/1,937,402,788	98% \$2,363,046,865/ \$2,404,511,715	99% 2,543,000,000/ 2,563,000,000	96% 2,590,000,000/ 2,697,000,000	98% 1,960,000,000/ 2,000,000,000	98% 1,960,000,000/ 2,000,000,000
Average time for processing Plans of Operation for locatable minerals. (BUR)	22 mo	14 mo	14 mo	17 mo	14 mo	15 mo
Percent of Notices and Plans of Operations inspected. (BUR)	56% 1,734/3,092	44% 1,338/3,039	47% 1,393/ 2,954	48% 1,293/ 2,674	50% 1,525/ 3,050	50% 1,525/ 3,050
Percent of Mineral Material trespass actions resolved for non-energy minerals. (BUR)	31% 40/ 127	23% 42/ 180	13% 15/ 117	27% 12/ 44	33% 47/ 135	25% 45/180
Number of mining notices processed. (BUR)	603	525	516	521	500	480
Percent of time the Crude Helium Enrichment Unit (CHEU) was operating during the fiscal year. (BUR)	95% 345/365	105% 357/340	105% 356/ 340	102% 347/ 340	100% 340/ 340	100% 340/ 340
Number of Mineral Material inspections and production verifications. (BUR)	3,319	3,076	2,969	3,106	3,100	3,100
Number of Non-energy Solid Mineral inspections and production verifications. (BUR)	1,391	1,817	1,757	1,684	1,700	1,700

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Supporting Performance Measures	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Enacted	2016 President's Budget
<b>Mission Area 6: Building a Landscape Level Understanding of Our Resources</b>						
<b>Goal 1: Provide Shared Landscape-Level Management and Planning Tools</b>						
<i>Strategy 1: Ensure the use of landscape level capabilities and mitigation actions</i>						
Number of landscape-scale mitigation actions taken that directly expand the conservation of natural resources. (SP)	New in 2014	New in 2014	New in 2014	2	14	9
<b>Management Initiatives : Building a 21st Century Department of the Interior</b>						
<b>Goal 4: Improving Acquisition &amp; Real Property Management</b>						
Percent of buildings maintained in adequate condition, determined by Facilities Condition Index (FCI) < 0.15. (BUR)	90% 4,480/ 4,949	92% 4,546/4,971	90% 3,978/ 4,323	92% 3,976/4327	92% 3,956/4,319	92% 3,975/4,314
Percent of sites maintained in adequate condition, determined by Facilities Condition Index (FCI) < 0.15. (BUR)	89% 3,064/3,431	89% 3,079/3,464	88% 3,128/3,490	89% 3,120/3,499	89% 3,110/3,493	89% 3,114/3,497
Number of lane miles of roads maintained in adequate condition. (BUR)	32,059	34,376	33,765	33,625	34,000	34,700
Number of Deferred Maintenance and Construction projects completed. (BUR)	116	311	70	220	220	220
Increase the percentage of BLM organizational units rated in good safety, health, and environmental condition (CASHE). (BUR)	93% 111/ 120	96% 115/ 120	95% 114/ 120	94% 113/ 120	95% 114/ 120	95% 114/ 120

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Type Codes: C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Enacted	2016 President's Budget
Percent of survey projects of Federal and Indian Trust lands that are funded. (BUR)	22% 338/1,570	20% 317/1,570	14% 258/1,862	16% 248/1,570	8.5% 135/1,575	8% 116/1,575
Percent of cadastral surveys approved within 18 months of the funding date. (BUR)	78% 320/409	82% 335/409	69% 388/559	59% 241/409	52% 214/410	52% 214/410
Percent of land entitlements patented to the State and Alaskan Native Corporations as required by statute. (BUR)	59% 88,341,737/ 150,149,836	63% 94,244,957/ 150,149,836	65% 97,000,457 150,149,836	65% 97,544,793/ 150,149,836	66% 98,944,793/ 150,149,836	67% 100,344,793/ 150,149,836
Number of acres conveyed out of public ownership through sale or exchange. (BUR)	36,910	20,491	114,924	58,363	38,899	40,000
Number of acres acquired to consolidate ownership and improve management. (BUR)	4% 454 /11,849	1% 111/ 11,849	62% 7,371/ 11,849	144% 17,054/11,849	50% 12,359/ 24,696	50% 12,000/ 24,000
Number of land exchange cases completed to consolidate ownership, improve management, and acquire important resources. (Bureau Measure)	New Measure in 2014	New Measure in 2014	New Measure in 2014	12	4	4



# Crosscutting Programs



## Crosscutting Programs

The BLM has a number of programs that are funded through multiple sources. The National Conservation Lands is one such example; its components are described below. In addition, the BLM has partnership, education, and volunteer programs that are supported by a number of funding sources. Service First and BLM's partnership program provide tools to BLM managers to more efficiently and effectively use funding and to provide results on the ground.

### The National Conservation Lands

The BLM is unique in its mission of managing the public lands for multiple use and sustained yield of resources, including conservation. More than 30 million acres of BLM land is recognized for outstanding conservation values and designated for special management by Acts of Congress or Presidential Proclamations.

The BLM manages these special areas to maintain and enhance their conservation values with the goal to conserve, protect, and restore these important landscapes and their outstanding cultural, ecological, and scientific values. These areas range from broad Alaskan tundra to red-rock deserts and from deep river canyons to rugged ocean coastlines and include some of America's finest natural and cultural treasures.

The National Conservation Lands include the following unit designations. Each of these unit designations and information about each unit type can be found in the following sections.

- National Monuments and National Conservation Areas;
- Wilderness/Wilderness Study Areas;
- National Wild and Scenic Rivers; and
- National Scenic and Historic Trails.

**Natural and Cultural Benefits** - The diverse ecosystems designated in the National Conservation Lands protect a myriad of endangered species and habitats, and the diverse ecosystems help ensure that the Nation's extraordinary biodiversity will be sustained for present and future generations to enjoy. As landscape pressures associated with drought, climate change and the effects of landscape stressors on species habitat and migration corridors continue to be of concern, units of the National Conservation Lands offer opportunities for scientists to conduct important research and data collection. Additionally, the National Conservation Lands contain over 30 percent of all special-status animal species found on BLM lands.

Also preserved within the National Conservation Lands are priceless artifacts from our Nation's history, including explorer William Clark's 1806 signature on a sandstone bluff in Montana. This signature is the only on-site physical evidence of the Lewis and Clark expedition. Dinosaurs and other prehistoric species left myriad evidence of their passing through the National Conservation Lands and many of their fossils are now displayed in visitor centers and cooperating museums.

**Recreation Benefits** - As wide-open spaces and opportunities for natural exploration continue to dwindle, the National Conservation Lands conserve over 30 million acres of rugged landscapes for the public to explore and enjoy and hosts more than one-fourth of all recreation on BLM lands. These diverse lands provide opportunities for recreationists of all kinds, from white-water rafters and rock climbers to hunters and fishermen, hikers and skiers to boaters and off-highway vehicle riders. The BLM manages units that include over 2,700 recreation sites and 22 visitor centers, and serves approximately 14 million visitors annually. Because of the high rate of visitation, the communities surrounding the National Conservation Lands reap significant economic benefits through tourism services. In southeast Nevada, Red Rock Canyon National Conservation Area alone serves over one million visitors each year. These visitors generate more than \$1.7 million in recreation fees that are reinvested in the unit and directly contribute to the regional tourist economy, benefitting local communities and businesses located there.

The BLM, in cooperation with local communities, supports the creation of recreation and visitor facilities in nearby gateway communities rather than building extensive facilities within the units. In New Mexico, the BLM worked with the Las Cruces Museum of Nature and Science to establish exhibits on the Prehistoric Trackways National Monument. The new visitor center will provide educational opportunities about BLM-managed resources at the nearby Prehistoric Trackways National Monument. These facilities also draw additional tourism that supports the local economy and creates economic diversity.

These lands are critical to the implementation of important Administration initiatives, including America's Great Outdoors and Let's Move Outside, and the Department of the Interior's Youth in the Great Outdoors Initiative. For example, the National Conservation Lands connect youth, veterans, and families to the outdoors through a number of programs and recreational opportunities including internship opportunities for students, employment and training opportunities for veterans, and volunteer opportunities on designated units of the National Conservation Lands. The incredible beauty and sense of adventure provided by these lands entice both individuals and families to be a part of these public lands.

In addition to the revenue generated by tourism, the National Conservation Lands also provide revenue from energy development, ranching, mineral extraction, and art. These lands must be conserved for the future and the BLM promotes the sustainable use of these lands as supported through the proclamation or designating legislation.

The following table displays the amounts of funding allocated to the National Conservation Lands. These amounts represent recurring base funding only.

<b>National Conservation Lands</b>				
	<b>2014 Actual</b>	<b>2015 Enacted</b>	<b>2016 Request</b>	<b>Program Change from 2015</b>
<b>Management of Land &amp; Resources:</b>				
NMs & NCAs	31,819	31,819	48,470	+11,181
Wilderness Management	18,264	18,264	18,559	-
<b>Oregon &amp; California Grant Lands:</b>				
NMs & NCAs	748	753	767	-
<b>Crosscutting Programs:</b>				
National Wild & Scenic River Program	6,971	6,925	6,925	+0
National Scenic & Historic Trail Program	6,358	6,358	6,358	+0
<b>Total, National Conservation Lands</b>	<b>64,160</b>	<b>64,119</b>	<b>81,079</b>	<b>+11,181</b>

\*The total change for NMs & NCAs is +\$16,651 which also includes internal transfers of +\$5,009 and fixed cost of +461. See the National Conservation Lands activity chapter for details on this transfer.

## Units of the National Landscape Conservation System

The following table displays the individual units, by designation type, included in BLM's National Landscape Conservation System. The NLCS includes National Monuments, National Conservation Areas and Similar Designations, Wilderness Areas, Wilderness Study Areas, National Wild and Scenic Rivers, National Historic Trails, National Scenic Trails, and Other Congressional Designations.

<b>20 National Monuments</b>		
<b>Arizona</b>	Agua Fria	70,900 acres
	Grand Canyon-Parashant	808,747 acres
	Ironwood Forest	128,734 acres
	Sonoran Desert	486,600 acres
	Vermilion Cliffs	279,568 acres
<b>California</b>	California Coastal	3937 acres along 840 miles of coastline
	Carrizo Plain	208,698 acres
	Fort Ord National Monument	7,205 acres
	Santa Rosa-San Jacinto Mountains	94,055 acres
<b>Colorado</b>	Canyons of the Ancients	174,240 acres
<b>Idaho</b>	Craters of the Moon	274,693 acres
<b>Montana</b>	Pompeys Pillar	51 acres
	Upper Missouri River Breaks	374,976 acres
<b>New Mexico</b>	Kasha-Katuwe Tent Rocks	4,124 acres
	Prehistoric Trackways	5,255 acres
	Organ Mountains-Desert Peaks	496,330 acres
	Rio Grande del Norte	242,555 acres
<b>Oregon</b>	Cascade-Siskiyou	62,814 acres
	San Juan Islands	970 acres
<b>Utah</b>	Grand Staircase-Escalante	1,866,134 acres

<b>21 National Conservation Areas and Similar Designations</b>		
<b>Alaska</b>	Steese NCA	1,208,624 acres
<b>Arizona</b>	Gila Box Riparian NCA	21,767 acres
	Las Cienegas NCA	41,972 acres
	San Pedro Riparian NCA	55,495 acres
<b>California</b>	King Range NCA	56,167 acres
	Headwaters Forest Reserve	7,542 acres
	Piedras Blancas Historic Light Station Outstanding National Area (ONA)	18 acres
<b>Colorado</b>	McInnis Canyon NCA	123,430 acres
	Gunnison Gorge NCA	62,844 acres
	Dominguez-Escalante NCA	210,172 acres
<b>Florida</b>	Jupiter Inlet Lighthouse ONA	63 acres
<b>Idaho</b>	Morley Nelson Snake River Birds of Prey NCA	482,100 acres
<b>Nevada</b>	Black Rock Desert High Rock Canyon Emigrant Trails NCA	799,165 acres
	Red Rock Canyon NCA	198,065 acres
	Sloan Canyon NCA	48,438 acres
<b>New Mexico</b>	Fort Stanton-Snowy River Cave NCA	24,977
	El Malpais NCA	230,000 acres
<b>Oregon</b>	Steens Mountain Cooperative Management and Protection Area	428,446 acres
	Yaquina Head ONA	95 acres
<b>Utah</b>	Red Cliffs NCA	44,825 acres
	Beaver Dam Wash NCA	63,478 acres

**221 Wilderness Areas****8,736,691 acres****545 Wilderness Study Areas****12,835,035 acres****69 National Wild and Scenic Rivers****2,416 miles**

1,164,894 acres (20% of the national system)

<b>11 National Historic Trails 5,343 miles</b>	
California	1,493 miles
El Camino Real de Tierra Adentro	60 miles
Iditarod	418 miles
Lewis and Clark	369 miles
Mormon Pioneer	498 miles
Nez Perce	70 miles
Oregon	848 miles
Pony Express	596 miles
San Juan Bautista De Anza	103 miles
Old Spanish	887 miles
Washington Rochambeau Revolutionary Route	1 mile

<b>5 National Scenic Trails 667 miles</b>	
Arizona	31 miles
Continental Divide	389 miles
Pacific Crest	233 miles
Pacific Northwest	12 miles
Potomac Heritage	2 miles

<b>Other Congressional Designations</b>	
California Desert*	10,671,080 acres

\*The lands of the California Desert are congressionally designated, but are not a part of the National Landscape Conservation System.

### **National Wild and Scenic Rivers System**

The National Wild and Scenic Rivers System (WSR) was created by Congress in 1968 to preserve rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. The Act is notable for safeguarding the special character of these rivers, while also recognizing the potential for their appropriate use and development. It encourages river management that crosses political boundaries and promotes public participation in developing goals for river protection. Through the America's Great Outdoors (AGO) initiative, the President emphasized the value of rivers and waterways to our Nation's history, economy, and way of life. Rivers connect people and communities to America's great outdoors and are vital migration corridors for fish and wildlife. In the 21<sup>st</sup> century, healthy rivers will enhance the resilience of human and natural communities. Millions of people visit WSRs annually either on their own or through hundreds of permitted commercial outfitters. This use provides significant economic impact to local communities and helps them to sustain the natural heritage of their wild and scenic rivers.

The BLM WSR program is part of the National Conservation Lands and engages local communities to help them foster a sense of shared stewardship and pride in their local WSRs.

The BLM has the responsibility to protect and enhance river values (free flowing condition, water quality, and outstandingly remarkable values) on 69 designated rivers in seven States covering over 2,400 miles and 1,165,000 acres (about 20 percent of the WSR ) and on hundreds of eligible and suitable rivers across the western States. The BLM WSR Program focuses on the protection and enhancement of river values with the following activities:

- Evaluate free flowing rivers to determine if they are eligible for inclusion within the WSR and assign a tentative classification (wild, scenic or recreational) for rivers determined eligible;
- Submit recommendations resulting from studies on potential WSRs;
- Manage eligible, suitable and designated WSRs to protect and enhance their free flowing condition, water quality and outstandingly remarkable values;
- Develop and implement statutorily required comprehensive river management plans that reflect the requirements of the WSR Act and national policies and guidance;
- Monitor designated WSR and eligible and suitable river segments to minimize noxious weed infestations, trespass activities, and the impacts from commercial and non-commercial recreation activities;

- Provide visitor services and public information and interpretation through publications, wayside exhibits, appropriate instructional signage, and river-related visitor centers;
- Restore riparian habitats to healthy and functioning condition by removing or modifying activities creating unacceptable impacts along rivers;
- Protect or enhance water quality on WSRs by requiring and implementing best management practices for new land use authorizations and activities, changing current management practices where appropriate, and restoring degraded watershed function;
- Make determinations regarding the impacts of proposed water resources projects on designated WSRs, congressionally authorized study rivers, and on rivers identified for study by the BLM; and
- Maintain relationships with tribal governments, other Federal agencies, State and local governments, friends' groups and other non-profit organizations, and the general public concerned with comprehensive river-related plans, studies, and/or management.

The BLM's revised Wild and Scenic Rivers Manual provides policy and program direction for identification, evaluation, planning, and management of designated rivers, congressionally authorized study rivers, and BLM-identified eligible and suitable rivers. The BLM will continue to implement this updated policy and program guidance by providing training courses that enable staff and managers to work collaboratively with partners and communities to protect river values and manage river uses. The BLM will coordinate with other programs, agencies and organizations to strengthen and improve monitoring strategies and best management practices; using partnerships, science and outreach to help monitor and manage river values.

The WSR program works to implement the AGO initiative through collaborative landscape and watershed protection and restoration work, improved recreation access and opportunities, and community partnerships that enhance quality of life outcomes for residents and visitors. The WSR program also supports the Department of the Interior's Youth in the Great Outdoors initiative. The BLM will focus on protecting and restoring rivers for people and wildlife; enhancing river recreation which supports jobs in tourism and outdoor recreation; working with communities to take action to secure economic, social and ecological benefits of having a healthy river; and working collaboratively with local, State, tribal and other Federal agencies on river protection, restoration, and recreation access.

The WSR program is funded by multiple subactivities at \$6.9 million within the MLR and O&C appropriations (see table below). Fees collected at specific recreation sites and for Special Recreation Permits are returned to those locations to support management of WSRs. The BLM also leverages base funding by matching volunteer labor and contributions; cooperating with the National Park Service (NPS), the U.S. Forest Service (USFS) and State agencies where river areas are co-managed. Donations of labor and contributed funds from river and other partnership organizations increase BLM's capability and improve outcomes. The BLM plans to align funding and performance to increase program efficiencies and transparency.

<b>National Wild &amp; Scenic River Program</b>				
	<b>2014 Actual</b>	<b>2015 Enacted</b>	<b>2016 Request</b>	<b>Change from 2015</b>
Soil, Water & Air Management	181	181	181	+0
Rangeland Management	457	457	457	+0
Public Domain Forest Mgmt	118	118	118	+0
Riparian Management	419	419	419	+0
Cultural Resources Mgmt	320	320	320	+0
Wild Horse & Burro Mgmt	9	9	9	+0
Wildlife Management	214	214	214	+0
Fisheries Management	352	352	352	+0
Threatened & Endangered Species	213	213	213	+0
Recreation Resources Management	2,924	2,924	2,924	+0
Oil & Gas Management	31	31	31	+0
Alaska Conveyance	113	113	113	+0
Cadastral, Lands & Realty Mgmt	50	50	50	+0
Land & Realty Management	46	-	-	+0
Hazardous Materials Management	121	121	121	+0
Annual Maint. & Ops	1,220	1,220	1,220	+0
Administrative Support	59	59	59	+0
Other Forest Resource Mgmt	124	124	124	+0
<b>National Wild &amp; Scenic Rivers</b>	<b>6,971</b>	<b>6,925</b>	<b>6,925</b>	<b>+0</b>

### **National Scenic and Historic Trails Program**

Congressionally designated National Scenic and Historic Trails (National Trails) are corridors of cultural heritage, resource conservation, and outstanding recreation opportunities. National Trails span thousands of miles in nearly all 50 States, crossing Federal, State, tribal, local government, and private lands. The National Trails System was established under the National Trails System Act of 1968. Program responsibilities include managing eighteen National Trails (five scenic and 13 historic) on the ground, crossing nearly 6,000 miles of BLM public lands in 14 States. The BLM serves as interagency Trail Administrator, or trail-wide lead, for the Iditarod, Old Spanish, and El Camino Real de Tierra Adentro National Historic Trails. The BLM coordinates closely with the NPS and the USFS Trail Administrators and other National Trail managing agencies to promote a seamless system of public trails. The Bureau also supports five National Trail-related visitor centers which tell the stories of the trails, fostering public enjoyment, appreciation, volunteerism, and learning, while inspiring people to get outside to experience these National Trail treasures.

The BLM safeguards the nature and purposes of National Trails, and protects the recreational, scenic, historic, natural, and cultural qualities of the areas through which the trails pass. The BLM strives to model the America's Great Outdoors initiative along these trails in its work with volunteers, nonprofit trail groups, long-term partners, and willing landowners and supports the Secretary's Youth Initiative by providing opportunities for recreation, education, and

volunteerism. National Trail work is guided by the 15-year National Conservation Lands Strategy and the 10-year National Trails Strategy.

National Scenic Trails provide outdoor recreation opportunities, public enjoyment, and promote conservation. They are planned, constructed, and maintained by the BLM and volunteers to provide visitors with long-distance hiking, backpacking, day hiking, and horseback riding opportunities, and to support related recreational activities such as camping, fishing, hunting, wildlife observation, nature study, and photography. National Scenic Trails provide public access to some of the Nation's most spectacular vistas, guide visitors through canyons, along arid deserts, across windswept tundra, and to the summit of snowcapped peaks.

National Historic Trails tell the iconic stories of America, including exploration, western expansion and settlement, economic development, cultural divides, and the pursuit of religious freedom. These pathways of history and the associated settings are identified, protected, restored, stabilized, and interpreted by the BLM and volunteers for future generations. Physical remnant and artifact discoveries include wagon ruts, swales, wagon train encampments, structures, signature rocks, pioneer grave sites, and skirmish sites, and artifacts such as period coins, weapons, household items, and tools. Public land visitors can experience National Historic Trails and the stories of the trails at visitor centers, wayside exhibits, historic sites, recreational trails, auto tour routes, and along intact trail segments. The BLM manages more miles of National Historic Trails than any other Federal agency.

Capacity-building and leveraging limited funding is critical to program success. The BLM recognizes its charge under the National Trails System Act of 1968 in encouraging and assisting nonprofit organizations, and provides limited support for training, education, workshops, conferences, publications, and youth apprenticeships. National Trails stewardship work is effected through cooperative agreements to acknowledge, support, and leverage resources. As part of this effort, approximately twenty major nonprofit trail organizations, such as the Nez Perce Trails Foundation, Oregon-California Trails Association, National Pony Express Association, and the Pacific Crest Trail Association, contribute thousands of hours working with the BLM in National Trail planning, development, operations, maintenance, and acquisition. National Trail organizations estimate that volunteer organizations contribute more than \$35.0 million in annual program value through volunteer hours and fiscal contributions.

BLM National Trail inventory and monitoring work is readily identifiable and systematic within budget and performance systems. This work is critical for the establishment of National Trail management corridors through land use planning, and in proposed project review for priority renewable and nonrenewable energy development and transmission projects.

The BLM National Trails Program is funded by multiple subactivities within the MLR appropriation (see table below). The budget proposes \$6.4 million in 2016, the same as the 2015 enacted level. Fees collected at National Trail Visitor Centers and specific recreation sites are returned to those locations. The BLM also leverages base funding by matching volunteer labor and contributions; applying for grants or other Federal or State funding; and through cooperative agreements at the local, State, and national level. The BLM plans to align funding and performance to increase program efficiencies and improve the transparency for how resources are allocated throughout the National Trails System.

<b>National Scenic &amp; Historic Trail Program</b>				
	<b>2014 Actual</b>	<b>2015 Enacted</b>	<b>2016 Request</b>	<b>Change from 2015</b>
Soil, Water & Air Management	112	112	112	+0
Rangeland Management	68	68	68	+0
Riparian Management	20	20	20	+0
Cultural Resources Mgmt.	557	557	557	+0
Wildlife Management	93	93	93	+0
Threatened & Endangered Species	99	99	99	+0
Recreation Resources Management	4,397	4,397	4,397	+0
Annual Maint. & Ops	1,012	1,012	1,012	0
<b>National Scenic &amp; Historic Trails</b>	<b>6,358</b>	<b>6,358</b>	<b>6,358</b>	<b>0</b>

### Service First

Service First is a partnership authority (P.L. 106-291, as amended by P.L. 109-54, P.L. 112-74, and further amended by P.L. 113-76) between the agencies and offices of the Department of the Interior and the agencies and offices of the Department of Agriculture. Service First authority was made permanent in the Consolidated Appropriations Act, 2012 (P.L. 112-74) and further expanded to include all agencies and offices in both the Department of the Interior and Department of Agriculture in the Consolidated Appropriations Act, 2014 (P.L. 113-76).

The BLM continues to strengthen partnerships among the NPS, the U.S. Fish and Wildlife Service (FWS), and the USFS to attain the three Service First goals of improving natural and cultural resource stewardship, enhancing customer service, and increasing operational efficiency. The four agencies provide national leadership, direction, and counsel on implementing the authorities and promoting the principles of Service First through the Service First Leadership Team (SFLT). The SFLT's goals include enhancing each agency's ability to meet its mission; increasing collective capacity to manage Federal resources on a landscape basis; overcoming institutional barriers that hinder interagency programs and initiatives; and improving constituent and customer service and resource management through streamlined processes, increased efficiencies, and use of emerging technologies.

Discussions are already underway with the legal community in both Departments about implementing the expanded authority in the new agencies. Further, both Departments and other agencies are exploring how and where to use the newly expanded authority in existing and new partnerships.

In 2016, Service First will continue to focus on opportunities for co-location of agency facilities where feasible and appropriate. Co-location better facilitates inter-agency communication and results in integration of natural resource management across the landscape. It is one method for increasing coordination across resource programs that include conserving water, hazardous fuels reduction, landscape-scale species conservation, sustaining rural communities, nurturing youth through education and connections to the outdoors, and recreation management including off-highway vehicle use and trail management.

Service First will also continue to make advances in creating an integrated information technology system where employees will be able to access other agencies' data and systems while maintaining appropriate security levels. Joint access to the more complex databases including geographic information systems, invasive weed inventories, and other natural resource data will result in more seamless customer service and improve operational efficiency for shared employees and co-located offices.

Finally, the agencies plan to build a strong interagency network with focused tools and regular outreach and information exchange such as best practices on Service First opportunities, challenges and successes.

#### **Efficient Government through Service First**

The BLM San Luis Valley Field Office is a Service First, dual-delegated unit. All line officers have both USFS and BLM management authorities and responsibilities. All units are comprised of blended staff. One unit also has a FWS Ecological Services staff member that provides technical assistance and, on some projects, is an interdisciplinary team member. The BLM and the USFS share personnel and resources with the San Luis Valley National Wildlife Refuge Complex and Great Sand Dunes National Park and Preserve.

By integrating staff, budget, and other resources, the BLM and the USFS are able to effectively save approximately 10 FTE compared to separate units. This savings is possible by adding to the capacity of one agency or the other to complete priority projects. Either agency can purchase expertise from the other; eliminating the need for each agency to have all expertise on staff. Flexibility is gained by the ability to move personnel to the agency and program where the need and funding is greatest.

#### **Engaging the Next Generation**

With the launch of the 21<sup>st</sup>-Century Conservation Service Corps (21CSC), the BLM has joined with its Federal and non-Federal partners to engage young people and veterans in working to protect, restore, and enhance America's Great Outdoors. Building on youth education and engagement programs that foster personal connections with our Nation's public lands, the BLM is engaging millennials, including veterans, in work that supports the multiple-use mission of the Bureau, helping to create the next generation of conservation leaders. Young people are employed in priority projects such as trail construction and maintenance, habitat restoration, and inventorying and monitoring in support of a wide range of program needs, including archaeological resources; wilderness characteristics; soil, water, air and climate resources; and renewable energy compliance.

The BLM's National Strategy on Education, Interpretation, and Youth Engagement envisions young people involved from an early age in learning and recreation on public lands, who then go on to become active stewards and conservation leaders as adults. The BLM's strategic focus aligns well with the four pillars of the Secretary's youth platform announced early in FY 2014. The Secretary has pledged that the Department will engage the next generation by providing opportunities to play, learn, serve, and work on public lands by:

- Creating recreational opportunities for more than 10 million young people by 2017;
- Providing educational opportunities in the natural classrooms that our public lands provide to at least 10 million K-12 students annually;

- Engaging one million volunteers in support of public lands; and
- Providing 100,000 work and training opportunities over four fiscal years, 2014 through 2017, for individuals ages 15 to 35 to support the mission of the Department.

The 2016 President's budget request includes an increase of \$5.0 million in support of the Secretary's goals for engaging the next generation. The funding will be used to enhance BLM's capability to accomplish high-priority projects in a broad range of resource programs and promote quality participant experiences and pathways to careers. Expanding and enhancing partnerships will be critical to success.

The BLM will continue to partner with youth corps organizations, with a special emphasis on those organizations that meet the needs of underserved youth, including those from Tribes and rural communities. In 2016, the BLM will also continue to identify science and resource priorities that can be addressed through short- or long-term projects involving the 21 CSC and other youth corps and veteran's crews, as well as volunteers, field schools, and interns. Scaling up a citizen science program involving youth and volunteers will be a key focus of efforts in 2016.

In 2016, the BLM will also focus on identifying mission-critical jobs and skills that are needed for entry-level positions in those occupations. This includes continued expansion of a resource assistant internship program based on the DOI's Direct Hire Authority and focused on mission-critical jobs. In addition, by expanding partnerships with universities and professional organizations, the Bureau will enable more young people to explore careers in Science, Technology, Engineering, and Mathematics (STEM). Opportunities to pursue field-based investigations and experiences, such as those provided to college interns and to K-12 students involved in the BLM Hands on the Land network of outdoor classrooms, can nurture and sustain student interest in pursuing STEM degrees and careers.

The BLM will also support the DOI/VISTA volunteers who have been engaged in several States to serve impoverished communities with programs that engage youth in outdoor educational experiences and STEM education, foster economic opportunities in conservation and land management, and promote healthy futures for underserved populations.

### **Education**

The BLM's National Strategy for Education, Interpretation, and Youth Engagement envisions an education program that enhances public environmental and heritage literacy and its understanding of land management issues. The strategy focuses on identifying priority themes, working with partners to assist in the development and delivery of programs, and identifying and using relevant national and State education standards and best practices to further improve the education programs and products that the BLM produces.

In 2016, the BLM will expand competency training for all staff, volunteers, and education partners who deliver educational programming and identify staff who should meet the established criteria. Program staff will continue to develop educational tools and resources identified in the 2014 needs assessment and will initiate a process to evaluate the effectiveness of education products, programs, and partners according to relevant standards, using results to guide improvements.

The BLM offers a range of education programs for youth and adults, including the following signature programs:

- ***Hands on the Land:*** Through the national HOL network of outdoor classrooms, the BLM's 73 HOL sites collaborate with local schools and communities to educate more than 60,000 students on the public lands each year. Launched in 2013, the HOL Teachers on the Public Lands program, which engages classroom teachers as summer interns in BLM offices, will further ensure even stronger connections with schools and standards-based classroom curriculum. Field-based educational programming at HOL sites fosters connections to nature, exposes students to issues confronting 21st-century land managers, and creates broad-based community support for the BLM to address the Department's STEM Education and Employment Pathways Strategic Plan and other Interior Department and national youth initiatives. In order to achieve the BLM's goal of 108 HOL sites by 2017, the BLM will in 2016 continue to expand the number of sites involved in the HOL program, as well as the number of Teachers on the Public Lands.
- ***Project Archaeology:*** Project Archaeology, the BLM's primary heritage education program, serves approximately 1,000 educators each year (totaling more than 12,000 since the inception of the program) through professional development for classroom teachers and informal educators, and through high-quality curricular materials. These educators reach an estimated 250,000 learners per year with high-quality cultural resource materials and programs. In addition to hosting professional development workshops for teachers, BLM field offices incorporate Project Archaeology materials into programs such as HOL and into materials and programs for local schools and the general public.
- ***Take It Outside!*** Opportunities for young people and families to get outdoors and informally learn about the public lands are offered through Take It Outside! activities and partnerships with over 300 organizations annually, including the Boy Scouts of America and Girl Scouts of the USA. Annually, Take It Outside! reaches over 70,000 youth and families through more than 200 different types of activities on BLM lands, including overnight and day camps; National Public Lands Day projects; and recreational outings such as fishing, hiking, and paleontology explorations.
- ***Stewardship:*** For over 20 years, the BLM has partnered with the Leave No Trace Center for Outdoor Ethics and Tread Lightly!, Inc., to teach BLM staff and visitors how to behave responsibly on public lands through outdoor ethics education. Outdoor ethics education, training, and materials help the public learn to take care of the lands they visit and foster a sense of stewardship for public lands. BLM visitors also learn outdoor ethics through Take It Outside! activities, educational signs, printed materials, and informal training.
- ***Public Education Opportunities:*** Field trips, classroom visits by resource professionals, and service learning opportunities not only educate but also foster conservation and stewardship ethics. Additionally, BLM lands provide a rich opportunity for collegiate-level research, professional development opportunities for teachers and continuing education for seniors.

The BLM's increased use of technology helps the agency reach a broad array of audiences to enhance public understanding, achieve management goals, foster stewardship, and build public support. BLM offices also use social media, web, and mobile technologies to provide educational programs, information, and materials to an ever-expanding virtual audience.

### Interpretation

Serving audiences with diverse backgrounds, viewpoints, and needs, BLM interpretive programs and services connect public land visitors to BLM's natural and cultural resources, enhance understanding of resource management issues, add to the quality of visitor experiences, and build public interest in conserving and protecting America's public lands.

In 2016, the Interpretation Program as outlined in the BLM Education, Interpretation and Youth Engagement National Strategy will focus on interpretive partnerships to help contribute to a skilled workforce. The program will identify local, regional, and national level partner resources that provide interpretive training for staff, interns, and volunteers. The program will develop training, tools, and how-to guidance to establish working relationships with diverse constituencies to assist BLM sites in developing and delivering interpretive programming. The program will develop and distribute resources for self-assessment and continuous improvement of interpretive programs and products, ensuring that the public receives a quality product.

**Junior Explorers:** The BLM's Junior Explorer program was formally launched in 2013 with the goal of encouraging awareness of the BLM and public land stewardship, and informally educating children about the natural and social sciences. The BLM Junior Explorer program provides an avenue for BLM district and field offices to develop and provide engaging, high-quality educational materials and activities to elementary-age children, as well as their parents and teachers.

**Artist in Residence:** The BLM's Artist in Residence (AIR) program began in 2011. AIR participants are encouraged to use their skills to depict the variety of cultural and natural resources on BLM lands, including historic structures, artifacts, cultural landscapes, geologic features, and plant and animal life. These artists "translate" the resources--the heart of BLM's mission--into images, objects, and performances that bring others enjoyment and a deeper understanding of the public lands.

### Volunteers

The BLM Volunteer Program engages thousands of citizens nationwide each year and provides a return of over 26:1 on agency funds invested in program management, which includes volunteer recruitment, training, and recognition, as well as staff training and fulfillment of legal requirements, such as volunteer background checks.

Volunteer contributions to the BLM are highly valued and vitally important to achieving agency goals. In 2014, volunteers contributed over 1.8 million hours to BLM lands and resources, including national monuments and national conservation areas, recreation areas and trails, wild and scenic rivers, rangelands, cultural resources, and wild horses and burros. Among the programs and projects completed were:

- **National Public Lands Day:** National Public Lands Day (NPLD) is the Nation's largest volunteer workday on behalf of the public lands and a contributor to the America's Great Outdoors, Let's Move, and Take It Outside! initiatives. In 2014 alone, the 21<sup>st</sup> celebration of this annual service day, the BLM coordinated 247 projects at 133 BLM sites hosted by 88 field offices in 16 States; and 8,500-9,000 volunteers participated in a variety of enhancement and restoration activities. Those volunteers produced public lands enhancements valued at more than \$1 million, representing an annual return on investment of 5:1 or greater.

In 2016, the BLM will focus on scaling up citizen science initiatives, rolling out new national policy to guide the agency's volunteer programming, and expanding the slate of available volunteer administration training programs in order to both strengthen the skill sets of agency volunteer coordinators and staff working with volunteers and increase the capacity of long-term, highly-skilled volunteers.

### Partnerships

In 2016, the BLM will further bolster its capacity to support partnerships to continually improve the management, stewardship, and public enjoyment of the Nation's public lands. To achieve these objectives, the BLM will continue implementing its national partnerships strategy, which provides a framework to support and coordinate the use of partnerships across the BLM. Areas of focus include staffing and training, guidance and tools, practitioner networks, and data collection and reporting. The strategy and implementation plan build on the BLM's successful partnership history and will help advance and strengthen partnerships across BLM programs.

Successful and diverse partnerships across the BLM address agency and Department priorities. Some recent examples include:

- The ***Phoenix District Youth Initiative*** (Arizona) is a model youth engagement partnership that encourages urban and Native American youth involvement in natural resource careers. The partnership delivers hands-on certification, environmental education, and employment programs on public lands; natural resource course and degree offerings; and tribal internships. Youth gain valuable work experience monitoring riparian habitats, removing invasive plants, performing stewardship and conservation projects, and participating in field-based science programs. Their work fosters sustainable youth engagement in the stewardship of America's natural and cultural heritage.
- The ***Wyoming Landscape Conservation Initiative*** (Wyoming) initiative was launched by a coalition of State of Wyoming and Federal agencies as a long-term, science-based effort to assess, monitor, and enhance aquatic and terrestrial habitats on a landscape-scale in southwestern Wyoming. The partnership leverages the resources of multiple partners to build a shared vision for this 19 million-acre area, balancing open spaces, abundant wildlife, traditional agriculture, and production of energy, non-energy, and other resources. The initiative also facilitates responsible development through local collaboration and partnerships.
- The ***University of Nevada Cooperative Extension-Bootstraps Program*** (Nevada) engages, trains, and employs young, at-risk adults in priority conservation work on

central Nevada's public lands. Training is focused on developing a variety of life skills, including peer relations, problem solving, and natural resource topics such as rangeland ecology, wildlife biology, plant identification, and the concepts of multiple-use and sustainability. More than 100 Native American and other underserved youth hired under the program have applied their training to enhance habitat for greater sage grouse and other important wildlife by controlling more than 12,000 acres of encroaching pinyon-juniper.

## Landscape Approach to Managing the Public Lands

The 2016 budget request includes efforts to enhance the BLM's capacity to effectively use regional information to manage the public lands across large landscapes, and achieve conservation and development priorities in the face of compounding stressors such as prolonged drought, catastrophic wildland fire, invasive species and urban growth.

Over the last ten years, the BLM has developed a number of tools to help manage the public lands on a landscape basis. These tools include creating the capacity to systematically synthesize large amounts of geospatial information to help the BLM and its partners develop a shared understanding of regional trends and regional conservation and development opportunities; working with public land users to institutionalize the "mitigation hierarchy" to help achieve conservation and development goals; developing regional partnerships to coordinate and focus multiple funding streams to help achieve regional conservation goals; and identifying core indicators, standard methods and multi-scale sampling frameworks to monitor changes in terrestrial and aquatic condition across a region.

The BLM is incorporating these tools into a number of major initiatives including the California Desert Renewable Energy Conservation Plan (DRECP), the Greater Sage-Grouse planning initiative, implementation of the Western Solar Energy Plan, and the implementation of the plan for the National Petroleum Reserve – Alaska (NPPRA).

In 2016, the BLM will build on these successes by moving forward with a landscape approach to planning and development of corporate geospatial data solutions.

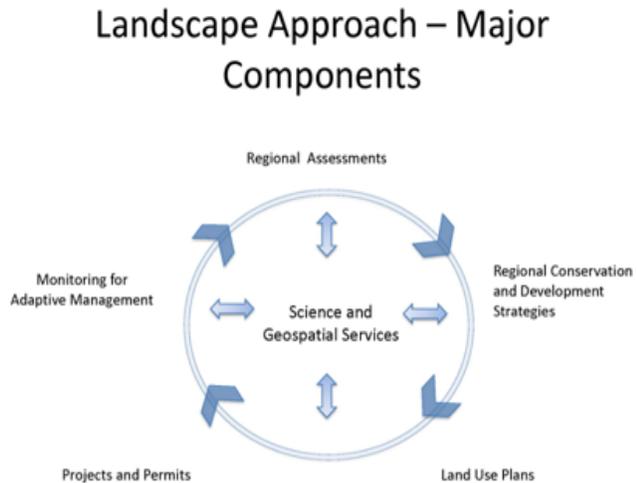
### The Landscape Approach:

In 2016, the BLM will move forward with the implementation of a number of major Executive and Secretarial orders including:

- Secretarial Order 3289: Addressing the Impacts of Climate Change (September 2009) which establishes DOI's Energy and Climate Change Task Force and Climate Change Working Group.
- Executive Order 13514: Federal Leadership in Environmental, Energy and Economic Performance (October 2009) which directs agencies to reduce GHG emissions and support the development of renewable energy.
- Executive Order 13604: Improving Performance of Federal Permitting and Review of Infrastructure Projects (March 2012) which directs agencies to significantly reduce the aggregate time required to make decisions in the permitting and review of infrastructure projects and improve environmental and community outcomes.
- The President's Climate Action Plan (June 2013) which outlines executive actions to cut carbon pollution in America; prepare the United States for the impacts of climate change, and lead international efforts to combat global climate change and prepare for its impacts.
- Executive Order 13653: Preparing the United States for the Impacts of Climate Change (November 2013) which directs Federal agencies to help improve climate preparedness and resilience through deliberate preparation, close cooperation, and coordinated planning.
- Secretarial Order No. 3330: Improving Mitigation Policies and Practices of the Department of the Interior (October 2013) which promotes a landscape-scale approach to identify and facilitate investments in key regional conservation priorities.
- The President's Priority Agenda for Enhancing the Climate Resilience of America's Natural Resources (October 2014) which identifies strategies to: foster climate-resilient lands and waters; manage and enhance US carbon sinks; enhance community preparedness and resilience by utilizing and sustaining natural resources; and modernize Federal programs, investment, and delivery of services to build resilience and enhance sequestration of biological carbon.

Working with Federal, State, tribal and non-governmental partners, the BLM will use broad ecological assessments to better understand resource conditions and trends and to identify opportunities for resource conservation and development. As shown on the diagram to the right, the landscape approach to managing the Nation's public lands consists of several interconnected actions, including regional assessments, regional conservation and development strategies, land use plans, projects and permits, monitoring for adaptive management, science integration, and geospatial services. Taken together, these components will enable the BLM

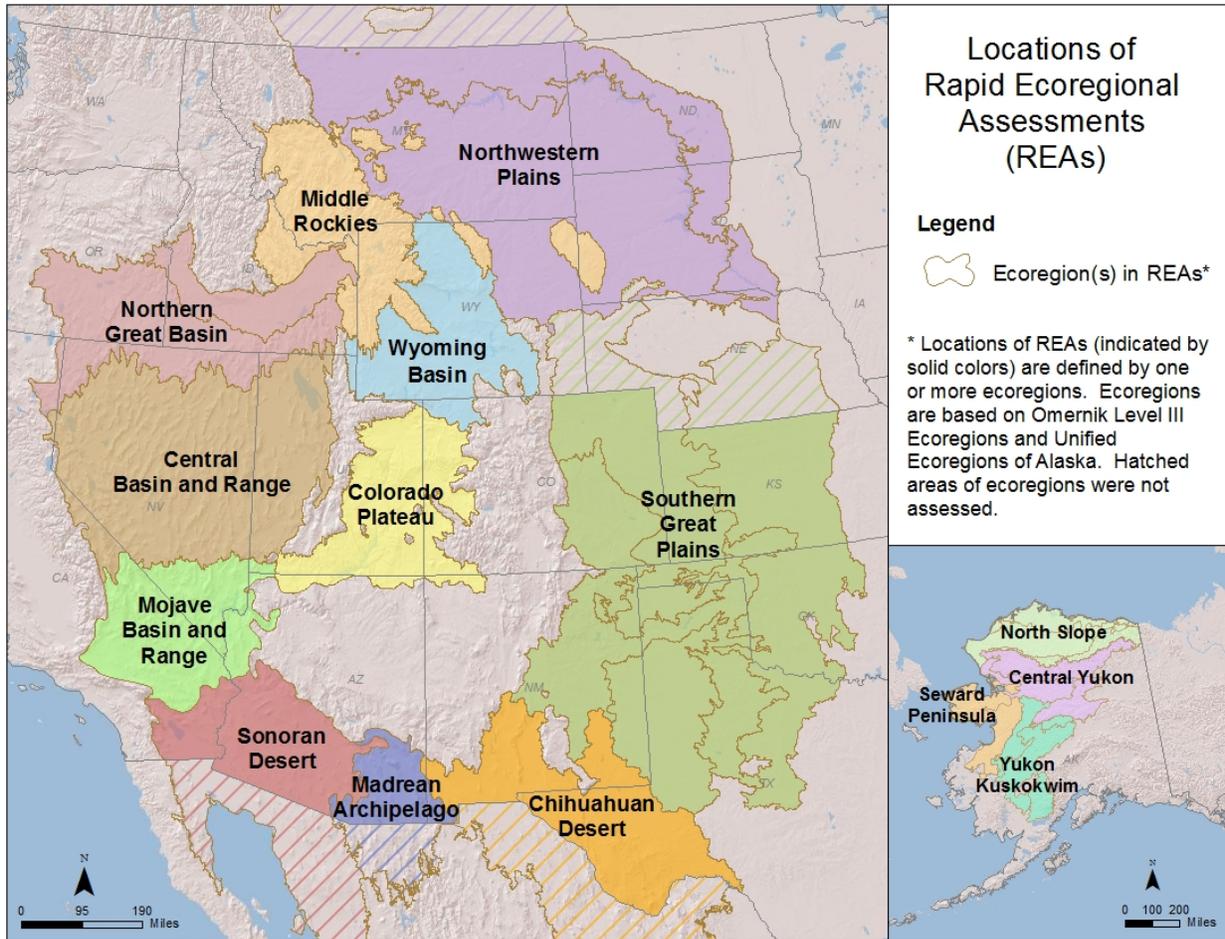
and its partners to more effectively evaluate and address conservation and development needs across programmatic, organizational and administrative boundaries.



The landscape approach to public land management is a multi-year investment. The BLM anticipates that it will take several years to implement this multi-scale approach to management in each ecoregion. The first two to three years focuses on conducting REAs. In these assessments, the BLM and its partners: identify management questions; develop conceptual models; evaluate significant ecological values such as native fish, wildlife, and plants; evaluate terrestrial condition and aquatic condition; and identify four potential change agents (climate change, fire, invasive plants and animals, and urban and industrial development). In the third and fourth year, efforts to develop Regional Conservation and Development strategies are kicked-off. To provide a solid understanding of the components of REAs and the data, scientific approaches, modeling tools, and results for each ecoregion, the BLM is offering hands-on workshops and on-line content delivery, such as YouTube videos, to staff, partners, and the public that will increase our ability to utilize the vast amount of data and information in the REAs to enhance decision making. The next three to ten years are devoted to implementing planned actions, effectiveness monitoring, and data analysis and review for adaptive management.

**Regional Assessments:** The BLM released seven Rapid Ecoregional Assessments (REAs) in 2013-2014 and is planning to release seven additional REAs in 2015, and one in 2016. Taken together, these 15 REAs cover over 700 million acres of public and non-public lands. The REAs are peer-reviewed science products that synthesize existing information (including a significant amount of non-BLM data) about resource conditions and trends. They highlight and map areas of high ecological value; gauge potential risks from stressors including climate change; and establish landscape-scale baseline ecological data to gauge the effect and effectiveness of future management actions. The REAs provide the BLM with a large amount of information about current and projected resource condition, which the Bureau can then use along with similar information from other large-scale assessments to help identify potential development and conservation priorities; prepare land use plans and plan amendments; conduct cumulative impact analyses; develop best management practices; and authorize public land uses. The REAs and other sources for regional information, such as the Western Governors Association's Crucial Habitat Assessment Tool, are foundational to the landscape management approach.

To help address the President’s priority to manage and enhance US carbon sinks, the BLM will work with the USGS and the other natural resource management agencies to develop a U.S. government approach to managing land carbon. This will include completing baseline assessments of ecosystem carbon sequestration and greenhouse gas fluxes and conducting studies to better understand how land management practices affect carbon stocks.



**Map of Rapid Ecoregional Assessments and Landscape Conservation Cooperatives**

*The BLM initiated seven REAs in 2010, two assessments in 2011, and six more in 2012. The BLM published seven completed REAs in 2013-2014 and is planning to publish seven more REAs in 2015 and one in 2016. The BLM is coordinating with other agencies and partners to keep the REAs updated and fresh.*

Additionally, the BLM will continue work with partners to understand the interaction of changes in climate with the major habitat types that sustain the ecological and economic health of our Nation. The spatial analysis will identify spatial and temporal trends of climate change that has already occurred across the western U.S. landscapes.

Regional Conservation and Development Strategies are critical bridges between ecoregional assessments and land use planning and other decision making processes. The BLM is working

with partners to inventory and compile existing assessments and cross-walk the priority areas identified in each assessment.

In 2014 and 2015, the BLM began work with a number of Landscape Conservation Cooperatives (LCCs) and other regional partnerships to develop synthesis reports covering all or significant portions of six ecoregions: the Northwestern Plains, the Central Basin and Range, the Mojave Basin and Range, the Sonoran Desert, the Madrean Archipelago, and the Chihuahuan Desert. These synthesis reports will help develop a shared understanding of the conservation and development opportunities highlighted by the REAs and other large-scale assessments; identify what the BLM and its partners are already doing to address regional challenges and opportunities; and outline additional actions that could be undertaken over the next five to ten years to help achieve regional goals. These regional strategies will significantly help the BLM implement the recent Secretarial Order on Improving Mitigation Policies and Practices. Because the REA information will be applied to many different types of management concerns, it is likely that more than one ecoregional strategy will be developed in each ecoregion. In 2016, the BLM will continue work with the LCCs as well as the Climate Science Centers and other regional partnerships, to complete ongoing regional strategies and begin others for REAs completed in 2015.

In 2015, the BLM will identify regional priority focal areas for 2016-2020 project funding. This will set the stage for better alignment of restoration investments. The identification of these focal areas also will strengthen the BLM's landscape approach to stewardship activities and will directly benefit project level implementation.

Land Use Plans: While these regional strategies are being developed, BLM field offices will incorporate assessment information into ongoing planning and other resource management activities. For example, data from completed REAs is being used to inform the multi-State Greater Sage-Grouse planning initiative, to develop a regional mitigation plan for the Dry Lake Solar Energy Zone in Nevada, and to identify where National Conservation Lands units are important for resource protection and conservation within a broader landscape context. The BLM Division of Decision Support, Planning, and NEPA has provided guidance on the use of REAs and other large-scale assessments for planning purposes, and is developing an efficient and adaptive approach to landscape level land use planning in which plans are more responsive to changing ecological systems over political and jurisdictional boundaries. This effort, referred to as Planning 2.0, facilitates the ability to effectively conduct land use planning across landscapes. Planning 2.0 will focus the planning process on collaborative work with partners at different scales to produce highly useful decisions that readily address the rapidly changing environment and conditions posed by the changing climate, rapid growth and development and other ecological stressors.

Projects and Permits: Field implementation puts the management strategies into practice through existing BLM programs, including the public participation and intergovernmental coordination opportunities associated with implementation planning and environmental impact assessment procedures. Examples of field implementation include authorizing land use, constructing facilities, and implementing on-the-ground treatments and projects. As a matter of policy, the BLM is committed to using the "mitigation hierarchy" to help site and design new developmental projects and focus off-site mitigation in areas with high value and high probability of success.

Healthy Landscapes (HL) is a critical effort to integrate and focus on-the-ground restoration projects. The HL effort helps target project dollars from multiple BLM programs, partners

contributions, and compensatory mitigation to fund conservation and restoration work in identified, cross-jurisdictional, priority areas. For example, HL funds may be combined or coordinated with other funds to complete a portfolio of projects in one focus area, such as vegetation treatments, travel management planning, Land and Water Conservation Fund acquisitions, and applied regional mitigation funds, when each project contributes to the objective of conserving intact habitat or defragmenting habitat. Coordinating and focusing integrated resource stewardship investments can help to generate added value, over and above what individual programs or mitigation funds could accomplish. Since its inception in 2007, HL has supported more than 1.7 million acres of treatments in New Mexico through the Restore New Mexico program; more than 1 million acres of treatments in Utah in partnership with the Utah Watershed Initiative; and hundreds of thousands of acres of restoration projects through such partnerships as the Wyoming Landscape Conservation Initiative, the Great Basin Restoration Initiative and many lesser known projects coordinated at District Office levels. Although exact rates vary project to project, the BLM's HL funds are typically leveraged by at least a 3:1 ratio. The BLM has developed a proposal to address the reforestation/afforestation backlog on the public lands. When implemented, it will enhance carbon sequestration on western BLM lands.

Monitoring for Adaptive Management: Informed decision making and adaptive management require current data about the status and trend of terrestrial and aquatic systems, about the location and extent of natural and human-caused disturbances, and about the location and effectiveness of land treatments. The BLM's Assessment, Inventory, and Monitoring (AIM) Strategy is the framework for this data collection, and the 2016 President's budget request includes an increase of \$5.0 million for this work within the Resource Management Planning, Assessment and Monitoring subactivity. This strategy outlines a process for using core indicators, standardized field methods, remote sensing, and a statistically valid study design to provide nationally consistent and scientifically defensible information to determine the status of and track changes to natural resources on the public lands over time. The AIM Strategy is currently being implemented through five sets of interrelated projects. The first three are designed to implement West-wide monitoring that is coordinated, and where possible, integrated with the monitoring activities of other Federal, State and non-governmental partners. The West-wide projects include the BLM Rangeland Assessment, the BLM Western Rivers and Streams Assessment, and the BLM Grass-Shrub Fractional Mapping Project. Some of the Federal partners' included in these efforts are National Resource Conservation Service, Environmental Protection Agency, United States Geological Service, and United States Forest Service. The two remaining projects are designed to help support immediate multi-State and field office priorities. These projects include efforts to monitor the effectiveness of BLM land use plans and to determine the effectiveness of BLM treatments and actions. In 2016, these five interrelated monitoring efforts will be implemented to inform the regional mitigation and monitoring strategies for the Solar Programmatic EIS and for the Greater Sage-Grouse Planning Initiative.

Climate Resilience: Among the most significant challenges of the changing climate is a projected increase in the frequency and intensity of extreme weather events - including severe storms, wildfire and drought. In 2016, the Department proposes investments to increase the resilience of both coastal and inland communities to the impacts of these events. These investments will focus on areas at high risk to climate challenges to address vulnerabilities to extreme events in these geographies in partnership with State, local, and tribal governments and other stakeholders. Given this challenge, the 2016 request for BLM proposes the following investments in support of this effort:

- The BLM will coordinate with the USFS and the USGS to conduct assessments to help understand the impact of management practices on carbon sequestration on the public lands. Soil carbon storage is an important function of terrestrial ecosystems. Understanding what maintains the soil carbon pool is important to quantify, as well as to determine how it will respond to environmental change.
- The BLM will continue support for the seed and plant materials program to acquire, develop, and distribute genetically appropriate and locally adapted materials for restoration, including post fire stabilization and rehabilitation.
- The BLM will work with USGS, USFS, FWS, NPS, Bureau Indian Affairs, and numerous non-federal partners, including academic institutions, to reduce the impacts of drought, range land fire and invasive species on the productivity and resiliency of the public lands. The BLM will work to better understand how to establish big sagebrush, and ultimately sage-grouse habitat across the range.

The 2016 budget for BLM includes an increase of \$10.0 million in the Challenge Cost Share program for leveraged partnership projects to address community resiliency. The Challenge Cost Share program is a 50:50 non-Federal partner matching program which supports mutually beneficial public and partner projects. The funding would support work with non-Federal partners on projects that increase the resilience of landscapes to extreme weather events with a focus on the inland challenges of wildfire, flooding and drought.

Projects funded through the Challenge Cost Share program will improve community resilience at the project site and provide new and needed data to communities around the Nation on what natural infrastructure designs and solutions contribute to resilience.

To accomplish this effectively, the Department will draw on scientific expertise to identify ecosystem restoration and enhancement strategies likely to successfully build resilience to fire, flooding and drought. Efforts might also identify focal areas where these strategies are likely to have a significant return on investment by protecting communities and at-risk infrastructure as well as improving landscape resilience in areas of strategic importance to the Department. As part of this initiative, the Department will develop project criteria and evaluation metrics relevant to these new project types. Modeled on the Department's approach to implementing Hurricane Sandy resilience investments, the Department would request proposals and conduct a coordinated evaluation of projects.

General guidance about BLM's Landscape Approach to Managing the Public Lands can be found in the following locations:

- Climate Change: <http://www.blm.gov/wo/st/en/prog/more/climatechange.html>
- Landscape Approach: <http://www.blm.gov/wo/st/en/prog/more/LandscapeApproach.html>
- Rapid Ecoregional Assessments (REAs):  
[http://www.blm.gov/wo/st/en/prog/more/Landscape\\_Approach/reas.html](http://www.blm.gov/wo/st/en/prog/more/Landscape_Approach/reas.html)
- Monitoring for Adaptive Management:  
[http://www.blm.gov/wo/st/en/prog/more/Landscape\\_Approach/Monitoring\\_for\\_Adaptive\\_Management.html](http://www.blm.gov/wo/st/en/prog/more/Landscape_Approach/Monitoring_for_Adaptive_Management.html)

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# Budget at a Glance



**Budget at a Glance**  
(dollars in thousands)

	2014 Actual	2015 Enacted	2016 President's Budget			
			Fixed Costs Changes	Internal Transfers	Program Changes	Requested Amount
<b>Appropriation: Management of Lands and Resources</b>						
<b>Soil, Water &amp; Air Management</b>	<b>42,939</b>	<b>43,239</b>	<b>+359</b>	<b>-863</b>	<b>+4,020</b>	<b>46,755</b>
<i>Enhance Core Capability</i>					+1,520	
<i>Youth in the Great Outdoors</i>					+2,500	
<i>Internal Transfer to National Conservation Lands</i>					+0	
<b>Rangeland Management</b>	<b>79,000</b>	<b>79,000</b>	<b>+1,021</b>	<b>-601</b>	<b>-2,976</b>	<b>76,444</b>
<i>Shift to Fees</i>					-2,976	
<i>Internal Transfer to National Conservation Lands</i>				-601		
<b>Grazing Administration Management (Offset by Fees)</b>	<b>-</b>	<b>-</b>	<b>+0</b>	<b>+0</b>	<b>+16,500</b>	<b>16,500</b>
Grazing Administration Fee					+16,500	
<b>Grazing Administration Management Offset</b>	<b>-</b>	<b>-</b>	<b>+0</b>	<b>+0</b>	<b>-16,500</b>	<b>(16,500)</b>
<b>Public Domain Forest Mgmt</b>	<b>9,838</b>	<b>9,838</b>	<b>+180</b>	<b>-38</b>	<b>+0</b>	<b>9,980</b>
<i>Internal Transfer to National Conservation Lands</i>						
<b>Riparian Management</b>	<b>21,321</b>	<b>21,321</b>	<b>+324</b>	<b>-201</b>	<b>+1,340</b>	<b>22,784</b>
<i>Enhance Core Capability</i>					+1,340	
<i>Internal Transfer to National Conservation Lands</i>				-201		
<b>Cultural Resources Mgmt</b>	<b>15,131</b>	<b>15,131</b>	<b>+274</b>	<b>-199</b>	<b>+2,000</b>	<b>17,206</b>
<i>Safeguarding Our Irreplaceable Heritage</i>					+2,000	
<i>Internal Transfer to National Conservation Lands</i>				-199		
<b>Wild Horse &amp; Burro Mgmt</b>	<b>77,245</b>	<b>77,245</b>	<b>+327</b>	<b>-10</b>	<b>+2,993</b>	<b>80,555</b>
<i>Applied Science - Implementation of NAS Recommendations</i>					+2,993	
<i>Internal Transfer to National Conservation Lands</i>				-10		
<b>Activity Total, Land Resources</b>	<b>245,474</b>	<b>245,774</b>	<b>+2,485</b>	<b>-1,912</b>	<b>+7,377</b>	<b>253,724</b>

**Budget at a Glance**  
(dollars in thousands)

	2014 Actual	2015 Enacted	2016 President's Budget			
			Fixed Costs Changes	Internal Transfers	Program Changes	Requested Amount
<b>Appropriation: Management of Lands and Resources (Continued)</b>						
<b>Wildlife Management</b>	<b>52,338</b>	<b>52,338</b>	<b>+409</b>	<b>-366</b>	<b>+37,000</b>	<b>89,381</b>
<i>Implementation of Greater Sage-Grouse Conservation Plans</i>					<i>+37,000</i>	
<i>Internal Transfer to National Conservation Lands</i>					<i>+0</i>	
<b>Fisheries Management</b>	<b>12,530</b>	<b>12,530</b>	<b>+190</b>	<b>-35</b>	<b>+0</b>	<b>12,685</b>
<i>Internal Transfer to National Conservation Lands</i>				<i>-35</i>		
<b>Activity Total, Wildlife &amp; Fisheries Management</b>	<b>64,868</b>	<b>64,868</b>	<b>+599</b>	<b>-401</b>	<b>+37,000</b>	<b>102,066</b>
<b>Threatened &amp; Endangered Species</b>	<b>21,458</b>	<b>21,458</b>	<b>+305</b>	<b>-196</b>	<b>+0</b>	<b>21,567</b>
<i>Internal Transfer to National Conservation Lands</i>				<i>-196</i>		
<b>Wilderness Management</b>	<b>18,264</b>	<b>18,264</b>	<b>+295</b>	<b>+0</b>	<b>+0</b>	<b>18,559</b>
<b>Recreation Resources Management</b>	<b>48,697</b>	<b>48,697</b>	<b>+654</b>	<b>-1,615</b>	<b>+9,115</b>	<b>56,851</b>
<i>National Recreation Strategy</i>					<i>+6,615</i>	
<i>Youth in the Great Outdoors</i>					<i>+2,500</i>	
<i>Internal Transfer to National Conservation Lands</i>				<i>-1,615</i>		
<b>Subtotal, Recreation Resource Management</b>	<b>66,961</b>	<b>66,961</b>	<b>+949</b>	<b>-1,615</b>	<b>+9,115</b>	<b>75,410</b>

(continued)

**Budget at a Glance**  
(dollars in thousands)

	2014 Actual	2015 Enacted	2016 President's Budget			
			Fixed Costs Changes	Internal Transfers	Program Changes	Requested Amount
<b>Appropriation: Management of Lands and Resources (Continued)</b>						
<b>Oil &amp; Gas Management</b>	<b>80,877</b>	<b>53,183</b>	<b>+867</b>	<b>-11</b>	<b>+5,632</b>	<b>59,671</b>
<i>Encourage Smart Development through MLPs</i>					+5,757	
<i>Enhance Capability of Pilot/Project Offices</i>					+3,000	
<i>AFMSS Modernization</i>					+4,000	
<i>Shift base funding for Permitting - per 15% of APD fee subject to appropriation</i>				+0	-7,125	
<b>Oil &amp; Gas Permit Processing</b>	<b>32,500</b>	<b>32,500</b>	<b>+0</b>	<b>+0</b>	<b>-25,375</b>	<b>7,125</b>
<b>Oil &amp; Gas Inspection Activities (Discretionary)</b>	<b>[38,000]</b>	<b>41,126</b>			<b>+6,874</b>	<b>48,000</b>
<b>Offsetting Fees (Permit Processing &amp; Inspection)</b>	<b>(32,500)</b>	<b>(32,500)</b>			<b>-15,500</b>	<b>(48,000)</b>
<b>Coal Management</b>	<b>9,595</b>	<b>9,595</b>	<b>+173</b>	<b>+0</b>	<b>+1,100</b>	<b>10,868</b>
<i>Mineral Tracking System</i>					+1,100	
<b>Other Mineral Resources</b>	<b>10,586</b>	<b>10,586</b>	<b>+193</b>	<b>+0</b>	<b>+1,100</b>	<b>11,879</b>
<i>Mineral Tracking System</i>					+1,100	
<b>Renewable Energy</b>	<b>29,061</b>	<b>29,061</b>	<b>+295</b>	<b>+0</b>		<b>29,356</b>
<b>Subtotal, Energy and Minerals Management</b>	<b>130,119</b>	<b>143,551</b>	<b>+1,528</b>	<b>-11</b>	<b>-26,169</b>	<b>118,899</b>
<b>Alaska Conveyance</b>	<b>22,000</b>	<b>22,000</b>	<b>+220</b>	<b>+0</b>	<b>+0</b>	<b>22,220</b>
<b>Cadastral Survey</b>	<b>11,276</b>	<b>-</b>	<b>+0</b>	<b>+0</b>	<b>+0</b>	<b>-</b>
<b>Lands and Realty Mgmt</b>	<b>34,382</b>	<b>-</b>	<b>+0</b>	<b>+0</b>	<b>+0</b>	<b>-</b>
<b>Cadastral, Lands &amp; Realty Mgmt</b>	<b>[45,658]</b>	<b>45,658</b>	<b>+652</b>	<b>-58</b>	<b>+5,000</b>	<b>51,252</b>
<i>Transmission</i>					+5,000	
<i>Internal Transfer to National Conservation Lands</i>				-58		
<b>Communication Site Management</b>	<b>2,000</b>	<b>2,000</b>	<b>+0</b>	<b>+0</b>	<b>+0</b>	<b>2,000</b>
<b>Comm Site Offset</b>	<b>(2,000)</b>	<b>-2,000</b>	<b>+0</b>	<b>+0</b>		<b>(2,000)</b>
<b>Activity Total, Realty &amp; Ownership Management</b>	<b>69,658</b>	<b>69,658</b>	<b>+872</b>	<b>-58</b>	<b>+5,000</b>	<b>75,472</b>

(continued)

**Budget at a Glance**  
(dollars in thousands)

	2014 Actual	2015 Enacted	2016 President's Budget			
			Fixed Costs Changes	Internal Transfers	Program Changes	Requested Amount
<b>Appropriation: Management of Lands and Resources (Continued)</b>						
<b>Resource Mgmt Planning, Assessment, &amp; Monitoring</b>	<b>37,125</b>	<b>38,125</b>	<b>+416</b>	<b>+0</b>	<b>+20,800</b>	<b>59,341</b>
<i>Applied Science - Enterprise Geospatial System</i>					+7,800	
<i>Assessment, Inventory and Monitoring</i>					+5,000	
<i>Monitoring Greater Sage-Grouse Plans</i>					+8,000	
<b>Abandoned Mine Lands</b>	<b>16,687</b>	<b>16,987</b>	<b>+159</b>	<b>+0</b>	<b>+2,800</b>	<b>19,946</b>
<i>Red Devil Mine Remediation</i>					+2,800	
<b>Law Enforcement</b>	<b>25,325</b>	<b>25,325</b>	<b>+270</b>	<b>-100</b>	<b>+0</b>	<b>25,495</b>
<i>Internal Transfer to National Conservation Lands</i>						
<b>Hazardous Materials Management</b>	<b>15,612</b>	<b>15,612</b>	<b>+204</b>	<b>-30</b>	<b>+0</b>	<b>15,786</b>
<b>Activity Total, Resource Prot. &amp; Maint.</b>	<b>94,749</b>	<b>96,049</b>	<b>+1,049</b>	<b>-130</b>	<b>+23,600</b>	<b>120,568</b>
<b>Annual Maint. &amp; Ops</b>	<b>38,637</b>	<b>38,637</b>	<b>+491</b>	<b>-686</b>	<b>+500</b>	<b>38,942</b>
<i>Enhance Core Capability</i>					+500	
<i>Internal Transfer to National Conservation Lands</i>				-686		
<b>Def. Maint. &amp; Cap. Improvements</b>	<b>26,995</b>	<b>26,995</b>	<b>+152</b>	<b>+0</b>	<b>+4,240</b>	<b>31,387</b>
<i>High-Priority Projects</i>					+4,240	
<b>Activity Total, Trans. &amp; Fac. Maintenance</b>	<b>65,632</b>	<b>65,632</b>	<b>+643</b>	<b>-686</b>	<b>+4,740</b>	<b>70,329</b>

(continued)

**Budget at a Glance**  
(dollars in thousands)

	2014 Actual	2015 Enacted	2016 President's Budget			
			Fixed Costs Changes	Internal Transfers	Program Changes	Requested Amount
<b>Appropriation: Management of Lands and Resources (Continued)</b>						
<b>Challenge Cost Share</b> <i>Climate Resilient Landscapes</i>	2,413	2,413	+3	+0	+10,000 +10,000	12,416
<b>National Conservation Lands</b> <i>Secretary's Conservation Vision for Excellence</i> <i>Internal Transfer from other MLR subactivities</i>	31,819	31,819	+461	+5,009 +5,009	+11,181 +11,181	48,470
<b>Administrative Support</b> <i>Enhance Core Capability</i> <i>Health Benefits for Seasonal Employees</i>	47,127 -	47,127	+540	+0	+3,275 +1,000 +2,275	50,942
<b>Bureauwide Fixed Costs</b>	92,901	91,010	+2,635	+0	+0	93,645
<b>IT Management</b>	25,696	25,696	+262	+0	+0	25,958
<b>Activity Total, Workforce &amp; Organizational Support</b>	165,724	163,833	+12,331	+0	+3,275	170,545
<b>Mining Law Administration</b> <i>Mining Law Offset</i>	39,696 (39,696)	39,696 (39,696)	+0 +0	+0 +0	+0 +0	39,696 (39,696)
<b>Total, Management of Lands &amp; Resources</b>	956,875	970,016	+12,331	+0	+85,119	1,067,466

(continued)

## Budget at a Glance

(dollars in thousands)

	2014 Actual	2015 Enacted	2016 President's Budget			
			Fixed Costs Changes	Internal Transfers	Program Changes	Requested Amount
<b>Appropriation: Land Acquisition</b>						
Land Acquisitions	15,949	16,226	+0	+0	+18,158	34,384
Emergency & Hardships	1,616	1,616	+0	+0	+0	1,616
Acquisition Management	1,898	1,904	+96	+0	+0	2,000
<b>Total, Land Acquisition</b>	<b>19,463</b>	<b>19,746</b>	<b>+96</b>	<b>+0</b>	<b>+18,158</b>	<b>38,000</b>
<b>Appropriation: Oregon and California Grant Lands</b>						
Deferred Maintenance	-					
Annual Maintenance & Operations	10,063	9,517	+85	+0	+0	9,602
Construction & Acquisition	310	312	+12	+0	+0	324
Activity Total, Trans. & Facilities Maint.	10,373	9,829	+97	+0	+0	9,926
Forest Management	33,447	33,447	+305	+0	+0	33,752
Reforestation & Forest Development	23,851	23,851	+172	+0	+0	24,023
Other Forest Resource Mgmt	36,985	36,985	+263	+0	-3,753	33,495
<i>Reduce Core Capability</i>					-3,753	
Resource Mgmt Planning, Assessment, & Monitoring	7,140	7,140	+20	+0	-3,175	3,985
<i>Plan Completion</i>					-3,175	
Activity Total, Resources Management	101,423	101,423	+760	+0	-6,928	95,255
Info. & Resource Data Systems	1,923	1,772	+14	+0	+0	1,786
NMs & NCAs	748	753	+14	+0	+0	767
<b>Total, Oregon &amp; California Grant Lands</b>	<b>114,467</b>	<b>113,777</b>	<b>+885</b>	<b>+0</b>	<b>-6,928</b>	<b>107,734</b>

(continued)

**Budget at a Glance**  
(dollars in thousands)

	2014 Actual	2015 Enacted	2016 President's Budget			
			Fixed Costs Changes	Internal Transfers	Program Changes	Requested Amount
<b>Appropriation: Range Improvements</b>						
<b>Miscellaneous Trust Funds</b>	24,617	25,759	+0	+0	-2,829	22,930
<b>Service Charges, Deposits and Forfeitures</b>	29,998	32,465	+0	+0	-1,415	31,050
<i>Service Charges, Deposits and Forfeitures (Offset)</i>					+1,415	
<b>Total, Range Improvements</b>	9,280	9,270	+0	+0	+730	10,000
<b>TOTAL, DIRECT APPROPRIATIONS</b>	1,124,702	1,138,568	+13,312	+0	+94,250	1,246,130

Notes:

- 2014 amount for Range Improvements includes 7.2% sequester and 2015 amount includes 7.3% sequester amount pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended
- Change in Range Improvements between 2015 and 2016 reflects the change in available appropriations between 2015 and 2016 due to sequester not a request for an increase in appropriated funds

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# Collections



# Collections

## BLM Collections, 2013 - 2016 (\$000)

Collection Source	2013 Actual	2014 Actual	2015 Estimated	2016 Estimated
Sale of Public Lands	26,331	76,580	115,499	144,638
Miscellaneous Filing Fees	35	122	60	60
Mineral Leasing National Grasslands	1,802	1,897	2,050	2,050
Grazing Fees & Land Utilization Project Lands	12,171	12,117	11,755	8,704
Timber Sales & Vegetative Material	27,924	43,708	32,745	29,495
Recreational Use Fees	17,856	17,673	19,653	19,183
Earnings on Investments	997	369	1,100	5,900
Sale of Helium	203,002	242,111	132,575	148,751
Mining Claim & Holding Fees	65,787	58,486	57,154	57,952
Service Charges, Deposits and Forfeitures	27,802	29,998	32,465	31,050
Application for Permit to Drill Fees	30,946	35,413	32,500	47,500
Grazing Administrative Processing Fees	0	0	0	16,500
Onshore Oil and Gas Lease Inspection Fees	0	0	0	48,000
Other Collections	91,253	94,220	100,470	121,870
<b>Total</b>	<b>505,906</b>	<b>613,666</b>	<b>536,873</b>	<b>681,470</b>

### 2016 Collections

In 2016, the Bureau of Land Management (BLM) will collect an estimated total of \$681.5 million in revenue. Revenue is collected by the BLM from sources such as the sale of land and materials, grazing fees, timber sales, recreation use fees, and various filing fees. These collections assist State and local governments, support all programs funded from the General Fund of the U.S. Treasury, and offset charges for program operations where certain fees collected can be retained by the BLM.

In addition, the Office of the Natural Resources Revenue (ONRR) will collect an estimated \$3.9 billion in receipts from BLM's onshore mineral leasing activities (bonuses, rents, and royalties). Because ONRR collects them, these mineral leasing receipts are reflected in the ONRR budget materials (within the Office of the Secretary Budget Justification).

The amount of revenue expected to come from some sources varies for the reasons described below.

**Sales of Public Land** – This category includes receipts from the sale of public land, including land sales in Clark County, Nevada. Excluded from this collection source are the sales of timber and vegetative materials from the public domain land, sale of land and timber and vegetative materials from the Oregon & California Grant Lands and Coos Bay Wagon Road

Lands, sale of land from Land Utilization project lands, sale of land and materials from reclaimed lands (reserved or withdrawn), and sale of town sites and reclamation projects.

The main sources of collections in the Sale of Public Land category are described below. The collection amounts described here represent 100 percent of the funds collected. In many cases, portions of the funds collected are distributed to State governments, to the U.S. Treasury, or other entities, before the remaining portion is distributed to the BLM. The Management of Lands and Resources, Permanent Operating Funds, Miscellaneous Permanent Payments, and Miscellaneous Trust Funds chapters describe the portions allocated to the BLM and how the BLM uses the funds.

- ***Southern Nevada Public Land Management Act (SNPLMA) Sales Proceeds*** –SNPLMA, as amended, provides a process for orderly sale of certain public lands in Clark County, Nevada, near the city of Las Vegas. Approximately 50,000 acres of public land are within the disposal boundary area. The BLM has conducted land sales for 15 years under the authority of this statute. Collections in 2013 and 2014 were \$12,963,000 and \$61,430,000 respectively. Sales in 2015 are projected to produce \$97,058,000. The increase is due to an increase in estimates of acres sold offsetting a lower price per acre. Estimated collections for 2016 are expected to be \$125,347,000 mainly coming from final payments received from 2015 sales and a planned fall auction of 600 acres. Collections are reported when payments are received regardless of when sales are held and the estimates make allowance for the normal lag of 180 days between sales and collections. For more information see SNPLMA, P.L. 105-263, as amended by P.L. 107-282.
- ***Southern Nevada Public Land Management and Lincoln County – Earnings on Investments*** – SNPLMA authorizes the Secretary to manage the collections account for the purposes set out above, and is also authorized to use interest generated from the above-mentioned funds. The BLM is authorized to invest the unspent balance of collections from SNPLMA and Lincoln County Lands Act land sale receipts. Earnings on investments for 2013 and 2014 were \$997,000 and \$369,000 respectively. Interest estimated to be earned in 2015 and 2016 is \$1,110,000 and \$5,900,000 respectively. Projected investment earnings take into account revenue from land sales, earnings on investments, and projected interest rates and outlays.
- ***Federal Land Transaction Facilitation Act (FLTFA)*** – No receipts were collected from the sale of land under FLTFA, Title II of P.L. 106-248 in 2013 or 2014 because the authority expired in July 2011; the unobligated balance was transferred to the Land and Water Conservation Fund as required by law. The 2016 Budget includes a proposal to reauthorize FLTFA and allow lands identified as suitable for disposal in current land use plans to be sold using the FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally-sensitive lands and the administrative costs associated with conducting sales. Estimated collections for 2016 are \$5,000,000. The Permanent Operating Funds section provides more information on the proposal. Four percent of FLTFA collections are paid to the State in which the land is sold.
- ***Lincoln County Land Sales*** – Revenue in the amount of \$1,014,000 was collected in 2014 from land sales under the Lincoln County Land Sales Act, P.L. 106-298, as amended. Receipts, mainly from Coyote Springs sales, are estimated to be \$2,968,000 and \$560,000 in 2015 and 2016, of which five percent and ten percent will be paid to the State and County.

- **Owyhee Land Acquisition Account** – Revenue collected prior to the enactment of the Omnibus Public Land Management Act of 2009 in the amount of \$2,451,000 was deposited to this account in 2010. No revenue was collected in the account since then, and none is estimated to be collected in 2015; but sales in 2016 are estimated to produce \$800,000. Four percent of those amounts are paid to the State.
- **Washington County, Utah Land Acquisition Account** – No revenue was or is estimated to be collected in 2014 or 2015 from the sale land under the Washington County, Utah Acquisition Account, P.L. 111-11, (Section 1978). Estimated collections in 2016 are \$823,000.
- **Silver Saddle Endowment Account** – No revenue was collected or is estimated to be collected in 2014 and in 2015 from the sale land under the Silver Saddle Endowment Account, P.L. 111-11, (Section 2601). Estimated collections in 2016 are \$55,000. Four percent of collections will be paid to the State.
- **Carson City Special Account** – No revenue was collected from 2012 through 2014 from the sale of land under the Carson City Special Account, P.L. 111-11, (Section 2601). None is estimated to be collected in 2015 and 2016.

**Miscellaneous Filing Fees** – Collections in this category are primarily from fees received for filing or recording documents; charges for registration of individuals, firms, or products; and requests for approval of transfer of leases or permits under statutory authorities that do not permit the BLM to retain and spend those collections.

**Mineral Leasing-National Grasslands** – The Office of Natural Resources Revenue, formerly a component of the Minerals Management Service, is responsible for the collection and distribution of most mineral leasing receipts; however, the BLM administers and collects rentals from oil and gas pipeline rights-of-way associated with lands leased under the *Mineral Leasing Act* and the *Mineral Leasing Act for Acquired Lands*. Also, the BLM pays 25 percent of mineral leasing collections on acquired lands to counties where the collections were generated. The BLM continues to collect first-year rentals and initial bonuses from mineral leasing but transfers these receipts to ONRR accounts.

**Grazing Fees from Public Lands and Land Utilization Project Lands** – This category includes all grazing fees collected from public lands and Land Utilization Project lands administered by the BLM. It also includes mineral leasing and other receipts from Land Utilization Project lands. Grazing fees are collected under the authority of the *Taylor Grazing Act*, *Federal Land Policy and Management Act*, and the *Public Rangelands Improvement Act of 1978*. For more information on the use of these fees see the Range Improvements section.

**Timber and Vegetative Material Sales –**

- Receipts from the Oregon and California (O&C) and Coos Bay Wagon Road Grant (CBWR) Lands – In 2014, the BLM collected \$42,497,000, mostly from timber receipts from Oregon and California and Coos Bay Wagon Road lands.
- Authority for Secure Rural Schools and Community Self-Determination Act payments has expired. (Payments were made in part from O&C and CBWR receipts and in part from the General Fund.) The 2016 Budget proposes a five-year reauthorization of the Secure Rural Schools Act with funding through mandatory U.S. Forest Service (USFS) appropriations. The USFS will make the Secure Rural Schools (SRS) payments to western Oregon counties. This SRS proposal revises the allocation split between the three portions of the program from the current authority emphasizing enhancement of forest ecosystems, restoration and improvement of land health and water quality and the increase of economic activity. (Please refer to the Miscellaneous Permanent Payments section for more information about the SRS and the USFS budget for more information on the reauthorization proposal.)
- **Timber Receipts from the Public Domain Forest Lands** – In 2016, the BLM expects to offer for sale 25 million board feet of timber products from public domain lands, and estimates collections of \$1,325,000 in timber sales receipts from public domain lands. Collections in 2013 and 2014 were \$3,147,000 and \$1,920,000 respectively, and the estimates for 2015 and 2016 are \$2,025,000 and \$1,325,000. Collections from salvage timber sale on public domain lands were \$1,794,000 in 2013 and \$1,270,000 in 2014. Estimates are \$1,500,000 in 2014 and \$1,000,000 in 2015.
- **Stewardship Contracting Fund** – With stewardship contracting, the BLM may apply the value of timber or other forest products removed as an offset against the cost of services received, and monies from a contract under subsection (a) may be retained by the USFS and the BLM. These monies are available for expenditure without further appropriation at the project site from which the monies are collected or at another project site. In 2013 and 2014, the BLM deposited \$46,000 and \$175,000 to this fund. The authority expired on September 30, 2013, but was extended by the Agriculture Act of 2014, Public Law No: 113-79. The BLM estimates deposits will be \$20,000 in 2015 and 2016.

**Recreation Use Fees** – Recreation use fees are derived from collecting fees on public lands at recreation sites, issuing recreation use permits, and selling Federal recreation passports such as the Golden Eagle and Golden Age passes. These funds are used to improve recreation facility conditions and user services at recreation sites where the fees were generated. In 2013, and 2014 recreation fee collections were \$17,856,000 and \$17,673,000. The BLM anticipates collecting \$19,653,000 in 2015 and \$19,183,000 in 2016 under its recreation fee collection authorities. The use of recreation fee collections is described in the Permanent Operating Funds section. Under current law, authority for these collections expires in December, 2015. The 2016 Budget proposes to permanently extend the authority to collect and spend these fees.

**Naval Oil Shale Reserve** – On August 7, 2008, the Secretaries of the Interior and Energy certified that sufficient funds have been collected to cover the cost of the cleanup and of equipment installed on the oil shale reserve. Because of the certification, no more deposits will be made to the Naval Oil Shale Reserve Fund. Instead, revenue from the site will be distributed under the Mineral Leasing Act. The unappropriated account balance is \$76,665,506 which will not change unless new legislation is enacted.

**Sales of Helium** – The Helium Privatization Act of 1996 required the Secretary to offer for sale a portion of the Conservation Helium stored underground at the Cliffside Field north of Amarillo, Texas. Revenue from sales in 2013 was \$203,002,000. That amount was sufficient to pay the remaining debt owed to the Treasury, and the authority for the Helium Revolving Fund expired after that payment was made. Authority for the helium program was reauthorized by the Helium Stewardship Act of 2013, P.L. 113-40. Collections from annual sales were \$242,111,000 in 2014 and are projected to be \$132,575,000 and \$148,751,000 in 2016. Revenues in excess of the cost of operating the helium program will be deposited to the General Fund. Additional information is available in the helium program section.

**Mining Claim-Related Fees** – Authority to collect these fees was initially enacted in the *Department of the Interior and Related Agencies Appropriations Act for 1989* which provided that fees established by the Secretary of the Interior for processing actions relating to the administration of the General Mining Laws shall be immediately available to BLM for Mining Law Administration program operations.

The *Omnibus Budget Reconciliation Act of 1993, P.L. 103-66, (Section 10101)* provided for the annual \$100 per claim maintenance fee for unpatented mining claims and sites to continue through 1998. The authority has been modified and extended by Interior appropriations acts. The law allows a waiver from the fee for those claimants who hold 10 or fewer claims. The authority also established a \$25.00 per claim location fee for new claims, to be paid at the time of recordation. The law requires that the fee be adjusted for inflation. The maintenance fee is currently \$155.00 per claim and the location fee is currently \$37.00 per claim. Collections in 2013 and 2014 were \$65,787,000 and \$57,437,000. They are estimated to be \$57,154,000 in 2015 and \$57,952,000 in 2016. Additional information is included in the Activity: Mining Law Administration section.

A \$20.00 processing fee is required for new mining claim locations in addition to the initial maintenance fee and location fee. BLM collects this fee under its cost recovery regulations (see 43 CFR 3000.12). These fees are accounted for separately from the maintenance and location fees and therefore are not included in the above total. Additional information is included in the Activity: Mining Law Administration section.

**Service Charges, Deposits, and Forfeitures** – These receipts include revenue from providing special program services, such as rights-of-way application processing fees; wild horse and burro adoption fees; fees charged to timber sale purchasers when the BLM performs work required by the contract; reimbursement to the government for damage to lands and resources; collections for processing disclaimers of interest applications; and photocopying fees. The collection and retention of each of these receipts are authorized through legislation. Collections in 2014 were \$29,998,000 and are estimated to be \$32,465,000 in 2015 and \$31,050,000 in 2016. Additional information is included in the Service Charges, Deposits and Forfeitures section.

**Application for Permit to Drill Fees** – For several years, the annual Interior, Environment, and Related Agencies Appropriations Act authorized the BLM to collect a fee when an application for a permit to drill for oil and natural gas is submitted. The current fee is \$6,500 per application. In 2014 and 2015 up to \$32,500,000 from those collections are to be credited to the Management of Lands and Resources appropriation. Collections in excess of that amount are deposited to the General Fund. Collections were \$30,946,000 in 2013 and \$35,413,000 in 2014. The National Defense Authorization Act, P.L. 113-291 requires in 2016 and beyond that the fee per

application be increased to \$9,500 and be adjusted for inflation. It also requires that the fees be deposited to the Permit Processing Improvement Fund. Estimated APD fees are \$47,500,000 in 2016. For more information please refer to the discussion in the Oil and Gas Management Program and the Permanent Operating Funds Chapter.

**Onshore Oil and Gas Lease Inspection Fees** – The 2016 Budget includes a new inspection fee for onshore oil and gas leases. The fee would support Federal efforts to provide services to ensure the proper reporting of oil and gas production, protect human safety and the environment, and conserve energy resources. These fees will be credited to the Management of Lands and Resources appropriation. The estimate for 2016 is \$48,000,000.

**Grazing Administrative Processing Fees** – The Budget includes appropriations language for a three-year pilot project to allow the BLM to recover some of the costs of issuing grazing permits/leases on BLM lands. The BLM would charge a fee of \$2.50 per Animal Unit Month, which would be collected along with current grazing fees. The fee will assist the BLM in processing pending applications for grazing permit renewals. During the period of the pilot, the BLM would work through the process of promulgating regulations for the continuation of the grazing administrative fee as a cost recovery fee after the pilot expires. The fees will be credited to the Management of Lands and Resources appropriation. The estimate for 2016 is \$16,500,000.

**Other Collections** – Other receipts collected by the BLM are from land rentals for authorized commercial, industrial, and residential purposes; annual rentals from rights-of-way permits (except those issued under the authority of the *Mineral Leasing Act*); and from contributions. These consist of funds contributed to the BLM from non-Federal sources for projects or work authorized by the *Federal Land Policy and Management Act*, *Taylor Grazing Act*, *Sikes Act*, and other laws. Additional information on other collections is included in the Miscellaneous Permanent Payments, Permanent Operating Funds, and Miscellaneous Trust Fund sections. In 2014, the BLM collected \$10,600,000 from wind and solar renewable energy rights-of-way rents. Estimates for 2015 and 2016 are of \$17,500,000 and \$21,900,000 respectively.

**Amounts Not Included in Collections** – Payments to western Oregon counties under the *Secure Rural Schools and Community Self-Determination Act of 2000*, as amended, were made partially from receipts produced in those counties in the preceding year. Over half of the amounts paid, however, are derived from an appropriation from the General Fund. Of the total of estimated payments of \$39,630,000 to the western Oregon counties for 2013 in 2014, \$21,952,000 million were appropriated from the General Fund. That payment is the final payment authorized under the current law.

SRS payments were enacted by P.L. 106-393 for Fiscal Years 2002 through 2006. They were extended for one year (FY 2007) by Public Law 110-28, extended for Fiscal Years 2008 through 2011 by Public Law 110-343; and were extended in one year increments for 2012 and 2013 by Public Laws 112-141 and 113-40. (Payments are made in the year following the year for which the payments are authorized.) The 2016 Budget reflects a five-year reauthorization of funding through mandatory USFS appropriations

# Management of Lands and Resources



# MANAGEMENT OF LANDS AND RESOURCES

## Appropriations Language

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), ~~[\$970,016,000]~~*\$1,067,466,000*, to remain available until expended, *including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), as amended, except that amounts from permit processing fees may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use authorizations; of which \$3,000,000 shall be available in fiscal year [2015]2016 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump-sum grant without regard to when expenses are incurred.*

[In addition, \$32,500,000 is for the processing of applications for permit to drill and related use authorizations, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation that shall be derived from a fee of \$6,500 per new application for permit to drill that the Bureau shall collect upon submission of each new application, and, in addition,] *In addition: (1) \$48,000,000, to remain available until expended, is for conducting oil and gas inspection activities, to be reduced by amounts collected by the Bureau and credited to this appropriation that shall be derived from onshore oil and gas inspection fees that the Bureau shall collect, as provided for in this Act, except that, for fiscal year 2016, inspection fees collected by the Bureau of Land Management may be used to fund personnel and mission-related costs to expand capacity and expedite orderly energy development subject to environmental safeguards, on Federal land, pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), including the review of applications for permits to drill; (2) \$16,500,000, to remain available until expended, is for the processing of grazing permits and leases, to be reduced by the amounts collected by the Bureau and credited to this appropriation, which shall be derived from a \$2.50 per animal unit month administrative fee, as provided for in this Act; and (3) \$39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year [2015]2016, so as to result in a final appropriation estimated at not more than ~~[\$970,016,000]~~*\$1,067,466,000*, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities. (Department of the Interior, Environment, and Related Agencies Appropriations Act, 2015.)*

## Appropriation Language Citation

- 1. For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau**

Appropriates funds to implement the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1701 et seq.) for management of the public lands on a multiple-use and sustained yield basis and such laws applicable to the management of the public lands.

- 2. and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96-487 (16 U.S.C. 3150(a))**

The Alaska National Interest Lands Conservation Act, Public Law 96-487 (16 U.S.C. 3150(a)) established the Alaska mineral resource assessment program to assess the oil, gas, and other mineral potential on all public lands in the State of Alaska in order to expand the data base with respect to the mineral potential of such lands. The appropriations language provision allows the funds appropriated under this section to also be used for the Alaska mineral resource assessment program to assess the oil, gas, and other mineral potential on all public lands in the State of Alaska in order to expand the data base with respect to the mineral potential of such lands.

- 3. \$1,067,466,000 to remain available until expended**

The language makes the appropriations to the account available on a no-year basis. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, maintenance, construction, operations, and rehabilitation of public lands.

- 4. including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), as amended, except that amounts from permit processing fees may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use authorizations,**

Included within the appropriated amount is 15 percent of the fees from applications for permits to drill (APD) not permanently appropriated by the National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291), Section 3021(b), BLM Oil and Gas Permit Processing Fee, which amended the Mineral Leasing Act to authorize a fee of \$9,500 per APD (in 2016) on lands under the management of the BLM. The NDAA authorizes the fee for fiscal years 2016 through 2026. For years 2016 through 2019, the NDAA permanently appropriates 85 percent of the fees collected, and makes the remaining 15 percent of fee revenues subject to appropriation. For years 2020 through 2026, 100 percent of the fee revenues are permanently appropriated.

- 5. of which \$3,000,000 shall be available in fiscal year 2016 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared**

**projects supporting conservation of Bureau lands and such funds shall be advanced to the Foundation as a lump-sum grant without regard to when expenses are incurred.**

Provides authority for the BLM to transfer \$3.0 million to the National Fish and Wildlife Foundation (NFWF) for the purposes described and that the grant is advanced to NFWF as a lump sum in advance of them incurring or planning the expenses associated with the projects, provided NFWF matches the grant on a dollar for dollar basis from other funds.

- 6. \$48,000,000, to remain available until expended, is for conducting oil and gas inspection activities, to be reduced by amounts collected by the Bureau and credited to this appropriation that shall be derived from onshore oil and gas inspection fees that the Bureau shall collect, as provided for in this Act,**

This new provision appropriates the BLM an amount to be offset by revenues generated by new fees to be assessed for oil and gas inspection activities. The appropriations language authorizes the BLM to spend the estimated \$48.0 million in fee collections on inspection activities, and this \$48.0 million appropriation is then reduced by the amount of inspection fees actually collected. The fee schedule is located in Section 114 of the General Provisions, and is also shown in the Summary of Program Changes and Legislative Proposals chapter of the BLM Budget Justification.

- 7. except that, for fiscal year 2016, inspection fees collected by the Bureau of Land Management may be used to fund personnel and mission-related costs to expand capacity and expedite orderly energy development subject to environmental safeguards, on Federal land, pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), including the review of applications for permits to drill;**

This language provides BLM a valuable degree of flexibility by permitting the \$48 million for oil and gas inspection activities to also be used to support orderly, rational development of oil and gas on public lands. Beginning in 2016, BLM's Oil and Gas Management program will be increasingly dependent on permanent appropriations, in the form of lease rental revenues and APD fees deposited into the Permit Processing Improvement Fund, which are not provided at the beginning of the year, but instead only become available as they are collected over the course of the fiscal year. The appropriations language will assist BLM in executing all of its oil and gas management responsibilities effectively throughout the year.

- 8. \$16,500,000, to remain available until expended, is for the processing of grazing permits and leases, to be reduced by the amounts collected by the Bureau and credited to this appropriation, which shall be derived from a \$2.50 per animal unit month administrative fee, as provided for in this Act;**

This new provision appropriates the BLM an amount to be offset by revenues generated by an administrative processing fee to offset the increased cost of administering the livestock grazing program on public lands managed by the BLM. BLM would charge a fee of \$2.50 per Animal Unit Month, which would be collected along with current grazing fees. The fee will assist the BLM in processing pending applications for grazing permit renewals. The proposed fee

authority is located in Section 416 of the General Provisions and is also shown in the Summary of Program Changes and Legislative Proposals chapter of the BLM Budget Justification.

- 9. \$39,696,000 is for Mining Law Administration program operations including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2016,**

This continued provision appropriates the BLM an amount to be offset by revenues generated by an mining claim fees (maintenance fees and location fees) to offset the cost of providing access to mineral resources in an environmentally responsible manner on public lands managed by the BLM.

- 10. so as to result in a final appropriation estimated at not more than \$1,067,466,000,**

This is the final budget authority, net of offsetting collections for oil and gas inspection and enforcement, mining law administration, and grazing permit administration.

- 11. \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.**

This continued provision authorizes the BLM to spend revenues (actual collections, but not to exceed \$2.0 million) generated by a fee on rights-of-way authorizations under Title V of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1701 et seq.).

## Authorizations

**General Authorizing Legislation** - The following authorize the general activities of the Bureau of Land Management or govern the manner in which BLM's activities are conducted.

**Reorganization Plan No. 3  
of 1946, §403**

Establishes the BLM.

**Federal Land Policy and  
Management Act of 1976,  
as amended (43 U.S.C.  
1701 et seq.)**

Outlines functions of the BLM, provides for administration of public lands through the BLM, provides for management of the public lands on a multiple-use basis, and requires land-use planning including public involvement and a continuing inventory of resources. The Act establishes as public policy that, in general, the public lands will remain in Federal ownership, and also authorizes:

- Acquisition of land or interests in lands consistent with the mission of the Department and land use plans;
- Permanent appropriation of road use fees collected from commercial road users, to be used for road maintenance;
- Collection of service charges, damages, and contributions and the use of funds for specified purposes;
- Protection of resource values;
- Preservation of certain lands in their natural condition;
- Compliance with pollution control laws;
- Delineation of boundaries in which the Federal government has right, title, or interest;
- Review of land classifications in land use planning; and modification or termination of land classifications when consistent with land use plans;
- Sale of lands if the sale meets certain disposal criteria;
- Issuance, modification, or revocation of withdrawals;
- Review of certain withdrawals by October 1991;
- Exchange or conveyance of public lands if in the public interest;
- Outdoor recreation and human occupancy and use;
- Management of the use, occupancy, and development of the public lands through leases and permits;
- Designation of Federal personnel to carry out law enforcement responsibilities;
- Determination of the suitability of public lands for rights-of-way purposes (other than oil and gas pipelines) and specification of the boundaries of each right-of-way;
- Recordation of mining claims and reception of evidence of annual assessment work.

**Omnibus Public Land  
Management Act, 2009  
(P.L. 111-11):**

- Codifies the 26 million acre National Landscape Conservation System as a permanent program in the BLM.
- Established one new National Monument in New Mexico.
- Established four new National Conversation Areas: two in Utah, one in Colorado, and one in New Mexico.
- Added approximately 2 million acres to the National Wilderness Preservation System.
- Added approximately 1,000 miles to the National Wild and Scenic River System.
- Directed eight conveyances of public land out of Federal ownership.

<b><i>National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)</i></b>	Requires the preparation of environmental impact statements for Federal projects which may have a significant effect on the environment. It requires systematic, interdisciplinary planning to ensure the integrated use of the natural and social sciences and the environmental design arts in making decisions about major Federal actions that may have a significant effect on the environment.
<b><i>The Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.)</i></b>	Directs Federal agencies to ensure that their actions do not jeopardize threatened and endangered species and that through their authority they help bring about the recovery of these species.
<b><i>Energy Policy Act of 2005 (P.L. 109-58)</i></b>	Directs Federal agencies to undertake efforts to ensure energy efficiency, and the production of secure, affordable, and reliable domestic energy.
<b><i>An Act to Amend the Reclamation Recreation Management Act of 1992 (P.L. 107-69)</i></b>	Provides for the security of dams, facilities and resources under the jurisdiction of the Bureau of Reclamation. Authorizes the Secretary of the Interior to authorize law enforcement personnel from the Department of the Interior to enforce Federal laws and regulations within a Reclamation Project or on Reclamation lands.
<b><i>The Civil Service Reform Act of 1978 (5 U. S. C. 1701)</i></b>	Requires each executive agency to conduct a continuing program to eliminate the under-representation of minorities and women in professional, administrative, technical, clerical, and other blue collar employment categories within the Federal services.
<b><i>The Civil Rights Act of 1964, as amended (42 U.S.C. 2000)</i></b>	Requires development and maintenance of affirmative action programs to ensure non-discrimination in any employment activity.
<b><i>The Paperwork Reduction Act of 1980 (44 U.S.C. 3501-3520)</i></b>	Provides national Federal information policy, and requires that automatic data processing and telecommunication technologies be acquired and used to improve services, delivery, and productivity, and to reduce the information processing burden for the Federal government and the general public.
<b><i>The Electronic FOIA Act of 1996 (P.L. 104-231)</i></b>	Requires that government offices make more information available in electronic format to the public.
<b><i>The Information Technology Management Reform Act of 1996 (P.L. 104-106 §5001)</i></b>	Requires agencies to more effectively use Information Technology to improve mission performance and service to the public, and strengthen the quality of decisions about technology and mission needs through integrated planning, budgeting, and evaluation.
<b><i>The Chief Financial Officers Act of 1990 (U.S.C. 501)</i></b>	Requires that a Chief Financial Officer be appointed by the Director of OMB and that this CFO will provide for the production of complete, reliable, timely and consistent financial information for use by the executive branch of the Government and the Congress in the financing, management, and evaluation of Federal programs.
<b><i>The Government Performance and Results Act of 1993 (P.L. 103-62)</i></b>	Requires 10 federal agencies to launch a 3-year pilot project beginning in 1994, to develop annual performance plans that specify measurable goals, and produce annual reports showing how they are achieving those goals.

***P.L. 101-512, November 5, 1990***

Authorizes BLM to negotiate and enter into cooperative arrangements with public and private agencies, organizations, institutions, and individuals to implement challenge cost share programs.

***Notification and Federal Employee Anti-discrimination and Retaliation Act of 2001 (P.L. 107-174)***

Requires Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws, and for other purposes.

***Safe Drinking Water Act Amendments of 1977 (42 U.S.C. 201)***

Requires compliance with all Federal, State, or local statutes for safe drinking water.

***E-Government Act of 2002 (P.L. 107-374)***

Requires the use of internet-based information technology to improve public access to information and to promote electronic services and processes.

***Specific Authorizing Legislation*** - In addition to the above laws that provide general authorization and parameters, a number of laws authorize specific program activities, or activities in specific or designated areas.

### **Soil, Water and Air Management**

***Consolidated Appropriations Act, 2005 (P.L. 108-447) – including the authorizations:***

- Watershed Restoration Projects (P.L. 106-291, Section 331, as amended by P.L. 108-447, Division E, Section 336) - permits the Colorado State Forest Service to perform watershed restoration and protection services on BLM lands in the State of Colorado when similar and complementary work is being performed on adjacent state lands.
- Snake River Water Rights Act of 2004 (P.L. 108-447, Division J, Title X) – Directs BLM to transfer, at the selection of the Nez Perce Tribe, certain land managed by the BLM in northern Idaho to the Bureau of Indian Affairs to be held in trust for the Tribe. Existing rights and uses on the selected lands remain in effect until the date of expiration of the lease or permit. The fair market value of the parcels of land selected by the Tribe is not to exceed \$7 million.

***Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2001 (P.L. 107-237)***

Authorizes the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River, Malheur River, Owyhee River, and Powder River Basins.

***Colorado River Basin Salinity Control Act Amendment of 1984 (43 U.S.C. 1593)***

Directs the Department to undertake research and develop demonstration projects to identify methods to improve the water quality of the Colorado River. The amendment requires BLM to develop a comprehensive salinity control program, and to undertake advanced planning on the Sinbad Valley Unit.

***Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2001)***

Provides for conservation, protection and enhancement of soil, water, and related resources.

***The Clean Air Act of 1990, as amended (42 U.S.C. 7401, 7642)***

Requires BLM to protect air quality, maintain Federal and State designated air quality standards, and abide by the requirements of the State implementation plans.

***The Clean Water Act of 1987, as amended (33 U.S.C. 1251)***

Establishes objectives to restore and maintain the chemical, physical and biological integrity of the nation's water.

***P.L. 107-30***

Provides further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and adds responsibilities for the Secretary of the Interior and the Bureau of Land Management.

### **Range Management**

***Taylor Grazing Act of 1934 (43 U.S.C. 315), as amended by the Act of August 28, 1937 (43 U.S.C. 1181d)***

Authorizes the establishment of grazing districts, regulation and administration of grazing on the public lands, and improvement of the public rangelands. It also authorizes the Secretary to accept contributions for the administration, protection, and improvement of grazing lands, and establishment of a trust fund to be used for these purposes.

***Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1908)***

Provides for the improvement of range conditions to assure that rangelands become as productive as feasible for watershed protection, livestock grazing, wildlife habitat, and other rangeland values. The act also authorizes:

- Research on wild horse and burro population dynamics, and facilitates the humane adoption or disposal of excess wild free roaming horses and burros, and
- Appropriation of \$10 million or 50 percent of all moneys received as grazing fees, whichever is greater, notwithstanding the amount of fees collected.

***Bankhead Jones Farm Tenant Act of 1937 (7 U.S.C. 1010 et seq.)***

Authorizes management of acquired farm tenant lands, and construction and maintenance of range improvements. It directs the Secretary of Agriculture to develop a program of land conservation and utilization to adjust land use to help control soil erosion, conduct reforestation, preserve natural resources, develop and protect recreational facilities, protect watersheds, and protect public health and safety.

***Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291)***

Provides authority to continue the terms and conditions of a grazing permit or leases that has expired until any environmental analysis and documentation has been completed.

### **Forest Management**

***Healthy Forests Restoration Act of 2003 (P.L. 108-148) – 16 U.S.C. 6501 et seq.***

Authorized the BLM and the U.S. Forest Service to conduct hazardous fuels reduction projects on federal land in wildland-urban interface areas and on certain other federal lands using expedited procedures.

***Forest Ecosystem Health & Recovery Fund (P.L. 102-381)***

The initial purpose of this fund was to allow quick response to fire and reforestation of forests damaged by insects, disease, and fire. Expanded authorization in the 1998 Interior and Related Agencies Appropriations Act allows activities designed to reduce the risk of catastrophic damage to forests in addition to responding to damage events. Funds in this account are derived from the Federal share (defined as the portion of receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181-1 et seq., and P.L. 106-393) of receipts from all BLM timber salvage sales and all BLM forest health restoration treatments funded by this account. The authority to make deposits and to spend from this fund was provided in the 2010 Interior Appropriations Act (P.L. 111-88, 123 STAT. 2906) and expires at the end of fiscal year 2015.

***Sec. 347 of Public Law 105-277, as amended by Public Law 108-7 and Public Law 113-79***

Permanently authorizes the Bureau of Land Management, via agreement or contract as appropriate, to enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

### **Riparian Management**

***The Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2814)***

Provides for the designation of a lead office and a person trained in the management of undesirable plants; establishment and funding of an undesirable plant management program; completion and implementation of cooperative agreements with State agencies; and establishment of integrated management systems to control undesirable plant species.

***Noxious Weed Control Act of 2004 (P.L. 108-412)***

Establishes a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, nonnative weeds on public and private lands.

***Carlson-Foley Act of 1968 (42 U.S.C. 1241-1243)***

Authorizes BLM to reimburse States for expenditures associated with coordinated control of noxious plants.

### **Cultural Resources Management**

***P.L. 107-346***

To convey certain property to the City of St. George, Utah, in order to provide for the protection and preservation of certain rare paleontological resources on that property, and for other purposes.

***The Federal Cave Resource Protection Act of 1988 (16 U.S.C. 4301)***

Provides for the protection of caves on lands under the jurisdiction of the Secretary, and the Secretary of Agriculture. Establishes terms and conditions for use permits, and penalties for violations.

***The Historic Sites Act (16 U.S.C. 461)***

Declares national policy to identify and preserve historic sites, buildings, objects, and antiquities of national significance, providing a foundation for the National Register of Historic Places.

***The National Historic Preservation Act of 1966, as amended (16 U.S.C. 470)***

Expands protection of historic and archaeological properties to include those of national, State and local significance. It also directs Federal agencies to consider the effects of proposed actions on properties eligible for or included in the National Register of Historic Places.

***The Archaeological Resources Protection Act of 1979, as amended (16 U.S.C. 470a, 470cc and 470ee)***

Requires permits for the excavation or removal of Federally administered archaeological resources, encourages increased cooperation among Federal agencies and private individuals, provides stringent criminal and civil penalties for violations, and requires Federal agencies to identify important resources vulnerable to looting and to develop a tracking system for violations.

***The Chacoan Culture Preservation Act of 1980 (16 U.S.C. 410; ii)***

Provides for preservation, protection, research, and interpretation of the Chacoan system, including 33 archaeological protection sites, located throughout the San Juan Basin on public, State, Indian and private lands.

***The Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001)***

Requires agencies to inventory archaeological and ethnological collections in their possession or control (which includes non-federal museums) for human remains, associated funerary objects, sacred objects, and objects of cultural patrimony; identify them geographically and culturally; and notify appropriate tribes within 5 years.

***Galisteo Basin (New Mexico) Archaeological Sites Protection Act (P.L. 108-208)***

Authorizes the Secretary of the Interior to administer the designated sites under this Act and other laws to protect, preserve, provide for research on, and maintain these archaeological resources.

**Wild Horse and Burro Management*****Wild Free-Roaming Horse and Burro Act of 1971 (P.L. 92-195), as amended***

The Secretary is authorized and directed to protect and manage wild free-roaming horses and burros as components of the public lands, and he may designate and maintain specific ranges on public lands as sanctuaries for their protection and preservation, where the Secretary after consultation with the wildlife agency of the State wherein any such range is proposed and with the Advisory Board established in section 7 of this Act deems such action desirable. The Secretary shall manage wild free-roaming horses and burros in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands.

***Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1701 et seq.)***

For the purpose of furthering knowledge of wild horse and burro population dynamics and their interrelationship with wildlife, forage and water resources, and assisting the Secretary in making his determination as to what constitutes excess animals, the Secretary shall contract for a research study of such animals with such individuals independent of Federal and State government as may be recommended by the National Academy of Sciences for having scientific expertise and special knowledge of wild horse and burro protection, wildlife management and animal husbandry as related to rangeland management.

***Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1908)***

Based on the information available to him at the time, if the Secretary determines that overpopulation of wild free-roaming horses and burros exists on a given area of the public lands and that action is necessary to remove excess animals, he shall immediately remove excess animals from the range so as to achieve appropriate management levels. Such action shall be taken until all excess animals have been removed so as to restore a thriving natural ecological balance to the range, and protect the range from the deterioration associated with overpopulation.

The Secretary shall cause such number of additional excess wild free-roaming horses and burros to be humanely captured and removed for private maintenance and care for which he determines an adoption demand exists by qualified individuals, and for which he determines he can assure humane treatment and care (including proper transportation, feeding, and handling).

### **Wildlife Management**

***National Fish and Wildlife Foundation Establishment Act, as amended, (16 U.S.C. 3701)***

Established the National Fish and Wildlife Foundation as a nonprofit corporation to encourage, accept and administer private gifts of property, and to undertake activities to further the conservation and management of fish, wildlife, and plant resources of the U.S.

***The Migratory Bird Conservation Act of 1929, as amended (16 U.S.C. 715) and treaties pertaining thereto***

Provides for habitat protection and enhancement of protected migratory birds.

***The Sikes Act of 1974, as amended (16 U.S.C. 670 et seq.)***

Provides for the conservation, restoration, and management of species and their habitats in cooperation with State wildlife agencies.

### **Wilderness Management**

***Defense Department FY 2006 Authorization Bill (P.L. 109-63)***

Provides for the designation and management of Cedar Mountain Wilderness in Utah.

***Tax Relief and Health Care Act of 2006***

Designates wilderness in White Pine County, Nevada.

<b><i>Otay Mountain Wilderness Act of 1999</i></b>	Establishes the Otay Mountain Wilderness Area in California, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.
<b><i>Clark County Conservation of Public Land and Natural Resources Act of 2002 (P.L. 107-282) (16 USC 460qqq)</i></b>	Establishes Wilderness Areas, including Sloan Canyon National Conservation Area, and to promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.
<b><i>Ojito Wilderness Act (P.L. 109-94)</i></b>	Designates New Mexico's Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, and for other purposes.
<b><i>P.L. 107-361</i></b>	Authorizes the Secretary of the Interior to convey certain public lands within the Sand Mountain Wilderness Study Area in Idaho to resolve an occupancy encroachment dating back to 1971.
<b><i>Northern California Coastal Wild Heritage Wilderness Act (P.L. 106-362)</i></b>	Provides for the designation and management of Wilderness Areas in California.
<b><i>Big Sur Wilderness and Conservation Act of 2002 (P.L. 107-370)</i></b>	Designates certain lands in the State of California as components of the National Wilderness Preservation System, and for other purposes.
<b><i>Utah West Desert Land Exchange Act of 2000 (P.L. 106-301)</i></b>	Authorizes exchange of public lands for certain lands owned by the State of Utah within existing and proposed Wilderness Study Areas in the West Desert Region of Utah.
<b><i>The Land Use Planning Act (P. L. 94-579), as amended by the California Desert Protection Act of 1994 (P.L. 103-433) (43 USC 1781)</i></b>	Establishes boundaries and management responsibilities for areas in the California Desert, and establishes 69 new Wilderness Areas.
<b><i>The Wilderness Act of 1964 (16 U.S.C. 1131 et seq.)</i></b>	Provides for the designation and preservation of Wilderness Areas.
<b><i>Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291)</i></b>	Establishes the Rocky Mountain Front Conservation Management Area in Montana including 13,087 acres of BLM land; withdraws certain lands in the North Fork Federal Lands Withdraw Area from all forms of location, entry, and patent under mining laws, and disposition under all laws relating to mineral leasing and geothermal leasing; and designates 26,000 acres of land as wilderness.

### **Recreation Resources Management**

***Federal Lands Recreation Enhancement Act (P.L. 104-134)***

Provides authority to the Bureau of Land Management for collection of recreation fees to maintain and improve the quality of visitor amenities and services.

***The Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460 et seq.)***

Provides for the establishment of the Land and Water Conservation Fund, special BLM accounts in the Treasury, the collection and disposition of recreation fees, the authorization for appropriation of recreation fee receipts, and other purposes. Authorizes planning, acquisition, and development of needed land and water areas and facilities.

### **Oil & Gas Management**

***The Act of March 3, 1909, as amended, and the Act of May 11, 1938 (25 U.S.C. 396, 396(a))***

Provides the basic mandate under which BLM supervises minerals operations on Indian Lands. Provides that lands allotted to Indians, and unallotted tribal Indian lands, may be leased for mining purposes, as deemed advisable by the Secretary.

***The Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701) (FOGRMA)***

Comprehensive law dealing with royalty management on Federal and Indian leases. In addition to revenue accountability, it includes provisions pertaining to onshore field operations, inspections, and cooperation with State and Indian tribes; duties of lessees and other lease interest owners, transporters, and purchasers of oil and gas; reinstatement of onshore leases terminated by operation of law; and a requirement that the Secretary study whether royalties are adequate for coal, uranium, and non-energy leasable minerals.

***Energy Policy and Conservation Act Amendments of 2000 (P.L. 106-469, Section 604) –***

Directs the Secretary of the Interior, in consultation with the Secretaries of Agriculture and Energy, to conduct an inventory of all onshore Federal lands to determine reserve estimates of oil and gas resources underlying the lands and the extent and nature of any impediments to development of the oil and gas resources.

***The Federal Onshore Oil and Gas Leasing Reform Act of 1987 (30 U.S.C. 226, et seq.)***

Establishes a new oil and gas leasing system, and changes certain operational procedures for onshore Federal lands.

***The Combined Hydrocarbon Leasing Act of 1981 (30 U.S.C. 181, 351)***

Permits the owners of oil and gas leases issued after November 16, 1981, to explore, develop, and produce tar sands. Authorizes the issuance of combined hydrocarbon leases in specified areas designated by the Department of the Interior on November 20, 1980.

***Reorganization Plan No. 3 of 1946, §402 (60 Stat. 1099)***

Transferred mineral leasing functions to the Secretary, from the Secretary of Agriculture, for certain acquired lands.

***The Interior and Related Agencies Appropriations Act for 1981 (42 U.S.C. 6508)***

Provides for competitive leasing of oil and gas in the National Petroleum Reserve in Alaska.

***The Geothermal Steam Act of 1970 (30 U.S.C. 1001)***

Authorizes the Secretary to issue leases for the development of geothermal resources.

***The Geothermal Steam Act Amendments of 1988***

Lists significant thermal features within the National Park System requiring protection, provides for lease extensions and continuation of leases beyond their primary terms, and requires periodic review of cooperative or unit plans of development.

***The Mining and Minerals Policy Act of 1970 (30 U.S.C. 21a)***

Establishes policy of fostering development of economically stable mining and minerals industries, their orderly and economic development, and studying methods for disposal of waste and reclamation.

***The Act of March 3, 1879, as amended (43 U.S.C. 31(a))***

Provides for the inventory and classification of the public lands, and examination of the geologic structure, mineral resources, and products of the national domain.

***Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235)***

Provides authority for an Internet-based oil and gas leasing program.

***Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291)***

Authorizes processing fee for applications for permit to drill (APD) for 2016 through 2026, with collections deposited into and permanently appropriated from the BLM Permit Processing Fund (PPIF), except in years 2016 through 2019 when only 85 percent of APD fee revenues are permanently appropriated. The NDAA also permanently extends BLM access to the mineral lease rent revenues deposited in the PPIF. Prior to enactment of the NDAA, BLM access to the PPIF would have expired at the end of 2015, in accordance with Section 365 of the Energy Policy Act of 2005, which created the PPIF. Amends the Mineral Leasing Act to provide authority for establish and implement internet leasing for on-shore oil and gas leases.

### **Coal Management**

***The Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.)***

Provides that lands may be declared unsuitable for surface coal mining where significant adverse impacts could result to certain wildlife species.

***The Federal Coal Leasing Amendments Act of 1976 (30 U.S.C. 201, et seq.)  
The Mining and Minerals Policy Act of 1970 (30 U.S.C. 21a)***

Requires competitive leasing of coal on public lands, and mandates a broad spectrum of coal operations requirements for lease management.

Establishes policy of fostering development of economically stable mining and minerals industries, their orderly and economic development, and studying methods for disposal of waste and reclamation.

***The Act of March 3, 1879, as amended (43 U.S.C. 31(a))***

Provides for the inventory and classification of the public lands, and examination of the geologic structure, mineral resources, and products of the national domain.

### **Other Mineral Resources**

***Mineral Materials Act of 1947 (30 U.S.C. 601)***

Authorizes the BLM to sell sand, gravel, crushed stone, clay and pumice at fair market value and to grant free-use permits to Government agencies and nonprofit organizations, so long as public land resources, the environment and the public are protected.

***The Multiple Surface Use Act (30 U.S.C. 611)***

Specified that sand, gravel, and certain other minerals were no longer locatable under the General Mining Law of 1872 but were subject to disposal by sale under the Materials Act of 1947.

### **Alaska Conveyance**

***The Alaska Native Claims Settlement Act of 1971 (ANCSA) (43 U.S.C. 1612)***

Requires the survey of Alaska Native lands for conveyance to Native corporations and individuals.

***The Alaska Statehood Act, as amended (48 U.S.C. Chap. 2 note)***

Requires the survey of lands for conveyance to the State.

***The Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3101 et seq.)***

Provides for the designation and conservation of certain public lands in Alaska. BLM responsibilities include six Wild and Scenic Rivers, nine study rivers, one National Conservation Area, one National Recreation Area, and one National Scenic Highway.

***Alaska Native Allotment Subdivision Act (P.L. 108-337)***

Allows Native Alaskans to subdivide their restricted allotment lands with the approval of the Secretary of the Interior.

***Alaska Land Acceleration Act of 2003 (P.L. 108-452)***

Reduces the delays that exist in the adjudication and conveyance of Alaska Native Allotments, State and other land entitlements that are authorized under the Alaska Native Allotment Act of 1906, the Alaska Native Claims Act, and the Alaska Statehood Act.

***43 U.S.C. 2***

Provides that the Secretary shall perform all executive duties pertaining to the surveying and sale of public lands, private claims of public lands, and the issuing of patents for all grants of land under the authority of the Government.

***43 U.S.C. 52***

Provides that the Secretary shall cause all public lands to be surveyed and monumented, that all private land claims shall be surveyed after they have been confirmed, and that the Secretary shall transmit plats of all lands surveyed to such officers as he may designate.

### **Cadastral Survey**

***Executive Order 12906***

The executive branch is developing, in cooperation with State, local, and tribal governments, and the private sector, a coordinated National Spatial Data Infrastructure to support public and private sector applications of geospatial data. BLM is charged with developing data standards, ensuring the capability to share cadastral data from the Public Land Survey System of the U.S. with partners.

### **Lands & Realty**

***Native American Technical Corrections Act of 2004 (P.L. 108-204, Title II)***

Placed in trust for the Pueblo of Santa Clara in New Mexico approximately 2,484 acres of BLM-managed land. Placed in trust for the Pueblo of San Ildefonso in New Mexico approximately 2,000 acres of BLM-managed land.

***P.L. 107-374***

Direct the Secretary of the Interior to grant to Deschutes and Crook Counties, Oregon, a right-of-way to West Butte Road.

***P. L. 109-46***

Directs the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of Interior to convey certain land to Eureka County, Nevada, for continued use of cemeteries.

***P. L. 109-69***

Directs the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada.

***P. L. 109-130***

Directs the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah.

***Southern Nevada Public Land Management Act of 1998 (P.L. 105-263)***

Authorizes the disposal through sale of 27,000 acres in Clark County, Nevada, the proceeds of which are distributed as follows: (a) 5 percent for use in the general education program of the State of Nevada; (b) 10 percent for use by Southern Nevada Water Authority for water treatment and transmission facility infrastructure in Clark County, Nevada; and (c) the remaining 85 percent to be used to acquire environmentally sensitive lands in Nevada; to make capital improvements to areas administered by NPS, FWS and BLM in Clark County, Nevada; to develop a multi-species habitat plan in Clark County, Nevada; to develop parks, trails, and natural areas in Clark County, Nevada; and to provide reimbursements for BLM costs incurred in arranging sales and exchanges under this Act.

***Clark County Conservation of Public Land and Natural Resources Act of 2002 (P.L. 107-282) as amended by P.L. 108-447***

Enlarges the area in which the BLM can sell lands under the Southern Nevada Public Land Management Act; approves a land exchange in the Red Rock Canyon Area; designates wilderness; designates certain BLM lands for a new airport for Las Vegas; and gives land to the State and City for certain purposes.

***Lincoln County Lands Act of 2000 (P.L. 106-298)***

Authorizes disposal of certain Federal lands through public sale in Lincoln County, Nevada, and provides for use of the receipts: 5 percent to the State of Nevada, 10 percent to the County, and 85 percent to an interest bearing account that is available for expenditure without further appropriation.

***Lincoln County Conservation, Recreation and Development Act (PL 108-424)***

Addresses a wide-range of public lands issues in Lincoln County, Nevada, designates as wilderness 768,294 acres of BLM-managed lands and releases from wilderness study area (WSA) status 251,965 acres of public land. The bill also directs the BLM to dispose of up to 90,000 acres of public land and divides the proceeds 85 percent to a federal fund and 15 percent to state and county entities, establishes utility corridors, transfers public lands for state and county parks, creates a 260-mile OHV trail and resolves other public lands issues.

***Consolidated Appropriations Act, 2005 (P.L. 108-447) – including the authorizations:***

- Foundation for Nevada's Veteran's Land Transfer Act of 2004 (P.L. 108-447, Division E, Section 144) – authorizes the transfer of public lands from the BLM to the Veteran's Administration for the construction and operation of medical and related facilities.
- To Resolve a Minor Boundary Encroachment on Lands of the Union Pacific Railroad Company in Tipton, CA (P.L. 108-447, Division E, Section 139) – relinquishes the Federal government's reversionary interest in an abandoned railroad right-of-way in order to clear the cloud on the title of a small parcel of private land.
- Federal Land Recreation Enhancement Act (P.L. 108-447, Division J, Title VIII) – Gives the BLM authority to collect entrance fees at certain recreation areas for ten years beginning in 2005.

***P.L. 107-324***

A bill to direct the Secretary of the Interior to convey certain land to the City of Haines, Oregon.

***T'uf Shur Bien Preservation Trust Area Act (P.L. 108-7, Division F, Title IV)***

Amended FLPMA, Section 316, to require that any corrections to land conveyance documents which affect the boundaries of land administered by a federal agency other than the BLM be made only after consultation with, and the approval of, the head of such other agency.

***P.L. 107-371***

Directs the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in Idaho resulting from possible omission of lands from an 1880 survey.

***P.L. 107-350***

Provides for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range.

***P.L. 107-138***

Require the valuation of non-tribal interest ownership of subsurface rights within the boundaries of the Acoma Indian Reservation, and for other purposes.

***P.L. 106-206***

Revised authority for commercial filming and still photography activities. In doing so, it clarifies authority on the requirements for commercial filming and still photography permits and establishes limitations on filming activities for the protection of resources.

<b><i>Ivanpah Valley Airport Public Land Transfer Act (P.L. 106-145)</i></b>	Authorizes sale at fair market value of certain lands in Clark County, Nevada to Clark County, for use as an airport. Provides that the funds be deposited in the special account for the Southern Nevada Public Lands Act, to be used for acquisition of private in-holdings in the Mojave National Preserve and protection of petroglyph resources in Clark County, Nevada.
<b><i>The Burton-Santini Act (P.L. 96-586)</i></b>	Authorizes the Secretary to sell not more than 700 acres of public lands per calendar year in and around Las Vegas, Nevada. The proceeds are to be used to acquire environmentally sensitive lands in the Lake Tahoe Basin of California and Nevada.
<b><i>The Federal Power Act of 1920, as amended (16 U.S.C. 818)</i></b>	Allows other uses of Federal waterpower withdrawals with Federal Energy Regulatory Commission approval.
<b><i>The Act of May 24, 1928, as amended (49 U.S.C. App. 211-213)</i></b>	Authorizes the Secretary to lease contiguous unappropriated public lands (not to exceed 2,560 acres) for a public airport.
<b><i>The Airport and Airway Improvement Act of 1982 (49 U.S.C. 2215)</i></b>	Authorizes conveyance of lands to public agencies for use as airports and airways.
<b><i>The Engle Act of February 28, 1958 (43 U.S.C. 156)</i></b>	Provides that withdrawals for the Department of Defense for more than 5,000 acres shall be made by Congress.
<b><i>The Recreation and Public Purposes Act of 1926, as amended (43 U.S.C. 869)</i></b>	Authorizes the Secretary to classify public lands for lease or sale for recreation or public purposes.
<b><i>The R&amp;PP Amendment Act of 1988</i></b>	Provides that suitable public lands may be made available for use as solid waste disposal sites, in a manner that will protect the U.S. against unforeseen liability.
<b><i>The Desert Land Act of 1877 (43 U.S.C. 321-323)</i></b>	Provides authority to reclaim arid and semi-arid public lands of the western States through individual effort and private capital.
<b><i>The Act of August 30, 1949, as amended (43 U.S.C. 687(b))</i></b>	Authorizes the Secretary to dispose of public lands, and certain withdrawn Federal lands in Alaska, that are classified as suitable for housing and industrial or commercial purposes.
<b><i>The Utah School Lands Act (P.L. 103-93)</i></b>	Authorizes the Secretary to enter into land exchanges for certain purposes.
<b><i>Federal Land Exchange Facilitation Act of 1988 (43 U.S.C. 1716)</i></b>	Amends FLPMA to provide for the streamlining of Federal land exchange procedures.
<b><i>The Arkansas-Idaho Land Exchange Act of 1992 (P.L. 102-584)</i></b>	Authorizes the Secretary to enter into land exchanges for certain purposes.

***Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291)***

Authorizes the Secretary to enter into land exchanges and to convey land for certain purposes.

### **Hazard Management and Resource Restoration**

***The Clean Water Act of 1987, as amended (33 U.S.C. 1251)***

Establishes objectives to restore and maintain the chemical, physical and biological integrity of the nation's water.

***The Resource Conservation and Recovery Act as amended by Federal Facility Compliance Act of 1992 (42 U.S.C. 6901-6992)***

Authorizes EPA to manage, by regulation, hazardous wastes on active disposal operations. Waives sovereign immunity for Federal agencies with respect to all Federal, State, and local solid and hazardous waste laws and regulations. Makes Federal agencies subject to civil and administrative penalties for violations, and to cost assessments for the administration of the enforcement.

***The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended by the Superfund Amendments and Reauthorization Act of 1986 (42 U.S.C. 9601-9673)***

Provides for liability, risk assessment, compensation, emergency response, and cleanup (including the cleanup of inactive sites) for hazardous substances. Requires Federal agencies to report sites where hazardous wastes are or have been stored, treated, or disposed, and requires responsible parties, including Federal agencies, to clean-up releases of hazardous substances.

***Community Environmental Response Facilitations Act of 1992 (42 U.S.C. 9620(h))***

Amendment to the *Comprehensive Environmental Response, Compensation, and Liability Act of 1980*, as amended, which expands on the risk assessment requirements for land transfers and disposal.

***The Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11001-11050)***

Requires the private sector to inventory chemicals and chemical products, to report those in excess of threshold planning quantities, to inventory emergency response equipment, to provide annual reports and support to local and State emergency response organizations, and to maintain a liaison with the local and state emergency response organizations and the public.

***The Pollution Prevention Act of 1990 (42 U.S.C. 13101-13109)***

Requires and encourages prevention and reduction of waste streams and other pollution through minimization, process change, and recycling. Encourages and requires development of new technology and markets to meet the objectives.

### **Annual Maintenance**

***National Dam Inspection Act of 1972 (33 U.S.C. 467)***

Requires the Secretary of the Army, acting through the Chief of Engineers, to carry out a dam inspection program to protect human life and property.

### **National Conservation Lands**

***The King Range National Conservation Area Act of 1970, as amended (P.L. 91-476) (16 U.S.C. 460y)***

Provides for management and development of the King Range National Conservation Area for recreational and other multiple-use purposes. It authorizes the Secretary to enter into land exchanges and to acquire lands or interests in lands within the national conservation area.

***Alaska National Interest Lands Conservation Act (P.L. 96-487) (16 USC 460mm)***

Established the Steese National Conservation Area to be managed by the BLM.

***National Parks and Recreation Act of 1978 Amendment (P.L. 101-628)***

Establishes the Yaquina Head Outstanding Natural Area in the State of Oregon in order to protect the unique scenic, scientific, educational, and recreational values of such lands. Requires the Secretary of the Interior to develop a management plan for such Area. The Secretary of the Interior shall manage the monument through the Bureau of Land Management.

***Arizona Desert Wilderness Act of 1990 – Title II – Designation of the Gila Box Riparian National Conservation Area (P.L. 101-628) (16 USC 460ddd)***

Establishes the Gila Box Riparian National Conservation Area. The Secretary of the Interior shall manage the monument through the Bureau of Land Management.

***The Snake River Birds of Prey National Conservation Area Act of 1993 (P.L. 103-64) (16 USC 460iii)***

Establishes the Snake River Birds of Prey National Conservation Area, Idaho, to provide for the conservation, protection, and enhancement of raptor populations, habitats, and associated natural resources and of the scientific, cultural, and educational resources of the public lands. Requires the Secretary of the Interior to finalize a new comprehensive management plan for the Area. Authorizes the Secretary, acting through the Bureau of Land Management, to establish a visitor's center to interpret the history and geological, ecological, natural, cultural and other resources of the Area and biology of the raptors and their relationships to humans.

***An Act to Establish the Red Rock Canyon National Conservation Area in Nevada (P.L. 101-621) as amended by 107-282 (16 U.S.C. 460ccc)***

Provides for the conservation, protection, and enhancement of cultural and natural resources values by the BLM within the Red Rock Canyon National Conservation Area.

***An Act to Establish the El Malpais National Monument and the El Malpais National Conservation Area in New Mexico, P.L. 100-225 (16 U.S.C. 460uu 21)***

Provides for the protection and management of natural and cultural resource values within the El Malpais National Conservation Area by the BLM.

***An Act to Provide for the Designation and Conservation of Certain Lands in Arizona and Idaho(P.L. 100-696) (16 U.S.C. 460xx)***

Establishes the San Pedro Riparian National Conservation Area in Arizona and provides for management and development for recreation and other multiple-use purposes.

***Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999 (6 USC 410fff), as amended (PL 106-76 & 108-128)***

Establishes the Gunnison Gorge National Conservation Area to be managed by the Secretary, acting through the Director of the Bureau of Land Management. PL 108-128 amended the boundaries of the National Conservation Area.

***Black Rock Desert/High Rock Canyon Emigrant Trails National Conservation Area Act of 2000, as amended, (P.L. 106-554 & P.L. 107-63). (16 U.S.C. 460ppp)***

Establishes the Black Rock Desert/High Rock Canyon Emigrant Trails National Conservation Area in Nevada, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

***Colorado Canyons National Conservation Area and Black Ridge Canyon Wilderness Act of 2000 (16 U.S.C. 460mmm, P.L. 106-353 ), as amended by P.L. 108-400 (43 USC 460mmm)***

Establishes the McInnis Canyons National Conservation Area (formerly Colorado Canyons National Conservation Area) and Black Ridge Canyon Wilderness Area in Colorado, to be managed by the BLM.

***Las Cienegas National Conservation Area Act (P.L. 106-538) (16 U.S.C. 460ooo)***

Establishes the Las Cienegas National Conservation Area in Arizona, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

***Santa Rosa and San Jacinto Mountains National Monument Act of 2000 (P.L. 106-351) (16 U.S.C. 431)***

Establishes the Santa Rosa and San Jacinto Mountains National Monument in California, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

***Steens Mountain Cooperative Management and Protection Act of 2000 (P.L. 106-399) (16 U.S.C. 460nnn)***

Establishes the Steens Mountain Cooperative Management and Protection Area in Oregon, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

***Presidential Proclamation 6920 of 1996***

Established the Grand Staircase - Escalante National Monument, to be managed by the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

<b><i>Presidential Proclamation 7265 of 2000</i></b>	Established the Grand Canyon - Parashant National Monument. The Secretary of the Interior shall manage the monument through the Bureau of Land Management and the National Park Service. The Bureau of Land Management shall have primary management authority for those portions of the Monument outside of the Lake Mead National Recreation Area.
<b><i>Presidential Proclamation 7264 of 2000</i></b>	Established the California Coastal National Monument. The Secretary of the Interior shall manage the monument through the Bureau of Land Management.
<b><i>Presidential Proclamation 7263 of 2000</i></b>	Established the Agua Fria National Monument. The Secretary of the Interior shall manage the monument through the Bureau of Land Management.
<b><i>P.L. 107-213</i></b>	Re-designate certain lands within the Craters of the Moon National Monument, and for other purposes.
<b><i>The Wild and Scenic Rivers Act of 1968, as amended (16 U.S.C. 1271 et seq.)</i></b>	Provided for the development and management of certain rivers. Authorized the Secretary to exchange or dispose of suitable Federally-owned property for non-Federal property within the authorized boundaries of any Federally-administered component of the National Wild and Scenic Rivers System.
<b><i>The National Trails System Act of 1968, as amended (16 U.S.C. 1241- 1249)</i></b>	Established a national trails system and requires that Federal rights in abandoned railroads be retained for trail or recreation purposes, or sold with the receipts to be deposited in the LWCF.
<b><i>The National Parks and Recreation Act of 1978 (16 U.S.C. 1242-1243)</i></b>	Established a number of national historic trails which cross public lands.
<b><i>Old Spanish Trail Recognition Act of 2002 (P.L. 107-325)</i></b>	A bill to amend the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail.
<b><i>Presidential Proclamation 8803 of 2012</i></b>	Established the Fort Ord National Monument.
<b><i>Presidential Proclamation 8946 of 2013</i></b>	Established the Rio del Norte National Monument.
<b><i>Presidential Proclamation 8947</i></b>	Established the San Juan Islands National Monument.
<b><i>Presidential Proclamation 9131</i></b>	Established the Organ Mountains-Desert Peaks National Monument.

### **Mining Law Administration**

***The Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66)***

Establishes an annual \$100 per claim maintenance fee for unpatented mining claims and sites through 1998 and requires that the fee be adjusted for inflation. The law allows a waiver from the fee for those claimants who hold 10 or fewer claims. It also establishes a \$25 per claim location fee for new claims, to be paid when they are recorded with BLM. The Act also broadened the BLM's authority to collect recreation use fees.

***The General Mining Law of 1872, as amended (30 U.S.C. 22, et seq.), as amended by P.L. 108-447, Division E, Section 120, (30 U.S.C. 23 et seq.)***

Provides for locating and patenting mining claims where a discovery has been made for locatable minerals on public lands in specified States, mostly in the western U.S.

***The Act of March 3, 1879, as amended, (43 U.S.C. 31(a))***

Provides for the inventory and classification of the public lands, and examination of the mineral resources and products of the national domain.

***The Mining and Minerals Policy Act of 1970, (30 U.S.C. 21a) (30 U.S.C. 1601, et seq.)***

Sets out the policy of fostering development of economically stable mining and mineral industries, and studying methods for waste disposal and reclamation.

***The Department of the Interior and Related Agencies Appropriations Act for 1989 (43 U.S.C. 1474)***

Provides that receipts for 1989 and thereafter from administrative fees (service charges) established by the Secretary for processing actions relating to the administration of the General Mining Laws shall be immediately available to BLM for mining law administration program operations.

***The 1994 Interior and Related Agencies Appropriations Act (P.L. 103-138)***

Provides that funds shall be available to BLM for mining law administration program operations, to be reduced by amounts collected from annual mining claim fees.

***The 1999 Interior and Related Agencies Appropriations Act ( P.L. 105-277)***

Reauthorizes the collection of annual mining claim maintenance fees through 2001. Extends the recreation fee demonstration program through fiscal year 2001, with collected funds remaining available through fiscal year 2004.

***The 2002 Interior and Related Agencies Appropriations Act ( P.L. 107-63)***

Reauthorizes the collection of annual mining claim maintenance fees through 2003. Extends the recreation fee demonstration program through fiscal year 2004, with collected funds remaining available through fiscal year 2007.

### **Other Authorizations**

***The Food Security Act of 1985 (7 U.S.C. 148f)***

Provides for the transfer of funds to the Secretary of Agriculture for Mormon cricket and grasshopper control.

***Indian Self Determination  
And Education Assistance  
Act (P.L. 93-638)***

Provides for non-competitive contracts, grants, or cooperative agreements entered into between a tribal organization and the Federal government for the planning, conduct, and administration of programs which enhance Indian educational achievement or provide other Federal services more responsive to the needs and desires of those communities.

***Oregon Land Exchange  
Act of 2000 (P.L. 106-257)***

Authorizes exchange of specified parcels of public and national forest lands in Oregon for specified parcels of private lands.

***P.L. 109-127***

Revokes a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California.

Summary of Requirements  
(dollars in thousands)

	2014 Actual		2015 Enacted		2016 President's Budget						Change from 2015 Enacted		
	FTE	Amount	FTE	Amount	Fixed Cost	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Land Resources</b>													
Soil, Water & Air Management	221	42,939	221	43,239	+359	-	-863	-	+4,020	221	46,755	-	+3,516
Rangeland Management	633	79,000	633	79,000	+1,021	-	-601	-25	-2,976	608	76,444	-25	-2,556
Grazing Administration Management	-	-	-	-	+0	-	+0	+85	+16,500	85	16,500	+85	+16,500
<i>Grazing Administration Management Offset</i>	-	-	-	-	+0	-	+0	-	-16,500	-	-16,500	-	-16,500
Public Domain Forest Mgmt	72	9,838	72	9,838	+180	-	-38	-	+0	72	9,980	-	+142
Riparian Management	159	21,321	159	21,321	+324	-	-201	+2	+1,340	161	22,784	+2	+1,463
Cultural Resources Mgmt	116	15,131	116	15,131	+274	-	-199	-	+2,000	116	17,206	-	+2,075
Wild Horse & Burro Mgmt	172	77,245	172	77,245	+327	-	-10	-	+2,993	172	80,555	-	+3,310
<b>Total, Land Resources</b>	<b>1,373</b>	<b>245,474</b>	<b>1,373</b>	<b>245,774</b>	<b>+2,485</b>	<b>-</b>	<b>-1,912</b>	<b>+62</b>	<b>+7,377</b>	<b>1,435</b>	<b>253,724</b>	<b>+62</b>	<b>+7,950</b>
<b>Wildlife &amp; Fisheries</b>													
Wildlife Management	250	52,338	250	52,338	+409	-	-366	+20	+37,000	270	89,381	+20	+37,043
Fisheries Management	85	12,530	85	12,530	+190	-	-35	-	-	85	12,685	-	+155
<b>Total, Wildlife &amp; Fisheries</b>	<b>335</b>	<b>64,868</b>	<b>335</b>	<b>64,868</b>	<b>+599</b>	<b>-</b>	<b>-401</b>	<b>+20</b>	<b>+37,000</b>	<b>355</b>	<b>102,066</b>	<b>+20</b>	<b>+37,198</b>
<b>Threatened &amp; Endangered Species</b>	<b>152</b>	<b>21,458</b>	<b>152</b>	<b>21,458</b>	<b>+305</b>	<b>-</b>	<b>-196</b>	<b>-</b>	<b>+0</b>	<b>152</b>	<b>21,567</b>	<b>+0</b>	<b>+109</b>
<b>Recreation Management</b>													
Wilderness Management	146	18,264	146	18,264	+295	-	-	-	-	146	18,559	-	+295
Recreation Resources Management	372	48,697	372	48,697	+654	-	-1,615	+5	+9,115	377	56,851	+5	+8,154
<b>Total, Recreation Management</b>	<b>518</b>	<b>66,961</b>	<b>518</b>	<b>66,961</b>	<b>+949</b>	<b>-</b>	<b>-1,615</b>	<b>+5</b>	<b>+9,115</b>	<b>523</b>	<b>75,410</b>	<b>+5</b>	<b>+8,449</b>
<b>Energy &amp; Minerals Management</b>													
Oil & Gas Management	595	80,877	347	53,183	+867	-	-11	-16	+5,632	331	59,671	-16	+6,488
Oil & Gas Permit Processing from Fee Collection	275	32,500	275	32,500	-	-	-	-234	-25,375	41	7,125	-234	-25,375
Oil & Gas Inspection Activities	[265]	[38,000]	270	41,126	-	-	-	+15	+6,874	285	48,000	+15	+6,874
<i>Less: Offsetting Fees (Permit Processing and Inspection)</i>	-	-32,500	-	-32,500	-	-	-	-	-15,500	-	-48,000	-	-15,500
Coal Management	66	9,595	66	9,595	+173	-	-	-	+1,100	66	10,868	-	+1,273
Other Mineral Resources	82	10,586	82	10,586	+193	-	-	-	+1,100	82	11,879	-	+1,293
Renewable Energy	144	29,061	144	29,061	+295	-	-	-	-	144	29,356	-	+295
<b>Total, Energy &amp; Minerals Management</b>	<b>1,162</b>	<b>130,119</b>	<b>1,184</b>	<b>143,551</b>	<b>+1,528</b>	<b>-</b>	<b>-11</b>	<b>-235</b>	<b>-26,169</b>	<b>949</b>	<b>118,899</b>	<b>-235</b>	<b>-24,652</b>

(continued)

Summary of Requirements (continued)  
(dollars in thousands)

	2014 Actual		2015 Enacted		2016 President's Budget						Change from 2015 Enacted		
	FTE	Amount	FTE	Amount	Fixed Cost	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Realty &amp; Ownership Management</b>													
Alaska Conveyance	111	22,000	111	22,000	+220	-	-	-	-	111	22,220	-	+220
Cadastral Survey	87	11,276	-	-	-	-	-	-	-	-	-	-	-
<b>Land &amp; Realty Management</b>													
Cadastral, Lands & Realty Mgmt	[358]	[45,658]	358	45,658	+652	-	-58	-	+5,000	358	51,252	-	+5,594
<b>Total, Realty &amp; Ownership Management</b>	<b>469</b>	<b>67,658</b>	<b>469</b>	<b>67,658</b>	<b>+872</b>	<b>-</b>	<b>-58</b>	<b>-</b>	<b>+5,000</b>	<b>469</b>	<b>73,472</b>	<b>-</b>	<b>+5,814</b>
<b>Communication Site Management</b>													
Offsetting Collections	15	2,000	15	2,000	-	-	-	-	-	15	2,000	-	-
	-	-2,000	-	-2,000	-	-	-	-	-	-	-2,000	-	-
<b>Resource Protection &amp; Maintenance</b>													
Resource Mgmt Planning, Assessment, & Monitoring	214	37,125	214	38,125	+416	-	-	+3	+20,800	217	59,341	-	+21,216
Abandoned Mine Lands	63	16,687	63	16,987	+159	-	-	-	+2,800	63	19,946	-	+2,959
Law Enforcement	131	25,325	131	25,325	+270	-	-100	-	-	131	25,495	-	+170
Hazardous Materials Management	94	15,612	94	15,612	+204	-	-30	-	-	94	15,786	-	+174
<b>Total, Resource Protection &amp; Maintenance</b>	<b>502</b>	<b>94,749</b>	<b>502</b>	<b>96,049</b>	<b>+1,049</b>	<b>-</b>	<b>-130</b>	<b>+3</b>	<b>+23,600</b>	<b>505</b>	<b>120,568</b>	<b>-</b>	<b>+24,519</b>
<b>Transportation &amp; Facilities Maintenance</b>													
Annual Maint. & Ops	248	38,637	248	38,637	+491	-	-686	-	+500	248	38,942	-	+305
Def. Maint. & Cap. Improvements	43	26,995	43	26,995	+152	-	+0	-	+4,240	43	31,387	-	+4,392
<b>Total, Trans &amp; Facilities Maint.</b>	<b>291</b>	<b>65,632</b>	<b>291</b>	<b>65,632</b>	<b>+643</b>	<b>-</b>	<b>-686</b>	<b>-</b>	<b>+4,740</b>	<b>291</b>	<b>70,329</b>	<b>-</b>	<b>+4,697</b>
<b>Mining Law Administration</b>													
Offsetting Collections	319	39,696	319	39,696	-	-	-	-	-	319	39,696	-	-
		-39,696		-39,696	-	-	-	-	-		-39,696	-	-
<b>Workforce &amp; Organizational Support</b>													
Administrative Support	287	47,127	287	47,127	+540	-	-	-	+3,275	287	50,942	-	+3,815
Bureauwide Fixed Costs		92,901		91,010	+2,635	-	-	-	-		93,645	-	+2,635
IT Management	97	25,696	97	25,696	+262	-	-	-	-	97	25,958	-	+262
<b>Total, Workforce &amp; Organizational Support</b>	<b>384</b>	<b>165,724</b>	<b>384</b>	<b>163,833</b>	<b>+3,437</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>+3,275</b>	<b>384</b>	<b>170,545</b>	<b>-</b>	<b>+6,712</b>
<b>Challenge Cost Share</b>													
	5	2,413	5	2,413	+3	-	-	-	+10,000	5	12,416	-	+10,003
<b>National Monuments and National Conservation Areas</b>													
	241	31,819	241	31,819	+461	-	+5,009	+20	+11,181	261	48,470	-	+16,651
<b>Total, Management of Lands &amp; Resources</b>	<b>5,766</b>	<b>956,875</b>	<b>5,788</b>	<b>970,016</b>	<b>+12,331</b>	<b>-</b>	<b>-</b>	<b>-125</b>	<b>+85,119</b>	<b>5,663</b>	<b>1,067,466</b>	<b>(148)</b>	<b>+97,450</b>

**Justification of Fixed Costs and Internal Realignments  
Management of Lands and Resources**

*(Dollars In Thousands)*

<b>Fixed Cost Changes and Projections</b>	<b>2015 Total or Change</b>	<b>2015 to 2016 Change</b>
<b>Change in Number of Paid Days</b>	<b>+0</b>	<b>+2,079</b>
This column reflects changes in pay associated with the change in the number of paid days between 2015 and 2016. Total paid days for FY 2016 is 262 which is one day (+1) increase from FY2015 paid days of 261. FTE hours for FY2016 is 2096		
<b>Pay Raise</b>	<b>+5,317</b>	<b>+6,582</b>
The change reflects the salary impact of a programmed pay raise increases. This estimate reflects one quarter (October-December) of the programmed pay raise for 2015. This estimate reflects three quarter (January - September) of the programmed pay raise for 2016.		
<b>Seasonal Federal Health Benefit Increase</b>	<b>+0</b>	<b>+29</b>
The change reflects changes in the fixed cost portion of the Seasonal Health Benefits Model. Remaining costs associated with offering Health Benefits to seasonal employees are reflected as program changes in the Administrative Support subactivity.		
<b>Employer Contribution to FERS</b>	<b>38,957</b>	<b>+204</b>
The change reflects the directed increase of 0.5% in employer's contribution to the Federal Employee Retirement System. This estimate captures an increase of 0.5% to FY2016 employer contribution to the Federal Employee Retirement Service (FERS). The FY2015 FERS contribution assumption was 13.2%. The FY2016 level is 13.7%. The baseline for these estimates is the FY2014 pay actuals.		
<b>Departmental Working Capital Fund</b>	<b>24,024</b>	<b>777</b>
The change reflects expected changes in the charges for centrally billed Department services and other services through the Working Capital Fund. These charges are detailed in the Budget Justification for Department Management.		
<b>Departmental Working Capital Fund ITT</b>	<b>717</b>	<b>-116</b>
The change reflects expected changes in the charges for centrally billed Department services through the Working Capital Fund.		
<b>Worker's Compensation Payments</b>	<b>8,405</b>	<b>-252</b>
The adjustment is for changes in the costs of compensating injured employees and dependents of employees who suffer accidental deaths while on duty. Costs for 2016 will reimburse the Department of Labor, Federal Employees Compensation Fund, pursuant to 5 U.S.C. 8147(b) as amended by Public Law 94-273.		
<b>Unemployment Compensation Payments</b>	<b>6,858</b>	<b>123</b>
The adjustment is for projected changes in the costs of unemployment compensation claims to be paid to the Department of Labor, Federal Employees Compensation Account, in the Unemployment Trust Fund, pursuant to Public Law 96-499.		
<b>Rental Payments</b>	<b>63,393</b>	<b>2,905</b>
The adjustment is for changes in the costs payable to General Services Administration (GSA) and others resulting from changes in rates for office and non-office space as estimated by GSA, as well as the rental costs of other currently occupied space. These costs include building security; in the case of GSA space, these are paid to Department of Homeland Security (DHS). Costs of mandatory office relocations, i.e. relocations in cases where due to external events there is no alternative but to vacate the currently occupied space, are also included.		
<b>O&amp;M Increases from Moves out of GSA-Space into Bureau Space</b>	<b>-</b>	<b>-</b>
In accordance with space maximization efforts across the Federal Government, this adjustment captures the associated increase to baseline operations and maintenance requirements resulting from movement out of GSA or direct-leased (commercial) space and into Bureau-owned space. While the GSA portion of fixed costs will go down as a result of these moves, Bureaus often encounter an increase to baseline O&M costs not otherwise captured in fixed costs. This category of funding properly adjusts the baseline fixed cost amount to maintain steady-state funding for these requirements.		

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# Land Resources



## Activity: Land Resources

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
<b>Soil, Water &amp; Air Management</b>	<i>\$000</i>	42,939	43,239	+359	-863	+4,020	46,755	+3,516
	<i>FTE</i>	221	221		+0	+0	221	+0
<b>Rangeland Management</b>	<i>\$000</i>	79,000	79,000	+1,021	-601	-2,976	76,444	-2,556
	<i>FTE</i>	633	633		+0	-25	608	-25
<b>Grazing Administration Management</b>	<i>\$000</i>	0	0	+0	+0	+16,500	16,500	+16,500
	<i>Offset</i>	0	0	+0	+0	-16,500	-16,500	-16,500
	<i>FTE</i>	0	0		+0	+85	85	+85
<b>Public Domain Forest Mgmt</b>	<i>\$000</i>	9,838	9,838	+180	-38	+0	9,980	+142
	<i>FTE</i>	72	72		+0	+0	72	+0
<b>Riparian Management</b>	<i>\$000</i>	21,321	21,321	+324	-201	+1,340	22,784	+1,463
	<i>FTE</i>	159	159		+0	+2	161	+2
<b>Cultural Resources Mgmt</b>	<i>\$000</i>	15,131	15,131	+274	-199	+2,000	17,206	+2,075
	<i>FTE</i>	116	116		+0	+0	116	+0
<b>Wild Horse &amp; Burro Mgmt</b>	<i>\$000</i>	77,245	77,245	+327	-10	+2,993	80,555	+3,310
	<i>FTE</i>	172	172		+0	+0	172	+0
<b>Total, Land Resources</b>	<i>\$000</i>	<b>245,474</b>	<b>245,774</b>	<b>+2,485</b>	<b>-1,912</b>	<b>+7,377</b>	<b>253,724</b>	<b>+24,450</b>
	<i>FTE</i>	<b>1,373</b>	<b>1,373</b>		<b>+0</b>	<b>+62</b>	<b>1,435</b>	<b>+62</b>

### Justification of the 2016 Program Changes

The 2016 budget request for the Land Resources activity is \$253,724,000 and 1,435 FTE. This reflects net program changes totaling +\$7,377,000 and +62 FTE and internal transfers totaling -\$1,912,000 and 0 FTE from the 2015 enacted level.

### Activity Description

This activity provides for integrated management of public land renewable and cultural resources. The BLM manages these resources on a landscape basis, with each program contributing to the overall health of the land. Conserving, restoring, and sustaining land health is the foundation for the BLM's renewable resources management and is key to the agency's long-term strategic vision. Livestock grazing, timber harvesting and other resource uses can be sustained over time only if the land is managed to restore or sustain a healthy condition.

The programs in this activity, in concert with other BLM programs, work together to support the BLM mission by providing renewable resources, commercial and recreational uses and aesthetic benefits through healthy forests, healthy rangeland ecosystems, functioning watersheds and properly functioning riparian habitat. The BLM provides forage for livestock, protects cultural values, and maintains thriving wild horse and burro herds.

## Activity: Land Resources

### Subactivity: Soil, Water & Air Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Soil, Water & Air Management	\$000	42,939	43,239	+359	-863	+4,020	46,755	+3,516
	FTE	221	221		+0	+0	221	+0

Summary of 2016 Program Changes/Internal Transfers for Soil, Water & Air Management:	(\$000)	FTE
Enhance Core Capability	+1,520	+0
Youth in the Great Outdoors	+2,500	+0
Internal Transfer to National Conservation Lands	-863	+0
<b>Total</b>	<b>+3,157</b>	<b>+0</b>

### Justification of 2016 Program Changes

The 2016 budget request for the Soil, Water & Air Management activity is \$46,755,000, and 221 FTE. It reflects program changes of +\$4,020,000 and 0 FTE and an internal transfer of -\$863,000 and 0 FTE from the 2015 enacted level.

**Enhance Core Capabilities (+\$1,520,000/0 FTE)** – The 2016 budget request includes a program increase of \$1.5 million. The additional funds will better enable the BLM to meet its highest priority needs to meet federal and state regulatory requirements and compliance reporting, as well as enhance soil information necessary for project specific planning and emergency stabilization. The funds will be used to increase regional air resource monitoring and modeling efforts, specifically designed to share data across Federal agencies and support regional conventional and renewable energy development; enhance the development of Ecological Site Descriptions on range lands and within pilot areas for forestry, riparian and wetlands; increase water quantity compliance monitoring and reporting necessary to meet regulatory requirements as well as protect Federal reserve water rights; and support watershed assessment projects that promote an integrated implementation approach across BLM programs.

**Youth in the Great Outdoors (+\$2,500,000/0 FTE)** – The 2016 budget request includes a \$2.5 million increase for the Secretary's Youth in the Great Outdoors Initiative. The increased funding will allow the BLM to expand efforts to provide opportunities for the next generation to play, learn, serve, and work on public lands. Special consideration will be given to those programs that provide youth from diverse backgrounds with hands-on learning in Science, Technology, Engineering, and Mathematics (STEM), and prepare them for careers in STEM fields.

**Transfer to National Conservation Lands (-\$863,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Of the \$5.0 million transfer, \$863,000 will be transferred from Soil, Water and Air Management. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount

represents the amount this subactivity has contributed to the operations of the National Conservation Lands in recent years.

### **Program Overview**

The Soil, Water & Air Management Program supports a significant number of BLM activities and use authorizations, including energy development, endangered species recovery, grazing, recreation, and fire rehabilitation, that rely on the management of soil, water and air resources. The Soil, Water & Air Management Program collects and analyzes the soil, water, and air resource data needed to manage natural resources effectively, and applies expertise to assess, sustain, protect, and improve the productivity and resiliency of public lands. This data is a key component of sustainable BLM land management decisions. The program relies heavily on collaborative public-private partnerships to improve and enhance watershed, landscape, and air-shed conditions.

The Soil, Water & Air Management Program is responsible for:

- Compliance with anti-pollution laws such as the Clean Water Act and the Clean Air Act;
- Conducting soil surveys to understand soil distribution, properties and responses to various uses, as well as to understand important climate change processes such as terrestrial carbon sequestration;
- Developing ecological site descriptions to understand the processes that influence the type, amount, and distribution of vegetation within defined landscapes as well as provide key information to land managers for climate adaptation strategies;
- Monitoring and managing soils to support current land-health standards, sustain plant and animal productivity, maintain associated water and air quality, as well as reduce threats to human health and safety;
- Monitoring water resource conditions and trends, protecting Federal water rights and, where appropriate, acquiring water rights to ensure adequate quantities of water for public land management purposes;
- Monitoring water quality as well as identifying, promoting and implementing best-management practices to maintain and improve functioning aquatic ecosystems;
- Reducing salt and sediment discharge to waters in order to ensure usable water supplies for millions of downstream users;
- Assessing and analyzing impacts to air quality, visibility, noise, and climate; and
- Reporting greenhouse gas emissions as required under Executive Order 13514.

### **Means and Strategies**

- The Soil Water & Air Management Program will continue to promote watershed function and soil stability as the primary means to achieve BLM performance goals. Priority will be placed on providing land managers with access to the expertise needed to identify, monitor and assess the environmental effects of actions, use authorizations and their associated decisions.
- A five-year water resource strategy is under development and will set the priorities for the Water Program through 2020. Drought conditions continue to affect the western U.S. and are exacerbating soil erosion, air quality issues and water shortages. The Soil, Water & Air Program is developing a water strategy with these threats at the forefront, and is working with other BLM programs, as well as collaborative partners, to develop

- approaches that assist in managing valuable fundamental resources under persistent drought conditions.
- The BLM has drafted manual sections for water quality and groundwater and plans to finalize both manuals in 2015, as well as draft a handbook for watershed assessments.
- An air resource handbook has been drafted and will be completed in 2015.
- A five-year soil resource strategy is under development and will set the priorities for the Soil Program through in 2020. The strategy will help identify ecosystem services provided by soils within a landscape or watershed, as well as identify ways to improve collaboration between other programs and partners.

### **Critical Factors and Demands**

The BLM addresses a number of critical factors and demands in its Soil, Water and Air Program. These include the following:

- A changing climate and its potential to alter landscapes; the quantity, quality and distribution of water resources; soil quality; air quality; vegetative conditions and wildlife habitat; as well as associated socioeconomic values;
- Uncertainties regarding groundwater flows, soil properties and air resource impacts that, in many areas, influence decision-making;
- The establishment of extensive renewable energy development opportunities on public lands is a BLM priority. Hydrologists, soil scientists and air resource specialists are needed to assess and manage the resource impacts associated with this development.
- Greater water demands for economic development and requirements for ecosystem function are increasing the need to perfect and protect Federal water right interests.
- Stricter air quality standards, existing non-attainment areas, and visibility regulations are increasing the workload and technical demands associated with ensuring that activities that emit dust, ozone, smoke and other pollutants comply with the Clean Air Act.
- Increases in landscape disturbances magnify the challenges associated with meeting applicable water quality standards.

### **2016 Program Performance**

The Soil, Water & Air Management Program will continue to make progress towards key performance goals in 2016. Primary focus areas will include:

**Water Quality** - Improving or maintaining water quality on public lands remains an important objective. Efforts will continue to focus on implementing and refining best management practices for new and existing land use authorizations and activities, changing current management practices where appropriate, and restoring degraded watershed function. Increasing core capabilities will allow the program to support integrated watershed assessment and implementation pilot projects.

**Ecological Site Descriptions (ESD)** - ESDs are considered the best analytical approach for predicting how vegetation will respond to changes in management or climate conditions at the local and landscape scales. The Soil, Water & Air Management Program will fund multiple projects to aid in the development of ESDs needed for sage-grouse habitat management and energy development planning. In 2015, the BLM began collaborating with the Natural Resources Conservation Service and the U.S. Forest Service through an Interagency

Workgroup to address ESD development and uses as they relate to soils, as well as interagency training opportunities. The Interagency Workgroup will remain active in 2016. Increasing core capabilities will allow BLM's full participation in the implementation of ESDs across the landscape at all levels of the Bureau and provide funding for completion of ESDs in critical planning areas as well as in support of climate change priorities.

**Water Rights** – Demands for processing reserved and appropriative water rights actions with related litigation activities are expected to remain high. A typical workload ranges between 3,000 and 5,000 actions per year nationwide.

**Colorado River Salinity Control** - Efforts to reduce the transport of salts and sediment into the Colorado River will continue. The BLM annual performance goal associated with the Colorado River Salinity Control Program aims to reduce the transport of salts and sediment from public lands into the Colorado River system as well as aid in the improvement of land health within the basin.

**Air Resources** – The BLM expects to increase monitoring and assessment work in 2016 by approximately 20 percent above the 2015 levels, with the focus on regional projects.

**Groundwater Resources** - Efforts to understand the impacts of hydraulic fracturing and energy developments on groundwater will continue in 2016.

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## Activity: Land Resources

### Subactivity: Rangeland Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Rangeland Management	\$000	79,000	79,000	+1,021	-601	-2,976	76,444	-2,556
	FTE	633	633		+0	-25	608	-25
Grazing Administration	\$000	0	0	+0	+0	+16,500	16,500	+16,500
Management	Offset	0	0	+0	+0	-16,500	-16,500	-16,500
	FTE	0	0		+0	+85	85	+85

Notes: "The Range Improvements current mandatory appropriation is a collaborative activity of the Rangeland Management program. The 2015 enacted amount (post-sequester) for Range Improvements is \$9.28 million. The 2016 President's budget request for Range Improvements is \$10 million.

- The Resource Development Protection & Management permanent mandatory appropriation is a collaborative activity of the Rangeland Management program. The 2014 budget authority amount (post-sequester) for Resource Development Protection & Management was \$1.059 million. The 2015 estimated new budget authority amount for Resource Development Protection & Management is \$1.141 million.

- More information on these collaborative activities is found at the end of this section in a table titled Other Resources Supporting Rangeland Management and in the Range Improvements and Miscellaneous Trust Funds chapters, respectively.

Summary of 2016 Program Changes/Internal Transfers for Rangeland Management:	(\$000)	FTE
Shift to Fees	-2,976	-25
Internal Transfer to National Conservation Lands	-601	+0
<b>Total</b>	<b>-3,577</b>	<b>-25</b>

### Justification of 2016 Program Changes

The 2016 budget request for the Rangeland Management Program is \$76,444,000 and 608 FTE. This reflects a program change of \$-2,976,000 and -25 FTE and an internal transfer of -\$601,000 and 0 FTE from the 2015 enacted level.

**Grazing Permit Issuance/Shift Cost to Fees (-\$2,976,000/-25 FTE)** – The budget proposes to shift a portion of the costs of issuing and managing grazing permits from appropriated funds to fees. The reduction of \$3.0 million in the request for appropriations combined with the estimated \$16.5 million in fee collections from a new grazing administration fee will result in a net increase of \$13.5 million in funding resources available to address the grazing permit backlog. (Reference the Legislative Changes section below for a detailed description of the proposed administrative fee).

**Transfer to National Conservation Lands (-\$601,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Of the \$5.0 million transfer, \$601,000 will be transferred from Rangeland Management. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the

amount this subactivity has contributed to the operations of the National Conservation Lands in recent years.

## Legislative Changes

**Permit Administrative Processing Fee** - The 2016 budget includes appropriations language for a three-year pilot project to allow the BLM to recover some of the costs of issuing grazing permits/leases on BLM lands. The BLM would charge a permit administrative fee of \$2.50 per Animal Unit Month, which would be collected along with current grazing fees. The budget estimates the permit administrative fee will generate \$16.5 million in 2016 and that it will assist the BLM in processing pending applications for grazing permit renewals. During the period of the pilot, the BLM will promulgate regulations for the continuation of the administrative fee as a cost-recovery fee, to be in place once the pilot expires.

*SEC. 417. Beginning on March 1, 2016, and only to the extent and in the amount provided in advance in appropriations Acts, the Secretary of Agriculture shall collect an annual administrative fee for grazing domestic livestock on National Forests in the 16 contiguous western States and on National Grasslands in the amount of \$2.50 per head month for cattle and its equivalent for other livestock. The administrative fee shall be billed and collected using the process as provided in sections 222.50 through 222.52 of title 36, Code of Federal Regulations. Fees collected may be used, subject to appropriation, to offset the cost of administering the livestock grazing program. Nothing in this provision shall affect the calculation, collection, distribution, or use of the grazing fee under 43 U.S.C. 1751(b), title III of the Bankhead Jones Farm Tenant Act (7 U.S.C. 1010), and implementing regulations.*

*In fiscal year 2016, beginning on March 1, 2016, and only to the extent and in the amount provided in advance in appropriations Acts, the Secretary of the Interior shall collect an administrative fee to offset the increased cost of administering the livestock grazing program on public lands managed by the Bureau of Land Management by charging \$2.50 per Animal Unit Month, which shall be billed, collected, and subject to the penalties using the same process as the annual grazing fee in 43 C.F.R. 4130.8–1. Penalties assessed shall be deposited in the General Fund of the Treasury. Nothing in this provision affects the calculation, collection, distribution, or use of the grazing fee under 43 U.S.C. 315–315rr, 43 U.S.C. 1751(b), 43 U.S.C. 1905, Executive Order 12548, or administrative regulation.*

## Program Overview

### Program Components

The Rangeland Management Program focuses on efforts to maintain or improve public land health through monitoring and land health evaluations; administration of grazing use through 10-year permit renewals; development of grazing systems and range improvements; grazing permit compliance inspections; management of permittee, allotment and resource data; and management of invasive species and noxious weeds. Priorities are placed on processing the most environmentally sensitive permits first, in order to best manage livestock use and improve or maintain healthy land conditions.

The BLM manages approximately 17,750 livestock grazing permits and leases on the public lands. Livestock grazing is an integral part of the BLM multiple use mission and is authorized by the Taylor Grazing Act (1934), the Federal Land Policy Management Act (1976) and the Publi

Rangeland Improvement Act (1978).

Livestock grazing serves as an important tool that provides environmental benefits such as preservation of open space, managing fuel loads to reduce wildfire risks and enhances distribution of available water for wildlife. Ranchers often serve as the eyes and ears for public land managers and assist with public health and safety. They provide public lands information, report wildfires, assist in wildfire suppression when appropriate, restore land health, and assist in search and rescue operations.

Rangeland stewardship is recognized with an annual award presented by BLM. Success stories demonstrate to the public that good stewardship is improving rangelands.

The BLM also leverages grazing receipts with funds from local permittees/lessees to construct range improvement projects (reference the Range Improvement Account section for additional information). As described in the 2013 DOI Economic Report, the BLM's management of livestock grazing had a positive impact of \$1.43 billion on the economy and supported 16,694 jobs nationwide.

Noxious weed and invasive species management is a critical component of the Rangeland Management Program. Cooperative Weed Management Area partnerships and other cooperative efforts leverage funding to assist with weed inventory, land treatments, monitoring, and project work to improve land health. The BLM is also striving to create Coordinated Invasive Species Management partnerships to leverage partnerships that will target invasive species on the public lands.

### **Critical Factors**

Critical factors affecting the Rangeland Management Program include the following:

- A changing climatic regime, resulting in more frequent and severe floods and extended droughts, requires aggressive pursuit of adaptive management strategies.
- Frequent and severe wildfires have reduced the diversity of the western rangelands and have accelerated the spread of invasive species and noxious weeds.
- Changing and competing public demands require continuous assessment and modification of grazing practices and have made environmental reviews more complex.
- Development of public lands as part of the Secretary's Powering Our Future initiative for renewable and non-renewable energy and mineral resources may require mitigation efforts to offset loss of rangeland resources.
- Limited baseline data about soils, ecological sites, and factors associated with land health stressors, combined with limited monitoring data, have led to a large number of environmental lawsuits.
- Invasive and noxious weeds spreading over seventy-nine million acres of BLM-managed lands require greater efforts to control and manage.
- The complexity of permit processing has increased due to heightened National Environmental Policy Act complexity and legal challenges, mitigation and monitoring requirements, severe weather patterns, drought, catastrophic fire and other multiple use public land challenges.
- Catastrophic outbreaks of grasshopper and Mormon cricket populations that impact vegetation require emergency responses by the BLM and other Federal agencies

## Means and Strategies

The Rangeland Management Program coordinates with other BLM programs and partner organizations to achieve integrated vegetation management at the landscape level. In this coordinated effort, the Rangeland Management Program is addressing critical factors through multiple avenues, including:

- Using eco-regional assessments to identify conservation, development and restoration opportunities and strategies;
- Monitoring the effectiveness of grazing management in achieving land use plan and activity plan objectives, and in meeting land health standards;
- Collecting core indicator data in upland habitats and supporting landscape-level land health and condition monitoring;
- Conducting interdisciplinary land health evaluations on a watershed or landscape scale to help ensure a balanced approach to livestock grazing;
- Promoting adaptive management strategies;
- Ensuring that land health considerations and resource conflicts are the primary factors used to prioritize allotments for processing livestock grazing permit renewals;
- Using the permit issuance process, the Allotment Management Plans, and the Coordinated Resource Management Plans (RMP) to ensure scientifically-based livestock grazing management;
- Tiering permit renewals to RMPs and larger-scale NEPA documents;
- Completing a business process review in consultation with the U.S. Forest Service to look for efficiencies in the permit renewal process;
- Coordinating with other programs to work towards a national land treatment geospatial dataset that documents the location of treatments on the landscape and tracks their effectiveness;
- Educating youth about the importance and complexity of rangeland resources;
- Leveraging program funds with other Federal, State, and local agencies, permittees, and non-governmental organizations to implement on-the-ground Healthy Landscape and invasive species and noxious weed projects;
- Continuing research efforts in the use of livestock as a tool to decrease fuel loads, especially annual cheatgrass, to prevent catastrophic wildfire and restore desirable perennial grasses and forbs; and
- Collecting and sharing weed inventory data with Federal, State and county partners to identify weed infestation locations.

## Grazing Permit Renewal

In 2016, the BLM will continue to focus on processing the most environmentally sensitive grazing permits, including those authorizing grazing in priority sage-grouse habitat. Focusing on the most environmentally sensitive allotments allows for increased land health assessment and quantitative data collection efforts; improve the usefulness of RMP/EIS and site-specific NEPA analyses; and result in grazing management decisions that guide land health solutions for the future. This strategy will assist in ensuring that the backlog of unprocessed permits consists of the least environmentally-sensitive allotments that are more custodial in nature or are already meeting land health standards

Chart 1

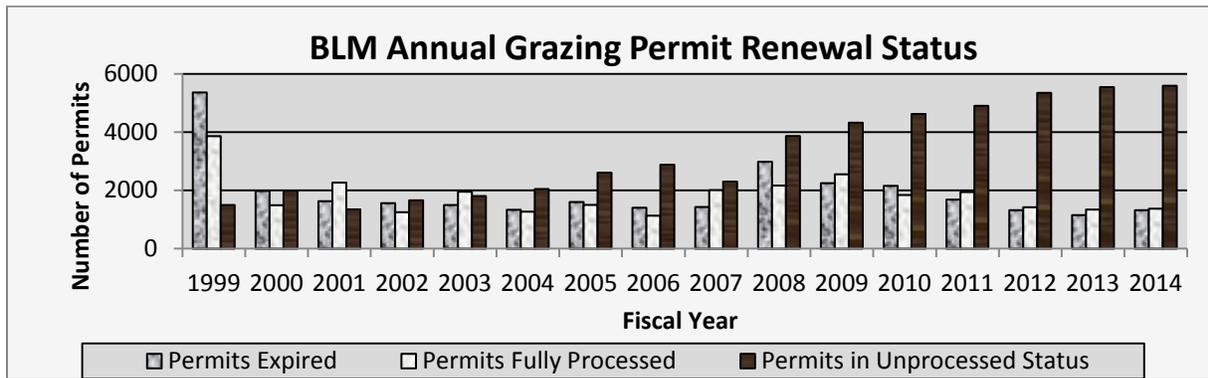


Chart 1 illustrates the status of processing grazing permits since 1999. Processing permits includes, at a minimum, NEPA and Endangered Species Act (ESA) compliance. Unprocessed permits are those issued in accordance with General Provisional language in Appropriations Acts.

Chart 2

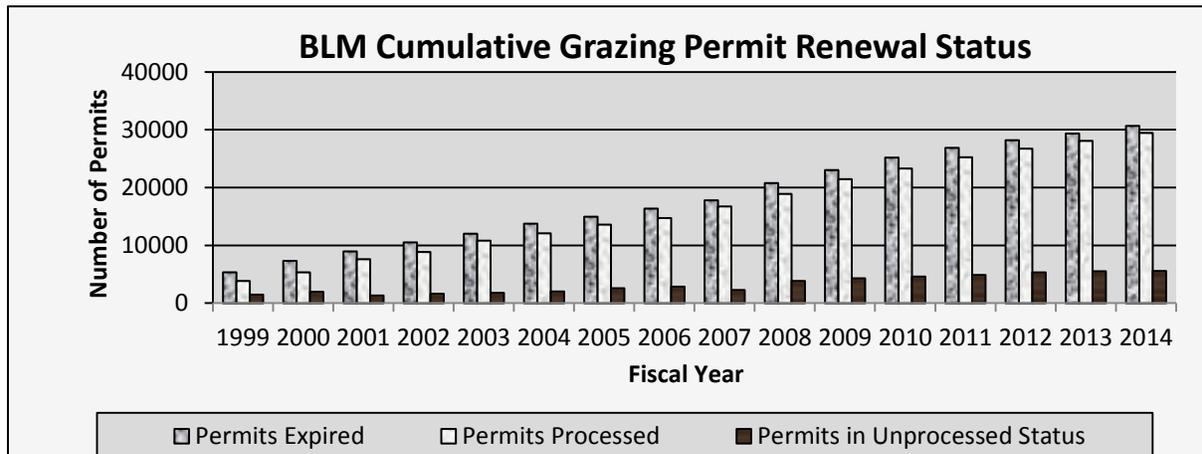


Chart 2 illustrates the cumulative number of permits processed since 1999. The number of permits processed per year is greater than the number of permits administered because some permits have expired more than once since 1999.

**Invasive Species and Weed Management**



Land areas that contain fire-adapted ecosystems and surface disturbance activities are most vulnerable to noxious weed and invasive species. The Noxious Weed and Invasive Species Management Program in the BLM Rangeland Management Program addresses these issues on BLM lands throughout the West. The BLM manages invasive species and weeds to improve habitat in the riparian areas that are critical to 60 percent of the wildlife species in semi-arid environments and to improve the terrestrial habitat areas that are critical for the Greater Sage-Grouse.

As part of the President’s Priority Agenda on “Enhancing the Climate Resilience of America’s Natural Resources”, the BLM will continue to prioritize its ongoing Early Detection

and Rapid Response efforts and focus on areas where invasive species were previously unknown or limited in their expansion on public lands.

Internal and external partners are critical for the BLM to succeed in detecting, controlling and managing noxious weeds and invasive species. The Partners Against Weeds Action Plan, Pulling Together, National Strategy for Invasive Plant Management, and the National Invasive Species Management Plan assist in education, prevention, inventory, and monitoring efforts while using an Integrated Pest Management approach to control and restore areas impacted by weeds and invasive species. The 2016 Department of Interior Invasive Species Strategy will provide Interior agencies further guidance for forming partnerships and leveraging resources across agencies.

Chart 3

BLM Inventory and Treatment of Weeds

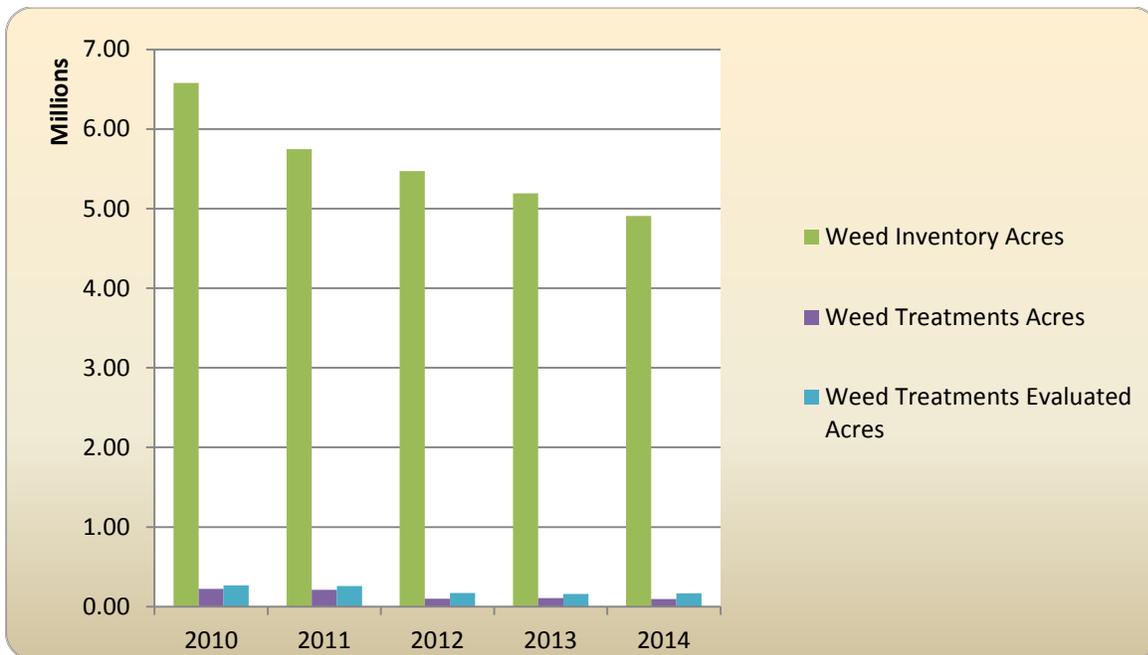


Chart 3 illustrates the number of acres inventoried and treated for weeds since 2010.

### Other Program Resources

Other Resources Supporting Rangeland Management:					
		2014 Actual	2015 Estimate	2016 Estimate	Change from 2015
Resource Development Protection & Management	\$000	1,057	1,713	1,713	+0
	FTE	3	3	3	+0
Range Improvements	\$000	9,280	9,270	10,000	+730
	FTE	36	36	36	+0

*Notes:*

- Resource Development Protection & Management amounts are shown as new budget authority derived from non-federal sources (contributed funds); the Taylor Grazing Act of 1934, as amended (43 USC 315h, 315i) appropriates these funds on a permanent basis. More information on Resource Development Protection & Management is found in the Miscellaneous Trust Funds chapter

- Range Improvements amounts are shown as new budget authority derived from 50 percent of the grazing fees collected on BLM-managed lands, with any difference appropriated from the General Fund; the annual Interior, Environment, and Related Agencies Appropriation Act appropriates these funds on a current basis. More information on Range Improvements budget request is found in the Range Improvements chapter

- Actual and estimated obligations, by year, for Resource Development Protection & Management and Range Improvements are found in President's Budget Appendix under the BLM section

\*Amounts in 2014 and 2015 are shown net of sequestration

### 2016 Program Performance

**Permit Renewal:** The BLM will continue to prioritize permit renewals based on environmental sensitivities and continue to review and use existing NEPA analyses as appropriate. When necessary, the BLM will supplement or tier to existing NEPA to address changes or analyze new information. When new NEPA is needed, BLM will analyze grazing use on an allotment or multiple allotment basis where appropriate. The BLM will continue to emphasize the collection of quantitative resource data for more defensible decisions, and will work closely with stakeholders, local governments, and the public during allotment plan development, evaluations and the NEPA process.

The BLM will use authorities provided in Federal Land Policy and Management Act as amended by PL 113-291 to continue to process the most environmentally sensitive allotments in preparation for renewing grazing permits. The BLM also plans to use the \$16.5 million collected under the proposed permit administrative fee to process existing 235 grazing permits and leases, monitor 200 allotments, assess 1.5 million acres of watersheds, and complete 185 land health evaluations.

In addition, about one-half of the \$16.5 million will be used to support new permit processing and monitoring of livestock use in sage-grouse habitat. The increase in monitoring effort is expected to occur in the allotments currently monitored. There will be an increased number of compliance visits to each allotment 3,000 to 4,000 other allotments within sage-grouse habitat.

The grazing permit/lease processing work is included within DOI Strategic Measure 'Percent of grazing permits and leases processed as planned consistent with applicable resource management plans'. Barring a catastrophic fire season in 2016, BLM field offices would be able to utilize the monitoring and land health assessment data collected from the past few years to

complete NEPA and other work related to grazing permits renewals.

**Noxious and Invasive Weeds and other invasive species:** The BLM will continue to inventory invasive and noxious weeds and other invasive species infestation on BLM lands. The BLM will identify and treat high-priority areas and monitor treated areas to determine the effectiveness of treatments. These efforts contribute to the DOI Strategic Measure 'Percent of baseline acres infested with invasive plant species that are controlled.'

**Land Health Assessment and Monitoring:** BLM-managed rangelands are assessed and monitored to direct management actions to areas not meeting desired conditions. Data collected during rangeland assessment and monitoring activities are used as one component in determining the DOI Strategic Measure 'Percent of DOI acres that have achieved desired conditions where condition is known and as specified in management plans.'

**Land Restoration:** Land treatments and project completion data will be used to determine the DOI Strategic Measure 'Number of DOI acres restored to the condition specified in management plans.'

## Activity: Land Resources

### Subactivity: Public Domain Forest Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Public Domain Forest Management	\$000	9,838	9,838	+180	-38	+0	9,980	+142
	FTE	72	72		+0	+0	72	+0

#### Summary of 2016 Program Changes/Internal Transfers for Public Domain Forest Management:

	(\$000)	FTE
Internal Transfer to National Conservation Lands	-38	+0
<b>Total</b>	<b>-38</b>	<b>+0</b>

Other Resources Supporting Public Domain Forest Mgmt:					
		2014 Actual	2015 Estimate	2016 Estimate	Change from 2015
Forest Ecosystem Health & Recovery	\$000	4,524	3,601	6,396	+2,795
	FTE	48	48	48	+0
USFS Forest Pest Control	\$000	310,000	606,000	500,000	-106,000
	FTE	0	0	0	+0

#### Notes:

- Forest Ecosystem Health & Recovery amounts are shown as new budget authority derived from the federal share of receipts from all BLM timber salvage sales, and from BLM forest health restoration treatments funded by this account; 43 USC 1736a appropriates these funds on a permanent basis. Forest Ecosystem Health & Recovery is used on both Public Domain Forestry and Oregon and California Grant Lands. More information on Forest Ecosystem Health & Recovery is found in the Permanent Operating Funds chapter.

- Amount in 2014 and 2015 for Forest Ecosystem Health & Recovery shown net of sequestration

- Actual and estimated obligations, by year for Forest Ecosystem Health & Recovery are found in President's Budget Appendix under the BLM section

- USFS Forest Pest Control amounts are shown as estimated transfers. More information on USFS Forest Pest Control is found in the U.S. Forest Service budget Justifications. USFS Forest Pest Control is used on both Oregon and California Grant Lands

### Justification of 2016 Program Changes

The 2016 budget request for the Public Domain (PD) Forestry Management Program is \$9,980,000 and 72 FTE and reflects an internal transfer of -\$38,000.

**Transfer to National Conservation Lands (-\$38,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Of the \$5.0 million transfer, \$38,000 will be transferred from Public Domain Forest Management. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the amount this subactivity has contributed to the operations of the National Conservation Lands in recent years.

## Program Overview

### Program Components

The PD Forest Management Program manages and conserves 58 million acres of forests in 12 western States, including Alaska. The PD Forests have broad uses and serve the public, both directly and indirectly. Forests store and filter water for aquifers and reservoirs; offer opportunities for recreation; provide habitat for thousands of species; support timber and other jobs; provide millions of board feet of lumber and thousands of tons of biomass for alternative energy. Maintaining resilient forests and woodlands also plays an important role in carbon sequestration and providing clean air. According to the Department of the Interior's 2013 Economic Impact Report, timber harvested from PD forests supported \$156 million in economic activity, and biomass from BLM forests has become part of the feedstock that meets various State and Federal renewable energy portfolio standards.

In coordination with other vegetation management programs, the PD Forest Management Program seeks large landscape approaches to managing land resources. The program maintains and improves the resilience of forest and woodland ecosystems. Density management through timber sales and stewardship contracts is essential to maintaining resilient forests. The program also administers various requirements of the Department of the Interior such as regulation, accounting and record keeping, volume estimation, appraisal, and permitting of vegetative materials under the Materials Act of 1947.

Healthy, resilient forests provide habitat for a variety of flora and fauna, including whitebark pine, an Endangered Species Act (ESA) candidate currently classified as "warranted, but precluded." Maintaining healthy and productive forests requires active management. A century of wildfire suppression has left forests choked with fuels that contribute to costly, catastrophic fires, while changing climate and drought reduces the resiliency of the forests and leaves the trees vulnerable to damage from insects and disease.

The BLM leverages Forest Ecosystem Health and Recovery funding, USDA Forest Health Protection funding, and stewardship authority to maximize program accomplishments. The program also coordinates with the Wildland Fire Management Program to leverage funds for hazardous fuels reduction projects.

### Critical Factors

Critical factors affecting the Public Domain Forest Management program include:

- Approximately 14 million acres (or 24 percent) of PD forests are overstocked and at increased risk of insect and disease attacks and catastrophic wildfire. Prime among these risks are the mountain pine beetle and the spruce budworm, which are currently killing intermountain pine and fir on BLM forestlands. In addition, an invasive fungus, white pine blister rust, has infiltrated the colder altitudes where whitebark pine thrives. The U.S. Fish and Wildlife Service (FWS) judges that these factors, along with fire and warming climate, undermine species' viability and may cause the whitebark pine to disappear within two to three generations. Other high elevation species such as limber pine and bristlecone pine are likely to face similar threats soon.

- The capacity of BLM foresters to plan and implement treatments on the ground to take advantage of the increase in demand for wood products as economic conditions are improving, sawmills are reopening, and bioenergy facilities are coming online is critical to increasing forest resilience. Since most forest health and restoration treatments are accomplished through the sale of timber and by-products resulting from the treatments, purchasers of forest product raw materials decrease the BLM's cost of conducting treatments and restoration on a per acre basis.
- Maintaining support and supply to local industry infrastructure is critical to accomplishing necessary forest management treatments over the long term.
- Energy prices and high unemployment rates increase the demand for firewood in rural areas, leading to significant increases in illegal taking of woodland resources. For example, in Cuba, New Mexico, thousands of local individuals, including many Native Americans, use pinyon-juniper forests for cooking and heating their homes, cutting trees with a legal permit. Demand for firewood recently increased, perhaps due to economic hardship and rising propane prices. As a result, illegal woodcutting occurred in areas popular for hiking and valued for scenic and resource values. BLM New Mexico foresters quickly moved to develop more legal firewood areas to meet local demand; inventory stolen trees for timber theft reports and citations; patrol both legal firewood areas as well as areas of illegal woodcutting; and conduct community outreach and educational meetings. As a result, Farmington and Rio Puerco Field Office Law Enforcement Rangers have seen a decline in illegal woodcutting.
- Collaborating with local communities and partners is critical to implementing successful forest conservation projects that support rural economies and provide outstanding customer service.
- Biomass from BLM forest and woodland projects has become part of the feedstock that energy companies are relying on to meet various State and Federal renewable energy portfolio standards.

#### **Drought, Wildfire, and Forests**

Extreme drought and drought-fueled wildfires plagued much of the West over the past decade, impacting forest health and local economies. In 2014, fire impacted over 123,000 acres of BLM forest. Over 1.7 million acres of forest mortality exists due to bark beetles and insect attack. Many of these acres are salvageable for timber, which clears the way for reforestation.

#### **Means and Strategies**

The BLM coordinates the strategies of PD Forest Management with other BLM programs and partner organizations to achieve integrated vegetation management at the landscape level using a corporate approach to managing ecosystem functions and services by emphasizing shared on-the-ground vegetation goals across programs, processes, and scales.

The BLM integrated the national-level coordination of vegetative management, including forestry, rangeland management, riparian management, plant conservation, invasive weeds, and fire rehabilitation into a cohesive team that leverages resources to make policy development more collaborative at a landscape scale. In this coordinated effort, the BLM is addressing forest management critical factors through multiple activities, including using results from the BLM's Rapid Ecoregional Assessment process to identify focal areas for forest management activities at the ecoregional scale.

The PD Forest Management Program achieves land use goals by:

- Implementing science-based forest restoration projects to improve forest health and resilience, which increases resistance to wildfires, disease, drought, invasive pests, and climate change at the landscape scale;
- Sustainably harvesting and regenerating forests and woodlands to produce a continuous supply of wood products and renewable energy feedstocks;
- Salvaging dead and dying timber to promote forest health and reduce hazardous fuels, in balance with the need for wildlife habitat, watershed function, and soil stability, while supporting local economies;
- Providing the public with commercial and personal use opportunities to harvest products such as firewood, Christmas trees, boughs, greenery, medicinal plants, fence posts, and pinyon pine nuts from forests and woodlands. In 2014, over 20,000 firewood permits, with a market value of over \$15 million, were sold that continue to provide a renewable energy source for heating thousands of households in rural communities;
- Inventorying 58 million acres of forest resources through a national database;
- Utilizing the Good Neighbor authority to achieve forest health treatments on a landscape level across BLM, State, and private lands to increase forest resiliency;
- Utilizing stewardship contracting authority, a vital tool for forest and woodland conservation. From 2008 - 2014, Stewardship contracting offered approximately 85 MMBF from Public Domain (PD) land, which is 25 percent of the total volume offered in the PD over that period. Stewardship contracting is also an effective tool for increasing biomass utilization. During the same period, the BLM offered 493,000 tons of biomass through Stewardship contracts. These volumes are essentially by-products of forest health treatments implemented through Stewardship contracts with acreage totaling over 85,000 acres.
- Collaborating with conservation districts to implement forest restoration, support rural economies, and meet multiple use objectives. For example, in Weaverville, California the BLM and Trinity County Conservation District are expanding a community forest. Through a stewardship agreement, the BLM works with the community to manage the forest, including reducing hazardous fuels, providing timber to meet local industry needs, preserving the scenic view from downtown Weaverville, maintaining and building recreational trails, using the forest as an outdoor classroom, and protecting cultural and historical resources.
- Engaging, employing, and educating youth, Native Americans, and veterans in forestry. In 2014, students, interns, and volunteer youth completed over \$2.0 million worth of forestry project work; foresters in Alaska and Montana conducted field camps for Native American youth, while in New Mexico, youth from the Ramah Navajo Chapter worked to thin forests and plant trees; and in Colorado and New Mexico, veterans crews completed pre-commercial thinning, hazard tree felling, and patrolling firewood cutting areas.
- Implementing stewardship agreements which exchange harvested forest products for the forest health treatments and use matching funds to treat greater acreage;
- Expediting NEPA processes to accelerate the removal of beetle-killed timber to reduce the risk of catastrophic fire and minimize risks to the recreating public. In 2014, two field offices in Colorado launched a pilot project to contract out the NEPA and cultural surveys so that the work will be completed in 2015.
- Investing in new technology to improve efficiencies. In 2015, the forestry program is consolidating national forestry applications into one system and is developing a national forest inventory platform; using mobile data collectors to collect inventory, cruising, and scaling data and uploading it directly into databases, eliminating the need to manually

- enter data into spreadsheets; and combining accounting systems with timber sale systems to eliminate duplicate data entry.
- Supporting renewable energy goals by promoting the direct conversion and use of woody biomass for energy within BLM-owned facilities, as a part of an interagency bioenergy facility initiative;
- Requiring that all measurable biomass by-products from forest treatments such as timber sales, stewardship contracts, and hazardous fuels reduction are offered for utilization when ecologically appropriate and where biomass markets exist; and
- Implementing the Biomass Crop Assistance Program with the Farm Services Agency to allow for matching payments towards delivery of biomass to bioenergy facilities.

### 2016 Program Performance

The BLM will accomplish program performance through sales and stewardship contracts to achieve desired future conditions on the 58 million acres of forests and woodlands in the public domain, offering economic benefits for the present and managing forest health for the future.

In 2016, the PD Forest Management program will address several DOI strategic and Bureau plan performance measures:

- Forest and woodland areas are assessed and monitored to direct management actions to areas not meeting desired conditions. Data collected during forest and woodland assessment and monitoring are used as one component in determining the Bureau plan measures “Percent of DOI acres that have achieved desired conditions where condition is known and as specified in management plans” and “Number of DOI acres restored to the condition specified in management plans.” Annual increases in forest and woodland acreages continue to contribute to achievement of these performance measures.
- The BLM will continue to use timber sales to achieve desired future conditions of forest stands to meet the Strategic Plan measure “Volume of Wood Products Offered.” Similarly, to the extent possible, the BLM will use forest product sales and permits to achieve desired future conditions of forest and woodland stands by offering wood products as biomass, a Bureau plan measure.
- BLM Montana is a partner in the Nature Conservancy-organized Centennial Fire Learning Network in Montana. Its primary goal is to advance landscape-scale fire restoration in the western portion of the Greater Yellowstone Ecosystem and the High Divide region through focused multi-agency projects, sharing of lessons learned and the use of rigorous science to guide managers. The Dillon Field Office forestry and fuels programs worked together to successfully complete several large-scale forest restoration treatments targeting old-growth Douglas-fir savannahs and are working on several ongoing aspen enhancement projects, managing for healthy, resilient forests. Scientists from Federal and State land management agencies, Beaverhead County, University of Montana-Western, University of New Mexico, the Greater Yellowstone Coalition, Montana Logging Association and The Nature Conservancy toured BLM project sites and agreed that the projects are soundly based in science, and serve as a model for forest management in similar ecosystems.

**Pocatello, Idaho Team Salvages Wood from the State Fire and Restores Ecosystems**

When the smoke cleared in August of 2013, the State Fire had burned more than 30,000 acres in both Utah and Idaho. The disturbance of such a large area has implications on a variety of resources from soil erosion, invasive weed spread to loss of wildlife habitat. An interdisciplinary team of resource specialists worked quickly to design and implement a project in 2014 - 2015 to salvage 913 MBF of timber using existing roads; enhance soil stabilization; stimulate aspen regeneration for elk, deer, and grouse; create migratory bird and raptor habitat; increase economic opportunities for the local area; designate firewood harvesting areas for residents; plant trees and aerially seed sage brush.



Pocatello Field Office's Interdisciplinary team headed to the State fire to conduct an on the ground tour to discuss post fire management tactics.

## Activity: Land Resources

### Subactivity: Riparian Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Riparian Management	\$000	21,321	21,321	+324	-201	+1,340	22,784	+1,463
	FTE	159	159		+0	+2	161	+2

Summary of 2016 Program Changes/Internal Transfers for Riparian Management:		(\$000)	FTE
Enhance Core Capability		+1,340	+2
Internal Transfer to National Conservation Lands		-201	+0
<b>Total</b>		<b>+1,139</b>	<b>+2</b>

### Justification of 2016 Program Changes

The 2016 budget request for the Riparian Management Program is \$22,784,000 and 161 FTE, and reflects an internal transfer of -\$201,000 and a program change of +\$1,139,000 and +2 FTE from the 2015 enacted level.

**Enhance Core Capability (+\$1,139,000/+2 FTE)** – The 2016 budget request includes a \$1.3 million increase to strengthen BLM’s core capability to pursue a landscape approach to managing BLM vegetation resources, including managing over 150,000 miles of riparian areas and nearly 13 million acres of wetlands. Increased funding will be used to treat acres not meeting land health standards in sage-grouse habitat and to identify and prioritize management and restoration efforts and to support BLM management decisions. Increased funding will also be used for monitoring and assessment of drought conditions with a goal of improving the quality and quantity of water for wildlife.

**Transfer to National Monuments & National Conservation Areas (NM&NCAs) (-\$201,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Of the \$5.0 million transfer, \$201,000 will be transferred from Riparian Management. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the amount this subactivity has contributed to the operations of the National Conservation Lands in recent years.

### Program Overview

#### Program Components

Riparian-wetland areas are important components in every landscape type. In the arid West, these moist, green areas are especially critical to sustaining ecosystem functions and services, providing terrestrial and aquatic wildlife habitat, reducing erosion, improving water quality, and

providing recreational opportunities. Although they are a small component of landscapes in the West, the diversity of uses and functions of riparian-wetland resources and their geographical position on the landscape make these areas indicators of overall ecosystem function.

Healthy riparian areas play a prominent role in the Bureau's ability to maintain working landscapes on public lands while managing for sage-grouse populations by providing shelter from predators and supplying the critical foods necessary for the species' survival. Highly functioning riparian areas can also help prevent the spread of wildfires. The BLM's Riparian Management Program provides the framework for managing over 150,000 miles of riparian areas and nearly 13 million acres of wetlands. In coordination with the other BLM programs, the Riparian Management Program pursues a landscape approach to managing BLM vegetation resources.

### **Critical Factors**

A number of external factors impact the Riparian Management Program, including:

- A changing climatic regime resulting in more frequent and severe floods and extended droughts, and requiring aggressive adaptive management strategies.
- Growing demands upon water resources and impacts from land-use changes, which increase monitoring workloads and necessitate adaptive management strategies.
- Development of public lands as part of the Powering Our Future initiative, requiring mitigation efforts to offset water discharge, water pollution, and water loss.
- Spread of invasive terrestrial and aquatic species, such as tamarisk and quagga mussel, requiring additional monitoring and treatment to prevent degradation of functioning ecosystems and native plant and animal communities.
- Increasing urgency to restore and protect habitats as the number of sensitive and special status species grows. Many of these species, including sage-grouse, southwest willow flycatcher, cutthroat trout, bullhead trout, and numerous plant species have a critical nexus with riparian resources.
- Urban growth and increasing public use of riparian-wetland areas, requiring additional monitoring to detect degradation from trails, transportation routes, and visitor use activities and to prioritize restoration activities.
- Catastrophic wildfires that negatively impact riparian resources, increasing the workload associated with stabilizing and rehabilitating burned areas and monitoring treatment success, land condition, and trends.

### **Means and Strategies**

To better achieve program goals and provide improved management of public lands, the BLM has adopted a corporate approach to managing ecosystem functions and services by emphasizing shared on-the-ground vegetation goals across programs, processes, and scales. In this coordinated effort, the Riparian Management Program is addressing critical factors through multiple activities, including:

- Incorporating Rapid Ecoregional Assessment information, where appropriate, into riparian-wetland planning and management activities;
- Implementing riparian restoration in high-priority focal areas using step-down strategies developed from the BLM's Landscape Approach for Managing Public Lands;

- Conducting qualitative Proper Functioning Condition Assessments and collecting quantitative core aquatic and terrestrial indicator data per the Assessment, Inventory and Monitoring (AIM) Strategy in coordination with land health assessments on a watershed or landscape-scale basis
- Supplementing AIM data with critical program data through multiple indicator monitoring to begin devising a quantitative, statistically-robust methodology for landscape-scale riparian monitoring;
- Prioritizing riparian treatments in areas functionally at-risk (especially those with high resource values), in order to protect sage-grouse and ecologically important plant and animal communities;
- Coordinating with the Fisheries Management and Soil, Water & Air Management Programs to devise cross-cutting, watershed-scale strategies and policies that will address water resource impacts from drought, development, and other stressors;
- Completing on-the-ground restoration projects using funds provided by the Clean Water and Watershed Restoration Act;
- Educating youth about the importance and complexity of riparian-wetland resources;
- Capturing legacy and new assessment and AIM monitoring data into a national geospatial dataset in order to more efficiently analyze and report on the conditions and trends of riparian resources;
- Coordinating with other BLM programs to build a land-treatments national geospatial dataset to document the location and effectiveness of treatments on the landscape;
- Using the interagency Creeks and Communities Strategy to cooperate with diverse stakeholders across jurisdictional boundaries and to provide training and coaching to the field; and
- Leveraging Riparian Management Program funds with funds from other Federal, State, and local agencies and NGOs to implement on-the-ground projects.

### **2016 Program Performance**

In 2016, the Riparian Management Program will continue to improve land and water health through ongoing management of wetlands and riparian areas. Program activities will contribute to three DOI performance measures:

- Assessment and monitoring of riparian areas are crucial activities of the Program, directing management actions to those areas not meeting desired conditions as part of an adaptive management strategy. The DOI Strategic Plan measures the percentage of DOI riparian (stream/shoreline) miles that have achieved desired condition.
- Similar to riparian areas, wetland areas also are assessed and monitored in order to direct management actions to areas not meeting desired conditions. Data collected during wetland assessment and monitoring are used to measure the percentage of DOI acres that have achieved desired conditions where condition is known and as specified in management plans.
- On-the-ground restoration and management activities conducted by the program contribute directly to the improvement of degraded riparian areas. These actions are essential to meeting the Department's performance measure concerning the number of DOI riparian (stream/shoreline) miles restored to the condition specified in management plans. In 2016, the Program will restore approximately 250 miles of riparian area.

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## Activity: Land Resources

### Subactivity: Cultural Resources Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Cultural Resources Management	\$000	15,131	15,131	+274	-199	+2,000	17,206	+2,075
	FTE	116	116		+0	+0	116	+0

Summary of 2016 Program Changes/Internal Transfers for Cultural Resources Management:	(\$000)	FTE
Safeguarding Our Irreplaceable Heritage	+2,000	+0
Internal Transfer to National Conservation Lands	-199	+0
<b>Total</b>	<b>+1,801</b>	<b>+0</b>

### Justification of 2016 Program Changes

The 2016 budget request for the Cultural Resources Management Program is \$17,206,000 and 116 FTE. This reflects a program change of +\$2,000,000 and 0 FTE and an internal transfer of -\$199,000 and 0 FTE from the FY 2015 enacted level.

**Safeguarding Our Irreplaceable Heritage (+\$2,000,000/0 FTE)** – The 2016 budget request includes a program increase of \$2.0 million to enhance the BLM's capacity to manage unique, irreplaceable heritage resources. The program will conduct up to 60 additional localized on-the-ground inventories of sensitive areas, and site protection and stabilization projects for priority sites vulnerable to the effects of climate change (e.g. fire, erosion, water levels) and unauthorized activities. Projects will also focus on updating regional overviews and further implementing predictive modeling and data analysis to enhance the bureau's ability to address large-scale, cross-jurisdictional land-use.

**Transfer to National Conservation Lands (NM&NCAs) (-\$199,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Of the \$5.0 million transfer, \$199,000 will be transferred from Cultural Resources Management. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. . The transfer amount represents the amount this subactivity has contributed to the operations of the National Conservation Lands in recent years

## Program Overview

The BLM is responsible for the largest, most diverse and scientifically important aggregation of cultural, historical, and paleontological resources on the public lands, as well as the museum collections and data associated with these heritage resources. These cultural resources represent all major periods, events, and communities in the broad sweep of human habitation in the West over a 10,000 year period.

These heritage resources are managed to ensure the cultural, educational, aesthetic, inspirational, and scientific values are preserved, and the recreational and economic benefits are realized for today's communities as well as future generations in compliance with Federal laws and regulations.

### The BLM's heritage resources include:

- 366,232 recorded cultural properties
- 3,156 cultural properties protected
- 108 historic properties listed on the National Register, 2,167 contributing properties, and 49,734 properties eligible for listing
- 3,965 monitored archaeological sites
- 431 maintained historic structures
- 17,129 recorded paleontological localities
- 10 million documented artifacts and specimens in 158 museums and universities.

The program also provides expertise and capabilities to facilitate compliance with Section 106 of the National Historic Preservation Act (NHPA) required for other BLM programs and land-use proponents to implement proposed actions on the public lands that will effect historic properties, such as energy development, recreation, grazing, and other planned activities. Up to 13,000 land-use proposals are reviewed annually for potential effects to historic properties. Compliance costs are to be funded by the benefitting subactivity program or the proponent. The tools and processes developed by the Cultural Resources Management Program streamline the compliance process, providing significant cost-savings and efficiencies.

The program:

- Manages and protects archaeological sites and historic properties as directed by the Archaeological Resources Protection Act (ARPA) and NHPA, including inventorying the public lands for cultural resources, stabilizing and monitoring sites.
- Manages and protects paleontological localities and implements the Paleontological Resources Preservation subtitle of the Omnibus Public Lands Act of 2009 (PRPA), including inventorying the public lands for fossils, and stabilizing and monitoring localities.
- Curates the 10 million documented artifacts, specimens, and associated records in the BLM's three museum facilities and in coordination with the 155 State, tribal, and non-profit partner museums and universities.
- Facilitates Government-to-Government consultation with Indian Tribes and Alaska Native Governments concerning traditional tribal activities and places of special meaning on the public lands, such as sacred sites and places of religious significance.

### Inventory and Protection Projects

Most heritage projects are accomplished in partnership with regional and local universities and community groups, enabling the agency to leverage funds with matching partner resources. Recent reductions in funding have made maintaining partnerships difficult or stalled ongoing projects, as well as resulted in decreases in core performance metrics for inventory, monitoring, stabilization, and study of priority heritage resources, as well as collections management and repatriation responsibilities.

- Complies with the Native American Graves Protection and Repatriation Act (NAGPRA) to inventory and repatriate Native American human remains and cultural items held in collections and respond to new discoveries of such on the public lands.
- Develops and implements educational and interpretative opportunities for the public to engage with cultural and paleontological resources.
- Facilitates academic and scientific research on cultural and paleontological resources to enhance scientific understanding and support decision-making.

### Critical Factors

The program faces a broad range of challenges and critical factors, including:

- Increased development of energy resources and transmission facilities, and opportunities for regional mitigation challenge the BLM to compile and synthesize data at a broad scale and provide efficient and effective NHPA Section 106 compliance.
- Theft, destruction, and vandalism of heritage resources as a result of increased accessibility of once-remote public lands, and urban and suburban encroachment.
- Enhanced protection of paleontological resources under the new statutory mandates for the management, preservation, and protection of fossils under PRPA.
- Inventoring Native American cultural items held in museum collections and consulting with Indian Tribes to determine disposition leading toward repatriation as highlighted by a 2010 audit of NAGPRA compliance by the Government Accountability Office.
- Identifying and curating artifacts and specimens recovered from the public lands, upgrading preservation and documentation for accountability, ensuring access and use for research and public benefit, and enhancing partnerships with repositories that curate BLM collections.

### Means and Strategies

The program prioritizes proactive management and achieves efficiencies for NHPA Section 106 compliance by:

- Creating efficiencies in NHPA Section 106 compliance requirements by streamlining the review process for other BLM programs and land-use proponents.
- Enhancing tribal participation in decision-making processes through Government-to-Government consultation with Indian Tribes and Native Alaska villages and corporations, and drafting a new tribal consultation and coordination manual and handbook that addresses

#### NHPA Section 106 Casework

Section 106 of the NHPA requires the BLM to take into account the effects of its actions on historic properties and provide the Advisory Council on Historic Preservation (ACHP) with a reasonable opportunity to comment. Annually, the BLM reviews up to 13,000 land use proposals for their potential effect on properties listed on, or eligible for listing on, the National Register of Historic Places. The BLM's national Programmatic Agreement with the ACHP and National Conference of State Historic Preservation Officers is the primary mechanism for achieving cost efficiencies and flexibility in the NHPA Section 106 review process.

#### Regional Cultural Resource Overviews

The landscape approach and the large-scale projects planned on the public lands necessitates that the BLM maintains high-level, comprehensive, regional overviews that synthesize available information and analysis at a broad scale. The BLM has the tools and processes for meeting this need and will complete or update overviews in key areas. These inventory overviews help identify cultural resources on the ground, inform sampling strategies and predictive modeling, identify areas where cultural resource conflict may occur, and provide a framework for National Register evaluations. They are meant to significantly reduce the cost of subsequent projects or planning efforts.

government-to-government tribal consultation across all BLM programs.

- Incorporating the BLM's landscape approach to public land management to address landscape-scale concerns associated with the inventory, assessment, mitigation and monitoring of heritage resources.
- Maintaining active working relations with State Historic Preservation Offices as part of the BLM's Cultural Resources Data Sharing Partnership in order to share costs to automate and digitize site records, and to analyze this information for use in planning and expediting review of land use undertakings as part of NHPA Section 106 compliance at a significant cost savings for the bureau and proponents.
- Supporting Law Enforcement efforts to curb criminal acts prohibited by ARPA, NAGPRA, PRPA and other Federal statutes protecting cultural and paleontological resources.
- Partnering with universities, museums, and other scientific organizations to leverage public/private investments.
- Creating volunteer and youth experiences for community-based conservation and educational activities, and entry-to-journeyman-level opportunities, as seasonal hires, utilizing students and recent graduates.

### **2016 Program Performance**

In 2016, the primary performance program goals for the condition of Archaeological Sites, Historic Structures, and Museum Collections will be to maintain minimum benchmarks for proactive management of heritage resources, focusing on the highest priority, most vulnerable resources. The program will also continue to support agreements and protocols that facilitate streamlined NHPA Section 106 casework in support of priority planned activities on BLM-managed lands, and advising on fostering effective Government-to-Government relationships with Indian Tribes.

## Activity: Land Resources

### Subactivity: Wild Horse and Burro Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Wild Horse & Burro Management	\$000	77,245	77,245	+327	-10	+2,993	80,555	+3,310
	FTE	172	172		+0	+0	172	+0

Summary of 2016 Program Changes/Internal Transfers for Wild Horse & Burro Management:	(\$000)	FTE
Applied Science - Implementation of NAS Recommendations	+2,993	+0
Internal Transfer to National Conservation Lands	-10	+0
<b>Total</b>	<b>+2,983</b>	<b>+0</b>

Other Resources Supporting Wild Horse & Burro Mgmt:					
		2014 Actual	2015 Estimate	2016 Estimate	Change from 2015
USFS Wild Horses	\$000	1,185	1,200	1,200	+0
	FTE	0	0	0	+0
Adopt-A-Horse Program	\$000	332	380	380	+0
	FTE	0	0	0	+0

## Notes:

- USFS Wild Horses amounts are shown as estimated transfers reported by the U.S. Forest Service in its 2015 Budget Justification (March 2014); the annual Interior, Environment, and Related Agencies Appropriation Act appropriates these funds in the U.S. Forest Service National Forest System appropriation; Public Law 113-76 authorizes the transfer of these funds in 2014

- Adopt-A-Horse Program amounts are shown as new budget authority derived from a minimum \$125 per horse or burro fee under a competitive bidding process for adoption of animals gathered from the public lands, conducted under The Wild Free-Roaming Horse and Burro Act of 1971, as amended by the Public Rangelands Improvement Act of 1978 (16 USC 1331-1340); the annual Interior, Environment, and Related Agencies Appropriation Act appropriates these funds on a current basis. More information on Adopt-A-Horse Program is found in the Service Charges, Deposits, & Forfeitures chapter

- Actual and estimated obligations, by year for Adopt-A-Horse Program are found in President's Budget Appendix under the BLM section

### Justification of 2016 Program Changes

The 2016 budget request for the Wild Horse and Burro (WHB) Management Program is \$80,555,000 and 172 FTE. It reflects a program change of +\$2,993,000 and 0 FTE and an internal transfer of - \$10,000 and 0 FTE from the 2015 enacted level.

**Implementation of National Academy of Sciences (NAS) Recommendations (+\$2,993,000/0 FTE)** – The program increase will be used to continue ongoing multi-year research studies that focus on the development of more effective and longer lasting population growth suppression methods, including sterilization; conduct population inventories using recommended survey methods; continue the programmatic environmental impact statement initiated in 2015; engage in genetic diversity monitoring; continue development of a robust population model; continue sentinel population studies; and apply the most effective, available

population growth suppression methods to on-range animals. The BLM will continue to develop a scientific foundation that will be the basis for an ecologically and financially sustainable Wild Horse and Burro Program.

**Transfer to National Conservation Lands (-\$10,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Of the \$5.0 million transfer, \$10,000 will be transferred from the WHB Management Program. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the amount this subactivity has contributed to the operations of the National Conservation Lands in recent years.

## Program Overview

### Program Components

The WHB Program is responsible for managing wild horses and burros in accordance with the *Wild Free-Roaming Horses and Burros Act of 1971*. The Act requires the protection, management, and control of wild free-roaming horses and burros in a manner designed to achieve and maintain a thriving natural ecological balance in combination with other public land uses. The program components that support this effort include maintaining an accurate current population inventory; establishing and maintaining appropriate management levels (AML); determining whether AMLs should be achieved by removal, population growth suppression or other methods such as sterilization; training animals to increase adoptions, adoption and sales; and conducting research to develop sound science for the management of wild horses and burros.

The BLM manages more than 46,000 wild horses and burros on 26.9 million acres of public lands. The program is also responsible for monitoring herd and rangeland health and caring for approximately 50,000 animals in off-range holding facilities.

### Elements for Reforming and Managing the Wild Horse and Burro Program

The BLM remains committed to reforming the program and will continue population growth suppression research and the implementation of key recommendations of the June 2013 National Academy of Science report. The following are key elements of this reform:

- **Reducing Holding Costs.** The BLM will continue efforts to acquire additional, less expensive holding facilities and partnership eco-sanctuaries to reduce holding costs for wild horses removed from public rangelands. The bureau will also continue innovative partnerships that increase the number of trained animals for placement in private care.
- **Continuing Research (NAS Recommended).** The BLM will continue laboratory, pen and field studies to develop more effective population growth suppression methods for contraception and permanent sterilization methods such as spay and neuter; continue to assess public knowledge, attitudes, preferences and values of wild horse and burro populations and management; and evaluate demand for wild horses and burros by adoptees and long-term sanctuary providers.

- **Continue Programmatic Environmental Impact Statement (PEIS).** The PEIS, a three-year project initiated in fiscal year 2015, is necessary to implement and evaluate new approaches to wild horse and burro management, population growth suppression and establish a national framework for management and the implementation of a number of NAS recommendations. It will analyze aggressive use of new and traditional population growth suppression methods, including sterilization; management of herds as meta-populations; consider whether or not to maintain all HMAs; evaluate the establishment of non-reproducing or minimally reproducing herds; assess cumulative impacts; and amend land use plans to enhance BLM's ability to effectively manage populations on the range.
- **Developing Herd Management Area (HMA) Sustainability Plans.** The BLM will continue to develop herd management area sustainability plans in the highest priority areas. Each sustainability plan would define a management prescription for appropriate population growth suppression methods and the maintenance of AML.
- **Conducting Population Surveys (NAS Recommended).** The BLM will continue to conduct surveys utilizing the methods developed by U.S. Geological Survey (USGS) to acquire more accurate population estimates.
- **Reducing Population Growth (NAS Recommended).** The BLM will continue applying the most effective population growth suppression methods that are supported by sound science.
- **Strengthening Humane Animal Care and Handling Practices.** The BLM will continue appropriate policy administration and oversight to strengthen humane animal care and handling practices. The BLM will continue to refine a Comprehensive Animal Welfare Program that establishes program-wide standard operating procedures; creates universal training requirements; and institutes a Care and Welfare Assessment Tool. This auditing system will help the BLM identify areas of emphasis for future training and ensure humane treatment of wild horses and burros.
- **Promoting Volunteerism in the Management of Wild Horses and Burros.** The BLM is increasing public engagement by enhancing outreach, recruiting local volunteers and organizations to assist in range and herd monitoring and management, and encouraging partnerships to increase ecotourism.
- **Continuing Transparency and Openness.** The BLM has a fundamental commitment to transparency in all facets of the WHB Program. This includes providing public viewing opportunities during gather operations and at holding facilities without compromising the safety of staff, members of the public, or the animals. The BLM is also committed to a proactive public information system that is both accurate and prompt.

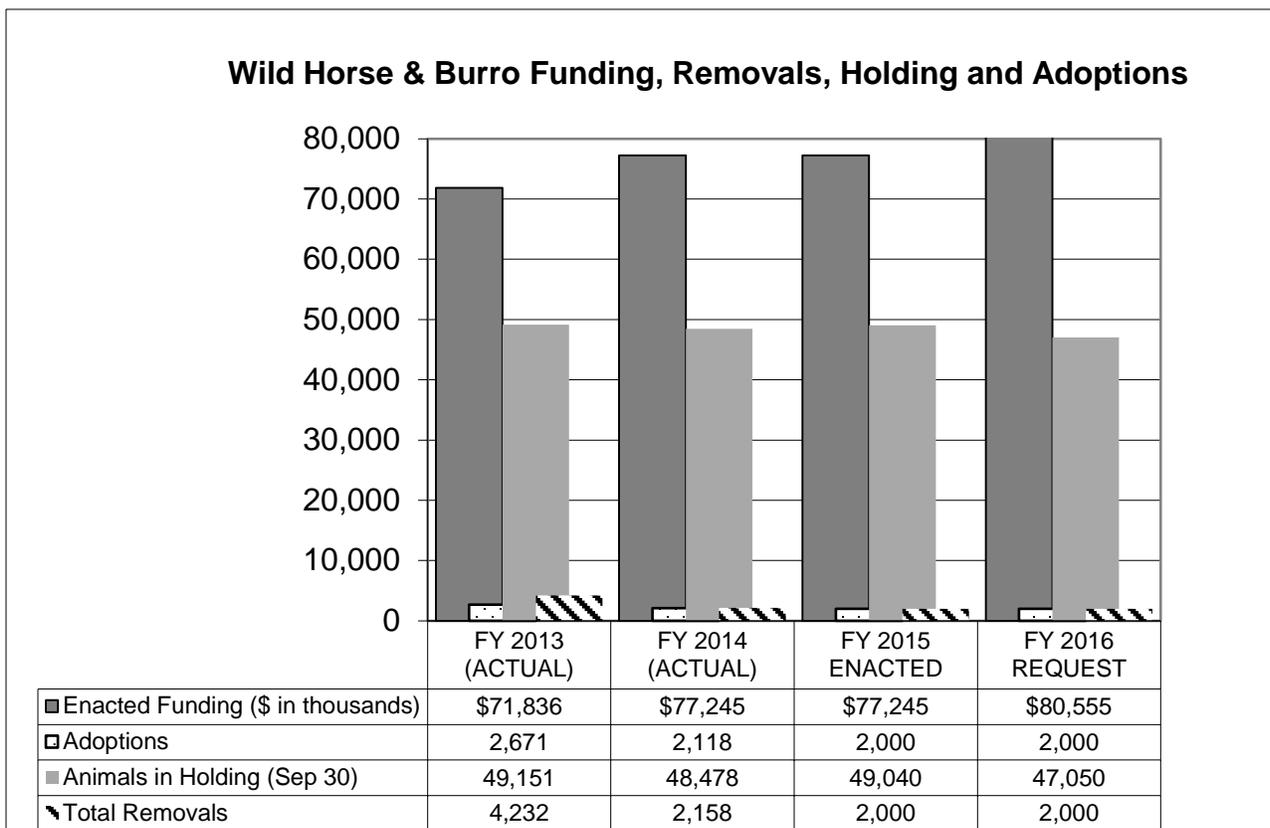
## Critical Factors

Critical factors affecting the efficiency of the WHB Program include:

- Increased fuel, hay, and pasture costs will continue to affect holding costs;
- Wild horses and burros have few natural predators and herds increase at a rate of 15-20 percent each year and double in size every four years;
- Current wild horse and burro populations exceed AML in nearly all HMAs (~93 percent) ;
- Existing contraceptive vaccines are only effective for one year. Vaccine applications on Western herds have multiple logistical challenges due to varying terrain, wildness and the size of both herds and HMAs;
- Adoptions have steadily declined since 2004 which has increased the number of animals in high cost short-term holding;

- Lifetime (estimate of 25 years) care for un-adopted animals in short-term holding is approximately \$46,000 per animal; and
- Public scrutiny of gather and removal methods has increased the visibility of the program. The BLM is experiencing increased litigation, correspondence, *Freedom of Information Act* requests and the need to provide additional personnel at gathers to host public and media visitation, all resulting in added expenses.

In response to these critical factors, the BLM will conduct removals at a substantially reduced level until holding costs can be reduced by maintaining fewer numbers in holding or less expensive capacity such as long-term pastures and partnership eco-sanctuaries are secured. Removals will primarily occur in response to public health and safety (i.e., animals on the highway, in agricultural fields); private land encroachment; and court orders.



**Note:** Future removal and holding numbers are estimated as of December 20, 2014.

### 2016 Program Performance

In 2016, the BLM will remove the same number of wild horses and burros from the range as in 2015 and will continue programmatic and site-specific planning and NEPA analysis to implement non-reproductive herds. The Bureau will also conduct population surveys, continue implementing the comprehensive animal welfare program, and continue partnerships to increase adoptions and reduce short-term holding costs by acquiring less expensive additional long-term holding contracts and eco-sanctuaries

The BLM began partial implementation of the recommendations received from the NAS in 2014. The bureau will continue ongoing multi-year research studies focusing on the development of more effective and longer lasting fertility control agents, techniques for suppressing population growth, and determining their relative efficacy and effects. Population growth suppression research trials began in fiscal year 2015 in designated locations and should continue through 2016. The BLM will continue developing a scientific foundation that will serve as the basis for an ecologically and financially sustainable Wild Horse and Burro Program.

Additional planned performance for 2016 includes:

- Reduce holding costs by transferring animals from short-term facilities to newly acquired, less expensive eco-sanctuaries and long-term holding contracts;
- Continue research to develop contraception and permanent sterilization methods such as spay and neuter, that may include studying the effects on herd genetics, animal behavior and rangeland use;
- Continue land use plan revision, herd management area plan development and NEPA analysis to develop HMA sustainability plans;
- Continue to conduct USGS recommended population surveys to obtain more accurate population estimates;
- Continue applying the most effective population growth suppression methods that are supported by sound science;
- Conduct removals, primarily limiting removals to those needed in response to public health and safety issues (i.e., animals on the highway, in agricultural fields); private land encroachment; and court orders;
- Increase partnerships with non-governmental organizations and correctional institutions to increase the number of trained animals for placement in private care;
- Continue herd management/rangeland health monitoring to support AML evaluation;
- Continue compliance inspections of previously adopted animals;
- Continue to develop and conduct comprehensive animal welfare program training for transportation, short and long term holding and adoption events and audits for gathers; and
- Continue the maintenance of water developments on public lands.



# Wildlife and Fisheries Management



## Activity: Wildlife and Fisheries Management

		2014 Actual	2015 Enacted	2016 President's Budget			Requested Amount	Change from 2015
				Fixed Costs	Transfers	Program Changes		
Wildlife Management	\$000	52,338	52,338	+409	-366	+37,000	89,381	+37,043
	FTE	250	250		+0	+20	270	20
Fisheries Management	\$000	12,530	12,530	+190	-35	+0	12,685	+155
	FTE	85	85		+0	+0	85	+0
Total, Wildlife & Fisheries	\$000	64,868	64,868	+599	-401	+37,000	102,066	+37,198
	FTE	335	335		+0	+20	355	+20

*Notes: The Miscellaneous Trust Funds, Wildlife & Fish Conservation and Rehabilitation (Sikes Act) current mandatory appropriation is a collaborative activity of the Wildlife program. The 2014 enacted amount (post-sequester) for Wildlife & Fish Conservation and Rehabilitation (Sikes Act) was \$0.347 million and the 2015 post-sequester amount is \$0.363 million. The 2016 President's budget request for Wildlife & Fish Conservation and Rehabilitation (Sikes Act) is \$0.323 million. More information on these collaborative activities is found in the Miscellaneous Trust Funds chapter.*

### Justification of 2016 Program Changes

The 2016 budget request for the Wildlife and Fisheries Management activity is \$102,066,000 and 355 FTE, and reflects internal transfers of -\$401,000 and 0 FTE and a program change of +\$37,000,000 and +20 FTE above the 2015 enacted level.

### Activity Description

The Wildlife and Fisheries Management activity maintains and restores fish, wildlife, and their habitats by conserving and monitoring habitat conditions, conducting inventories of fish and wildlife resources, and developing cooperative management plans, while providing for environmentally responsible recreation and commercial uses. Funding for this program supports the staff that develops program policy and projects at all levels within the BLM. Management actions emphasize on-the-ground and in-the-water actions that measurably increase the health of fish and wildlife populations to sustain recreational and commercial uses that enhance or maintain many local economies in the West. In addition, these actions reduce the need to Federally list species.

This activity supports Cooperative Landscape Conservation activities and the Healthy Landscapes Program by improving the health of watersheds and sustaining biological communities. The overall goal of Fisheries Management and Wildlife Management programs is to restore and maintain proper functioning conditions in aquatic, riparian, wetland and upland systems managed by the BLM, with the goal of providing suitable conditions for biological communities to flourish.

The lands that the BLM manages include numerous wildlife habitat types across a large proportion of America's western landscapes, including major portions of all American arid

ecosystems, including the sagebrush biome, and portions of the Colorado Plateau. The BLM is also responsible for managing 15 million acres of short and mid-grass prairies and nearly 55 million acres of forest and woodland habitats. This habitat includes 43 million acres of elk habitat and 131 million acres of mule deer habitat. The BLM manages 23 million acres of bighorn sheep habitat which include most of the desert bighorn sheep habitat. In addition, the BLM's diverse land base includes over 117,000 miles of fishable streams and rivers, over three million acres of lakes and reservoirs, and an abundance of wetlands. Because of their isolation, BLM lands include many of America's rarest habitats which support many rare plant and animal communities.

**Activity: Wildlife and Fisheries Management**  
**Subactivity: Wildlife Management**

		2014 Actual	2015 Enacted	2016 President's Budget			Change from 2015	
				Fixed Costs	Transfers	Program Changes		Requested Amount
Wildlife Management	\$000	52,338	52,338	+409	-366	+37,000	89,381	+37,043
	FTE	250	250		+0	+20	270	+20

Summary of 2016 Program Changes/Internal Transfers for Wildlife Management:		(\$000)	FTE
Implementation of Greater Sage-Grouse Conservation Plans		+37,000	+20
Internal Transfer to National Conservation Lands		-366	+0
<b>Total</b>		<b>+36,634</b>	<b>+20</b>

**Justification of 2016 Program Changes**

The 2016 budget request for the Wildlife Management Program is \$89,381,000 and 270 FTE, a program change of +\$37,000,000 and +20 FTE from the 2015 enacted level.

**Implement Sage-Grouse Conservation Plans (+\$37,000,000/+20 FTE) –**

Conservation of the Greater sage-grouse (GSG), and the sage brush habitat which serves over 350 associated plant and animal species, is a high priority for the Administration and the most significant and highly visible example of the Department's efforts to implement the landscape mitigation strategy embodied in Secretarial Order 3303 -- the first Order issued by Secretary Jewell. This approach represents a new paradigm for landscape-level management by the Department and is critical to achieving the Secretary's goal of demonstrating BLM's ability to achieve both conservation and development objectives more efficiently, at less cost, and with greater certainty for all interested stakeholders.



The BLM's GSG conservation strategy requires unprecedented collaboration with other Federal land management agencies in order to address a convergence of multiple land use issues that will arise from the resource management planning process that is currently underway. The BLM is revising or amending 68 Resource Management Plans (RMP) for submission to the U.S. Fish and Wildlife Service for their review as a part of the court-ordered timeline for determining if the GSG should be listed as threatened or endangered under the Endangered Species Act. The BLM's plan revisions and amendments affect 11 States and, when implemented, will require

significant changes in how the BLM manages public lands across the western United States and accelerate transition to landscape-scale management.

For example, as part of the RMP revision/amendment process for the GSG, in order to minimize disturbance to priority habitat areas for the GSG, the BLM is assessing the need to redirect fluid minerals development to lands outside of priority conservation areas. The BLM may need to institute closures and require that new development be designed to limit or eliminate surface disturbance in priority conservation areas, requiring extensive work with current and future lease holders across millions of acres of priority GSG habitat. For existing and new development, compensatory mitigation measures would be required to ensure that no unmitigated habitat loss occurs as a result of development. New methods to monitor and evaluate the success of these measures will be necessary in order to ensure compliance for conservation of the GSG.

For range management, new standards are being considered to meet GSG habitat needs during critical periods in the GSG lifecycle. Rearing and brooding areas and winter habitats will need to be maintained and restored to ensure greater GSG reproductive success and survival. To achieve these outcomes, the BLM will need to significantly improve monitoring of grazing allotments and enforcement of range management standards and initiate new rangeland habitat restoration efforts.

Fire is widely recognized as the greatest threat to GSG survival in the Great Basin States. In keeping with the Department's emphasis on preventing and suppressing fire on the range, as described in Secretarial Order 3336, the BLM has implemented new policies to prioritize fire suppression to stem GSG habitat loss. Extensive efforts will be required to work with the States, private landowners, and rural communities to develop the capacity to prevent fires through improved noxious weed control, establishing and maintaining fire breaks, training landowners in fire prevention and suppression techniques, and developing a network of rural fire assistance programs to train and equip local volunteers to aid in minimizing future GSG habitat loss due to fire across Nevada, Oregon, Idaho, Utah and other western States. Finally, more work is needed to assess and prioritize areas where post-fire habitat restoration is likely to be successful and to implement measures to restore millions of acres of habitat lost due to fire.

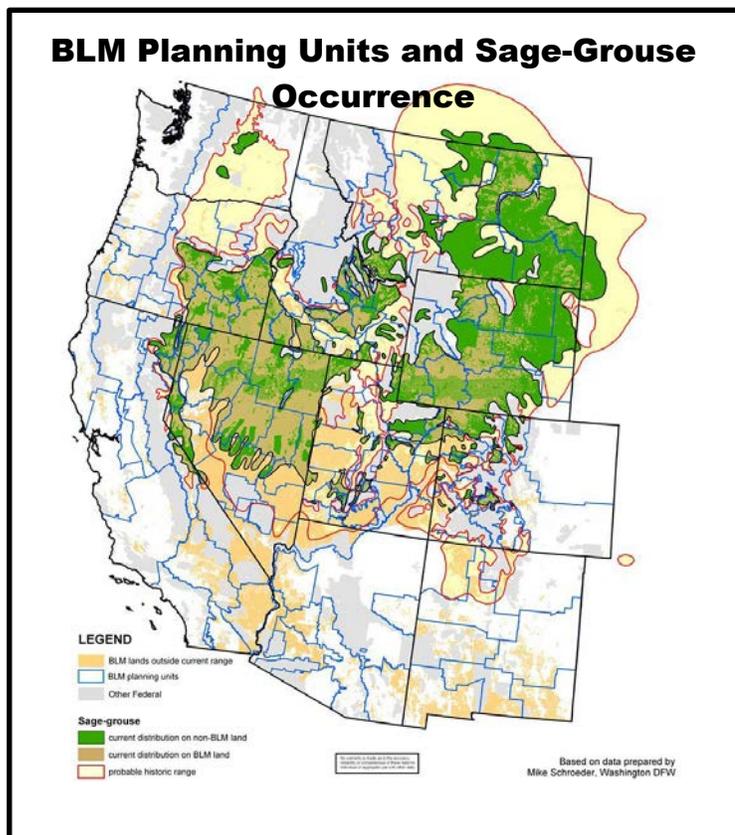
The RMP revisions/amendments underway describe habitat restoration needs for more than 27 priority areas across the geographic range of the GSG to remediate damage to the native plant communities used by sage-grouse, thereby increasing their ability to support a healthy, sustainable population of this important bird species.

Through the combination of the efforts at the requested funding level, a scale of habitat management achieved would accomplish large scale regional restoration and connectivity at the highest levels of both the Great Basin and the Rocky Mountain regions. At this requested funding level, the BLM will increase its highly skilled workforce that can respond to short and long term needs to manage sagebrush systems that support not only the GSG but many other species of concern including birds, mammals, reptiles, amphibians, fish, and plants in the range of the GSG.

The BLM's habitat restoration and management activities will be closely coordinated with those of Federal, State and local partners operating within each of the sage-grouse management zones established by the Western Association of Fish and Wildlife Agencies. This coordination is essential to the success of the Greater sage-grouse Comprehensive Conservation Strategy. Funding will support critical habitat restoration activities on BLM-managed lands including:

Completing extensive land treatments, including the removal of encroaching conifers, eradication and control of invasive weeds, and augmenting post-wildfire emergency stabilization and rehabilitation efforts by reseeding and replanting with locally-sourced native plant materials on approximately 367,000 acres;

- Restoring and managing riparian areas across the entire GSG range;
- Conducting prescribed burns, fence markings and sagebrush thinning;
- Conducting an inventory of an additional 247,000 acres for the presence of invasive plants and noxious weeds, providing information for restoration efforts that would restore or connect more than two million additional acres to quality GSG habitat;
- Completing travel management plans to facilitate the restoration of priority habitat.



Land treatments completed with this funding will allow for not only improved habitat on nearly 400,000 acres, but also provide connectivity across more than 2 million acres of land with GSG habitat (both private and public domain). The proposed funding will also comprehensively address other tools and information gaps to support conservation actions. These include the following: radio telemetry studies, noise studies, predator research, and augmentation/relocation projects. Many of these will be conducted in partnership with other Federal agencies, State agencies and non-government partners.

In conjunction with other programmatic changes in rangeland management, oil and gas development, and wildfire management, the restoration of habitats on BLM-managed lands will play a major role in conserving the GSG for future generations. Preparation, training, and implementation for all these measures, and others, must be fully underway in fiscal year 2016 if the GSG Conservation Initiative is to be successful. Funding, as proposed, will provide additional certainty with the FWS that the BLM has the resources necessary to ensure that the required conservation measures for the GSG can and will be implemented. Should a listing occur, the BLM would be required to implement many of these same measures in conjunction with each development project within the remaining GSG range to ensure that the BLM's continued management of the public lands will not further threaten the survival of the species.

**Transfer to National Monuments & National Conservation Areas (NM&NCAs) (-\$366,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from a variety of MLR

subactivities to the National Conservation Lands. This \$5.0 million transfer includes \$366,000 from Wildlife Management. Since its creation in 2009, the BLM has not had the financial resources for systematically incorporating newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the amount this subactivity has contributed to the operations of the National Conservation Lands in recent years.

## Wildlife Management Program

### Program Components

The BLM is responsible for managing more wildlife habitat than any other Federal or State agency. The BLM conducts activities to support healthy and diverse populations of wildlife species on behalf of the American people. Over 3,000 species of wildlife occur on BLM-managed lands, including big game, upland game birds, and waterfowl, as well as amphibians, reptiles and other birds and mammals. Numerous species occur nowhere else in the country and, for these, the BLM has an important stewardship responsibility.

The BLM Wildlife Management Program conserves and restores wildlife habitat as an integral part of the bureau's multiple use and sustained yield mission. Priority program activities include:

- Developing science-based strategies and conducting essential conservation actions to maintain sustainable populations of sensitive wildlife species;
- Restoring habitats to enhance populations of native wildlife and plants;
- Collecting data to provide a solid foundation for land management planning; and
- Implementing on-the-ground conservation in priority areas which are identified as part of a larger, landscape scale strategy in partnership with others.

The BLM manages over half of the remaining sagebrush habitat essential to the survival of the Greater sage-grouse. Conserving and restoring high quality habitat for this iconic Western species is key to precluding the need to list the bird under the Federal Endangered Species Act. In partnership with the States and other Federal agencies, the BLM has developed the Greater sage-grouse Conservation Strategy to address the challenges posed by wildfires, nonnative plant encroachment and the conversion of sagebrush habitats to other uses.

The Wildlife Management Program supports the development and application of science-based management to reduce the adverse effects of climate change on wildlife and habitats. Working with DOI's network of 22 Landscape Conservation Cooperatives (LCCs) and six Climate Science Centers, the BLM will engage with other Federal and State agencies, tribal authorities, and nonprofit conservation organizations to:

- identify and conserve habitats that are resilient in the face of climate change,
- develop methods to evaluate the ability of working landscapes to store carbon, and
- expand the availability of climate-related resource management training for staff.

### Critical Factors

The BLM addresses a number of critical factors and demands in its Wildlife Management Program. These include the following:

- Wildlife habitat loss and fragmentation continue to occur, resulting in significant declines for many wildlife species.

- Beyond reducing available surface water and forage for wildlife, drought can have a profound influence on wildfire cycles, which can alter habitat conditions over large areas for many years. According to the National Interagency Fire Center, over 3.7 million acres of sage-grouse habitat have burned since 2012. Restoring sage-grouse habitat after fire is a complex and difficult undertaking.
- Authorization of land uses that impact wildlife habitat have significantly increased in conjunction with new energy initiatives.

### Means and Strategies

- Since 2010, the BLM has conducted rapid ecoregional assessments (REAs) to address the management of wildlife and habitat resources at a scale equivalent to the intensified broad-scale land use pressures and associated stressors, including catastrophic wildfire and associated degradation and conversion of native vegetation communities, disease, as well as the compounding effects of land health stressors.
- The BLM is working to standardize and integrate data across landscapes and jurisdictions to gain a fuller understanding of changes to wildlife populations across geographic regions and better coordinate actions to mitigate species decline.
- In keeping with Secretarial Order 3303, the BLM is developing the tools and directives needed to implement compensatory mitigation at broad landscape scales that will be designed to offset the unavoidable impacts of public land use on wildlife species and their habitats.
- Most species and habitats present on BLM lands do not occur exclusively on lands administered by the BLM. Additionally, BLM land ownership is not spatially contiguous, both at the regional and site scales. Therefore, the BLM works closely with its partners across jurisdictional boundaries to ensure that wildlife conservation measures applied on BLM lands are effective. As a result, the BLM has:
  - Improved coordination and collaboration with important conservation partners, including Federal, State, tribal, academia and non-governmental organizations;
  - Supported development and implementation of standardized wildlife monitoring protocols to ascertain population trends across jurisdictional boundaries; and
  - Developed standardized regionally-specific habitat management guidelines for reptile and amphibian habitats that have been distributed to all BLM field offices;
- Consistent with BLM policy direction, the BLM works closely with State fish and wildlife agencies on natural resource issues, particularly in furtherance of State Wildlife Action Plans, which establish broad-scale wildlife priorities and identify the species of greatest conservation need as well as the habitats necessary for their protection.

## 2016 Program Performance

In 2016, the BLM Wildlife Program will significantly expand its role in implementing the National Greater Sage-Grouse Conservation Strategy and:

- Conduct an extensive set of sage-grouse conservation activities across 11 States;
- Emphasize wildlife habitat improvements in order to reduce the number of species of concern failing to meet objectives, while maintaining a sufficient level of monitoring to ensure the effectiveness of those improvements;
- Emphasize performance of actions under agency-endorsed plans for the purpose of conserving non-federally listed species to prevent the need for listing under the Endangered Species Act;
- Accomplish substantial habitat assessment and monitoring to provide an understanding of the range and distribution of priority species, to describe existing conditions, and to determine if management decisions have been implemented and objectives are being met; and
- Maintain and enhance partnerships with States, non-government agencies, and sister Federal agencies to continue to support rural community economies through game and non-game habitat management where the use and appreciation of these species is a high value component of local economies.

## Plant Conservation Program

### Program Components

Public lands contain a diversity of native plant communities that are the habitats for fish, plants, pollinators and wildlife such as the sage-grouse and desert tortoise. These native plant communities make up over 50 ecoregions across the BLM and each ecoregion contains native plants that have adapted to those environments. The BLM Plant Conservation Program is responsible for protecting, maintaining and restoring Western native plant communities and rare plants on public lands. The Program provides national leadership in seed collection, seed conservation, seed procurement and storage, and native plant materials development/use for restoration and rehabilitation of public land. In addition, the Plant Conservation Program is responsible for rare plant work.

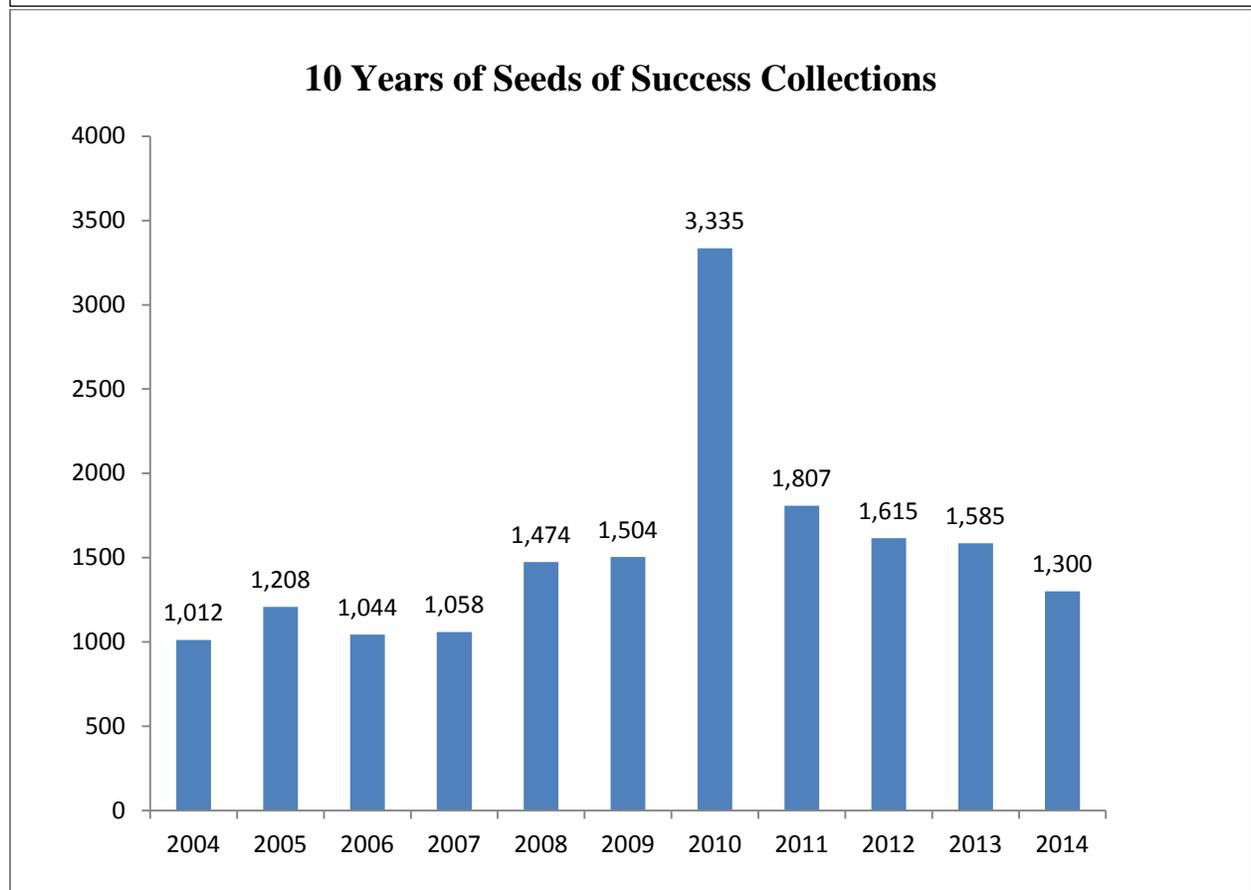
The Plant Conservation Program consists of the following elements:

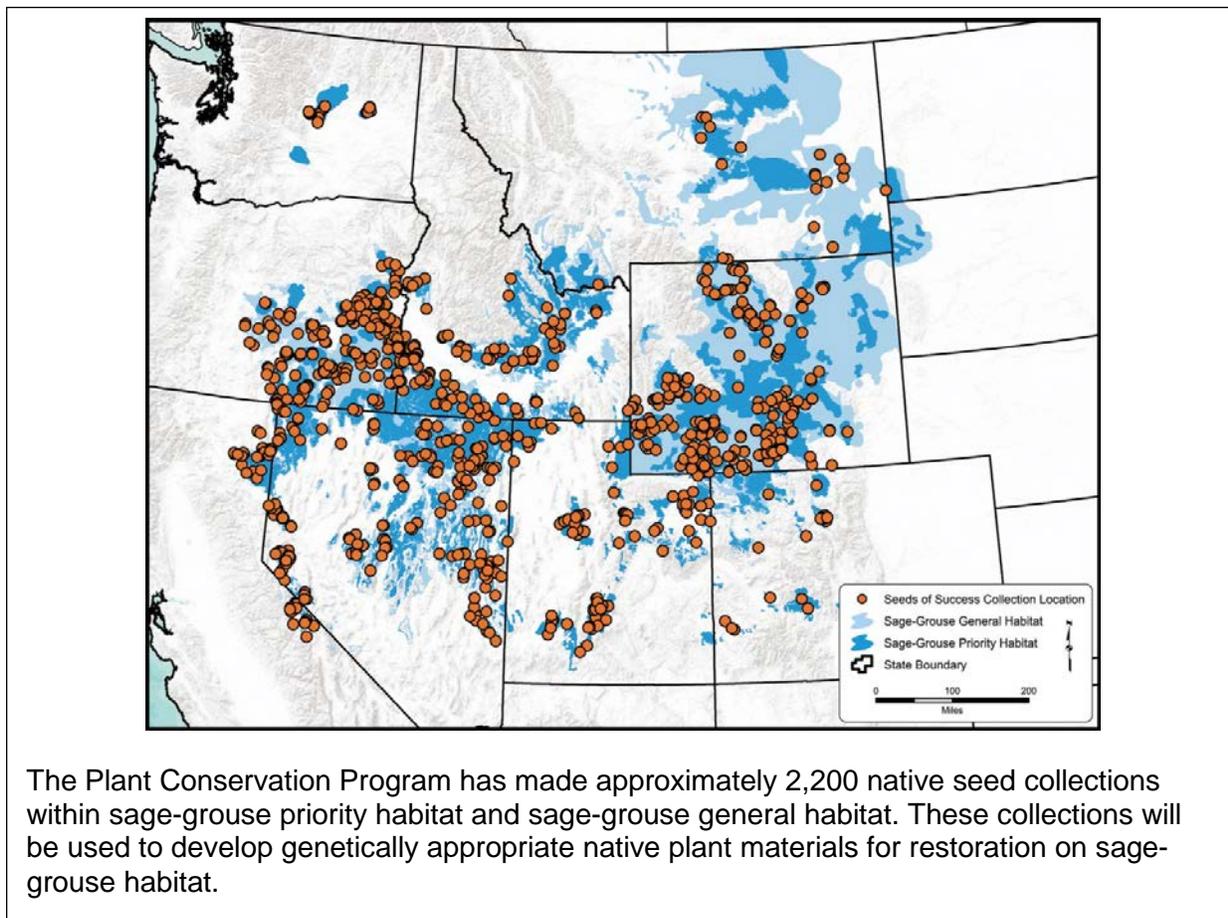
- Identifying, evaluating, and protecting rare plants on public lands, including National Conservation Lands units;
- Understanding the effects of climate change on native plant species and native plant communities on public land;
- Developing genetically appropriate native plant materials for restoring and maintaining habitat for sage-grouse and other animal and plant species;
- Providing leadership and infrastructure on native plant materials development by coordinating with all BLM programs and by establishing ecoregional native plant programs to ensure locally adapted native plant material needs are met;
- Providing national leadership for Seeds of Success;
- Developing seed transfer zones and guidelines;
- Coordinating a national network of seed storage warehouses with environmentally controlled conditions to protect our seed investment;
- Monitoring the effectiveness of native plant materials that have been developed;

- Implementing on-the-ground habitat conservation and restoration treatments on a landscape scale; and
- Enhancing partnerships and volunteer opportunities for plant conservation.

Seeds of Success is the Bureau’s national seed collection program and is the foundation of the native plant materials development process. Over 16,000 native seed collections have been made since 2001 when Congress directed the BLM to establish a Native Plant Materials Development Program. The number of seed collections has remained relatively stable (see graph below) except for an increase in 2010, due to additional funds provided through the American Recovery and Reinvestment Act.

For more information on BLM’s Plant Conservation Program please see the following websites:  
[http://www.blm.gov/wo/st/en/prog/more/fish\\_wildlife\\_and/plants.html](http://www.blm.gov/wo/st/en/prog/more/fish_wildlife_and/plants.html)  
 BLM Native Plant Materials Development:  
[http://www.blm.gov/wo/st/en/prog/more/fish\\_wildlife\\_and/plants/1.html](http://www.blm.gov/wo/st/en/prog/more/fish_wildlife_and/plants/1.html)  
 Colorado Plateau Native Plant Program:  
<http://www.blm.gov/ut/st/en/prog/more/CPNPP.html>  
 Great Basin Native Plant Program:  
<http://www.fs.fed.us/rm/boise/research/shrub/greatbasin.shtml>





### Critical Factors

- The effects of landscape health stressors such as drought, disease, catastrophic wildfire, and urban growth and development are altering native plant communities across the West. As rainfall and temperatures change, native plant species and communities may not adapt as fast as the environment changes, thus affecting sage-grouse and other species' ability to survive.
- Healthy, resilient, functioning native sagebrush communities play a significant role in the Bureau's ability to maintain sage-grouse populations in the West. The diversity of native forbs and grasses within the sagebrush communities is vital to the survival of sage-grouse. These native plants provide food and shelter for the sage-grouse, especially the young chicks.
- Healthy landscapes in the West today are at greater risk due to more intense and extended droughts, increasing wildfire frequency, and continuing migration of invasive species. Historically, resilient Western native plant communities burned on average once every 40 years; however, with monocultures of invasive plants and drought, fire frequency is closer to once every five to seven years. Because of these factors, more aggressive development of native plant materials are needed for rehabilitation after fire and restoration of habitats for fish, plants, pollinators and wildlife

- Native plant materials, like agronomic crops, take an average of 10 to 20 years to develop as consistent and reliable commercially available seed. Therefore, the BLM must plan ahead for native plant materials to be available for landscape level restoration.
- Development of public lands for renewable energy, non-renewable energy, and mineral resources requires mitigation efforts to offset loss and fragmentation of native plant communities.
- Spread of invasive terrestrial species requires additional monitoring and treatment to prevent degradation of functioning ecosystems and native plant and animal communities.

### Means and Strategies

The Plant Conservation Program coordinates with other BLM programs and partner organizations to conserve, protect and restore native plant communities at the landscape level. To better achieve program goals and provide improved management of public lands, the Plant Conservation Program is working to implement the National Seed Strategy at a landscape scale. In this coordinated effort, the Plant Conservation Program is addressing critical factors through multiple activities, including:

- Supporting the Department's youth education investments and the America's Great Outdoors (AGO) Initiative by employing recent college graduates in the biological and environmental sciences, through the Conservation and Land Management Internship Program. Over 1,000 recent college graduates have gone through this program.
- Educating America's youth through the development of a high school curriculum on native plants. The BLM will use this model to develop elementary and middle school curricula for younger students.
- Supporting the renewable and conventional energy programs by encouraging use of local genotypes and developing native plant materials for use in reclamation projects. <http://www.blm.gov/wy/st/en/programs/pcp/mgmt.html>.
- Identifying national priority focal areas for native plant community conservation and restoration, as well as developing native plant materials for management activities at the eco-regional scale.
- Coordinating development of native plant materials for restoration with step-down strategies developed from the BLM's landscape approach and implementing restoration within Healthy Landscapes focal areas.
- Supporting ecoregional native plant materials development programs, such as the Colorado Plateau Native Plant Program, the Great Basin Native Plant Program, the Pacific Northwest Native Plant Program, and the Mojave Native Plant Program, to develop locally adapted seed for commercial availability.
- Leveraging Plant Conservation Program funds with other Federal, State, and local agencies and NGOs to implement on-the-ground projects and conduct research in native plant development and restoration techniques.

### 2016 Program Performance

In 2016, BLM will continue to lead the Interagency Native Plant Materials Development Program, including Seeds of Success, Plant Conservation Alliance Federal Committee and regional interagency native plant materials development programs in the Colorado Plateau, Great Basin, Pacific Northwest, Wyoming Basin and Mohave Desert. These programs will work with partners to focus research on native plant materials development and to get more diversity

of native plant materials to the growers in the various ecoregions. The BLM will implement a National Seed Strategy, developed in 2015, which will assess BLM seed use, stabilize BLM seed requests, integrate native seed collection across the Bureau, and address seed procurement and storage to ensure the highest quality seed for restoration and rehabilitation.

The BLM Plant Conservation Program worked with The Institute for Applied Ecology to develop a protocol for working with State prisons to grow locally sourced sagebrush plants to support restoration of GSG habitat. A pilot project to produce 20,000 sagebrush plants was established in 2014 at the Snake River Correctional Facility in eastern Oregon. The plants grown at this facility were planted into a site damaged by wildfire on nearby BLM lands. In 2015, the Plant Conservation Program used the protocol and pilot project to address the lack of locally adapted sagebrush seedlings for restoration and expanded the program to four other prisons in the Great Basin. This program will continue in 2016.

**Activity: Wildlife and Fisheries Management**  
**Subactivity: Fisheries Management**

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Fisheries Management	\$000	12,530	12,530	+190	-35	+0	12,685	+155
	FTE	85	85		+0	+0	85	+0

Summary of 2016 Program Changes/Internal Transfers for Fisheries Management:	(\$000)	FTE
Internal Transfer to National Conservation Lands	-35	+0
<b>Total</b>	<b>-35</b>	<b>+0</b>

**Justification of 2016 Program Change**

The 2016 budget request for the Fisheries Management Program is \$12,685,000 and 85 FTE and reflects an internal transfer of -\$35,000.

**Transfer to National Conservation Lands (NM&NCAs) (-\$35,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Of the \$5.0 million transfer, \$35,000 will be transferred from Fisheries Management. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the amount this subactivity has contributed to the operations of the National Conservation Lands in recent years.

**Program Overview**

**Program Components**

The BLM manages three million acres of lakes and 132,000 miles of rivers, which provide subsistence and support internationally famous recreational and blue ribbon fisheries, including the Rogue River, Lake Havasu and Gunnison Gorge. The economic value of recreational fishing on BLM-managed waters alone is an estimated \$8.8 billion annually and supports several thousand jobs.<sup>5</sup>

The BLM Fisheries Management Program (BLM Fisheries) works to protect and restore these incredible aquatic resources, including hundreds of native fish, aquatic species and their habitats. Often



<sup>5</sup>2013 BLM Public Lands Statistics, [http://www.blm.gov/public\\_land\\_statistics/pls13/pls2013.pdf](http://www.blm.gov/public_land_statistics/pls13/pls2013.pdf)

this is accomplished in conjunction with private landowners, Federal, State, and NGO partners. The BLM Fisheries Management program:

- Designs and implements lake, wetland, stream, and riparian treatments to restore and reconnect aquatic habitat on public and private lands;
- Assists and contributes to other BLM program areas to ensure fish, aquatic species and their habitats receive full consideration;
- Conducts aquatic resource research, inventory and monitoring to support BLM management decisions and assess effectiveness of management actions;
- Leads and participates in efforts to prevent and limit the spread of Aquatic Nuisance Species (ANS), including developing education and outreach materials;
- Leads, conducts and provides support for youth employment opportunities activities, and promotes and enhances BLM aquatic recreational experiences for veterans; and
- Establishes Bureau-wide policy, guidance and directives for BLM's aquatic resources.

### Critical Factors

Challenges affecting aquatic resources on BLM lands:

- **Climate Change and Other Stressors:** Land health stressors, such as those associated with climate change, are increasing threats to fish and fish habitat as they cause changes to the aquatic habitat on BLM lands. Specifically, drought, changes in runoff and flow patterns, reduced stream network connectivity and the increasing risk of catastrophic wildfire individually and collectively impact aquatic resources. The effects of these land health stressors place a enormous strain on aquatic ecosystems. A greater focus on proactive conservation of these habitats will be essential for their long term persistence.
- **Rewable Energy Development:** The priority for developing renewable energy (hydropower, wind, solar, and geothermal) as part of the Powering Our Future initiative places increasing demands on BLM Fisheries personnel. The program is working to ensure sites of high potential for energy development, and the transmission corridors linking these sites to the energy grid, are developed in a responsible manner consistent with the short and long-term conservation needs of aquatic resources.
- **FERC Relicensing:** The licensing and relicensing of hydropower projects creates a significant opportunity to direct the development of license conditions to conserve fisheries resources so that Federal trust responsibilities are met for the next 30-50 years. It is imperative that the bureau is engaged during these liecensing processes.
- **Aquatic Organism Passage (AOP):** The program continues to focus on fish-passable culvert and bridge replacements. Culvert upgrades or removal reconnect high quality habitat for numerous aquatic species. AOP projects have the ability to immediately restore natural stream process and return fish to mature, functioning riparian and in-stream habitats.

- **Legacy Roads:** Road treatments are addressed to stabilize and reduce catastrophic sediment input from historic, poorly planned or failing roads made of soft fill material, which cannot adequately pass downstream water or deposits sediment laden runoff directly into fish bearing streams. Ponding and failure occurs as the standing water upstream overtops or erodes the road, resulting in severe erosion that inundates and smothers downstream fish habitat with sediment.
- **Invasive Species:** BLM Fisheries is responsible for working with State and other Federal agency partners to develop strategies and programs to combat the ecological and economic threats caused by aquatic nuisance species nationwide. BLM Fisheries' role is to minimize the threats from aquatic invasive species, such as the quagga and zebra mussel, New Zealand mudsnail, and multiple other plants, vertebrates and invertebrates. Aquatic invasive species pose a serious threat to our Nation's economy as well as the viability of native fish communities.

### Means and Strategies

BLM Fisheries is meeting these challenges by:

- Working synergistically with other BLM programs to create a lands treatment database to document where treatments take place on the landscape and the effectiveness of those treatments;
- Educating youth about the importance and complexity of fisheries and fisheries habitat through the expansion of the American Fisheries Society's Hutton Program;
- Working with partners including State agencies, universities, non-governmental organizations, and National Fish Habitat Partnership (NFHP) organizations.
- Assessing aquatic habitat using Trout Unlimited's modified Conservation Success Index methodology. This work is part of the on-going Assistance Agreement and will be utilized in BLM watersheds for critical aquatic assessments.

#### *The Least Chub...A BLM Fisheries Success Story*



In August 2014, the U.S. Fish and Wildlife Service withdrew the least chub from its Endangered Species Act candidate list, concluding that conservation efforts have reduced or eliminated current and future threats to the least chub to the point that the species is no longer in danger of extinction now or in the foreseeable future.

Cooperative conservation efforts were spearheaded by the Least Chub Conservation Team, of which BLM-Utah was a key member. The BLM provided financial and personnel support for least chub conservation work and critical on-the-ground conservation actions, which included the management and protection of existing populations and their associated habitats and replicating populations to new

### 2016 Program Performance

BLM Fisheries will continue to support the bureau's mission-critical goals of maintaining and restoring aquatic-related species and their habitats. In addition to NFHP support, the BLM will play a significant role in the identification and implementation of these actions. Salmon and steelhead fisheries resources will remain a priority for those geographic areas within the migration range. BLM Fisheries will continue to work closely with the Aquatic Nuisance Species Task Force, including its Western Regional Panel, the Association of Fish and Wildlife

Agencies, the Western Association of Fish and Wildlife Agencies, Trout Unlimited, the National Fish and Wildlife Foundation and the American Fisheries Society.

In 2016 the BLM will build on previous efforts to restore and conserve fisheries and their habitats on BLM lands across America.

Numerous active fish habitat restoration activities will benefit native fish, including the Jack Wade Creek Placer Mining reclamation demo project in Alaska; the Escalante, San Rafael River watershed restorations in Utah; Overflow Wetland Pecos Pupfish conservation agreement restoration, San Juan River Basin Recovery Implementation Program in New Mexico; and Headwaters Forest Reserve-Road Decommissioning and Instream habitat restoration in California. Additional fisheries inventory and monitoring work will take place and inform management decisions via the Gulkana River Subsistence monitoring project in Alaska, and Coho salmon monitoring in the Mattole River, California.

Invasive species work is planned in the Paynes Creek wetlands in California. Nationally, the BLM plans to continue its Aquatic Invasive Species outreach work with Wildlife Forever. The program's invasive species prevention messages reach four million people annually through a successful advertising campaign in Western fishing and hunting regulation books.

The program continues to work with irrigators and farmers in the Bear River Basin, in Utah, Wyoming, and Idaho on one of the most successful fish passage programs in the country. It is one of the largest scale Trout Unlimited-BLM projects (600 mile river crossing three states), Over the last nine years, we have reconnected 151 miles of critical migration corridors, linking tributary and main stem habitats by removing fish passage barriers, installed over 35 fish passage structures to restore upstream access to critical spawning and rearing habitats in headwater tributaries. The prime fishery result is the return of large migratory Bonneville cutthroat trout across the drainage.

During 2016, the program will continue the ongoing 22-year old Maggie Creek Watershed Restoration effort near Elko, Nevada. Chosen as national model for watershed restoration efforts everywhere under the National Fish Habitat Initiative, the project so far has restored 82 miles of stream, 2,000 acres of riparian habitat, and 40,000 acres of upland watershed in the Maggie Creek basin. The most important fishery result has been the return of Lahontan cutthroat trout to 23 miles of stream where they were formerly extirpated.

Community service and outreach activities will be accomplished through partners including FishingCommunity.org and Project Healing Waters Veterans activities in Arizona, Alaska, Florida, Virginia, Maryland, West Virginia, and Washington DC; fishing day events throughout BLM field offices; and Cosumnes River Preserve and Redding Environmental education and outreach efforts in California. Finally, program efforts in 2016 will add to the successful 23-year cooperative conservation partnership with Trout Unlimited to reconnect, restore and sustain critical fisheries habitat and populations throughout the West.

# Threatened and Endangered Species Management



## Activity: Threatened and Endangered Species Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Threatened & Endangered Species	\$000	21,458	21,458	+305	-196	+0	21,567	+109
	FTE	152	152		+0	+0	152	+0

Summary of 2016 Program Changes/Internal Transfers for Threatened & Endangered Species:	(\$000)	FTE
Internal Transfer to National Conservation Lands	-196	+0
<b>Total</b>	<b>-196</b>	<b>+0</b>

### Justification of 2016 Program Changes

The 2016 budget request for the Threatened and Endangered Species Program is \$21,567,000 and 152 FTE, and reflects an internal transfer of \$196,000.

**Transfer to National Conservation Lands (NM&NCAs) (-\$196,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Of the \$5.0 million, \$196,000 will be transferred from Threatened and Endangered Species Management. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the amount this subactivity has contributed to the operations of the National Conservation Lands in recent years.

### Program Overview

The primary goal of the Threatened and Endangered (T&E) Species Program is to recover Federally-listed species and preclude the need to list candidate species. The program also provides support for conservation of non-listed, rare plant species. The long-term program vision is to achieve species recovery so that protection under the Endangered Species Act (ESA) is no longer required and to implement conservation programs for Bureau sensitive plants and Federal candidate species so that listing under the ESA is unnecessary.

### Program Components

Over 420 species listed under the ESA occur on BLM-managed lands. Furthermore, over 110 candidate species warranting Federal protection are found on BLM lands. BLM-managed lands are recognized as prime habitat for over 1,000 rare plant species and provide the only known habitat for more than 450 species of rare or listed plants and animals.

The BLM's successful conservation of these species requires implementation of the following tasks:

- Cooperative planning with other stakeholders in the preparation of recovery plans and development of conservation strategies for targeted species

- Implementing actions identified in species conservation and recovery plans;
- Conducting inventories for newly listed, proposed and candidate species; and,
- Monitoring species populations to determine if objectives identified in species conservation and recovery plans are being met.

### **Critical Factors**

The number of Federally-listed species is steadily growing due to increasing conflicts with resource use and the compounding impacts of fire, drought, and climate change. The BLM is committed to prevent extirpation of these species on BLM-administered lands and to further recovery and conservation of Federally-listed and candidate species.

### **Means and Strategies**

The BLM Threatened and Endangered Species Recovery Fund awards approximately \$1.0 million annually, on a competitive basis, to recovery actions that culminate in a delisting or down-listing of a Threatened or Endangered species or precludes the need to list a candidate species. This Recovery Fund has supported significant species recovery efforts in the field, but BLM's recovery successes extend well beyond the funding associated with this initiative. Through the tireless efforts of BLM biologists, the invaluable partnerships that they cultivate, and the leveraging of funds from many different sources, the program has achieved a number of successes in species conservation. In 2014, seven Candidate Species were precluded from listing, in large part, due to the BLM's conservation efforts. For instance, the U.S Fish and Wildlife Service (FWS) announced that arctic grayling in Montana were deemed unwarranted for Federal listing. To date, the BLM has contributed approximately \$250,000 towards grayling restoration efforts in South West Montana. Funds have been used to conduct population monitoring, restore riparian areas, install riparian fencing as well as help with grayling re-introduction efforts in the Upper Ruby River drainage. The FWS also withdrew least chub from the candidate list and concluded that conservation efforts have reduced or eliminated current and future threats to the fish. The BLM's participation was notable because three of five naturally occurring populations of the fish are on BLM-managed public lands. Finally, the FWS determined that Churchill Narrows buckwheat and Las Vegas buckwheat in Nevada did not warrant protection under the ESA.

The benefits of the Recovery Fund have been recognized by other Federal agencies. The BLM is currently working with USFWS, FS, NPS, and other Federal agencies in analyzing species occurrence data, to strategically identify species which can be recovered through cooperative efforts. This endeavor will greatly increase the program's ability to recover and conserve T&E species and their habitats beyond jurisdictional boundaries. The targeted investment in recovering species meets a desired goal of sustainability and ecological integrity of BLM lands and also shifts focus from reacting to regulatory obligations to serving as proactive stewards of the land.

#### **Cooperative Landscape Conservation Initiative**

The Cooperative Landscape Conservation Initiative and the BLM's Healthy Landscapes program will help the T&E Program assess, manage, and provide for the conservation of Federally-designated species in light of impacts such as drought, wildfire, and invasive species encroachment. Ecoregional assessments and Landscape Conservation Cooperative efforts provide a landscape approach to addressing the health, resilience and intactness of

ecosystems. The T&E Program provides support for these initiatives by assisting with the development of rapid eco-regional assessments; listed species occurrence, distribution and critical habitat data on BLM lands; and collaborating with both intra and interagency outreach efforts.

#### Youth in the Great Outdoors Initiative

The T&E Program implements on-the-ground projects that either have an educational or outreach component to engage local youth or employ youth in conservation activities. The T&E Program will continue to hire recent college graduates in the biological sciences as part of the Chicago Botanic Garden's Conservation and Land Management Internship Program.

#### America's Great Outdoors

The T&E Program offers key criteria in selecting projects within the America's Great Outdoors initiative. The National Conservation Lands is an integral network of biologically diverse, wide ranging landscapes and ecosystems. Of the Federally protected species and rare plants that occur on BLM lands, 155 species occur only within designated units of the National Conservation Lands. An additional 114 species have at least 50 percent of their populations represented on National Conservation Lands. The National Conservation Lands are integral to threatened and endangered species conservation and recovery. The T&E Program will continue to support and implement management actions within the National Conservation Lands that benefit listed species or their habitat.

#### Program Collaboration and Partnerships

The range of most of the listed species found on BLM lands includes lands and waters not administered by the agency. The recovery of listed species requires management at the population or metapopulation scale, regardless of jurisdiction lines. Extensive collaboration and cooperation with a number of partners, including other agencies and organizations, is therefore an integral element of the T&E Program. Conservation collaborations typically begin with the development of recovery plans, written under the leadership of the U.S. Fish and Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS). Implementation of recovery actions identified in these plans typically involves collaboration with such partners as State fish and game, other Federal, and non-governmental organizations (NGOs).

An example of this collaboration is the BLM's participation in the Black-Footed Ferret Recovery Implementation Team Executive Committee. Members include: the FWS, the U.S. Geological Survey, the National Park Service, the U.S. Forest Service, The Wildlife Society, The Nature Conservancy and several other NGOs and Federal and State Agencies. Efforts include the development of a sylvatic oral plague vaccine to protect ferrets and their prey, the prairie dog, against plague infection. The BLM continues to offer assistance in providing locations to implement the safety and efficacy trials for the vaccine's use in the field. The BLM also continues to increase its involvement in identifying appropriate areas where prairie dog expansion or re-colonization can take place and identifying potential sites for black-footed ferret reintroduction



## Compliance and Consultation

In addition to recovery planning and implementation, consultation under Section 7 of the ESA is a significant BLM endangered species management responsibility. Under the ESA, the BLM must consult with the FWS or the NMFS whenever it determines that an action it authorizes, funds, or carries out may affect a listed species. The BLM completes approximately 600 formal and informal consultations annually under Section 7 of the ESA. The monitoring, inventory, and recovery of Federally-listed species, supported by the T&E program, offer many benefits to other BLM priority portfolio programs such as energy development, mineral extraction, range management, horse and burro, forestry, and recreation. The inventory and monitoring information collected informs the consultation process, and the recovery efforts for Federally-listed and candidate species bolsters the resiliency of the species on the ground, which may accommodate more opportunities for multiple use.

### 2016 Program Performance

In 2016, the BLM T&E Program will:

- Continue to emphasize the completion of recovery tasks as identified in species recovery plans;
- Continue to focus on the program's primary goal of completing actions that lead to species recovery with support from the Threatened & Endangered Species Recovery Fund;
- Continue to document the program's accomplishments and efforts towards species recovery through the Special Status Species Tracking System, a reporting system developed by BLM's National Operation Center;
- Continue to inventory and monitor habitat on the millions of BLM acres where Federally-listed species are known or suspected to occur; and
- Continue to leverage additional dollars, equipment, and labor from Federal and non-Federal partners with shared T&E species recovery objectives.

# Recreation Management



## Activity: Recreation Management

		2014 Actual	2015 Enacted	2016 President's Budget			Requested Amount	Change from 2015
				Fixed Costs	Transfers	Program Changes		
Wilderness Management	<i>\$000</i>	18,264	18,264	+295	+0	+0	18,559	+295
	<i>FTE</i>	146	146		+0	+0	146	0
Recreation Management	<i>\$000</i>	48,697	48,697	+654	-1,615	+9,115	56,851	+8,154
	<i>FTE</i>	372	372		+0	+5	377	5
Total, Recreation Management	<i>\$000</i>	66,961	66,961	+949	-1,615	+9,115	75,410	+8,449
	<i>FTE</i>	518	518		+0	+5	523	5

### Justification of 2016 Program Change

The 2016 budget request for the Recreation Resource Management Activity is \$75,410,000 and 523 FTE, and reflects an internal transfer of -\$1,615,000 and a program change of +\$9,115,000 and +5 FTE from the 2015 enacted level.

### Activity Description

The Recreation Management Activity supports efforts to:

- Provide resource-related recreational opportunities for a wide range of activities;
- Furnish quality visitor services;
- Provide a diversity of recreation facilities, visitor centers, and competitive activities;
- Identify and protect wilderness values;
- Assure that the public receives fair market value for any commercial ventures conducted on public lands; and
- Collect recreation use and entrance fees in the best interest of the general public.

These responsibilities are encompassed by the Bureau's strategic goal to provide opportunities for environmentally responsible recreation.

The Recreation Management Activity provides:

- Recreation planning and visitor use monitoring;
- Trails, access, and rivers management including off-highway vehicle, public access, and comprehensive travel and transportation management;
- Visitor services, information, interpretation and stewardship education;
- Visitor health, safety, and accessibility for persons with disabilities;
- Recreation facility design, operation, and maintenance including visitor centers;
- Recreation and community support partnerships including tourism and marketing;
- Wilderness management in the National Conservation Lands; and
- Support to partnerships, volunteers, and youth programs.

## Activity: Recreation Management

### Subactivity: Wilderness Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Wilderness Management	\$000	18,264	18,264	+295	+0	+0	18,559	+295
	FTE	146	146		+0	+0	146	+0

#### Justification of 2016 Program Changes

The 2016 budget request for the Wilderness Management Program is \$18,559,000 and 146 FTE.

#### Program Overview

The Wilderness Management Program is a part of the BLM National Conservation Lands. The BLM's 15-year National Conservation Lands strategy supports the bureau's multiple-use mission by ensuring that management efforts are focused on conservation, while allowing for compatible uses, consistent with the designating legislation of the concerned wilderness area. In addition to conservation, the strategy emphasizes continued collaboration, public involvement, and youth engagement. Engaging local communities to help them foster a sense of shared stewardship and pride in their local wilderness is a key part of the Wilderness Management Program. The program also contributes to the Department of the Interior's Youth in the Great Outdoors Initiative by providing abundant opportunities for recreation, education, volunteerism, and work experience.

For more information on the National Conservation Lands Strategy, visit the BLM website at: [http://www.blm.gov/wo/st/en/info/newsroom/2011/september/NR\\_09\\_30\\_2011.html](http://www.blm.gov/wo/st/en/info/newsroom/2011/september/NR_09_30_2011.html)

The BLM is required to meet legal requirements for administering the Wilderness Management Program while also conserving, protecting, and restoring National Conservation Lands values in the 222 Wilderness Areas (8.7 million acres) and more than 520 Wilderness Study Areas (12.7 million acres) under BLM management as defined below:

- Wilderness Areas are undeveloped Federal lands designated by law to be managed to protect their wilderness character as defined by the Wilderness Act of 1964. These designated areas are generally large, natural, and undeveloped landscapes that offer outstanding opportunities for solitude or primitive and unconfined types of recreation.
- Wilderness Study Areas (WSAs) are roadless areas that contain wilderness characteristics and are protected to maintain those characteristics until Congress designates them as Wilderness Areas or releases them for non-wilderness uses.

The Wilderness Management Program focuses on the protection and conservation of wilderness and National Conservation Lands values with the following activities:

- Monitoring and preserving wilderness character;
- Managing use and encouraging appropriate wilderness uses;
- Monitoring and managing for noxious weed infestations, trespass activities, and recreation; and
- Restoring impacted areas such as trampled vegetation and eroded soil caused by unauthorized off-highway vehicles (OHV) travelling cross-country.

The National Wilderness Preservation System includes all Wilderness Areas managed by the U.S. Forest Service (USFS), the BLM, the National Park Service (NPS) and the U.S. Fish and Wildlife Service (FWS). It does not include BLM's WSAs. The BLM is unique in that the vast majority of its Wilderness Areas and WSAs are located in delicate desert environments; this adds an important ecosystem component to the National Wilderness Preservation System. Millions of people visit these areas annually either on their own or through the hundreds of permitted commercial outfitters that assist the public in enjoying these unique lands. This use provides significant economic impact to local communities and helps to sustain the natural heritage of their wilderness landscapes.

The Wilderness Management Program frequently addresses challenges associated with unauthorized uses such as illegal OHV use, which result in the degradation of wilderness character. Managing the wilderness resource requires collaboratively managing these assets as part of the larger landscape. After a Wilderness Area is designated, the BLM typically spends the first three years marking and mapping the boundary, and providing visitor services such as maps and other public information. Subsequent management includes acquiring in-holdings from willing sellers, restoring wilderness character where needed, engaging in land use planning and monitoring, implementing wilderness management plans, and providing visitor services. BLM staff engage in land use planning to prepare management plans for Wilderness Areas to guide long-term management and protection of wilderness character. These plans raise public awareness and understanding of the National Conservation Lands, promote stewardship of BLM-managed land, and provide for the use and enjoyment of these lands by present and future generations.

## **Program Emphasis Areas**

### **Preserving Wilderness Character**

Preserving wilderness character is at the heart of the BLM's responsibility to protect its Wilderness Areas for future generations. An interagency strategy for monitoring trends in wilderness character across the National Wilderness Preservation System outlines a unified approach for collecting data and will allow the identification of trends in wilderness character quality across all wilderness-managing agencies. The protocol developed to monitor and describe trends in the quality of wilderness character will eventually enable the BLM to establish a meaningful measure with verified baseline data, which will ensure that the BLM preserves wilderness character as required by the Wilderness Act.

During 2015, the BLM expects to continue gathering baseline data for each of its 222 Wilderness Areas. The BLM will then use this information to make meaningful, efficient management decisions to maintain or improve wilderness character.

### **Enhancing Scientific Knowledge**

BLM Wilderness Areas play a critical role in increasing scientific knowledge about a wide array of management challenges. The need for scientific research and information grows as new

issues are identified, including the effects of drought, climate change, and other landscape stressors on species habitat and migration corridors. Improved, higher-resolution satellite imagery and aerial photography aid in the monitoring of Wilderness Areas and WSAs. The BLM is also enhancing the role of science partnerships in wilderness management and collaborating with partners to help manage its Wilderness Areas as a part of larger landscapes.

### **Developing Partnerships and Engaging People and Communities**

Developing partnerships in wilderness stewardship is an important aspect of managing Wilderness Areas and WSAs and allows the BLM to leverage limited resources to achieve management goals. The Wilderness Management Program benefits greatly from a volunteer force that provides thousands of hours of resource monitoring in addition to materials and transportation for specific projects. The BLM has established nearly 100 formal and informal partnerships to facilitate wilderness stewardship activities. Typical examples of work performed by partners in Wilderness Areas and WSAs include building and maintaining trails, eradicating and monitoring for invasive species, interim management monitoring of WSAs, and reclaiming and restoring affected areas to create more-natural environments. The BLM has developed a Memorandum of Understanding with the National Wilderness Stewardship Alliance, a national organization that is coordinating the establishment of partners and friends groups to assist in wilderness stewardship in the National Wilderness Preservation System. Many of these groups have strong ties to local communities and can help foster a sense of shared stewardship and pride in their local wilderness.

### **Connecting Landscapes by Working Collaboratively**

The Wilderness Management Program benefits greatly by working collaboratively with several crosscutting BLM programs and other agencies to achieve larger landscape-scale goals. Projects that manage wildlife, fire, weeds, and rangeland resources routinely benefit wilderness resources and assist the BLM in meeting its legal requirements. By establishing connections across boundaries with other jurisdictions; other Federal, State and local agencies; and private conservation lands, the BLM complements and supplements the management of these areas, allowing the BLM to manage the Wilderness Areas under its jurisdiction as a part of these larger landscapes and strengthening the resilience of all areas.

## **2016 Program Performance**

In 2016, the BLM plans to monitor its 222 Wilderness Areas and will continue routine monitoring of its more than 520 WSAs to ensure the BLM is protecting those areas' wilderness character. Due to competing program priorities, the BLM was not able to complete collection of baseline wilderness character data for all of its Wilderness Areas by the end of 2014. Since establishing this baseline is essential to implementing the interagency strategy for monitoring trends in wilderness character, the BLM will develop an interim performance measure that assesses the percentage of BLM Wilderness Areas for which the agency has collected baseline data. Having a completed baseline will allow the BLM to begin to identify trends in wilderness character quality using a protocol common to all four wilderness-managing agencies.

In addition, BLM's efforts to update existing wilderness characteristics inventories will continue to be a priority workload in 2016. As the BLM prepares to update several land use plans in the next few years, it will be necessary to have high-quality, up-to-date inventories of lands with wilderness characteristics in order to ensure the success of these plans. This workload will entail providing training for agency staff responsible for conducting inventories of lands with wilderness characteristics, and considering such lands in the land use planning process. The

training will conform to BLM Manual 6310—Conducting Wilderness Characteristics Inventory on BLM Lands, and BLM Manual 6320—Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process.

## Activity: Recreation Management

### Subactivity: Recreation Resources Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Recreation Management	\$000	48,697	48,697	+654	-1,615	+9,115	56,851	+8,154
	FTE	372	372		+0	+5	377	+5

Summary of 2016 Program Changes/Internal Transfers for Recreation Management:	(\$000)	FTE
National Recreation Strategy	+6,615	+5
Youth in the Great Outdoors	+2,500	+0
Internal Transfer to National Conservation Lands	-1,615	+0
<b>Total</b>	<b>+7,500</b>	<b>+5</b>

### Justification of 2016 Program Changes

The 2016 budget request for the Recreation Resources Management Program is \$56,851,000 and 377 FTE. This reflects program increases of +\$9,115,000 and +5 FTE and internal transfers of -\$1,615 and 0 FTE from the 2015 enacted level.

**National Recreation Strategy – Connecting with Communities(+ \$6,615,000/+5 FTE)** – The requested increase will allow the BLM to implement its National Recreation Strategy, which aligns the resources of the BLM's Recreation & Visitor Services Program with the desired outcomes of local communities, businesses, and other service providers to increase delivery of benefits to the recreating public and refines program objectives to achieve recreation-tourism outcomes that communities value most, while capitalizing on the inherent advantages of the BLM's unique recreation brand. In 2016, the program will address safety needs, provide better signage and interpretive exhibits, improve accessibility standards at 26 BLM Visitor Centers, and implement the Mountain Bike Action Plan with national partners.

Funding will also be used for an interactive national level map; a site specific webpage design that features recreation information; and static, printable PDF maps showing recreation facilities and amenities. These products will have a consistent look and feel, operate on a variety of platforms, including mobile networks, and will provide consistent and accessible information across all BLM recreation sites and units of the National Conservation Lands with information about each site and available recreation.

**Youth in the Great Outdoors (+\$2,500,000/0 FTE)** – The 2016 budget request includes a \$2.5 million increase for the Secretary's Youth Initiative in the Recreation and Visitor Services program. Funding will allow the BLM to expand efforts to educate, engage, and employ young people. Special consideration will be given to those programs that provide youth from diverse backgrounds with hands-on learning in Science, Technology, Engineering, and Mathematics (STEM), and prepare them for careers in STEM fields.

**Transfer to National Conservation Lands (-\$1,615,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from various MLR subactivities to the National Conservation

Lands. Of the \$5.0 million, \$1.6 million will be transferred from Recreation Resources Management. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the amount this subactivity has contributed to the operations of the National Conservation Lands in recent years.

## Program Overview

Public lands managed by the BLM provide some of the most diverse outdoor recreation opportunities on Federal lands in the western U.S. The Bureau's Recreation and Visitor Services Program oversees a broad and complex set of recreation related and social management activities and programs.

The Recreation Management program is responsible for the following components:

- **Recreation Planning** – Evaluating and assessing a wide range of social, economic, and recreational uses of public lands through the land use planning (LUP) process. Recreation Area Management Plans are prepared to implement LUP decisions in designated recreation management areas.
- **Travel and Transportation Management** – Determining public and resource use access needs through the LUP process. The BLM travel and transportation management planning process establishes designations and restrictions for all modes of transportation including motorized and non-motorized uses.
- **Visitor Safety** – Providing opportunities for safe recreational activities for the public, as well as, to educate and encourage safe behavior.
- **Facility Management and Accessibility** – Providing daily operation and routine maintenance of over 3,650 recreation sites and 380 Special Recreation Management Areas, including campgrounds, picnic and day use areas, visitor centers, waysides and kiosks, watchable wildlife sites, historic buildings and lighthouses, trailhead access points, and thousands of miles of rivers and trails. As communities near public lands grow in the West, visitation and demands for new trails and visitor service facilities increase each year. In addition to operating facilities, the BLM is responsible for ensuring facilities and programs meet accessibility standards for persons with disabilities.
- **River Management** – Managing over 500 segments and about 9,000 miles of floatable/boatable rivers and lakes along with associated issues related to water quality, permitting, education and interpretation, visitor safety, enforcement patrols, and resource management. Of these floatable/boatable rivers and lakes, 320 segments and 6,600 miles have significant recreational value. A portion of the funds for river management also serves the needs of Wild and Scenic Rivers, managed by the National Conservation Lands (reference NCL write-up).
- **National Scenic & Historic Trails** – Monitoring over 4,500 miles of 10 National Historic Trails and is responsible for over 600 miles of three National Scenic Trails. (For more information, reference the National Conservation Lands activity).

- **Hunting, Fishing, and Shooting Sports** – Implementing important provisions of Executive Order 13443, Facilitation of Hunting Heritage and Wildlife Conservation, which directs agencies to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat.
- **Youth** – Overseeing components of the Bureau's Youth in the Great Outdoors initiative, a significant component of the President's America's Great Outdoors initiative. The Recreation program also oversees the Take It Outside program to promote outdoor activities for kids. The BLM will continue to promote healthy and active lifestyles and better engage the next generation as public land stewards for natural resource conservation.
- **Visual Resources** – Analyzing, managing, and ensuring protection of visual resources to maintain valued landscape aesthetic character.
- **Recreation Permits, Fees, and Commercial Leases** – Reviewing, implementing, and monitoring over 3,200 special commercial and competitive recreation permits and over 800,000 individual use authorizations for special areas each year. The BLM also provides oversight and accountability for the recreation permit, fee, and commercial lease program.
- **Public Outreach, Stewardship and Partnerships** – Promoting and supporting partnerships, volunteerism and stewardship to enhance recreational and educational experiences for visitors and public land users. The BLM is working with community leaders and networks of service providers to manage recreation opportunities that the public wants and that will bring economic benefits to local communities. The Bureau is also partnering with veterans and disabled sportsmen's groups to ensure access to recreational opportunities.
- **Visitor Information** – Providing visitor information and services including maps, websites, interpretation and environmental education. Enhancing the quality and consistency of baseline visitor and resource data by conducting inventories and implementing visitor use monitoring systems to improve understanding of the full range of social, economic and community resource values and enhance decision making capabilities.
- **Cave Management** – Overseeing cave and karst (an irregular limestone region with sinkholes, underground streams, and caverns) resource management policies and program.
- **Customer/Visitor Service Satisfaction Surveys** – Measuring success in providing quality visitor services through an annual survey. The BLM continues to maintain scores of above the 90 percent range in customer satisfaction in providing recreation program visitor services and facilities to its customers.

### Critical Factors

The primary critical factors impacting the Recreation Program are:

- **Urban Growth:** As communities near public lands grow in the West, visitation and demands for new trails and visitor service facilities have increased each year. There are over 132 million acres of BLM-managed land in the western U.S. within 50 miles of an urban area with a population of 50,000 or greater.
- **Public Demand:** Visitation to public lands has increased from 51 million visitors in 2001 to 61 million in 2014
- **Public Access Conflict:** Off-highway vehicle (OHV) use on public lands continues to increase. The BLM addresses travel and transportation planning as well as OHV

management and restoration needs through Travel Management Plans and the Resource Management Planning process. In response to the increased OHV use, the BLM is implementing a comprehensive and interdisciplinary approach in developing travel management plans and implementing actions to address the demand for public services, ensure public health and safety, protect natural and cultural resources, and reduce use conflicts.

- **Public Safety and Resource Protection:** Increasing urbanization and motorized activities have resulted in law enforcement personnel spending significant resources on OHV, urban interface and border-related enforcement activities.

## Means and Strategies

The primary means and strategies utilized in the Recreation Program are:

- **Visitor Data:** Improving baseline visitor and resource data by conducting inventories and implementing visitor use monitoring systems.
- **Travel and Public Access Management:** Balancing off-highway vehicle access and use with resource protection and public access needs by updating and implementing comprehensive travel management plans;
- **Visitor Information and Education:** Expanding visitor information delivery and quality by improving signing and websites, and developing travel maps.
- **Visitor health, safety and accessibility:** Ensuring and enhancing visitor health and safety and improving access for the disabled by conducting recreation facility condition assessments and fixing problems or hazards.
- **Permits and Use Authorizations:** Regulating uses by issuing and monitoring recreation use permits and allocating use for commercial, competitive, organized, and individual uses within specially designated areas.
- **Accountability and transparency:** Improving accountability and effectiveness by issuing recreation special permits, conducting fee program and fee site business practices assessments, and conducting audits and program evaluations.
- **Visitor Use Monitoring:** Protecting resources, improving services, and enhancing the quality of recreational experiences by monitoring visitor use and satisfaction, as well as monitoring vehicular use and their impacts on resources.
- **Partnerships and Public Service:** Reducing operational costs by emphasizing the use of volunteers and providing extensive public service opportunities. The recreation program has been particularly successful in engaging volunteers, accounting for almost half of the entire Bureau's volunteer hours and nearly doubling the seasonal recreation workforce to serve visitors, maintain facilities and restore resources.

## 2016 Program Performance

The public lands attract millions of visitors each year that are economic engines for local communities across the West. In 2014, 61 million recreational visits to Federal public lands and waters generated over \$5.5 billion in economic outputs, and supported over 42,000 jobs. In 2016, the BLM will invest in the programs that support recreational visits, build strong partnerships, and create the maximum potential for recreation benefits to local communities.

The additional funding would allow the BLM to implement the National Recreation Strategy with the following priority areas:

***Backyard to Backcountry:*** More than 120 urban centers in the western United States and thousands of rural towns are located within 25 miles of BLM lands, according to data from the 2010 census. Although many in the past have viewed this intermingling of public lands with State, county, and private lands as a weakness, this ready accessibility to public lands creates a unique recreation-tourism product, a distinctive niche in the Federal recreation marketplace that offers a competitive advantage.

Typically, the BLM has engaged with recreation partners when opportunities have presented themselves for specific activities. The National Recreation Strategy would move the Bureau away from a reactive approach to these partnerships and would devote the necessary resources to making sustained efforts to identify and develop outcome-focused partnerships with community networks of service providers as a matter of good business. Partnership in community networks will also help the BLM focus on its recreation brand and develop systematic plans that maximize the most significant shared benefits, without trying to be “all things to all people.”

# Energy and Minerals Mangement



## Activity: Energy and Minerals Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Oil & Gas Management <sup>(1)</sup>	\$000	80,877	53,183	+867	-11	+5,632	59,671	+6,488
	FTE	595	347		+0	-16	331	-16
Oil & Gas Permit Processing from Fee Collections	\$000	32,500	32,500	+0	+0	-25,375	7,125	-25,375
	FTE	275	275		+0	-234	41	-234
Onshore Oil & Gas Inspection Activities <sup>(2)</sup>	\$000	[38,000]	41,126	+0	+0	+6,874	[48,000]	+6,874
	FTE	[265]	270		+0	+15	285	+15
Coal Management	\$000	9,595	9,595	+173	+0	+1,100	10,868	+1,273
	FTE	66	66			+0	66	+0
Other Mineral Resources	\$000	10,586	10,586	+193	+0	+1,100	11,879	+1,293
	FTE	82	82		+0	+0	82	+0
Renewable Energy	\$000	29,061	29,061	+295	+0	+0	29,356	+295
	FTE	144	144		+0	+0	144	+0
<b>Total, Energy &amp; Minerals Management</b>	<b>\$000</b>	<b>130,119</b>	<b>143,551</b>	<b>+1,528</b>	<b>-11</b>	<b>-26,169</b>	<b>118,899</b>	<b>-24,652</b>
	<b>FTE</b>	<b>1,162</b>	<b>1,184</b>		<b>+0</b>	<b>-520</b>	<b>664</b>	<b>-520</b>

(1): 2014 and 2015 Oil and Gas Management FTE include 275 FTE paid for with APD fees. See Oil and Gas Management subactivity table and chapter for details.

(2): The 2016 budget proposes to shift the cost of inspections to inspection fees, which are estimated to generate \$48.0 million.

### Justification of 2016 Program Changes

The 2016 budget request for current appropriations for the Energy and Minerals Management activity is \$118,899,000 and 664 FTE, a program change of -24,652,000 and -520 FTE from the 2015 enacted level. These net changes reflect increases in other funding sources available to the program under separate authorizing legislation and from proposed new fee revenues. The budget assumes an additional \$48,000,000 in funding resources would be available to the Oil and Gas Program through proposed oil and gas inspection fees. In addition, as a result of recent changes included in the National Defense Authorization Act for 2015, an estimated \$56,495,000 in mandatory funds in the Oil and Gas Permit Processing Improvement Fund would also be available to the Oil and Gas Program. All told, total funding resources available to the Oil and Gas Program in 2016 is estimated to be \$171.3 million, or \$29.1 million above the 2015 estimate. See the Oil and Gas Management subactivity for more details.

### Activity Description

Energy and mineral resources generate the highest revenue values of any uses of the public lands from royalties, rents, bonuses, sales, and fees. In 2014, onshore Federal lands produced 41 percent of the Nation's coal, 40 percent of the Nation's geothermal capacity, 11 percent of domestic natural gas, and five percent of domestically-produced oil.

The goal of the Oil and Gas Program is to provide access to oil and gas where appropriate, and to manage exploration and development activities in an environmentally sound way.

Coal is used to generate approximately 46 percent of the Nation's electricity. The electric power sector (electric utilities and independent power producers) accounts for about 90 percent of all coal consumed in the U.S. and is the driving force for the Nation's coal consumption.

The BLM provides other minerals needed to support local infrastructure and economic development. Demand is increasing globally for non-energy solid minerals such as potassium, phosphate, sodium, and potash. Other important mineral resources produced from public lands include uranium, gold, silver, gypsum, sodium, building stone, sand, and gravel. The BLM processes sales and issues permits for mineral materials such as sand, gravel, stone, and clays, which are essential to maintenance and construction of roads and buildings, including those used by the BLM to fulfill its land management objectives.

The Renewable Energy Management Program is responsible for processing right-of-way applications for wind and solar energy, overseeing geothermal energy leasing and development, and prioritizing transmission development associated with renewable energy production.

Geothermal energy development was historically managed as part of the Oil and Gas Management Program. Funding for geothermal leasing and development was transferred from the Oil and Gas Management Program to the Renewable Energy Program in 2013 as management oversight of renewable energy development was consolidated into a single program. The BLM has the delegated authority for leasing 249 million acres of Federal land (including just over 100 million acres of National Forest land) with geothermal potential.

**Activity: Energy and Minerals Management**  
**Subactivity: Oil and Gas Management**

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Oil & Gas Management	\$000	80,877	53,183	+867	-11	+5,632	59,671	+6,488
	FTE	595	347		+0	-16	331	-16
Oil & Gas Permit Processing from Fee Collections	\$000	32,500	32,500	+0	+0	-25,375	7,125	-25,375
	FTE	275	275		+0	-234	41	-234
Oil & Gas Inspection Activities	\$000	[38,000]	41,126	+0	+0	+6,874	48,000	+6,874
	FTE	[265]	270		+0	+15	285	+15
Subtotal, Oil & Gas Program	\$000	113,377	126,809	+867	-11	-12,869	114,796	-12,013
	FTE	870	892		+0	-235	657	-235
Less Offsetting Fees (Permit Processing and Inspection)	\$000	-32,500	-32,500	+0	+0	-15,500	-48,000	-15,500
	FTE	-275	-275			-10	-285	-10
Total, Oil & Gas Mgmt	\$000	80,877	94,309	+867	-11	-28,369	66,796	-27,513
	FTE	595	617		+0	-245	372	-245

Summary of 2016 Program Changes/Internal Transfers for Oil & Gas Management:	(\$000)	FTE
Encourage Smart Development through MLPs	+5,757	+0
Enhance Capability of Pilot Offices	+3,000	-16
AFMSS Modernization	+4,000	+0
Reduction - Shift base funding for Permitting	-7,125	+0
Increase Inspection Capacity	+6,874	+15
Shift Cost of Inspection to Fees	-48,000	+0
Internal Transfer to National Conservation Lands	-11	+0
<b>Total</b>	<b>-35,505</b>	<b>-1</b>

Other Resources Supporting Oil & Gas Management:					
		2014 Actual	2015 Estimate	2016 Estimate	Change from 2015
Energy Act Permit Processing Fund	\$000	14,066	15,418	56,495	+41,077
	FTE	155	155	430	+275
Energy and Minerals Cost Recovery	\$000	5,399	5,160	5,160	+0
	FTE	22	22	22	+0
Abandoned Wells Remediation Fund	\$000	10,000	36,000	0	-36,000
	FTE	0	0	0	+0

## Notes:

- Energy Act Permit Processing Fund amounts are shown as new budget authority derived from 50 percent of rents from onshore mineral leases for oil and gas, coal, and oil shale on Federal lands; Section 365 of the Energy Policy Act of 2005 (Public Law 109-58) appropriates these funds on a permanent basis. More information on Energy Act Permit Processing Fund is found in the Permanent Operating Funds chapter

- Energy and Minerals Cost Recovery amounts are shown as new budget authority derived from fees that include costs of actions such as environmental studies performed by the BLM, lease applications, and other processing related costs; Independent Offices Appropriations Act (IOAA), as amended (31 USC 9701), Section 304(a) of the Federal Land Policy and Management Act of 1976, as amended (43 USC 1734) appropriates these funds on a current basis. More information on Energy and Minerals Cost Recovery is found in the Service Charges, Deposits, & Forfeitures chapter

- Abandoned Wells Remediation Fund amounts are shown as new budget authority derived from General Fund; Section 349 of the Energy Policy Act of 2005 (Public Law 109-58), as amended by Public Law 113-40, the Helium Stewardship Act of 2013 (42 USC 15907) appropriates these funds on a permanent basis. More information on Abandoned Wells Remediation Fund is found in the Abandoned Wells Remediation Fund chapter

- Amount in 2014 and 2015 for Energy Act Permit Processing Fund and Abandoned Well Remediation Fund shown net of sequestration

- Actual and estimated obligations, by year for Abandoned Wells Remediation Fund are found in President's Budget Appendix under the BLM section

## Justification of 2016 Program Changes

The Oil and Gas Management subactivity table above has been expanded to show all current appropriations and offsetting fees requested for the Oil and Gas Program. This includes a separate line for Oil and Gas Inspections Activities for comparison of this funding relative to the budget presentation in the 2015 appropriations support table. These funding resources are further augmented by an estimated \$56.9 million in permanent appropriations authorized by the National Defense Authorization Act (NDAA) of 2015. The total of all these funding resources represents a \$29.1 million, or 20 percent, increase for BLM's Oil and Gas Program over the 2015 level. The permanent funding is deposited into BLM's Permit Processing Improvement Fund and is further discussed in the Permanent Operating Funds chapter.

The 2016 budget request for the Oil and Gas Management subactivity is \$59.7 million, and 331 FTE, a program change of +\$5.6 million and -16 FTE and an internal transfer of -\$11,000 and 0 FTE from the 2015 enacted level. The request for current appropriations includes an additional \$7.1 million (and 41 FTE) that will be covered by the 15 percent of APD fees authorized by the National Defense Authorization Act of 2015. This \$7.1 million in requested appropriations, plus the 85 percent of APD fees permanently appropriated by the NDAA (estimated at \$40.4 million and shown in the Permanent Operating Funds chapter) replace the \$32.5 million in APD offsetting collections provided in the 2015 appropriations bill. Due to the availability of this mandatory funding, total discretionary program resources requested for the Oil and Gas program, including fee-based funding, is \$114.8 million, a program decrease of -\$12.9 million from the 2015 enacted level. The budget proposes to offset this request with \$48.0 million in

offsetting fees for a net total of \$66.8 million for Oil and Gas Management. Following are the individual program change descriptions.

**Master Leasing Plans (+\$5,757,000/0 FTE)** – The 2016 budget request includes an increase of nearly \$5.8 million to fund the development of oil and gas master leasing plans (MLPs) that are currently in process or are scheduled to begin in 2016. The BLM typically prepares MLPs in areas where the BLM anticipates high interest for leasing and there are potential conflicts with other natural resources. The MLPs build upon Resource Management Plan decisions by providing a more focused and detailed analysis, including an analysis of optimal lease parcel configurations and potential development scenarios; identifying and addressing resource conflicts and associated environmental impacts; and identifying mitigation strategies and constraints. Through the MLP process, the BLM analyzes and resolves these issues prior to conducting lease sales; therefore, the MLPs will provide oil and gas operators increased regulatory certainty when obtaining and developing lease parcels. The requested funding will be used to complete or begin MLPs within the BLM Utah, New Mexico, Colorado, and Wyoming State offices.

**Enhance Capacity of Oil and Gas Pilot/Project Offices (+\$3,000,000/+25 FTE)** – In addition to authorizing APD fees for 2016 through 2026, the NDAA also permanently extends BLM access to mineral lease rent revenues deposited in the Permit Processing Improvement Fund, which have been a significant source of funding for the BLM Pilot Offices established under the Energy Policy Act (EPAAct) of 2005. Under EPAAct, BLM's access to these mandatory rent revenues was set to expire at the end of fiscal year 2015. The budget estimates that \$16.1 million in rental receipts will be deposited in the PPIF in 2016, an increase of \$702,000 over the 2015 estimate. Given the heavy workload and increasing need for the BLM to support increased domestic oil and gas production, the budget proposes to not only sustain, but enhance the capacity of current and future oil and gas pilot/project offices with an additional \$3.0 million in requested current appropriations. Current funding levels for pilot offices and other energy-intensive district and field offices have not kept pace with the increasingly time-consuming and complex work associated with processing current APDs. The requested funding will help the BLM reduce the backlog of APDs, address stronger wellbore integrity needs through implementation of the hydraulic fracturing regulation, and allow the BLM to address the complexities related to longer horizontal well completions. This will require better technical knowledge, training and a need to replace departing engineers due to retirement or other career moves. The goal of the added program capacity is to accelerate the processing times of APDs and other use authorizations.

**Automated Fluid Minerals Support System Modernization (+\$4,000,000/0 FTE):** The 2016 budget request includes an increase of \$4.0 million to complete the final phase of the information technology modernization project to update the 19-year old Automated Fluid Minerals Support System (AFMSS). The AFMSS system is used for the collection, management, and sharing of information on authorized use of fluid minerals (e.g. oil, gas, geothermal and helium), including the issuance of drilling permits and collection of inspection and enforcement data across Federal and Indian onshore operations. The new system will automate workflows to be consistent with BLM standards and will minimize the need for manual data entry, thereby improving data quality. The first phase of the project, automating the Notice of Staking and APD processes, has been implemented as a pilot and will be implemented throughout the Bureau in 2015. In FY 2015, the BLM will also complete the second stage of the project, which will phase out the current system and automate the collection of inspection data via tablet computers. The funding increase of \$4.0 million requested as part of the FY 2016

President's Budget will be used for completing the final phase that will automate processes not supported by the current system, allowing BLM employees to gather and evaluate a wider range of information in a more efficient manner. AFMSS is used by other bureaus including the Bureau of Indian Affairs, the U.S. Forest Service, and Interior's Office of Natural Resources Revenue. The BLM plans to make use of the lessons learned from its modernization of the AFMSS and continue to coordinate with these bureaus, the Department's Chief Information Officer, and other bureaus and offices to ensure that related systems are fully integrated and sharing data where possible.

**Transfer to National Conservation Lands (-\$11,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Of the \$5.0 million transfer, \$11,000 will be transferred from Oil and Gas Management Program. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the amount this subactivity has contributed to the operations of the National Conservation Lands in recent years.

**Oil and Gas Permit Processing from Fee Collections (net change of -\$25,375,000/-234 FTE)** – As noted above, Section 3021 (d) of the National Defense Authorization Act, 2015 amended the Mineral Leasing Act to authorize APD fees in 2016 through 2026 and to permanently appropriate the majority of these fee revenues in order to process applications for permits to drill (APDs). As a result, the offsetting collection currently provided in the annual appropriations language is no longer required in 2016. The NDAA sets the APD fee at \$9,500 (to be adjusted annually for inflation), an increase of \$3,000 over the current \$6,500 per APD fee set in the 2015 appropriations act. The budget estimates that the \$9,500 APD fee will generate \$47.5 million in revenues in 2016. For FYs 2016 through 2019, the NDAA permanently appropriates only 85 percent of this amount (estimated at \$40.4 million in 2016), leaving the other 15 percent of fee revenues subject to appropriation. As noted above, the budget request for current appropriations includes the remaining \$7.1 million, or 15 percent, in estimated APD fee revenues. The net change of -\$25.4 million reflects the difference between the \$32.5 million provided in offsetting collections in 2015, and a current appropriation of \$7.1 million in 2016 that will be covered by the 15 percent of APD fees proposed to be appropriated as part of the 2016 Interior appropriations bill.

**Oil and Gas Inspection Activities (Net program change of +\$6,874/+15 FTE):** The 2016 budget request proposes to institute new onshore oil and gas inspection fees to cover the costs of BLM's inspection activities and reduce the net cost to taxpayers of operating BLM's oil and gas program. The estimated \$48.0 million in collections generated from the inspection fees will reduce the need for direct appropriations for the program by -\$41.1 million while also providing for an increase of \$6.9 million above the amount appropriated in 2015 for this critical BLM management responsibility. The increased funding is aimed at correcting deficiencies identified by the Government Accountability Office in its February 2011 report, which designated Federal management of oil and gas resources, including production and revenue collection, as high risk. The BLM will also complete more environmental inspections to ensure environmental requirements are being followed in all phases of development. The fees are similar to those already in place for offshore operations. Proposed appropriations language to implement the fees is included in the proposed General Provisions for the Department of the Interior, and is shown below for convenience.

SEC. 114. (a) In fiscal year 2016 the designated operator of each lease on Federal or Indian lands, or each unit and communitization agreement that includes one or more Federal or Indian leases, that is subject to inspection under 30 U.S.C. 1718(b), and that is in force at the start of fiscal year 2016 shall pay a nonrefundable inspection fee that the Bureau of Land Management (BLM) shall collect and deposit in the "Management of Lands and Resources" account.

(b) Fees for 2016 shall be:

- (1) \$700 for each lease or unit or communitization agreement with no active or inactive wells, but with surface use, disturbance or reclamation;
- (2) \$1,225 for each lease or unit or communitization agreement with 1 to 10 wells, with any combination of active or inactive wells;
- (3) \$4,900 for each lease or unit or communitization agreement with 11 to 50 wells, with any combination of active or inactive wells; and
- (4) \$9,800 for each lease or unit or communitization agreement with more than 50 wells, with any combination of active or inactive wells.

(c) BLM will bill designated operators within 60 days of enactment of this Act, with payment required within 30 days of billing.

(d) If the designated operator fails to pay the full amount of the fee as prescribed in this section, BLM may, in addition to utilizing any other applicable enforcement authority, assess civil penalties against the operator under 30 U.S.C. 1719 in the same manner as if this section were a mineral leasing law as defined in 30 U.S.C. 1702(8).

## Legislative Changes

**Federal Oil and Gas Reforms** - The 2016 budget includes a package of legislative reforms to bolster and backstop administrative actions being taken to reform management of Interior's onshore and offshore oil and gas programs, with a key focus on improving the return to taxpayers from the sale of these Federal resources and on improving transparency and oversight. Proposed statutory and administrative changes fall into three general categories: (1) advancing royalty reforms; (2) encouraging diligent development of oil and gas leases; and (3) improving revenue collection processes.

Royalty reforms include evaluating minimum royalty rates for oil, gas, and similar products, adjusting the onshore royalty rate, analyzing a price-based tiered royalty rate, and repealing legislatively-mandated royalty relief. Diligent development requirements include shorter primary lease terms, stricter enforcement of lease terms, and monetary incentives to get leases into production through a new per-acre fee on nonproducing leases. Revenue collection improvements include simplification of the royalty valuation process, elimination of interest accruals on company overpayments of royalties, and permanent repeal of Interior's authority to accept in-kind royalty payments. Collectively, these reforms will generate an estimated \$2.5 billion in revenue to the Treasury over 10 years, of which approximately \$1.7 billion will result from statutory changes. Many States will benefit from higher Federal revenue sharing payments as a result of these reforms.

**Repeal Geothermal Payments to Counties** - The Administration proposes to repeal Section 224(b) of the *Energy Policy Act of 2005*. Prior to passage of this legislation, geothermal revenues were split between the Federal government and States, with 50 percent directed to States, and 50 percent to the Treasury. The *Energy Policy Act of 2005* changed this distribution beginning in 2006 to direct 50 percent to States, 25 percent to counties, and for a period of five years, 25 percent to a new BLM Geothermal Steam Act Implementation Fund. The allocations to the new BLM geothermal fund were discontinued a year early through a provision in the 2010 Interior Appropriations Act. The repeal of Section 224(b) will permanently discontinue payments

to counties and restore the disposition of Federal geothermal leasing revenues to the historical formula of 50 percent to the States and 50 percent to the Treasury. This results in estimated savings of \$4.0 million in 2015 and \$47 million over ten years.

## Program Overview

### Program Components

The BLM's Oil and Gas Management Program is responsible for providing access to onshore energy resources in an environmentally responsible manner. The BLM manages approximately 47,000 Federal onshore leases scattered across 34 States – these leases typically generate over \$3.0 billion in revenues each year. In addition, BLM manages operations on roughly 4,500 oil and gas leases on behalf of tribes and individual Indian mineral owners.

The primary components of the program are the leasing phase, the well permitting phase, and oversight of operations including inspections and enforcement of ongoing operations as well as reclamation and abandonment activities. Another important function is the BLM's Fiduciary Trust Responsibility to Indian Tribes.

During FY 2014, the BLM placed priority on conducting inspections of high-priority wells, and on addressing the recommendations of the Government Accountability Office and DOI's Office of the Inspector General. The BLM is also in the process of completing final regulations that would govern the use of hydraulic fracturing techniques on Federal and Indian lands.

Specific activities include:

#### Leasing

- Conduct oil and gas lease sales, primarily across the West and in Alaska, consistent with land use plans and requirements for public participation; and
- Administer existing oil and gas leases and process post-lease actions such as assignments, operating rights, mergers, bonds, unit and communitization agreements, and terminations of leases.

#### Permitting

- Process oil and gas APDs and subsequent modifications of the permits, by evaluating and prescribing conditions for both the subsurface and surface operations.
- Maintain an inventory of 5,900 valid approved APDs ready for industry to drill.

#### Inspection Activities

- Inspect existing oil and gas authorizations, roughly 32,000 annually; determine the adequacy of operators' financial bonding, with a review of risk factors to weigh potential liability; and evaluating well inventories in the field to address inactive wells. The BLM uses a risk-based inspection strategy and is focused on inspecting 100 percent of the high priority wells, as designated by BLM's risk-based inspection strategy.
- Inspect producing oil and gas wells and ensure proper reporting of production.
- Take enforcement actions to ensure compliance with terms and conditions of leases, APDs, and other authorizations. This includes compliance with environmental conditions and identifying Drilling Without Approval or trespass wellbores.

- Approve reservoir management agreements to provide for the orderly development of oil and gas fields.
- Evaluate oil and gas fields for drainage (fluid minerals on Federal land removed through a well on adjacent private land), and taking administrative actions, if necessary, to protect Federal mineral interests.
- Protect the environment by plugging and reclaiming orphan oil and gas wells drilled by previously existing oil and gas companies; remediating the Alaska Legacy Wells originally drilled by the Federal Government (U.S. Navy and U.S. Geological Survey); and ensuring plugging of the shallow coalbed methane wells in the Powder River Basin of Wyoming.

#### Fiduciary Tribal Trust Responsibilities

- Carry out trust responsibilities by managing operational activities on approximately 3,700 oil and gas leases for Indian Tribes and individual Indian allottees.
- Provide technical advice on leasing and operational matters to the Bureau of Indian Affairs, Indian Tribes, and individual Indian mineral owners.

#### High Risk Program Designation and Other Program Recommendations

In a February 2011 report, the Government Accountability Office (GAO) designated Federal management of oil and gas resources, including production verification and revenue collection, as high risk because the Department of the Interior did not have reasonable assurance that it was collecting its share of revenue from oil and gas produced on Federal lands; continued to experience problems in hiring, training, and retaining sufficient staff to provide oversight and management of oil and gas operations on lands and waters; and was engaged in a broad reorganization of both its offshore oil and gas management and revenue collection functions.

The BLM takes seriously the observations and recommendations of the GAO and OIG, and has taken a number of steps to improve program effectiveness in these areas, although some of these activities were limited by the decrease in funding in FY 2012 and 2013. The BLM is implementing recommendations of the GAO to correct and improve the inspection and enforcement program and continue oversight guidance to coordinate across office boundaries. An internal control review conducted by the BLM is assisting in this effort. The objective is to provide accurate and complete data in the records, plus provide oversight that the data is sufficient to ensure orderly development and accounting of the Nation's finite energy mineral resources.

#### Inspection Activities

The BLM performs several different types of oil and gas inspections in an effort to ensure that the American people receive the benefit of the natural and mineral resources on their lands and to ensure that those resources are managed in an environmentally responsible manner. With higher funding levels provided in 2014, the BLM focused on completing the high priority production inspections, as determined by the risk-based strategy, and as much of the lower priority inspections as the residual funding would allow. These high-priority cases account for about 13 percent of the total wells, but more than 60 percent of the oil and gas produced on Federal and Indian mineral estates. The BLM's inspection workload has risen due to increases in the number of active wells.

### Production Inspections

The BLM conducts inspections on production facilities to ensure that equipment, practices and procedures are in accordance with the regulations, Orders and any applicable approval documents. Historically, the BLM has conducted two categories of production inspections: high production case inspections required by the *Federal Oil and Gas Royalty Management Act* (FOGRMA) and other production inspections. The FOGRMA requires the BLM to perform at least one inspection annually at each lease site producing or expected to produce significant quantities of oil or gas in any year.

In the past, the BLM prioritized leases to ensure that the leases were inspected based on production levels (i.e., FOGRMA high-production leases were inspected first). In FY 2011, the BLM initiated a risk-based strategy for prioritizing production inspections to improve upon this system. The BLM plans to expand this risk-based strategy to the other types of inspections as soon as the BLM develops risk factors to track in AFMSS, the inspection activity database. The risk-based strategy will help the BLM maximize the use of a limited inspection staff to better meet its inspection goals and requirements in the future. The BLM will continue to recruit and train new inspectors in order to be able to meet its minimum inspection requirements going forward and more effectively target inspection resources to meet other inspection goals established by BLM policy. The BLM also will continue to use qualified natural resource specialists to conduct environmental inspections and improve reclamation practices that minimize disruptions and impacts to habitat and to enable the certified petroleum engineering technicians to concentrate on production verification inspections.

The BLM conducted 2,483 high-priority production inspections in 2014. The BLM focus on high priority production reduced overall coverage for other inspection types, including drilling inspections and low priority production cases. The BLM has developed the risk-based inspection priorities for FY 2015. These priorities again include achieving 100% of all high-priority production as well as other high priority designated inspections, including idle well, drilling, abandonment, workover and environmental inspections.

### Drilling Inspections

The BLM conducts time sensitive inspections on wells at key points during the well drilling, with an emphasis on witnessing high priority drilling cases first. The goal of the inspections are to ensure that equipment, practices, and procedures comply with applicable regulations, orders, notices, lease stipulations and conditions of approval.

### Abandonment Inspections

The BLM conducts abandonment inspections to witness the plugging of oil and gas wells to ensure wellbore integrity and zonal isolation of underground formations, with an emphasis on high priority abandonment cases. These inspections are also time sensitive and include depleted producing wells or newly drilled dry holes.

### Workover Inspections

The BLM inspects workover operations on existing wells that are producing, or nearly depleted and service wells. The goal of the inspections is to ensure that equipment, practices, and procedures are in accordance with the conditions of approval.

### Environmental Inspections

Natural Resource Specialists, Environmental Scientists, or other resource program specialists (wildlife biologists, archaeologists, etc.) typically perform BLM environmental inspections.

Environmental inspections include inspection of reclamation efforts, erosion control measures, topsoil stockpiling, well location, access road, pit construction and use, spills, water disposal methods, containment systems for production tanks and surface hazards. Environmental inspections also include inspections to ensure abandoned locations are properly reclaimed and post approval inspections look specifically at surface environmental impacts. They do not include onsite inspections conducted prior to the APD being approved. The BLM identifies the high priority environmental cases for inspection emphasis.

#### Records Verification Inspections

The BLM uses records verification inspections to review production records and compare them to production reports sent to the Office of Natural Resources Revenue. These inspections may not require additional review with onsite visits.

#### Undesirable Event Inspections

The BLM conducts undesirable event inspections when spills or accidents occur on an oil and gas lease.

#### Alleged Theft Inspections

When an alleged theft of production is reported to a BLM Field Office by an operator or the public, the BLM conducts an alleged theft inspection.

#### Idle Well Inspections

The BLM conducts idle well inspections of wells that have had zero production reported for the previous 7 years. These inspections may result in orders to the operator to perform specific actions.

The table below shows a breakout of inspections completed in 2011-2014 and those estimated for 2015 and 2016.

**Inspections Completed and Estimated**

	<i>FY 2011 Completed</i>	<i>FY 2012 Completed</i>	<i>FY 2013 Completed</i>	<i>FY 2014 Completed</i>	<i>FY2015 Estimated</i>	<i>FY2016 Estimated</i>
<b><i>Production Inspections</i></b>						
<i>1. High-Risk Cases<sup>1</sup></i>	2,606	2,148	2,083	2,483	1,750	1,750
<i>2. Other Production</i>	4,938	5,126	3,330	3,749	5,050	5,250
<b><i>Total Production Inspections</i></b>	<b>7,544</b>	<b>7,274</b>	<b>5,413</b>	<b>6,232</b>	<b>6,800</b>	<b>7,000</b>
<i>1. Drilling Inspections</i>	1,963	1,951	1,396	1,456	1,500	1,550
<i>2. Abandonment Inspections</i>	1,100	1,268	1,325	997	1,000	1,000
<i>3. Workover Inspections</i>	345	417	337	272	400	400
<i>4. Environmental Inspections</i>	19,371	20,171	19,691	17,690	19,000	19,500
<i>5. Record Verification Inspections</i>	2,430	3,023	3,451	3,379	3,500	3,600
<i>6. Undesirable Event Inspections<sup>2</sup></i>	476	467	385	605	400	400

7. Alleged Theft Inspections <sup>2</sup>	4	0	0	0	0	0
8. Idle Well Inspections	N/A	N/A	1,257	1,171	1,000	1,050
<b>Total Other Inspections</b>	25,689	27,297	27,842	25,570	26,800	27,500
<b>Total Inspections<sup>3</sup></b>	33,233	34,571	33,255	31,802	33,600	34,500

<sup>1</sup>In 2011, the BLM instituted a risk-based strategy for production inspections. This category consists of wells and leases that meet BLM's high-risk criteria. Based on this strategy, each year's list of required high-risk cases is determined based on the previous year's history. For this reason, the actual quantity of required high-risk inspections cannot be determined until the previous year is complete. The FY 2015 and FY 2016 estimated numbers are based on assuming the BLM completes 100% of required high-risk inspections

<sup>2</sup>These inspections are conducted on an as-needed basis.

<sup>3</sup>This table combines inspections on cases and inspections on individual wells.

Note: FY2014 saw a Federal shutdown loss of available time impacting nearly 3 weeks of operation (over 1500 inspections lost). FY 2015 reflects the proposed added inspection capacity.

## Critical Factors

The primary critical factors impacting the program are:

- As production activity increases, the BLM must increase the number of oil and gas inspections and increase efforts to ensure appropriate accountability of production volumes across the over 23,500 producing leases.
- An expanded well inventory and more complex operations require the BLM to have more vigilance to provide compliance credibility and ensure public safety as well as protection of other natural resources, including important species and habitat conservation.
- The BLM faces challenges with technical employee recruitment, training, and retention, as current staff retires and the program competes with higher salaries often offered by private industry and other agencies. The BLM is assessing a range of options for addressing these recruitment and retention challenges. As a means of attracting and retaining qualified employees, the BLM has utilized pay differential authority for petroleum engineers and petroleum engineering technicians, as provided in the 2014 Omnibus Appropriations Act and is working with OPM on a longer-term administrative solution for priority positions.
- Automation of activities in the new AFMSS, especially inspections, will increase the productivity of BLM staff. In addition, providing modern tools and capabilities will support recruitment and retention.
- The BLM must review and analyze environmental documents which include increasingly complex environmental issues and sophisticated field operations; impacts, and mitigation plans for land use plans, lease sales, APDs, and subsequent production operations.
- The BLM responds to Freedom of Information Act requests, protests, appeals, and litigation which limit the staff availability to complete the comprehensive adjudication of leases and permits.
- Proper documentation of well operations from 93,500 active wells in the AFMSS database and official paper files remains a challenge especially as most of the tracking program was built in 1997. The BLM is improving AFMSS to automate all post-lease activities, including the automation of all data on operations and inspections.
- Constrained program funding and key senior staff losses in recent years dampened program progress and impeded BLM's ability to maintain critical coverage with staff,

travel and training. In FY 2014, the Federal Government shutdown impacted nearly three weeks of operation.

#### Performance Measures

The BLM consistently tracks the number of inspections completed to ensure that oil and gas production on public land is carried out in an environmentally responsible manner while generating a fair revenue return for the American people.

The BLM is using a Strategic Plan measure that tracks the percent of leases where production verification has occurred. The new measure will compare the total number of cases against the number of production and records verification inspections completed on those cases annually. Prior to the establishment of this measure, the BLM tracked the number of inspections completed on both wells and cases using the total number of required inspections as a baseline.

The older measure was ineffective in two ways. First, a single case may have multiple wells and therefore the denominator may have been under-inclusive in that it combined what should have been multiple units into a single unit and, conversely, the measure may have also been over-inclusive in that it included multiple wells when only a single "case" inspection was carried out. Second, the numerator included all inspections, while the denominator only included required inspections, this resulted in multiple years in which more than 100 percent performance was reported since required inspections is a subset of total inspections.

#### **Processing of Applications for Permit to Drill**

The complexity and unit cost of processing APDs has grown in recent years, with more down hole and surface resources analysis, and the need to address protests and appeals from interest groups. The BLM received 5,316 APDs in 2014. BLM approval times have increased or remained high due to the increased complexity of resource issues analyzed in environmental documents, in addition to industry turnover of their permitting specialists. The BLM has worked with operators to improve the quality and completeness of submitted packages. The new AFMSS NOS/APD module should facilitate submittal of more complete APDs as well as speed the BLM review process.

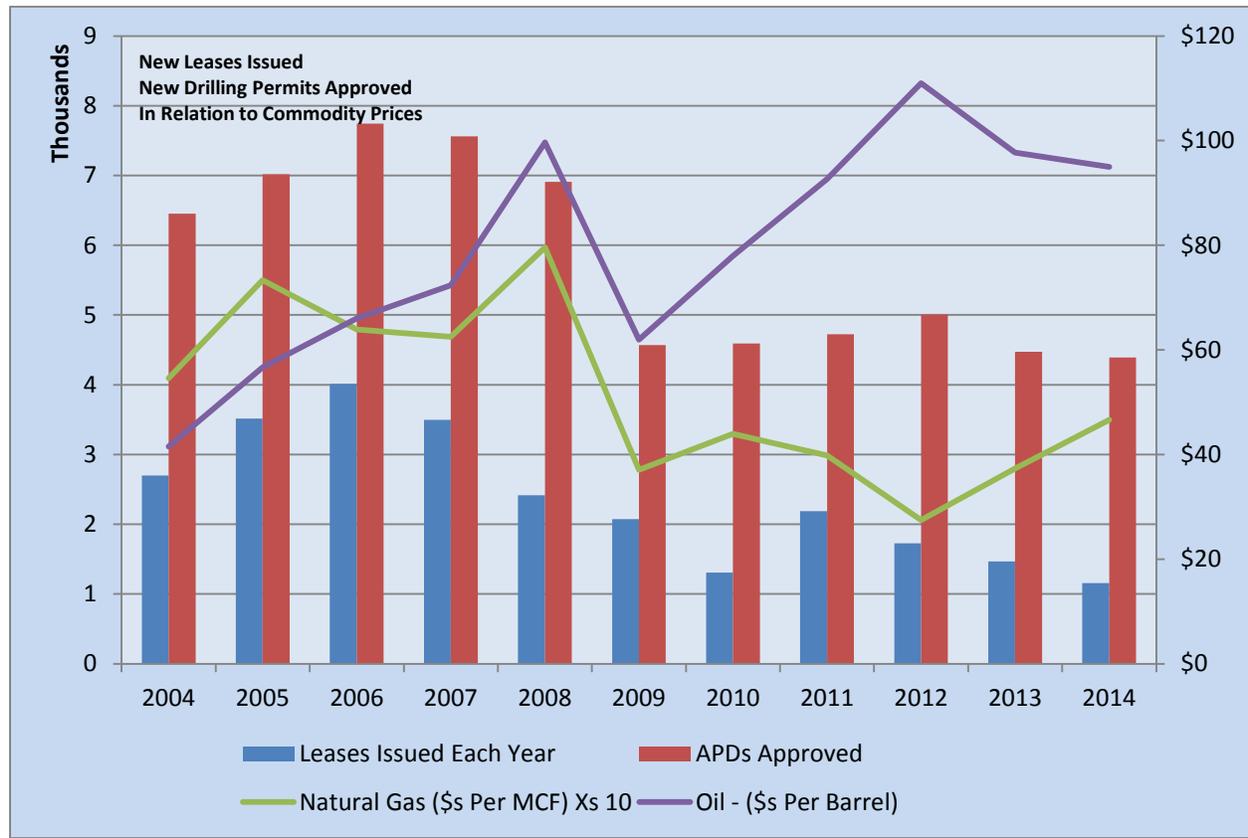
As shown on the table below, the number of approved APDs available for industry drilling is expected to remain strong at 5,800 annually.

**APDs: Pending, Received, Approved, Processed and Available to Drill**

=	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Estimated	2016 Estimated
Total APDs pending at start of year	4,580	4,108	3,683	3,546	4,121	4,021
New APDs received	4,728	5,240	4,757	5,316	5,000	5,000
APDs approved	4,725	5,009	4,472	4,389	4,600	4,800
Total APDs processed	5,200	5,861	4,892	4,924	5,200	5,400
APDs pending at year end	4,108	3,683	3,546	4,121	4,021	3,621
APDs approved, waiting to be drilled	7,226	6,960	6,711	5,919	5,700	5,500

APDs pending at the end of the year are a snapshot at that point in time and do not account for permits that remain in process at the end of the fiscal year.

The chart below illustrates the relationship between the prices for oil and gas and leasing and permitting activity from 2004-2014. Leasing and permitting demand is significantly influenced by oil and gas prices.



### **BLM Onshore Leasing Reforms**

Onshore fossil fuels will continue to make an important contribution in fulfilling the Nation's energy needs, but development of these resources needs to be conducted responsibly. In May 2010, the BLM finalized several reforms to its oil and gas program to improve environmental protection of important natural resources on public lands while aiding in orderly leasing with measured and balanced development of these resources. The reforms establish a more rigorous, open, consistent, and environmentally sound process for leasing and developing oil and gas resources on public lands. These reforms and parcel screenings (including a boots-on-the-ground view of resource concerns for each parcel) helped to reduce potential conflicts that can lead to costly and time-consuming protests and litigation of leases. The BLM also shifted some resources away from leasing during recent years given the reduced program funding in 2012 and 2013, and the pressing need to cover existing inspection responsibilities for the 47,000 onshore leases. Nonetheless, the BLM hosted 26 lease sales in 2014.

Under the reformed leasing policy, the BLM will expand upon efforts to:

- Engage the public and stakeholders in the development of MLPs prior to leasing in certain areas with important environmental resource values and where new oil and gas development is anticipated. The intent is to fully consider other important environmental resource values before making a decision on leasing and development in an area; and
- Ensure potential lease sales are fully coordinated, both internally and externally, including public participation, and interdisciplinary review of available information, as well as on-site visits to parcels prior to leasing when necessary to supplement or validate existing data.

In June 2014, the BLM issued its first MLP, the Beaver Rim MLP, as part of the revision of the Lander Resource Management Plan. The Beaver Rim MLP was designed to promote smart planning, with the help of a wide range of stakeholders. This MLP balances development of oil and gas minerals with protection for important natural and cultural resources, such as habitat for elk and mule deer and important archaeological sites. Several BLM field offices are developing MLPs in their current RMP efforts.

### **2016 Program Performance**

The percentage of leases with approved APDs is expected to increase slightly due to an overall decrease in the number of active leases. The percentage of APDs processed is expected to reach 55 percent, a slight increase from previous levels. The percentage of producing fluid mineral cases that have a completed inspection is expected to decrease in 2015 as the BLM continues focus on select high priority inspection cases.

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## Activity: Energy and Minerals Management

### Subactivity: Coal Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Coal Management	\$000	9,595	9,595	+173	+0	+1,100	10,868	+1,273
	FTE	66	66	+0	+0	+0	66	+0

Summary of 2016 Program Changes/Internal Transfers for Coal Management:		(\$000)	FTE
Mineral Tracking System		+1,100	+0
Total		+1,100	+0

### Justification of 2016 Program Changes

The 2016 budget request for the Coal Management activity is \$10,868,000 and +66 FTE, a program change of +\$1,100,000 and 0 FTE from the 2015 enacted level

**Mineral Tracking System (+\$1,100,000/0 FTE):** The 2016 budget request includes an increase of \$1.1 million in the Coal Management program. This increase, combined with the request for a \$1.1 million increase in the Other Minerals Resources Management program, will be used to develop the Mineral Tracking System (MTS). The funding for the MTS will be used to support the automation and tracking of licenses, leases and permitting as well as inspection activities, including production verification, associated with coal and other solid mineral commodities (e.g. phosphate, sodium, potassium, etc.). Similar to the BLM's modernization of its Automated Fluid Minerals Support System (AFMSS), the MTS is intended to enhance the overall management of very complex solid mineral commodity permitting and leasing regimes. This complexity is due in part to the number of different mineral commodities, the different extraction technologies, and the breadth of laws and regulations governing their management. The BLM has successfully completed a pilot effort of the MTS system for the coal program in its Utah and Wyoming offices, and with the additional funding, the BLM can make the system available for all permitting, leasing, inspection and other activities for the coal and other solid mineral commodity programs across the BLM. When fully developed, the MTS will be used by the BLM to track leases, licenses and inspection activities, and by Interior's Office of Natural Resources Revenue, to track its production verification activities. The system will help the BLM respond to various Government Accountability Office and the Office of Inspector General audit recommendations. The BLM plans to make use of the lessons learned from its modernization of the AFMSS and continue its work and coordination with the Department's Chief Information Officer, other bureaus and offices to ensure to the extent possible, related systems are fully integrated and sharing data.

### Program Overview

#### Program Components

The BLM is responsible for leasing the Federal mineral estate on approximately 700 million acres. Over the last decade (2004-2013), 46 percent of the Nation's electricity was generated

using coal. During this same period, more than 41 percent of that coal was produced on Federal lands managed by the BLM.

The BLM's coal program consists of approximately 309 Federal coal leases and 474,025 acres under lease. During the last decade:

- Over 4.54 billion tons of coal were produced from Federal leases with a total value of \$58.6 billion;
- Over \$3.5 billion in bonus payments and over \$6.3 billion in royalties, rents, and other revenues were collected on BLM administered coal leases; and
- The BLM held 46 successful coal lease sales, accepted bonus bids of over \$4.5 billion (deferred bonus bid payments occur over five years) for over 89,430 acres containing 5.3 billion tons of mineable coal.

BLM's leasing program supports private sector development intended to replace already mined reserves and continue to provide the Nation with a reliable domestic energy source and.

In 2014, the BLM completed a number of actions to strengthen the overall management of its coal program, while at the same time responding to recommendations from three key sources: the June 2013 audit by the Department of the Interior Office of Inspector General; a February 2014 Government Accountability Office report; and the Royalty Policy Committee Report *Mineral Revenue Collection from Federal and Indian Lands and the Outer Continental Shelf*, which provided a number of recommendations on improving production accountability.

The BLM completed a major update of policies regarding production accountability, verification, and inspection, through the release of a new Inspection, Enforcement and Production Verification manual and an Inspection and Enforcement handbook. This manual and handbook provide policy and guidance regarding safety, inspections, and production verification. The guidance will help promote more responsible development of coal resources on the Nation's public lands, and includes requirements for improved documentation for coal operation inspections on coal exploration licenses, licenses to mine, leases, and logical mining units. It also includes requirements for increased training for Mineral Mine Inspectors and requirements for certification of the inspectors. The pilot phase of the MTS for the coal program is further enhancing the inspection program, and the full implementation of that system will enable further progress in this area.

The BLM also updated the Evaluation manual and handbook, which will help ensure a consistent and efficient coal lease sale process, increase clarity in determining fair market value and provide guidance on the independent review of appraisal reports. This guidance will enable the Bureau to account for export potential through analysis of comparable sales and income. In developing this guidance, the BLM worked closely with the Department's Office of Appraisal Services, Division of Mineral Evaluations, and that office will serve as the independent reviewer of BLM determinations of the pre-sale estimate of the value of the coal.

Taken together, these updated and revised policies on inspections, enforcement, production verification and coal valuation will significantly strengthen the Bureau's coal program and enhance the skills, knowledge and abilities of its employees as they carry out their responsibilities to ensure leasing and development of the Nation's resources are carried out in an environmentally sound and sustainable manner, with a fair return to the American taxpayers.

The BLM is responsible for the following activities in the Coal Management program:

- Conducting competitive coal lease sales and ensuring the public receives fair market value for the coal;
- Determining the pre-sale estimate of the value of the coal by considering both domestic and export markets, among other factors, and obtaining an independent review of the value;
- Conducting sales to modify existing coal leases and ensuring the public receives fair market value for the coal;
- Administering existing coal leases and providing additional approvals to ensure the lessee's compliance with the terms and conditions of the lease;
- Processing and approving coal exploration licenses and monitoring operations for compliance with the terms of the exploration licenses;
- Processing and approving coal resource recovery and protection plans and modifications to protect the public's resources from waste and to ensure maximum economic recovery;
- Inspecting operations at Federal and Indian coal use authorizations to ensure compliance with the authorization's terms and conditions and to ensure the greatest ultimate recovery;
- Independently verifying the coal production reported by lessees from Federal and Indian coal leases;
- Taking appropriate action when Federal coal has been mined without approval (coal trespass actions);
- Taking enforcement actions to ensure compliance with terms and conditions of licenses, leases, and other BLM coal authorizations; and
- Providing pre-lease evaluations of mineral tracts when requested by the Bureau of Indian Affairs for Indian Tribes and Indian mineral owners.

### **Critical Factors**

Much of the Federally owned coal resources in the Western U.S. are overlain by private surface ownership. Before the BLM can hold a lease sale for Federally owned coal for mining via surface techniques, the potential lessees must obtain the consent of the surface owners. The BLM encourages surface owners (overlying Federally owned coal) to participate in the BLM's land use planning processes and encourages lease applicants to acquire surface owner consent prior to submitting the lease application to the BLM.

The BLM continues to work with the U.S. Forest Service, the Office of Surface Mining Reclamation and Enforcement, and other Federal and State agencies to streamline multiple agency processes to minimize the time necessary to process applications to explore for and produce Federal coal resources. Federal surface management agencies are required to provide the BLM their decision whether to lease Federal coal or not.

The BLM and the Mine Safety and Health Administration are collaborating to provide a safer workplace for developing Federal and Indian coal.

The BLM faces a potential loss of institutional knowledge needed to manage the Coal Program as many of its engineers, geologists, and land law adjudicators retire or become eligible for retirement. Recruitment activities are ongoing to fill vacancies. Further, the BLM works to prepare new employees to accomplish coal workloads successfully by ensuring that mining

engineers and geologists complete the new mine employee's safety training, attend certification courses, and are provided with adequate on the job training.

Ensuring environmental protection and maximum recovery of coal resources continues to be a priority for the BLM.

### Other Funding Sources

The Coal program is primarily funded through this subactivity. Another funding source is the service charges the BLM collects from applicants to process coal lease applications, lease modification requests, royalty rate reduction requests, and logical mining unit applications. The BLM has been implementing cost recovery for these applications filed with the BLM since a final cost recovery regulation became effective on November 7, 2005. Amounts that the BLM collects each year vary as the workload varies between applications filed prior to or after the cost recovery regulation became effective. The BLM will continue to charge users all appropriate cost recovery fees according to regulations.

<b>Coal Management Cost Recovery (\$000)</b>	<b>2013</b>	<b>2014</b>	<b>2015 Estimated</b>	<b>2016 Estimated</b>
	381	229	305	305

### 2016 Program Performance

In 2014, the BLM completed 19 of 21 initiatives responding to the Office of Inspector General and Government Accountability Office audits. The initiatives consisted of the development of 2 manuals and 2 handbooks and seven instruction memorandum. In 2015, the BLM will complete the remaining 2 initiatives that are undergoing final review. These documents addressed concerns regarding lease sales, exports, inspection, enforcement, royalty rate reduction, and transparency.

The BLM anticipates completing processing approximately ten percent of the pending coal lease applications, called "Lease by Applications" (LBA) during 2016. In 2013, applicants requested that the BLM delay processing of several LBA actions due to recent reductions in market demand for coal resources; the future market demand for BLM to process additional LBAs is unclear at this time. The U.S. Department of Energy projects that coal use to generate electricity will increase from 1.637 trillion kilowatthours in 2015 to 1,675 trillion kilowatthours in 2040 (Source: Electricity generation by fuel in the Reference case, 1990-2040).

To process LBAs, the BLM will use a single environmental analysis to determine cumulative impacts for multiple LBAs and other use authorizations received in a relatively close geographic area. This will allow for the more efficient use of BLM coal specialists, as they are needed to complete environmental, geological and engineering analyses, coal evaluations, hold lease sales, and process coal lease applications. The BLM completed processing for five percent of coal LBAs in 2009 and 2010, seven percent in 2011, 18 percent in 2012, 14 percent in 2013, and 10 percent in 2014. There are several grouped environmental analyses in progress that will yield multiple lease application process completions in 2015 and 2016.

The BLM completes approximately 2,600 coal inspection, enforcement, and production verification actions each year. Inspections are performed to ensure compliance with the lease

terms and conditions and mining plan approvals. Enforcement actions are necessary where the lessee fails to conform to the lease requirements. During the inspection process, the BLM inspector will collect production data to independently determine if the coal production being reported by the lessee is reasonable. The BLM completes approximately 335 post lease administrative actions annually while managing leases. These post lease actions vary from lease readjustments and lease modifications, to approvals of resource recovery and protection plans. Normally, post lease actions are market dependent.

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## Activity: Energy and Minerals Management

### Subactivity: Other Mineral Resources

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Other Mineral Resources	\$000	10,586	10,586	+193	+0	+1,100	11,879	+1,293
	FTE	82	82		+0	+0	82	+0

Summary of 2016 Program Changes/Internal Transfers for Other Mineral Resources:		(\$000)	FTE
Mineral Tracking System		+1,100	+0
Total		+1,100	+0

### Justification of 2016 Program Changes

The 2016 budget request for the Other Mineral Resources activity is \$11,879,000 and 82 FTE, a program change of +\$1,100,000 and 0 FTE from the 2015 enacted level.

**Mineral Tracking System (+\$1,100,000/0 FTE):** The 2016 budget request includes an increase of \$1.1 million in the Other Minerals Resources Program to develop the Mineral Tracking System (MTS). Combined with the request for a \$1.1 million increase in the Coal Management program, this funding for the MTS will be used to support the automation and tracking of licenses, leases and permitting, as well as inspection activities, including production verification associated with coal and other solid mineral commodities. Similar to the BLM's modernization of its Automated Fluid Minerals Support System (AFMSS), the MTS is intended to enhance the overall management of very complex solid mineral commodity permitting and leasing regimes. This complexity is due in part to the number of different mineral commodities, the different extraction technologies, and the breadth of laws and regulations governing their management. The BLM has successfully completed a pilot effort of the MTS system for the coal program in its Utah and Wyoming offices, and with the additional funding, the BLM can make the system available for all permitting, leasing, inspection and other activities for the coal and other solid mineral commodity programs across the BLM. When fully developed, the MTS will be used by the BLM to track leases, licenses and inspection activities, and by Interior's Office of Natural Resources Revenue, to track its production verification activities. The system will help the BLM respond to various Government Accountability Office and the Office of Inspector General audit recommendations. The BLM plans to make use of the lessons learned from its modernization of the AFMSS and continue its work and coordination with the Department's Chief Information Officer, other bureaus and offices to ensure to the extent possible, related systems are fully integrated and share data where possible.

### Program Overview

The public lands are an important source of non-energy solid leasable mineral resources and mineral materials for the Nation. These minerals are vital components of basic industry and quality of life in the United States. The goal of the Other Mineral Resources Program is to provide the minerals needed to support local infrastructure and economic development. Demand is increasing worldwide for some products generated from non-energy solid leasable minerals, such as fertilizers, which are used in producing food, biofuels, and gilsonite, which is

used in drilling fluids for energy exploration. The BLM processes sales and permits for mineral materials, such as sand, gravel, stone, and ordinary clays, which are essential for maintenance and construction of the access that is needed to provide basic land management and for building and maintaining energy development and production infrastructure and facilities.

### Program Components

The Other Mineral Resources Subactivity funds two distinct programs:

- Through the Non-Energy Solid Leasable Minerals Program, the BLM manages the production of potash, phosphate, sodium, and gilsonite. This program also includes metallic minerals on acquired lands (lead, zinc, copper, etc.). These minerals are used for fertilizers, glass and papermaking, flue-gas desulfurization, lead-acid batteries, oil well drilling, water treatment, detergents, and many chemicals.
- Through the Mineral Materials Program, the BLM leases and sells mineral materials such as ordinary clay, sand, gravel, and building stone. These materials are used for construction of roads, foundations, and buildings.

The Non-Energy Solid Leasable Minerals Program is responsible for:

- Processing permit, license and lease applications;
- Administering existing permits, licenses and leases;
- Approving exploration and mining plans;
- Conducting *National Environmental Policy Act (NEPA)* analyses;
- Inspecting and monitoring existing authorizations;
- Inspecting producing operations to ensure proper reporting of production;
- Taking enforcement actions to ensure compliance with terms and conditions of permits, licenses and leases; and
- Administering trust responsibilities by managing post-leasing and production activities for Indian Tribes and individual Indian mineral owners.

The Mineral Materials program is responsible for:

- Performing *NEPA* analyses of disposal applications;
- Performing appraisals to determine the value of disposals;
- Conducting sales;
- Administering existing contracts and collecting revenue;
- Processing free use permits for State and local governments and non-profit organizations;
- Processing exploration permits and mining authorizations;
- Inspecting existing mineral materials authorizations;
- Inspecting sites to ensure proper reporting of and payment for production;
- Taking enforcement actions to ensure compliance with terms and conditions of contracts and authorizations; and
- Investigating and taking enforcement actions on unauthorized removal of mineral materials from Federal mineral estate.

### Critical Factors

Several factors impact the Other Mineral Resources Program. Most demand for mineral materials comes from sales directly to the public and industry for construction and development

of businesses and housing in urban and rural areas, and for the infrastructure for renewable and conventional energy and mineral projects. The level of public demand tends to mirror the state of the economy.

State and local governments and nonprofit organizations are provided free use of sand, gravel, and other mineral materials used in the development and maintenance of infrastructure for communities. The BLM processes these applications at no cost to those entities which involves increased workload for the BLM.

There has been an increase in unauthorized operations, particularly on split-estates, due to many factors, such as an increase in urban development and zoning restrictions reducing private sources of mineral materials. The BLM will continue to conduct inspections to determine if there are unauthorized operations on public lands.

The cost of processing authorizations and leases for mineral materials and non-energy minerals varies for each authorization or lease due to the size and complexity of the each, but in general has risen due to the increasing level of complexity in environmental impacts and the need to design enhanced mitigation.

### **Other Funding Sources**

The Other Mineral Resources Program is primarily funded through appropriations in this subactivity. Other funding sources include cost recovery fees, averaging \$284,000 per year, for processing mineral disposal actions such as mineral material competitive sales. There are also cost recovery fees for processing new applications for non-energy leases, licenses and permits. The BLM will continue to charge users appropriate cost recovery fees according to regulation.

The BLM also receives reimbursement for the costs of material sales for the pipeline system in Alaska as required under Public Law 93-153, Section 101, which amended Section 28 of the *Mineral Leasing Act of 1920*. Funds are also collected from trespass recovery settlements and are used for rehabilitation of damaged property at the trespass site and other sites damaged by past mineral materials operations pursuant to Public Law 94-579, as amended, and Public Law 93-153. Fees are also collected for development, operation and reclamation of mineral materials community pits and common use areas.

## **2016 Program Performance**

Demand for non-energy solid leasable minerals, especially potash, phosphate and hardrock minerals (copper, nickel, etc.) on acquired lands has increased substantially for several years and is expected to continue to increase. Authorizations for non-energy minerals are expected to be issued as long-term NEPA analyses are completed.

The percentage of pending cases of permits and lease and contract applications processed is expected to remain the same for non-energy leasing and for mineral materials contracts in 2016.

The BLM also will continue to issue updated guidance and instructions addressing the valuation of other mineral resources in 2016. BLM will work with OVS to rewrite handbooks and issue other guidance to strengthen the valuation process, increase consistency of procedures among office, correct deficiencies, and improve performance.

**Activity: Energy and Minerals Management**  
**Subactivity: Renewable Energy Management**

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Renewable Energy	\$000	29,061	29,061	+295	+0	+0	29,356	+295
	FTE	144	144		+0	+0	144	+0

### Justification of 2016 Program Changes

The 2016 budget request for the Renewable Energy Management Program is \$29,356,000 and 144 FTE.

### Program Overview

The Renewable Energy Management Program is responsible for processing right-of-way applications for wind energy, solar energy, geothermal energy and renewable energy transmission development. All renewable energy projects proposed for BLM-managed lands receive full environmental reviews under the National Environmental Policy Act (NEPA), including the same opportunities for public involvement as other BLM land-use decisions.

The President has established an aggressive goal to increase permitting of new renewable electricity generation on public lands to 20,000 megawatts (MWs) by 2020. The BLM is committed to contributing to this goal by permitting environmentally responsible renewable energy projects on public lands. State renewable energy portfolios, investment tax credits for solar energy projects, volatile oil prices, and international concern about climate change have all contributed toward public and industry interest in utility-scale solar energy development.

The Renewable Energy Program oversees development of three main energy sources:

- Solar Energy
- Wind Energy
- Geothermal Energy

The BLM and the Department continue to place a high priority on the processing of renewable energy projects on the public lands. Secretarial Order 3285, issued March 11, 2009, established the development of environmentally responsible renewable energy as a priority for the Department. Increased production of renewable energy will create jobs, provide clean energy, and enhance U.S. energy security by adding to the domestic energy supply. As part of the priority goal for renewable energy, the Department and the BLM established an aggressive goal of approving 10,000 megawatts of permitted capacity by the end of 2012. The BLM exceeded this goal by approving a total of 12,862 MWs of renewable energy projects (including connected-action projects) before the end of 2012. With projects approved through January 2015, the BLM has now approved a total of 16,019 MWs of renewable energy projects. This approved capacity has the potential to provide power for more than 4.8 million homes. The BLM will continue to prioritize permitting of renewable energy development on the public lands in a "smart-from-the-start" manner to meet its future permitting goals.

## Solar Energy

Solar radiation levels in the Southwest are some of the best in the world. The BLM manages more than 20 million acres of public lands with excellent solar potential in six States: California, Nevada, Arizona, New Mexico, Colorado and Utah. On October 12, 2012, the Department of the Interior and the Department of Energy, as co-lead agencies, published the Record of Decision (ROD) on the Programmatic Environmental Impact Statement (PEIS) for Solar Energy Development in Six Southwestern States. The Solar PEIS established, for the first time, a solid foundation for long-term, landscape-level planning to help facilitate improved siting of utility-scale solar projects that avoids or minimizes conflicts with important wildlife and cultural and historic resources. The ROD on the Solar PEIS responded to extensive comments on the Supplemental Draft PEIS and includes incentives for solar developers who site projects in solar energy zones, offering reduced permitting times within zones and a sufficiently flexible variance process to allow development of well-sited projects outside of zones. The ROD also makes clear that the Solar Energy Program will continue to incorporate other parallel planning efforts, including State level efforts, to establish additional solar energy zones to meet market demand. The ROD includes 17 solar energy zones, totaling about 285,000 acres potentially available for solar energy development. The BLM has since added two additional solar energy zones through land use planning efforts for the Arizona Restoration Design Project and the West Chocolate Mountains Renewable Energy Evaluation Area in California. More are anticipated with future land use planning efforts.

To date, the BLM has approved 29 solar projects, including both generation projects on public lands and access and transmission projects that are essential to facilitate solar generation projects on private land. The projects include a variety of solar technologies and range in size from a 45-megawatt photovoltaic system on 422 acres to a 750-megawatt parabolic trough system on 7,700 acres. These 29 projects have the potential to generate 8,269 megawatts of clean, renewable energy—enough energy to power over 2.4 million homes.

## Wind Energy

The BLM manages 20.6 million acres of public lands with wind potential and has approved more than 35 wind energy projects capable of producing nearly 5,000 megawatts of clean, renewable energy. The total approved capacity includes both wind energy production facilities on public lands and a number of access and transmission projects on public lands essential to facilitate wind energy production projects on private land.

A PEIS relating to the authorization of wind energy projects was completed in June 2005. This PEIS provides an analysis of the development of wind energy projects in the West. In conjunction with the publication of this PEIS, the BLM amended 52 land use plans to allow for the use of applicable lands for wind energy development. BLM offices are able to use this PEIS as an aid in analyzing impacts for specific applications for the use of public lands for wind energy use. The BLM issued a wind energy policy in December 2008 to provide guidance on best management practices; measures to mitigate potential impacts on birds, wildlife habitat, and other resource values; and guidance on administering wind energy authorizations.

The BLM continues to conduct studies necessary to evaluate and process applications for rights-of-way for the siting of wind energy projects and applications for rights-of-way for electric transmission lines from these projects. There are currently a total of 40 approved wind energy

and transmission connected-action projects on the public lands with a total approved capacity of 5,608 MWs.

### **Geothermal Energy**

The BLM has the delegated authority for leasing on more than 245 million acres of public lands (including 104 million acres of National Forest managed by the U.S. Forest Service) with geothermal potential in 11 western States and Alaska. The BLM currently manages more than 800 geothermal leases, with over 70 leases in producing status generating over 2,000 megawatts of installed geothermal energy on public lands. This amounts to over 40 percent of the total U.S. geothermal energy capacity. In May 2007, the Department of the Interior published final regulations on geothermal energy production on public lands requiring more competitive leasing and offering simplified royalty calculations.

A PEIS to assess geothermal leasing on the public lands was completed in October 2008. The subsequent ROD amended 114 BLM resource management plans and allocated about 111 million acres of Bureau-managed public lands as open for leasing. An additional 79 million acres of National Forest System lands are also legally open for leasing. Currently, the BLM has authorized a total of 48 geothermal projects (72 producing geothermal leases) with a total approved capacity of 2,142 MWs.

### **Competitive Leasing Process**

In 2014, the BLM published a proposed rule for competitive leasing in the Federal Register for public comment and review to begin the process of implementing an innovative strategy to promote renewable energy development at appropriate sites in areas that have been determined in advance to be optimal for wind and solar energy production. The BLM plans to offer these specific parcels to potential applicants through a competitive process and to approve right-of-way applications in an expedited fashion due to the upfront environmental analysis that will be conducted as part of the leasing process. Offering lands through a competitive leasing process will allow BLM to target future development toward low conflict lands close to existing or planned transmission capability.

### **Performance Goals**

The President's and the Secretary's goals to increase smart renewable energy development on public lands, as well as State renewable energy portfolio standards that require utility companies to increase renewable energy supplies as part of their electricity capacity, have dramatically increased the renewable energy right-of-way processing workload for the BLM. The current Interior's Renewable Energy Priority Performance Goal is to increase, by September 30, 2015, approved capacity authorized for renewable (solar, wind, and geothermal) energy resources affecting Department of the Interior managed lands, while ensuring full environmental review, by at least 16,500 megawatts. Though the specifics of any priority goals beyond fiscal year 2015 will be developed as part of the 2017 budget process, the BLM will continue processing renewable energy applications in 2016 to stay on a path toward meeting the President's goal of permitting 20,000 MW of renewable energy capacity by 2020.

The Department will successfully meet these goals if a majority of the energy projects that were designated as priority projects for 2014 are approved. The primary factors that will influence renewable energy growth going forward are continued infrastructure investment and technology

improvements, both in the method and efficiencies of generation of renewable energy and in transmission of that energy from source to end-use.

### **Project Status**

For Fiscal Years 2014 and 2015, the BLM identified priority projects representing about 4,900 megawatts. Since this list was developed the priority projects have continued to evolve and currently represents about 3,430 megawatts. Of these projects, five were approved in 2014 representing about 1,250 megawatts, others have been postponed into a later years, some have been withdrawn by the applicant and one project application was denied. The BLM maintains this priority list in collaboration with the Bureau of Indian Affairs, the U.S. Fish and Wildlife Service, the National Park Service and the Department of Defense, with an emphasis on early consultation.

Three projects targeted for completion in 2015 are located within the Dry Lake Solar Energy Zone (SEZ). In this area the BLM held a combined sealed- and oral-bid auction on June 30, 2014, to submit right-of-way applications and plans of development for utility-scale solar energy projects on six parcels across 3,083 acres of public lands in Clark County, Nevada. The auction generated \$5,835,000 in high bids.

The BIA has published Notices of Intent to initiate the EIS process for two solar energy connected-action projects in Nevada. These projects include the First Solar 100-MW Paiute Snow Mountain Solar project (adjacent to Red Rock Canyon National Conservation Area) and the First Solar 100-MW Moapa Aiya Solar project. Both projects would potentially involve BLM connected-actions for transmission authorizations on public land. Connected actions are projects located on tribal lands or private lands and require BLM approvals for off-site facilities, such as transmission lines and road access, on adjacent public lands.

## **2016 Program Performance**

In 2016, the BLM will continue to implement the strategy to:

- Emphasize development of smart renewable energy development on public lands;
- Support Interior's Renewable Energy Priority Performance Goal; and
- Implement actions to identify additional leasing and development opportunities for solar energy projects in designated solar energy zones. Making these lands available for leasing proposals will provide for the best siting locations for environmentally sound solar energy development projects. The BLM will finalize a rulemaking process to establish rules to guide this leasing program to include a nomination and request for proposal process, with the expectation that this will ultimately lead to a competitive leasing program to accelerate the process of offering public lands for solar energy development.

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# Realty and Ownership Management



## Activity: Realty and Ownership Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Alaska Conveyance	\$000	22,000	22,000	+220	+0	+0	22,220	+220
	FTE	111	111		+0	+0	111	+0
Cadastral, Lands & Realty Mgmt	\$000	[45,658]	45,658	+652	-58	+5,000	51,252	+5,594
	FTE	[358]	358		+0	+0	358	+0
Cadastral Survey	\$000	11,276	+0	+0	+0	+0	0	+0
	FTE	87	+0		+0	+0	0	+0
Land & Realty Management	\$000	34,382	+0	+0	+0	+0	0	+0
	FTE	271	0		+0	+0	0	+0
Total, Realty & Ownership Management	\$000	67,658	67,658	+872	-58	+5,000	73,472	+5,814
	FTE	469	469		+0	+0	469	+0

The 2016 budget request for the Realty and Ownership Management activity is \$73,472,000 and 469 FTE. The total reflects a program change of +\$5,000,000 and 0 FTE and an internal transfer of -\$58,000 and 0 FTE from the 2015 enacted level.

### Activity Description

The Realty and Ownership Management activity has two programs that are focused on the use of lands and transfer of BLM-managed lands.

- The Alaska Conveyance Program transfers land title from the Federal Government to individual Alaska Natives, Alaska Native Corporations, and the State of Alaska pursuant to the 1906 Native Allotment Act, the Alaska Native Veterans Allotment Act of 1998, the Alaska Native Claims Settlement Act of 1971 (ANCSA) and the Alaska Statehood Act of 1959 (Statehood Act). Conveyance work has been ongoing since the 1960s. In 2004, the Alaska Land Transfer Acceleration Act (Acceleration Act) resolved conflicts between these laws and established deadlines for Alaska Native corporations and the State of Alaska to file final selection priorities.
- The Cadastral, Lands, and Realty Program provides cadastral survey services that are an important component to managing both Federal and private lands and manages authorized uses of the land for rights-of-way for pipelines, transmission lines for electricity and renewable energy, and other uses. This program also authorizes uses of the public lands for commercial filming and other purposes, and implements changes to land ownership by exchanging and purchasing lands, and by selling lands no longer needed for Federal purposes.

## Activity: Realty and Ownership Management

### Subactivity: Alaska Conveyance and Lands

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Alaska Conveyance	\$000	22,000	22,000	+220	+0	+0	22,220	+220
	FTE	111	111		+0	+0	111	+0

#### Justification of 2016 Program Changes

The 2016 budget request for the Alaska Conveyance and Lands Management activity is \$22,220,000 and 111 FTE.

#### Program Overview

The Alaska Conveyance and Lands Program transfers land title from the Federal government to individual Alaska Natives, Alaska Native Corporations, and the State of Alaska pursuant to the *1906 Native Allotment Act*, the *Alaska Native Veterans Allotment Act of 1998*, the *Alaska Native Claims Settlement Act of 1971* (ANCSA) and the *Alaska Statehood Act of 1959* (Statehood Act). Conveyance work has been ongoing since the 1960s. In 2004, the *Alaska Land Transfer Acceleration Act* (Acceleration Act) resolved conflicts between these laws and established deadlines for Alaska Native corporations and the State of Alaska to file final selection priorities.

The Alaska Conveyance and Lands Program performs adjudication, cadastral survey, easement identification, land examination, land record review to complete the land patent process, and Standards for Boundary Evidence assessments for Federal land, Indian land, and Native Corporation land managers. These processes are detailed below.

**Adjudication:** Adjudication is used to determine the legal sufficiency of a land title application for the purpose of passing right, title and interest of the Federal government of public lands. The BLM provides extensive outreach to Native corporations, including face-to-face meetings with corporate boards in local communities and to the State of Alaska to obtain final conveyance priorities.

**Cadastral Survey:** The cadastral survey component of the Alaska Conveyance and Lands Program provides the cadastral services necessary to issue patent. These services include preparing supplemental plats from existing survey plats and other information when possible; making administrative title navigability determinations to facilitate conveyance; making administrative determinations of emerged island title claims; issuing recordable 'Disclaimers of Interest of Title' for the beds of navigable rivers and other waterways; performing responsibilities as trustee for Alaska Native townsites created under the *Alaska Native Townsite Act*; providing assistance in determining maps of boundaries and performs surveys for Village corporation reconveyances required under Section 14(c) of the ANCSA; collects Public Land Survey System data to distribute through the web-based Spatial Data Management System (SDMS); issuing 'Standards for Boundary Evidence Certificates' prior to transactions and projects to

assist the authorized officer assess the risk caused by errors and misrepresentations in the public record and by antiquated surveys, and maintaining up-to-date digital copies of all survey records to distribute through the SDMS.

**Easement Identification:** Easement identification must be completed pursuant to Section 17(b) of the ANCSA for Native corporation selections that have not been transferred. This process involves participation by the public, the State of Alaska and the corporations themselves.

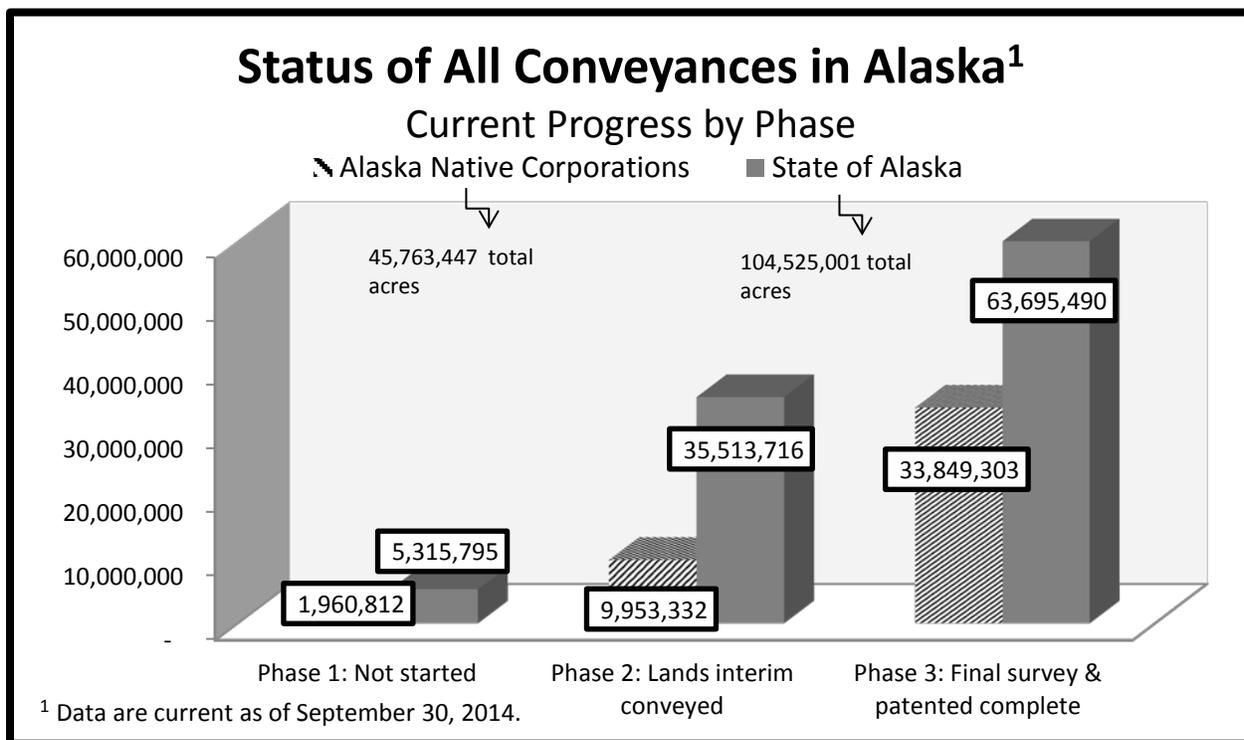
**Land Examination:** On the ground land examinations are conducted to resolve conflicts between Native allotment claims and to settle use and occupancy matters, including trespass and the presence of hazardous materials.

**Land Record Review:** In 2004, the Acceleration Act established deadlines for ANCSA corporations and the State to file priorities. Throughout Alaska, millions of the same acres were applied for by village corporations, regional corporations and the State. As part of the conveyance process, the BLM reviews selections to identify conflicts and ensure correct depiction in land records.

Provisions in ANCSA and the Statehood Act allow transfers of equitable title to unsurveyed lands through 'Interim Conveyance' for Native corporation selections and 'Tentative Approval' for State selections. Both types transfer right, title and interest of the Federal government but final patents (legal title) cannot be issued until cadastral survey of the final boundaries has been completed. Land patents are required by Federal law for completion of transfers and are required for almost all types of State and private development, financing, leasing, and disposing of property. Patent issuance is dependent upon survey plats and the patenting process follows approximately 18 months after field survey operations have been completed (i.e. field survey work completed in FY 2016 may have final title issued in early FY 2018).

A new and innovative process begun in 2014 will fulfill the BLM's commitment to the State of Alaska years ahead of previously projected schedules, at reduced costs. This approach fully complies with the Statehood Act, is fiscally responsible, and maximizes use of modern technology. With this method, there are fewer days in the field, less exposure to risks and hazards encountered in the field including encounters with bears and performing helicopter landings on unimproved landing areas. The new survey products will allow the State and their stakeholders to locate final patent corners on-the-ground by usage of the Global Navigation Satellite System, with Online Positioning User Service on the National Spatial Reference System.

By the end of 2014, the BLM surveyed and patented 97.5 million acres or 65 percent of the original 150 million acres (Phase 2, below). Approximately 46 million acres, or 31 percent, are under some form of 'Tentative Conveyance' but have not been surveyed (Phase 1, below). Additionally, about seven million acres or five percent, of the lands need to be both surveyed and conveyed. The chart below displays the status of all conveyances, as of the end of 2014.



In 2015, the BLM plans to complete 1,000 miles of new field survey (Phase 1, above) and approve 3,300 miles of prior cadastral field survey (Phase 2, above.). The BLM will also process 20 Native allotment claim applications. Approximately 400,000 acres of Native corporation entitlements and one million acres of the State of Alaska entitlement will be patented.

The current phase of Native Corporation and State adjudication requires meetings to resolve conflicts between corporation and State selections so field survey instructions can be written with detail sufficient for future patenting. In addition, meetings between the corporations and the State will be coordinated by BLM personnel to resolve easement conflicts so the easements on unsurveyed land can be matched with easements on land that has already been patented.

The Acceleration Act provides authority to round up acreages, settle final selection entitlement matters, and determine land selections where lands had been withdrawn, segregated or relinquished. Since 2003, the BLM has conducted face-to-face meetings with Alaska Natives in hundreds of remote locations to obtain or clarify evidence on Native allotment claims, and with Native corporation representatives to discuss selection and title matters. Because it is not appropriate to use 'Interim Conveyance' and 'Tentative Approval' where unresolved issues remain, title conveyances are increasingly dependent upon field survey and survey plats for issuance of patents.

### 2016 Program Performance

In 2016, the BLM will approve 1,000 miles of prior cadastral field survey and complete 700 miles of new field survey. The BLM will also process 20 Native allotment claim applications, and

patent acreage surveyed and platted in previous years. Approximately 600,000 acres of Native corporation entitlements and 800,000 acres of the State of Alaska entitlement will be patented. Transfer of title through 'Interim Conveyance' or 'Tentative Approval' will continue to be completed, as necessary, for Native corporations and the State of Alaska.

A combined total of 19,178 parcel applications were filed under the *1906 Native Allotment Act* and the *Alaska Native Veteran Allotment Act of 1998*. Over 18,845 of these claims have been closed through patent or rejection, leaving 308 applications pending. Although the *1906 Native Allotment Act* was repealed by ANCSA, claims pending with the Department up to the time of repeal still must be addressed by the BLM.

A total of 45.8 million acres of Native corporation entitlements have been identified; survey has been completed and patents have been issued for 33.8 million acres (74 percent), leaving 11.9 million acres (26 percent) that still require survey and patent. The State of Alaska entitlement is 104.5 million acres; survey has been completed and patents have been issued for 63.7 million acres (61 percent), leaving 40.8 million acres (39 percent) that still require survey and patent. The majority of the land not surveyed and patented is under either interim conveyance or tentative approval.

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**Activity: Realty and Ownership Management**  
**Subactivity: Cadastral, Lands and Realty Management**

	2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
			Fixed Costs	Transfers	Program Changes	Requested Amount	
Cadastral, Lands & Realty Management	\$000 [45,658]	45,658	+652	-58	+5,000	51,252	+5,594
	FTE [358]	358		+0	+0	358	+0

Summary of 2016 Program Changes/Internal Transfers for Cadastral, Lands, & Realty Management:

	(\$000)	FTE
Transmission	+5,000	+0
Internal Transfer to National Conservation Lands	-58	+0
<b>Total</b>	<b>+4,942</b>	<b>+0</b>

Other Resources Supporting Cadastral, Lands & Realty Mgmt:					
	2014 Actual	2015 Estimate	2016 Estimate	Change from 2015	
Public Survey	\$000 313	546	501	+0	
	FTE 4	9	9	+0	
Reimbursable Cadastral Survey	\$000 8,999	7,100	7,100	+0	
	FTE 40	40	40	+0	
Rights of Way Processing	\$000 12,360	16,105	14,690	+0	
	FTE 102	119	119	+0	
Cost-Recovery Realty Cases	\$000 808	830	830	+0	
	FTE 3	4	4	+0	

Notes:

- Public Survey amounts are shown as new budget authority derived from non-federal sources (advances made by private individuals to pay the costs incidental to land surveys requested by them); 43 U.S.C. 759 provides for accomplishment of public surveys of whole townships through a trust fund and deposits for expenses deemed appropriated, 43 U.S.C. 761 provides for refunds from trust funds established in 43 U.S.C. 759 of costs in excess of expenses, and 31 U.S.C. 1321(a) classifies the activities of "expenses, public survey work, general" and "expenses, public survey work, Alaska" as trust funds; These funds are appropriated on a permanent basis. More information on Public Survey is found in the Miscellaneous Trust Funds chapter.

- 2015 and 2016 Reimbursable Cadastral Survey amounts are shown as estimated transfers from the U.S. Forest Service, the Bureau of Indian Affairs, and other Agencies (including the U.S. Fish and Wildlife Service and the National Park Service)

- Rights of Way Processing amounts are shown as new budget authority derived from fees charged to recover certain costs of processing rights-of-ways (ROW); the Federal Land Policy Management Act of 1976, as amended (43 USC 1735) and the Mineral Leasing Act of 1920, as amended by the Trans-Alaska Pipeline Act of 1973, Section 101 (30 USC 185) appropriates these funds on a current basis. More information on Rights of Way Processing is found in the Service Charges, Deposits, & Forfeitures chapter

*- Cost-Recovery Realty Cases amounts are shown as new budget authority derived from fees from applicants to cover administrative costs for the conveyance of Federally-owned mineral interests, recordable disclaimers of interest, and leases, permits, and easements; Federal Land Policy Management Act of 1976, as amended (43 USC 1735) appropriates these funds on a current basis. More information on Cost-Recovery Realty Cases is found in the Service Charges, Deposits, & Forfeitures chapter.*

*- Amount in 2014 and 2015 for Public Survey shown net of sequestration*

*- Actual and estimated obligations, by year for Cost-Recovery Realty Cases are found in President's Budget Appendix under the BLM section*

## Justification of 2016 Program Changes

The 2016 budget request for the Cadastral, Lands, and Realty Management Program is \$51,252,000 and 358 FTE, a program change of +\$5,000,000 and 0 FTE and an internal transfer of -\$58,000 and 0 FTE from the 2015 enacted level.

**Transmission Corridors (+\$5,000,000/0 FTE)** – Aging electrical infrastructure in the West requires substantial upgrades to improve reliability and increase capacity. The upgrades will also facilitate renewable energy development in the West, including on BLM-administered public lands. The BLM is poised to meet these energy needs through designations of energy corridors in low conflict areas and siting high voltage transmission lines, substations and related infrastructure in an environmentally sensitive manner.

The requested funding would position the BLM to strategically plan for the long term increased demand and updates to the electric grid throughout the West with an improved and updated assessment process for the development and siting of energy corridors and rights-of-way (ROWs). Strategic planning would take into consideration renewable energy development including wind, solar, geothermal and hydropower. Planning activities would include revising land use plans in coordination with Federal, State, local and tribal stakeholders; revising energy corridors; developing landscape-level mitigation and best management practices; and synchronizing BLM and U.S. Forest Service (USFS) land use/management plans with transmission planning conducted by the Western Electricity Coordinating Council. These strategic planning activities are among the goals and objectives the BLM identified in its “Smart from the Start” vision for responding to the increased demand for transmission corridors.

**Transfer to National Conservation Lands (-\$58,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Of the \$5.0 million transfer, \$58,000 will be transferred from Cadastral, Lands & Realty Management. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the amount this subactivity has contributed to the operations of the National Conservation Lands in recent years.

## Program Overview

### Transmission

Facilitating efficient, responsible energy development and transmission facilities is a critical component of the BLM multiple use and sustained yield mission as stated in the Federal Land Policy and Management Act. As the largest Federal land manager in the West, the BLM plays a

leadership role in planning for conventional and renewable energy development and corridors as well as siting transmission facilities. The BLM must strengthen its environmental review and permitting procedures as well as improve the designation of existing and future energy corridors in land use plans. The BLM anticipates that the industry will continue to pursue new multi-jurisdictional projects across the West for distributed generation and transmission line upgrades and expansions, among other uses.

To address these demands, and to strengthen the environmental review and permitting process, in accordance with Secretarial Order Number 3330 entitled "Improving Mitigation Policies and Practices of the Department of the Interior," issued by Secretary of the Interior Sally Jewell in October 2013, the BLM will employ a "smart from the start" approach over the next decade. This approach will identify areas of conflict and opportunity during early planning and follow up by selecting the most appropriate areas for siting transmission facilities. The BLM will establish high standards for collaboration with industry, States and local governments, Tribes, Federal agencies and other stakeholders and build strong functional partnerships among all entities engaged in permitting these transmission lines and pipelines. Better planning and permitting to maximize the use of corridors will help reduce the proliferation of separate ROW across the landscape and will be key to protecting resources and minimizing environmental impacts. The BLM will look for innovation, research and technology to assist in meeting these goals. Continuing to develop and maintain an expert workforce of project managers, resource specialists, and managers with knowledge of electric transmission planning and operations, permitting construction, reclamation and mitigation techniques will be key to success of this effort.

Over the past several years, the BLM has made great strides in a variety of areas related to transmission permitting and energy corridors. Since 2010, the BLM has authorized over six major pipeline projects for oil, water, and natural gas totaling 1,200 miles with nearly 600 miles on BLM lands in Utah, Colorado, Nevada, North Dakota, Montana, and Wyoming. The estimated socioeconomic impact of the six projects entails over \$5.4 billion of industry investment and approximately 4,500 construction jobs.

Since 2011, the BLM has participated as a member of the Rapid Response Team for Transmission with the goal of improving coordination, expediting permitting and identifying lessons learned on seven priority pilot projects identified by the President. The BLM is lead or co-lead agency on four of the pilot projects. The President's Executive Order No. 13604 on infrastructure further increased the emphasis on interagency collaboration in the siting and permitting of high voltage transmission projects. The BLM is actively coordinating with the U.S. Department of Energy and USFS to review existing corridors designated pursuant to Section 368 of the Energy Policy Act of 2005. The BLM and USFS have designated priority regions in the western U.S. to focus on reviews to determine needed corridor revisions, additions and deletions. The BLM is also working with stakeholders to review and update interagency operating procedures that are required when siting projects within energy corridors designated pursuant to Section 368 of the Energy Policy Act of 2005. The BLM is finalizing two policies for major transmission lines. The first will provide guidance for a preapplication process and the second provides guidance for the NEPA process.

In June 2013, the BLM deployed an eight person National Transmission Support Team dedicated full-time to high voltage transmission and related infrastructure projects. The BLM is also working to update core training courses with an increased emphasis on distance learning options. The BLM has taken steps to align and coordinate the activities of staff working on

transmission line project with staff in our Renewable Energy Coordination Offices through joint meetings, calls and training efforts.

### **Rights-of-Way**

The BLM grants land use authorizations for a wide variety of commercial and noncommercial purposes as allowed by law. Many companies, non-profit organizations, and State and local governments apply to the BLM each year to obtain ROW grants to use the public lands for roads, pipelines, transmission lines and communication sites. Energy-related ROWs play an essential part in the transportation of energy sources. Cadastral surveys and other boundary services are provided to facilitate these actions and help reduce boundary disputes, trespass and litigation.

### **Cadastral & Lands**

Through the Cadastral Survey Program, the BLM conducts the official Federal Authority Surveys that are the foundation for all land title records in large sectors of the United States and provides Federal and tribal land managers, and their adjoining non-Federal landowners, with information necessary for land management. Several statutes and delegations vest authority in the BLM to provide cadastral services for itself and the other Federal land management agencies, including the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Reclamation, the USFS, and other Federal and tribal entities.

Conducting Federal Authority Surveys requires the determination of boundaries, the marking of corner positions with brass cap markers, posting and marking the boundary lines, and the filing of associated approved records in the Official United States Records System. Additional support services provided by the Cadastral Survey Program include accurately positioning legal descriptions for timber sales, rights-of way, protection of special areas, oil and gas leases, and mineral leases; providing standards for boundary evidence assessments and management of land boundary plans to reduce risks including unauthorized use; providing cadastral services and Geographic Coordinate Data Base services to support development of renewable energy projects; and updating and modernizing riparian boundaries where resources and land values are at a premium.

Companies, non-profit organizations, and State and local governments use the land records to apply to obtain ROW grants to use the public lands. The BLM uses these records to process ROWs for roads, pipelines, transmission lines and communication sites. ROWs based on accurate land records play an essential role in the cost-effective development and transportation of energy sources by providing the certainty necessary for infrastructure building. Similarly, accurate land and survey records are essential for the development and construction communication sites that provide equipment necessary for the transmission of television broadcasts and the cellular phone network, which among other important benefits, enhance emergency services and decrease impacts to human health and safety on sensitive public lands.

The BLM also prepares the documents required to conduct land sales, exchanges and withdrawals to ensure efficient and effective management of the public lands. Each record is stored and tracked for every authorization, review, and land withdrawal to ensure the most appropriate uses. The BLM works closely with the Department of Defense (DOD) to coordinate

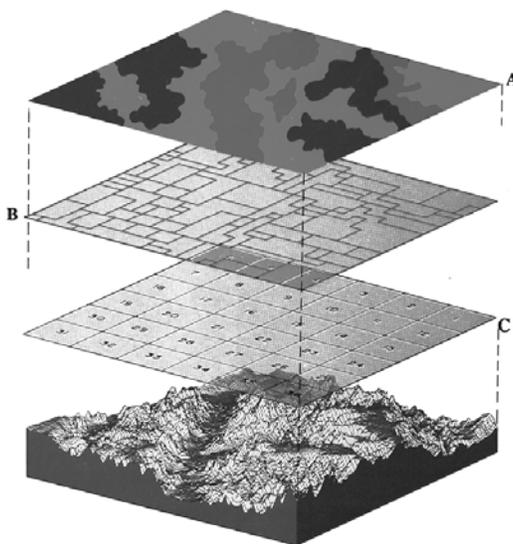
the documentation of withdrawals for military purposes and coordinate records management of adjacent military and public lands. The BLM also manages the documents of grants of lands to State, local governments and non-profit organizations for recreation and public purposes.

The BLM generates the Public Land Survey System (PLSS) Data to represent land ownership boundaries in a coordinated, standardized digital fashion. GIS layers depend on PLSS Data as the base layer for many BLM processes including surface management agency, withdrawals, leasing, rights-of-way, sales, exchanges and stipulations.

In addition, the BLM is the custodial agency for land tenure records that date back to the 1800s. The BLM currently manages over nine million title documents as well as cadastral survey records from across the Nation. The General Land Office Automated Records System (GLO Records) is responsible for making land tenure records available on the Internet via the GLO Records website (<http://www.glorerecords.blm.gov>).

The image below illustrates the complexities of the BLM's Land Information System.

### BLM's Land Information System



- A Resource Data
- B National Public Land and Mineral Records
- C Public Land Survey System

Cadastral Survey provides accurate location of the Public Land Survey System which in turn supports the BLM multiple use mandate while protecting the BLM's land and resources from unauthorized use.

## Realty Management

The BLM manages the grant documents system for ROW and other use authorizations for public lands. ROWs are granted for many purposes, including electricity transmission, roads, and water pipelines. The program also prepares land tenure documents for realty activities including land sales, land exchanges, and withdrawals.

ROW assists in providing for basic access, power, and communication infrastructure needs of cities, towns, and rural communities. The BLM manages these governing ROW and land tenure documents including the tracking of new and amended ROW authorizations.

Land sales, exchanges and withdrawals are also conducted to ensure efficient and effective management of the public lands. Land exchanges and withdrawals are useful land management tools to meet the multiple use mission of the BLM. The BLM authorizes, reviews, and revokes land withdrawals to ensure the most appropriate uses and works closely with the DOD to coordinate withdrawals for military purposes, resolve issues with over-flights, and coordinate management of adjacent military and public lands. The BLM also administers grants of lands to State, local governments and non-profit organizations for recreation and public purposes at reduced cost using its authority under the Recreation and Public Purposes Act.

## Other Funding Sources

- *Benefitting Programs & Agencies*: Approximately 45 percent of all work completed by the Cadastral Survey Program is funded by other benefitting BLM subactivities and other benefitting agencies.
- *The Federal Land Transaction Facilitation Act (FLTFA)* is proposed for reauthorization in 2016 to allow lands identified as suitable for disposal in recent land use plans to be sold using the FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally sensitive lands and the administrative costs associated with conducting sales. FLTFA was first enacted in July 2000. It provided for the use of a percentage of revenues from the sale or exchange of public lands identified for disposal under land use plans in effect as of the date of enactment to acquire inholdings within certain federally designated areas, or lands adjacent to those areas, which contain exceptional resources, and to administer the lands sale program. Of the funds used for acquisition, 80 percent were to have been expended in the same State in which the funds were generated, but 20 percent could have been expended for acquisition in any of the 11 other western states. Up to 20 percent of revenues from disposals may have been used for administration costs and other expenses. FLTFA expired in July 2010, but was subsequently reauthorized for one year, expiring in July 2011. The 2016 budget proposes to reauthorize FLTFA and allow lands identified as suitable for disposal in recent land use plans to be sold using the FLTFA authority. The FLTFA sales revenues would continue to fund the acquisition of environmentally sensitive lands and to cover the administrative costs associated with conducting sales.
- *The Southern Nevada Public Land Management Act of 1998 (SNPLMA)* became law in October 1998. It allows the BLM to sell public lands within a specific boundary around Las Vegas, NV. The revenue derived from these land sales is split between the State of Nevada General Education Fund (five percent), the Southern Nevada Water Authority (10 percent), and a special account (85 percent) available to the Secretaries of the

Interior and Agriculture for use throughout Nevada for parks, trails and natural areas; capital improvements; conservation initiatives; multi-species habitat conservation plans; environmentally sensitive land acquisition; and Lake Tahoe restoration projects. Other provisions in SNPLMA direct certain land sale and acquisition procedures and provide for the sale of land for affordable housing.

- Cost Recovery: The BLM recovers costs for processing applications and monitoring ROW grants on public lands. Although the BLM is authorized to collect cost recovery in certain circumstances, some customers, such as State and local governments are not subject to cost recovery. Cost recovery for cadastral services is also collected as appropriate.

Please see the Permanent Operation Funds Chapter for more information on FLTFA, SMPLMA, and other land sales accounts. For more information on cost recovery efforts, please see the Service Charges, Deposits, and Forfeitures Chapter.

### **Critical Factors**

Urban growth near BLM lands is creating costly management problems, such as encroachment, trespass, and unauthorized recreational activities on public lands. Proactive utilization of cadastral surveys along to the urban interface provides boundary location to alleviate this emerging issue and reduce the number of lawsuits and recover revenues associated with lost resources and uncollected rents.

The demand for cadastral services to support energy development activities is increasing. Review of survey plats is a necessary step in processing Applications for Permits to Drill. Program staff review the plats to ensure that the construction of access roads, well pads, and well bottom drilling targets do not infringe on other property or mineral rights. Chain of survey and legal description reviews also help to determine whether land ownership and boundary locations are legally defensible prior to development. There is greater demand for GCDB data to provide accurate digital graphic portrayal of the Public Land Survey System. The energy programs use this digital version of PLSS data to display all stipulations and current leases in an automated format. This facilitates more efficient energy development and enables public land managers to make more informed decisions.

With the President and the Secretary's goals to increase renewable energy development on the public lands and with many States enacting renewable energy portfolio standards that require utility companies to increase renewable energy supplies as part of their electricity capacity, renewable energy right-of-way processing workload for the BLM has increased dramatically. Much of this work is customer and market driven which makes it difficult to predict the number of applications that will be filed for the various authorizations with a high level of certainty.

### **2016 Program Performance**

The BLM plans to leverage technology in land tenure management to become more efficient in land use decisions and resource planning. BLM's land record system was developed in the 1980s and last was updated to account for the year 2000 issues. Beginning in 2015, the BLM will seek solutions to modernize and consolidate these existing systems. The goal is to develop a comprehensive system to collect, maintain and publish the official Federal land status records, including accurate and consistent land acreage and other statistical data used by the public and

Federal land management agencies. Improvements would include using authenticated data sources, consolidating data, and using spatial and survey data. The system will link this data to all relevant land records and information on land title, use, restrictions and resources. The system will support legal, policy and regulatory requirements and efficiently deliver key business products (Public Land Statistics, Master Title Plats, Historical Indices, Reports, geospatial maps and orthophotographs, etc.).

Also, in 2015 and 2016, the bureau will implement a new geospatial publication web service to replace its outdated internal and external sites. The web service will provide search, retrieve, display and delivery functionality for authenticated BLM mineral, land status and resource data.

In 2016, the BLM will also continue to perform the core functions of directing and approving surveys, addressing public inquires on Federal land status, consulting with staff members from other programs to advise on boundary, title, and geospatial issues, providing direction and control for field surveys paid for by other entities, and managing the geographic coordinates of PLSS data.

In addition, the BLM will implement the last of nine recommendations from an Office of the Inspector General (OIG) audit report on management of land boundaries. This report states, "proper survey and management of high-risk lands with antiquated surveys has the potential to generate hundreds of millions of dollars in revenue from lands with valuable surface and subsurface resources." In response, the BLM will continue issuing guidance to BLM State Offices through Instruction Memoranda directing them to identify lands with revenues lost or at risk due to antiquated boundary evidence and propose a plan for resolution.

In addition, in response to the OIG report, the BLM has developed and implemented new policies to ensure that cadastral surveyors review the adequacy of boundary evidence prior to the approval of significant land transactions and commercial projects. These policies will ensure the proper collection of rents and protection of public lands and resources from unauthorized uses.

In 2016, the BLM will also continue to focus on responsible energy development and associated transmission lines. Specifically the BLM will have a continued emphasis on completing timely environmental reviews and permitting for the four transmission Pilot Projects identified as a priority by the President in October 2011. Similarly, the BLM will focus resources on environmental reviews and permitting of transmission lines that serve BLM's 2016 Priority Renewable Energy Projects. Collectively, these priority transmission projects will replace aging infrastructure, enhance grid reliability, and facilitate renewable energy development while serving the needs of communities across the western U.S.

The BLM will continue to conduct public land sales, revoke public withdrawals, and facilitate military base closures. The bureau will also review public land withdrawals and anticipates revoking withdrawals for 64,000 acres

# Communications Site Management



## Activity: Communication Site Management

### Subactivity: Communication Site Management

	2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015	
			Fixed Costs	Transfers	Program Changes	Requested Amount		
Communication Site Management	\$000	2,000	2,000	+0	+0	+0	2,000	+0
	Offset	-2,000	-2,000	+0	+0	+0	(2,000)	+0
	FTE	15	15	+0	+0	+0	15	+0

#### Justification of 2016 Program Changes

The 2016 budget request for the Communication Site Management Program is \$2,000,000 and 15 FTE.

#### Program Overview

The Communication Site Management Program processes applications for communications sites from commercial, private and governmental entities under Title V of the *Federal Land Policy and Management Act of 1976* and issues right-of-way authorizations. The program considers requests for new sites, inspects and administers existing sites and authorizations, completes site management plans, and collects rental fees.

The BLM grants and administers authorizations for communications sites, while working to protect the natural resources associated with both public and adjacent land owners. The BLM works to prevent unnecessary or undue degradation to public lands by promoting collocation on the communication site rights-of-way considering engineering and technological compatibility, national security and land use plans. The BLM also coordinates to the fullest extent possible, all actions under the program with State and local governments, interested individuals, and appropriate quasi-public entities.

#### ***Demands and Trends***

Prior to 1996, each user was required to have a separate authorization, even when users shared a site. In response to the *Telecommunications Act of 1996*, the BLM implemented new regulations and policies that greatly simplified and streamlined the authorization and administration of these sites. The BLM now requires only the owners of the towers or facilities to have a right-of-way authorization, while other users of the sites can collocate in these facilities, as tenants or customers, without further BLM approval.

In 1996, there were 3,313 authorized communications facilities on BLM-administered land. The BLM currently has over 3,800 sites authorized for separate communication use rights-of-way located on approximately 1,500 mountain tops. In 2014, the BLM hired and trained a second project manager and performed 28 communication site audits which encompassed 138 facilities. The BLM identified \$65,500 of unreported rent, 16 unauthorized trespass facilities, and finalized approximately 15 communication site management plans. The BLM has

increased the collection of rental fees from \$2.0 million in 1996, to \$8.16 million in 2014 and an estimated \$9.0 million in 2015.

A significant challenge facing the BLM is ensuring that holders of communication site rights-of-way authorizations report accurate inventories of communications uses within their facilities to allow the Bureau to assess and collect the appropriate rent. Based on recent compliance inspections by program administrators, it is estimated that for every dollar of rent collected, at least one dollar is not collected. In order to better manage the development and use of communications sites and to mitigate the impacts on surrounding public lands, the BLM develops communication site management plans, which guide users and analyze the impacts of the structures on the sites and the surrounding lands. These plans allow the BLM to better manage sites and often result in the collection of additional rent revenues. The BLM's goal is to develop site management plans for all facilities with communication sites located on the public lands it manages.

In recent years, the BLM has focused on strengthening partnerships and improving its suite of BLM, interagency and industry sponsored right-of-way management courses, including the Communication Site Management Course, the National Lands Training for Line Officers, the Beginning Lands and Realty Training, and two industry meetings scheduled in Nevada.

### **2016 Program Performance**

In 2016, the BLM will continue to toward the goals of Executive Order 13616 on Accelerating Broadband on Federal Property, including developing processes to reduce the time needed for issuing communication use rights-of-way authorizations. Additionally, the BLM will continue to process applications for communications site rights-of-way, as well as applications for assignments, amendments, and renewals. The Bureau will also continue to emphasize site administration and management. The BLM expects to complete 30 to 40 final communication site management plans, process 170 actions for lease or grant issuances, rejections, amendments, and renewals; process 50 actions for assignments, cancellations, relinquishments, and other administrative work; and complete 15 actions for trespass. The BLM will evaluate the possibility of expanding the centralized billing effort to other types of right-of-way rentals. The BLM will train over 60 agency and industry personnel on the siting and administration of communication uses on public land, plus train 75 line managers on their roles and responsibilities in the Communication Site Management Program.

In addition, the BLM will review the current communications use rental schedule as recommended by the Office of Inspector General in Report in its review of the Rights-of-Way program. In 2015, the BLM plans to publish an advanced Notice of Proposed Rulemaking in the Federal Register to determine if the rental schedule should be updated; the results of that review will determine the work to be performed in 2016.

# Resource Protection and Maintenance



## Activity: Resource Protection and Maintenance

		2014 Actual	2015 Enacted	2016 President's Budget			Change from 2015	
				Fixed Costs	Transfers	Program Changes		Requested Amount
Resource Mgmt Planning, Assessment & Monitoring	\$000	37,125	38,125	+416	+0	+20,800	59,341	+21,216
	FTE	214	214		+0	+3	217	+3
Law Enforcement	\$000	25,325	25,325	+270	-100	+0	25,495	+170
	FTE	131	131		+0	+0	131	+0
Abandoned Mine Lands	\$000	16,687	16,987	+159	+0	+2,800	19,946	+2,959
	FTE	63	63		+0	+0	63	+0
Hazardous Materials Management	\$000	15,612	15,612	+204	-30	+0	15,786	+174
	FTE	94	94		+0	+0	94	+0
Total, Resource Protection & Maintenance	\$000	94,749	96,049	+1,049	-130	+23,600	120,568	+24,519
	FTE	502	502		+0	+3	505	+3

The 2016 budget request for the Resource Protection and Maintenance activity is \$120,568,000 and 505 FTE. It reflects program changes totaling +\$23,600,000 and +3 FTE and internal transfers totaling -\$130,000 and 0 FTE from the 2015 Enacted level.

### Activity Description

The functions within the Resource Protection and Maintenance activity contribute to the protection and safety of public land users and environmentally sensitive resources.

- Resource Management Planning – The land use planning function is based on collaboration with local communities and State and tribal governments, as well as on science-based analysis.
- Resource Protection and Law Enforcement – The Resource Protection and Law Enforcement subactivity provides for the protection from criminal and other unlawful activities on public lands.
- Abandoned Mine Lands – The remediation of abandoned mine lands supports core programs by restoring degraded water quality, cleaning up mine waste that has been contaminated by acid mine drainage and heavy metals (such as zinc, lead, arsenic, mercury and cadmium), remediating other environmental impacts on or affecting public lands, and mitigating physical safety issues.
- Hazardous Materials Management – The Hazardous Materials Management Program provides for the prevention, mitigation, and remediation of the effects of hazardous material releases and other dangers on the public lands.

The Resource Protection and Maintenance activity funds land use planning and compliance processes, which are required by the *National Environmental Policy Act (NEPA)* and the *Federal Land Policy and Management Act (FLPMA)*.

## Activity: Resource Protection and Maintenance

### Subactivity: Resource Management Planning, Assessment & Monitoring

	2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
			Fixed Costs	Transfers	Program Changes	Requested Amount	
Resource Mgmt, Planning, Assessment & Monitoring	37,125	38,125	+416	+0	+20,800	59,341	+21,216
	<i>\$000</i>						
	<i>FTE</i>	214	214	+0	+3	217	+3

#### Summary of 2016 Program Changes/Internal Transfers for Resource Management, Planning, Assessment & Monitoring:

	(\$000)	FTE
Applied Science - Enterprise Geospatial System	+7,800	+0
Assessment, Inventory and Monitoring	+5,000	+3
Monitoring Greater Sage-Grouse Plans	+8,000	+0
<b>Total</b>	<b>+20,800</b>	<b>+3</b>

### Justification of 2016 Program Changes

The 2016 budget request for Resource Management Planning, Assessment & Monitoring is \$59,341,000 and 217 FTE, a program change of +\$20,800,000 and +3 FTE from the 2015 enacted level.

**Enterprise Geospatial System (+7,800,000 /+0 FTE)** The budget request includes a \$7.8 million increase in Resource Management Planning to support the deployment of the Enterprise Geographic Information System (EGIS), critical to help the BLM make a generational leap forward in its geospatial capabilities. The EGIS will support the adoption and implementation of core indicators, standardization of data and collection methods, and the digitization of legacy data for inclusion in decision-making analyses. It will allow employees to seamlessly access and use data from every level of the organization and across units, both from their office as well as in the field using mobile devices. The EGIS is key in providing data management and analytical support to managing public lands across various priority landscape-scale initiatives, including the Assessment, Inventory and Monitoring Strategy, Greater Sage-Grouse Plan Implementation and Monitoring, Renewable and Conventional Energy Development, Rapid Eco-regional Assessments, Climate Change Adaptation, Planning 2.0 Initiative, Regional Mitigation, and other multiple scale resource management activities. The BLM will continue to work collaboratively with other federal partners to develop common data standards and manage geospatial datasets used for public land management decisions. The BLM geospatial proposal is integrated within Interior's growing enterprise GIS capabilities and serves as a critical component of the Department's corporate geospatial strategy. The Bureau's ability to provide vast quantities of quality data easily will have profound organizational, cultural, and social benefits. The EGIS will provide the capability to overlay internal and external resource datasets (e.g., vegetation, hydrology, and ecological sites) with data on natural and human-induced stressors (e.g., wildfire, invasive species, climate change, and development), yielding robust and complex analyses of resource use and effects across multiple scales. The EGIS will allow

the BLM to continue to develop and implement core data and technology standards to support large-scale, science-based decision-making, while at the same time delivering critical information to the public for its use and enjoyment of the public lands.

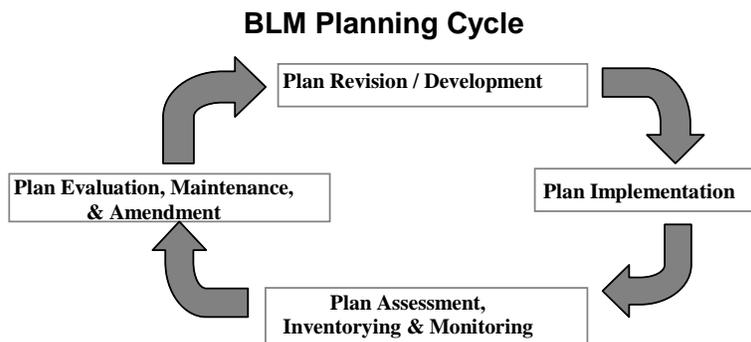
**Assessment, Inventory and Monitoring Strategy (AIM) (+\$5,000,000 /+3 FTE)** – Informed decision making and adaptive management require current data about the status and trend of terrestrial and aquatic systems and about the location and extent of natural and human-caused disturbances. The BLM's Assessment, Inventory, and Monitoring (AIM) Strategy is the framework for this data collection. The 2016 budget request includes an increase of \$5.0 million to facilitate implementation of the AIM strategy, which is central to meeting commitments outlined in the Implementation of the Western Solar Energy Plan, the Greater Sage-grouse land use plans, Secretary Jewell's landscape mitigation strategy and other initiatives.

**Monitoring in Support of Greater Sage Grouse Conservation Initiative (+\$8,000,000/+0 FTE)** – The 2016 budget request includes an increase of \$8,000,000 to develop assessment and monitoring protocols using core indicators, standardized field methods, remote sensing, and a statistically valid study design to provide nationally consistent and scientifically defensible information. These protocols will be used to meet the monitoring commitments made during the Greater Sage-Grouse Conservation effort. These commitments include gathering information on terrestrial and aquatic site condition, ecological sites, special status species, treatments, disturbance of the public lands, fire, and land uses.

### Program Overview

Resource Management Plans (RMPs) are the foundation of public land management. Planning and plan implementation decisions describe desired resource conditions on the ground and methods to achieve desired conditions across the more than 247 million acres of BLM-managed public lands. Through its plan assessment, inventory and monitoring efforts, the Bureau collects data, which is stored in geospatially enabled databases, to determine whether the BLM is meeting its goals for desired condition. Plan evaluations allow the BLM to determine which decisions need to be revised or amended for the BLM to continue effectively managing the public lands. The land use planning process encourages collaboration and partnerships, which help the BLM determine how to manage public lands and associated resources to balance the needs of adjacent communities with the needs of the Nation.

The Resource Management Planning, Assessment, and Monitoring Program uses interdisciplinary processes to complete the management and decision-making cycle shown and described further below.



Land Use Plan Revision and Development – Completion of ongoing RMP revisions and plan developments is the highest priority of the program. Planning areas without updated RMPs present numerous challenges to the BLM. Updated plans:

- Incorporate the best, most current science;
- Contain sustainable decisions that are less vulnerable to legal challenge;
- Are responsive to changes in climate and conditions on the ground;
- Include desired conditions that are relevant or desired by the public, other governmental entities, or industrial users; and
- Advance priorities such as energy development and transmission corridors and provide economic opportunities for the public

Delayed completion of planning efforts postpones critical resource management decisions and increases potential for litigation in planning areas. As RMP decisions are made, the program initiates new RMP revisions or amendments in areas where changing demands on public land resources have been identified.

Sustainable Planning through the National Environmental Policy Act (NEPA) – This dynamic approach to land use planning cycles through implementation, effectiveness monitoring, and assessment of emerging issues such as rapid population growth and changing resource conditions. The planning cycle allows plans to remain relevant and adaptive to changing conditions by addressing emerging challenges and changing resource issues as they arise, which ensures plan durability and reduces the frequency of costly revisions. The BLM uses the NEPA review and analysis process to inform its land use planning and project-level implementation decisions throughout the planning cycle. Through the NEPA process, the BLM assesses the potential environmental impacts of a proposed action through a range of alternatives, seeks input from stakeholders and the public, and collaborates with partners in Federal, State, local, and tribal government to inform its decisions.

Land Use Plan Amendments – Amendments enable the program to address significant new information, respond to changing land uses, consider proposals that deviate from the plan, and implement new policies that change land use plan decisions. Plan amendments are an economical means to support adaptive approaches to resource management and reduce the frequency of costly revisions, and they often support priority projects, such as those related to renewable energy and national energy infrastructure.

Monitoring for Adaptive Management: Informed decision making and adaptive management require current data about the status and trends of terrestrial and aquatic systems, about the location and extent of natural and human-caused disturbances, and about the location and effectiveness of land treatments. The BLM's AIM Strategy is the framework for this data collection. This strategy outlines a process for using core indicators, standardized field methods, remote sensing, and a statistically valid study design to provide nationally consistent and scientifically defensible information to determine the status of the public lands and track changes to natural resources on the public lands over time. This strategy supports the Solar Programmatic EIS, the Greater Sage-Grouse Conservation Initiative, as well as other landscape scale decisions

## Critical Factors

The BLM addresses a number of critical factors that drive land use planning and decision-making processes. These include the following:

Land Health Stressors – Land health stressors such as invasive plant and insect infestations, drought, and catastrophic wildfires contribute to the loss of native animal and plant communities and habitat for threatened and endangered species. Changing conditions necessitate the reevaluation of plans on a regular cycle. Eco-regional assessments and adaptation strategies for mitigating impacts of land health stressors indicate on a regional basis whether land use decisions remain valid or require amendment.

Energy Demands – Increased demands for renewable and conventional energy and associated infrastructure affect the balance with competing uses such as recreation use, off-highway vehicle use, and conserving a broad range of wildlife habitat for future generations.

Expanding Populations & Community Growth – These factors challenge wildland fire suppression efforts in the wildland-urban interface, contribute to increased conflicts between recreational uses, and increase demands for surface-disturbing uses such as roads, utility distribution lines, communication sites, sand, gravel, mineral materials sites, and public facilities. Understanding the complex socioeconomic issues in communities adjacent to BLM-administered lands is imperative to effective land management.

Protests/Appeals/Litigation – Public land management conflicts heighten BLM's attention to risk management in response to challenges over land use decisions. Litigation not directly associated with land use planning often affects land use planning decisions, given the broad scope of resource issues considered.

## Means and Strategies

The BLM uses a number of means and strategies to support land use planning and decision-making processes. The means and strategies highlighted below support not only land use planning, but also provide critical information, resources, and data infrastructure used Bureau-wide, and often outside the BLM by Federal, State, tribal and local partners. This information is necessary and valued by resource managers and specialists as they prepare project analyses for all types of activities. These efforts include the following:

ePlanning – The ePlanning web-based application streamlines land use planning and NEPA processes. It enhances transparency and creates efficiencies through faster and easier public access to NEPA documents for review and comment and simplified comment analysis and response. ePlanning is currently used for all new RMP revisions and NEPA in four States (Nevada, Alaska, Arizona and Idaho). In October, 2014, a comprehensive deployment strategy was initiated to implement ePlanning for NEPA activities across all BLM States by the end of 2015.

Geospatial Services – The Bureau is transitioning to a landscape approach to managing public lands. To support that approach, the Geospatial Services program is creating an environment where data is managed in an integrated corporate data framework to support multiple program activities at multiple scales. Continued implementation of the BLM's Enterprise Geospatial Strategy, through the GIS Transformation Project, supports this transition as well as various

high priority efforts such as the implementation and monitoring of the Greater Sage-Grouse planning effort, the Planning 2.0 initiative, regional mitigation activities, and renewable energy projects, while using GIS software that is consistent and integrated with the Department and other DOI Bureaus. This transformation will also improve the management of the BLM's geospatial data resources, and will enhance partnering with other Federal agencies, including the U.S. Geological Survey (for science) and the U.S. Fish and Wildlife Service (for consultation), while supporting communication and collaboration with State and tribal governments, as well as the public at large. By providing the infrastructure to manage and analyze data at multiple scales, the Geospatial Services program provides the BLM with the information and tools necessary to better understand the impacts of its decisions and support informed decision-making at all levels of the organization.

Socioeconomics – The Socioeconomics program helps resource managers weigh competing interests concerning access to and use of public lands and resources. Social and economic conditions are changing across the West and the public is demanding a more collaborative style of decision-making with reliable information on the human context and consequences of BLM actions. The need to maximize the BLM's return on investment is essential to achieving its mission, and thus measuring that return through the application of socioeconomic methods provides information essential for effective resource management. To provide a more complete picture of the benefits and costs of the BLM's resource management decisions, the Socioeconomics program is conducting a series of pilot studies to assess the feasibility and usefulness of ecosystem services methods and metrics. These approaches focus on quantifying the contributions of healthy ecosystems to human well-being, and the ways in which proposed actions may reduce or enhance these benefits.

Collaborative Action and Dispute Resolution – The Collaborative Action and Dispute Resolution (BLM-CADR) program provides services to support BLM's engagement with other Federal agencies, tribal, State, and local governments, stakeholders, and the public. Collaborative approaches can be applied internally and externally throughout decision-making and subsequent challenges. Generally speaking, collaboration refers to processes and arrangements that facilitate two or more individuals working together to solve a set of resource issues. Collaborative approaches ultimately enhance relationships and successful on-the-ground project implementation through shared commitment and resources. The CADR program optimizes planning investments and provides tools and skills for future BLM leaders.

NEPA – The BLM's NEPA program coordinates with the Council on Environmental Quality (CEQ), the Interior Office of Environmental Policy and Compliance, and other Federal entities on NEPA policy issues across the Federal government and within the Department. The BLM NEPA program also develops Bureau-wide NEPA policy and guidance, coordinates with other BLM national programs to develop program-specific guidance, and works with the BLM National Training Center to identify and meet NEPA training needs. In addition, the program coordinates with BLM State Offices to provide advice and support for NEPA compliance in the field. The BLM NEPA program has developed an internal, web-based BLM Greenhouse Gas & Climate Change NEPA Toolkit for use in preparing NEPA documents. The program also evaluates NEPA compliance within BLM States. These activities contribute to sound, well-supported Bureau planning and project decisions, and provide ongoing opportunities to strengthen working relationships with the public, stakeholder organizations, and partners in Federal, State, local, and tribal government.

Assessment and Monitoring - The AIM Strategy is being implemented through five sets of interrelated projects. The first three are designed to implement West-wide monitoring that is coordinated, and where possible, integrated with the monitoring activities of other Federal, State and non-governmental partners. The West-wide projects include the BLM Rangeland Assessment, the BLM Western Rivers and Streams Assessment, and the BLM Grass-Shrub Fractional Mapping Project. Some of the Federal partners' included in these efforts are the Natural Resource Conservation Service, Environmental Protection Agency, United States Geological Survey, and United States Forest Service. The two remaining projects are designed to help support immediate multi-State and field office priorities. These projects include efforts to monitor the effectiveness of BLM land use plans and to determine the effectiveness of BLM treatments and actions.

Public Involvement and Cooperating Agencies – The BLM involves interested members of the public and other governmental agencies—various Federal, State, local, county, and tribal entities—to share technical expertise, fulfill requirements for cooperation under various laws, and ensure consistent management where BLM-managed lands are adjacent to those of other government agencies or affect the resource management of other government agencies. The BLM also participates in cooperating agency and coordination training workshops with local government organizations to promote understanding of opportunities for local government participation in BLM land use planning and NEPA processes.

## 2016 Program Performance

Planning 2.0 – “Improving Land Use Planning” – In 2016, the BLM will finalize the Planning 2.0 initiative, which is focused on designing a more proactive and flexible approach to planning across landscapes at multiple scales. As part of Planning 2.0, the BLM will complete targeted changes to the planning regulations (43 CFR 1601 and 1610) and issue a revised Land Use Planning Handbook (H-1601-1). The planning process will focus on more up-front collaboration with partners to produce durable decisions that readily address the rapidly changing environment and conditions posed by climate change, rapid growth in the urban interface with public lands and expanding resource development, and other stressors. Finally, the BLM will review, and where necessary, revise its policy and procedures for monitoring the effectiveness of land use plan decisions as part of the 2.0 initiative.

Land Use Plan Revisions – In 2016, the Resource Management Planning program will continue revisions on the 38 plans that are in process. This estimate takes into consideration plans that will be completed and initiated in the interim. Active plan revisions are evaluated annually to determine progress and estimated costs for completion. Approvals to extend project schedules are coordinated through the Assistant Director for Renewable Resources and Planning.

In 2015, the BLM plans to initiate four new RMP revisions. The remaining six Western Oregon RMP revisions will be funded by the O&C Resource Management Planning program. Since 2001, the BLM has completed 77 plan revisions to improve the quality and effectiveness of its resource management. Another 50 planning projects are currently in progress and 29 plans are in need of revision or amendment to meet changing resource demands and conditions.

Land Use Plan Amendments – Newly revised plans are maintained through amendments funded by benefitting programs. Targeted amendments address emerging challenges and changing resource issues, extend the useful life of a plan, and reduce the potential for litigation.

In 2016, the Resource Management Planning program will continue to support high priority amendments, including those associated with renewable energy and transmission line projects.

NEPA – The NEPA program will coordinate with the Department to provide and implement BLM national guidance on considering climate change through the NEPA and land use planning processes. The NEPA program also will support BLM and Department policy development in other priority areas such as mitigation. In addition, the NEPA program will work with BLM's National Training Center to evaluate NEPA training needs throughout the BLM and to develop new training as needed.

Assessment and Monitoring - The Rangeland Assessment, the Western Rivers and Streams Assessment, and the Grass-Shrub Fractional Mapping Project, efforts to monitor the effectiveness of BLM land use plans, and efforts to determine the effectiveness of BLM treatments and actions will be implemented. Additionally, the monitoring and assessment protocols and core indicators developed as part of the AIM strategy will be used to gather information on terrestrial and aquatic site condition, ecological sites, special status species, treatments, disturbance of the public lands, fire, and land uses within sage-grouse habitat.

Collaborative Action and Dispute Resolution – The CADR program is implementing a new Strategic Plan designed to:

- Build awareness and understanding of collaboration and collaborative action both within and outside the BLM;
- Provide a framework for achieving consistency in collaborative efforts within BLM and with partners and stakeholders; and
- Focus on the practical application of collaborative principles and practices to meet the needs of the field.

## Activity: Resource Protection and Maintenance

### Subactivity: Resource Protection and Law Enforcement

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Law Enforcement	<i>\$000</i>	25,325	25,325	+270	-100	+0	25,495	+170
	<i>FTE</i>	131	131		+0	+0	131	+0

Summary of 2016 Program Changes/Internal Transfers for Law Enforcement:	(\$000)	FTE
Internal Transfer to National Conservation Lands	100	+0
<b>Total</b>	<b>-100</b>	<b>+0</b>

### Justification of 2016 Program Changes

The 2016 budget request for the Resource Protection and Law Enforcement Program is \$25,495,000 and 131 FTEs and reflects an internal transfer of -\$100,000 from the 2015 enacted level.

**Internal transfer to National Conservation Lands (-\$100,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Of the \$5.0 million transfer, \$100,000 will be transferred from Law Enforcement. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the amount this subactivity has contributed to the operations of National Conservation Land units in recent years.

### Program Overview

#### Program Components

The Resource Protection and Law Enforcement Program supports the Bureau's mission through the enforcement of Federal laws and regulations related to the use, management, and development of public lands and resources. The objectives of the program are to:

- Provide a safe environment for public land users and employees;
- Deter, detect, and investigate illegal activities, and resolve or refer such matters to appropriate officials; and
- Ensure revenues owed to the government for authorized or unauthorized uses are paid.

Resource Protection and Law Enforcement Program resources:

- Manage the law enforcement presence at special events and high-use recreation areas in order to support law enforcement needs exceeding the capacity of local field offices;
- Establish interagency agreements, partnerships, and service contracts with numerous State and local law enforcement agencies to secure supplemental support in the form of dispatch services, patrols of high use recreation areas, and assistance in the eradication of marijuana grown on public lands; and
- Utilize science-based methods and technology wherever possible to expand the capability to identify and monitor locations of illegal activity.

### Critical Factors

Critical factors affecting the Resource Protection and Law Enforcement Program on public lands include:

- Large-scale marijuana cultivation threatens public and employee safety; while the associated diversion of natural water sources, the use of fertilizers, herbicides, and pesticides, the illegal taking of wildlife, and the dumping of waste damages the ecosystems being exploited for illegal cultivation activities.
- The smuggling of humans and controlled substances on public lands near the Southwest Border destroys the natural and cultural resources on these public lands and threatens public and employee safety.
- Population increases in urban areas located near public lands have led to corresponding increases in off-highway vehicle use, illegal dumping of waste, theft of mineral materials and native plants for private landscaping, and the ignition of wildland fires.
- Emergencies and similar unexpected developments frequently require law enforcement responses that cannot be planned for or anticipated.
- Partner law enforcement agencies continue to request funding assistance through service contracts and support agreements, particularly in counties where public lands are heavily impacted by both legal and illegal activities.

### Demands, Trends and Resources

In 2014, the BLM saw a fifteen percent increase in the number of marijuana plants seized on public lands. Due to the scope of the marijuana cultivation problem on public lands and the large number of Federal, State, and local agencies involved in combatting the issue, it is difficult to establish a direct cause for the fluctuations seen in marijuana plant seizure statistics. However, several factors are believed to affect large scale marijuana cultivation on public lands, including:

- Increasingly effective utilization of multi-agency investigation and eradication efforts targeting illegal activities at all levels of drug trafficking organizations.
- Prosecution of individuals at all levels of multi-state drug trafficking organizations is disrupting organizational structures and reducing cultivation and distribution capabilities.



- Shifting weather patterns are altering the length of the growing season and the availability of natural water sources.
- Several State medical marijuana laws provide for the lawful cultivation of marijuana on private lands. Quantities of this lawfully cultivated marijuana are known to be sold outside the legal trade. This unlawful sale of legally cultivated marijuana, combined with the public's ability to lawfully cultivate marijuana for personal use purposes, may be altering levels of market supply and demand, thereby prompting fluctuations in the quantity of marijuana being cultivated on public lands.

## 2016 Program Performance

### Marijuana Cultivation on Public Lands –

The BLM plans to continue drug enforcement activities to include assigning special agents to investigate large scale marijuana cultivation on a full time basis in California and on a part time basis in other states to combat the expansion of marijuana cultivation activities; utilizing BLM rangers to conduct high profile patrol to detect and deter cultivation activities, eradicate marijuana cultivation sites, and provide security for personnel performing cultivation site rehabilitation efforts; and working with the Public Lands Drug Coordination Committee, under the Office of National Drug Control Policy, to utilize science-based methods to identify and address the environmental impacts of marijuana cultivation on public lands.

Marijuana Plants Seized by BLM on Public Lands			
FY 2011	FY 2012	FY 2013	FY 2014
436,455	156,014	195,417	225,291

Southwest Borderlands – The BLM will continue to patrol and conduct law enforcement activities on public lands situated within 100 miles of the Southwest Border in response to the heavy resource impacts and public safety concerns associated with illegal human and drug smuggling activities. The BLM continues to invest heavily in its Reclaim Our Arizona Monuments (ROAM) operation. Developed in response to the severe impacts occurring on the Bureau's Ironwood Forest and Sonoran Desert National Monuments, Operation ROAM combines the skills of BLM law enforcement officers with those of BLM resource specialists in order to improve public safety and remedy the resource damage caused by human and drug smuggling. This pairing of skill-sets serves to disrupt and deter smuggling operations and repair smuggling-related environmental damage caused by unauthorized roads and trails, large accumulations of trash, and concentrations of human waste.



**Illegal Road Created by Smuggling Activity in the Sonoran Desert National Monument.**

Archaeological Resource Protection Act (ARPA) Enforcement in the Four Corners Region – The BLM will continue to patrol and conduct investigations in the Four Corners region of the Southwest to deter and detect incidents of theft and vandalism of cultural, historical, and paleontological resources. The BLM will prosecute suspects and provide for the proper curation, storage, and disposition of recovered artifacts. The BLM continues to support the process of repatriating hundreds of thousands of archaeological and Native American artifacts recovered through the “Cerberus Action”; a highly successful multi-year investigation that targeted individuals suspected of looting archaeological sites and Native American graves in violation of ARPA and the *Native American Graves Protection and Repatriation Act*.

Off-Highway Vehicle (OHV) Recreation – The BLM will continue to dedicate law enforcement resources to the patrol of high-use OHV areas in order to protect sensitive resources and ensure the public is provided safe recreational opportunities on public lands.

Off-Highway Vehicle Activity on Public Lands				
	FY 2011	FY 2012	FY2013	FY2014
<b>OHV Incidents</b>	6,427	4,067	5,164	4,662

National Conservation Lands – The BLM will continue to patrol and conduct law enforcement activities within the National Conservation Lands in order to protect nationally significant resources and provide the public the opportunity to safely enjoy their public lands.

Wild Horses and Burros – The BLM will continue to enforce laws and investigate violations related to the harassment, unlawful removal, inhumane treatment, unauthorized destruction or sale of wild horses and burros.

Resource Damage, Loss and Theft – The BLM will continue to emphasize patrol, enforcement, and investigation actions to reduce the theft of public land resources, including mineral materials, timber and forest products, as well as improve production accountability and reduce theft of oil and gas resources. The BLM will investigate wildland fires to determine the origin and cause, identify responsible parties, and seek civil enforcement or criminal prosecution in cases involving negligence or arson.

Total Number of Incidents Reported				
FY 2011	FY 2012	FY2013	FY2014	
26,888	23,544	47,644	56,901	
Theft, Vandalism, and Misuse of Resources Incidents Reported				
	FY 2011	FY 2012	FY2013	FY2014
<b>Cultural, Paleontological &amp; Historical Resources</b>	72	140	153	184
<b>Minerals</b>	10	21	16	19
<b>Natural Features &amp; Other Wildland Resources</b>	107	106	177	539
<b>Timber, Forest Products, &amp; Native Plants</b>	190	279	456	634
<b>Wild Horses and Burros</b>	86	118	246	188
Wildland Fire Incidents Reported on Public Lands				
No. of Fire Related Incidents	FY 2011	FY 2012	FY2013	FY2014
	698	1,053	1,341	1,691

## Activity: Resource Protection and Maintenance

### Subactivity: Abandoned Mine Lands

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Abandoned Mine Lands	\$000	16,687	16,987	+159	+0	+2,800	19,946	+2,959
	FTE	63	63		+0	+0	63	+0

*Notes: The Central Hazardous Materials Fund from the Department of the Interior, Office of the Secretary, is a collaborative source of funding to address the goals of both the Abandoned Mine Lands and the Hazardous Materials Management programs. The 2015 estimated funding from the Central Hazardous Materials Fund is approximately \$3.5 million.*

*More information on the Central Hazardous Materials Fund is found in the Department of the Interior, Office of the Secretary, Department-wide Program Budget Justifications.*

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Summary of 2016 Program Changes/Internal Transfers for Abandoned Mine Lands:	(\$000)	FTE
Red Devil Mine Remediation	+2,800	+0
<b>Total</b>	<b>+2,800</b>	<b>+0</b>

### Justification of 2016 Program Changes

The 2016 budget request for the Abandoned Mine Lands Management Activity is \$19,946,000 and 63 FTE, a program change of +\$2,800,000, and 0 FTE from the 2015 enacted level.

**Red Devil Mine Remediation (+\$2,800,000/0 FTE)** – The Red Devil Mine (RDM), located on the Kuskokwim River in Southwestern Alaska, is an abandoned cinnabar mine which produced mercury from 1939 thru 1971. In 2009, the BLM initiated a Remedial Investigation/Feasibility Study (RI/FS) of the Red Devil Mine site under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). As part of the CERCLA investigation, the BLM completed an RI which identified mine tailings near Red Devil Creek containing high concentrations of mercury, arsenic as well as antimony and that these metals are being released into the soil and water. In FY 2014, a non-time critical removal action was initiated and completed. This action removed mine tailings from Red Devil Creek and stabilized the stream channel to prevent further erosion and associated transport of contaminated tailings into the Kuskokwim River. The \$2.8 million proposed increase for 2016 would be used for ground and surface water monitoring, Proposed Plan Development and Remedial Design/Remedial Action (RD/RA) development.

### Legislative Change

**Reclamation Fee** – To provide additional resources for the reclamation of priority abandoned hardrock mines, the 2016 budget proposes a new AML fee on hardrock mine production. Just as the coal industry is held responsible for abandoned coal sites, the Administration proposes to hold the hardrock mining industry accountable for the remediation of abandoned hardrock mines. The legislative proposal will levy an AML fee on uranium and metallic mines on both public and private lands. The proposed AML fee on the production of hardrock minerals will be collected on the volume of material displaced after January 1, 2016. The receipts would be

divided between Federal and non-Federal land actions. The Secretary will disperse the share of non-Federal funds to each State and Tribe based on need. Each State and Tribe will select its own priority projects using established national criteria. The proposed hardrock AML fee and reclamation program will operate in parallel with the coal AML reclamation program as part of a larger effort to ensure the Nation's most dangerous abandoned coal and hardrock AML sites are addressed by the industries that created them.

### **Program Overview**

The Abandoned Mine Lands (AML) program's primary objective is to eliminate or minimize the environmental impacts as well as the physical safety hazards associated with historic hardrock mining activity within the National System of Public Lands (NSPL). The AML program addresses mine sites that were abandoned prior to January 1, 1981, the effective date of the BLM's surface management regulations (43 CFR Subpart 3809).

The program's objectives are:

- Protecting public health and safety as well as reducing inherent liabilities by mitigating physical safety hazards and/or minimizing environmental impacts on the NSPL;
- Restoring the Nation's watersheds impacted by abandoned mines on public lands;
- Educating the public about the potential dangers posed by abandoned mines as well as the actions the BLM takes to address those dangers;
- Implementing a risk-based, watershed approach that embraces partnerships to effectively leverage funding and facilitate timely AML project completion;
- Conducting inventories of yet undiscovered abandoned mine features and sites as well as performing the validation, recordation, and evaluations of those characteristics;
- Asserting the BLM's lead role in the evaluation and remediation of AML sites located on and affecting the NSPL;
- Implementing cost avoidance/cost recovery strategies pursuant to CERCLA;
- Restoring abandoned mine lands to productive uses including, but not limited to recreation, fish and wildlife habitat, renewable energy, and the preservation of historical/cultural resources;
- Integrating AML goals and priorities into the BLM land-use planning efforts as well as other BLM functions and programs;
- Performing post-completion project monitoring to ensure the effective short and long term remediation of abandoned mine land sites.

#### ***Abandoned Mine Land Inventory***

The AML program utilizes a database to record and track the thousands of AML sites and features within the NSPL. The Abandoned Mine Site Cleanup Module (AMSCM) currently contains over 84,000 features, such as physical hazards and environmental impacts, associated with 46,000 sites.

#### ***Risk-based Prioritization***

In addressing the environmental and physical safety hazards on the NSPL, the BLM places the greatest priority on completing on-the-ground remediation at high-priority inventoried and characterized sites as well as newly discovered sites that pose higher risks due to population proximity, expansion and recreational activities in remote locations. The prioritization process ranks sites based on environmental and physical safety hazards and takes into account factors including water quality impairments and violations, watershed and other environmental impacts,

threats to public health or safety, existence of partnerships, cost avoidance/cost recovery, continuing/expediting existing on-the-ground projects, location, and cost efficiency.

### ***Environmental Response and Remediation***

The BLM's environmental cleanup and remediation activities are guided by public laws such as CERCLA, the Clean Water Act, and the Federal Land Policy and Management Act. The BLM uses its CERCLA authority to remediate environmental contamination on public land, prepare and implement emergency response contingency plans for oil and chemical spills, and recover costs from Potentially Responsible Parties.

### ***Physical Safety Hazards***

The majority of sites recorded in the AMSCM database contain physical hazards such as open mine shafts and pits, unstable rock, decayed mine support beams, and explosive as well as toxic chemicals. These physical safety hazards pose threats to humans and wildlife and are a high priority for the AML program. Temporary mitigation, such as fencing and signage, biological and archeological clearances, permanent closure, and installation of controlled access barriers are the most common remediation activities.

### ***Partnerships***

Partnerships with other Federal, State, local, and tribal agencies are a vital component of the AML program. Activities include the development of agreements with States for abandoned mine closures, cleanup coordination, and development of joint policies and procedures. The BLM also enters into assistance agreements with non-governmental organizations, for example, with Bat Conservation International (BCI). The BCI assists the BLM in identifying abandoned mines that provide valuable bat habitat and helps to preserve it with bat-friendly closures.

### ***Other Funding Sources:***

In addition to the AML program funding, the BLM utilizes, in the appropriate circumstances, funding from the Department's Central Hazardous Materials Fund (CHF) and the Department's Natural Resource Damage Assessment (NRDA) Restoration Fund. The CHF was established by Congress to be used for necessary expenses incurred for response actions conducted pursuant to the CERCLA, as amended as well as the regulatory requirements codified in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The CHF is a competitive process among Department Bureaus and functions as a source of no-year funding for CERCLA cleanup projects and as a repository for funds recovered from potentially responsible parties (PRP) pursuant to sections 107 or 113 of CERCLA, 42 U.S.C. § § 9607, 9613.

The purpose of the NRDA process is to restore public natural resources injured or destroyed by releases of hazardous substances or oil spills, and to compensate the public, through the natural resource damage trustee, for losses of the natural resources that resulted from the releases or spills. The costs of the restoration are borne by the parties who are responsible for the release or spill. Response actions (CERCLA) and NRDA enforcement may be integrated to maximize efficiency in restoring the health, diversity and productivity of BLM-managed land.

### ***Critical Factors***

Critical factors that impact the effectiveness of the AML Program include the following:

- The need to support maintenance and monitoring activities at previously remediated sites grows as new cleanup efforts are undertaken and completed. The BLM must

- return to these sites to inspect the short and long term efficacy of the reclamation/restoration.
- The development of urban areas and related visitation has brought about growth in the public's access to BLM-managed lands that were once considered remote. This increased ease of access by the public has resulted in an increase of exposure to the physical and environmental hazards associated with AML sites.
- AML restoration projects can be highly complex in environmental scope and impact. Environmental analyses and studies are conducted to determine the extent of contamination and to identify restoration and remediation strategies. Typically, a multiple-year, phased approach is required to complete restoration/remediation activities due to funding limitations and study times.

### **2016 Program Performance**

In 2016, the AML Program anticipates completing the following elements:

- Water quality: Remediating approximately 1800 acres to improve water quality;
- Physical Safety Hazards: Closing 900 physical safety hazards on AML;
- Inventory: Adding 2,800 new AML features to AMSCM;
- Monitoring and maintenance: Returning to 1,300 remediated sites to check on the efficacy of physical safety closures and/or environmental remediation; and
- Complex Contaminated Site Cleanups—Leveraging funding with other Federal programs to address cleanups at large, complex sites that pose an imminent risk to the public.

## Activity: Resource Protection and Maintenance

### Subactivity: Hazardous Materials Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Hazardous Materials Management	\$000	15,612	15,612	+204	-30	+0	15,786	+174
	FTE	94	94		+0	+0	94	+0

Notes: *The Central Hazardous Materials Fund from the Department of the Interior, Office of the Secretary, is a collaborative source of funding to address the goals of both the Abandoned Mine Lands and the Hazardous Materials Management programs. The 2015 estimated funding from the Central Hazardous Materials Fund is approximately \$3.5 million.*

*More information on the Central Hazardous Materials Fund is found in the Department of the Interior, Office of the Secretary, Department-wide Program Budget Justifications.*

Summary of 2016 Program Changes/Internal Transfers for Hazardous Materials Management:	(\$000)	FTE
Internal Transfer to National Conservation Lands	-30	+0
<b>Total</b>	<b>-30</b>	<b>+0</b>

### Justification of 2016 Program Changes

The 2016 budget request for the Hazardous Materials Management activity is \$15,786,000 and 94 FTE, and reflects an internal transfer of -\$30,000 and 0 FTE.

**Transfer to National Conservation Lands (-\$30,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Of the \$5.0 million transfer, \$30,000 will be transferred from Hazardous Materials Management. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the amount this subactivity has contributed to the operations of the National Conservation Lands in recent years.

### Program Overview

The Hazardous Materials Management Program ensures BLM compliance with Federal and State environmental regulations. The program also exercises the legal authorities granted to the BLM to protect human health and the environment by cleaning up hazardous waste sites. Additionally, the program implements Federal initiatives directed at improving environmental management and sustainability. Program activities include:

- Minimizing environmental contamination on public lands;
- Reducing risks associated with environmental hazards;

- Restoring natural and cultural resources adversely impacted by oil discharges and hazardous substance releases;
- Correcting environmental compliance issues;
- Utilizing environmental management systems to identify, manage, and accomplish operation sustainability objectives and targets, and other significant aspects of BLM operations that impact environmental performance;
- Reducing the generation of wastes or contaminants at the source, thereby reducing the level of hazards to public health or the environment; and
- Partnering with the BLM Law Enforcement Program to remove illegally dumped material such as trash, hazardous materials, and abandoned vehicles.

The Hazardous Materials Management Program differs from the Abandoned Mine Lands (AML) Program. While the AML Program focuses on physical and environmental hazards associated with hardrock mines abandoned prior to 1981, the Hazardous Materials Management Program has a broader focus of environmental hazards on all public lands. Additionally, while the AML Program addresses both physical and environmental safety hazards at AML sites, the Hazardous Materials Management Program addresses environmental hazards only, but may support addressing environmental hazards at high-priority AML sites as well.

### **Critical Factors**

Critical factors that impact the effectiveness of the program include:

- The need to provide maintenance and monitoring activities at previously remediated sites increases as new cleanup efforts are undertaken and completed;
- There are currently 172 sites on the Environmental Disposal Liability list which require some degree of remediation;
- Urban growth and development is resulting in increased public access to BLM-managed lands. This trend has not only increased the number of illegal dumps on public lands, but has also heightened the need to address contaminated sites rapidly in order to reduce public health and safety hazards. Increased real-estate development and property transfer activities also require environmental site assessments and a cadre of trained and certified BLM environmental professionals; and
- Illegal immigration and smuggling activities along the Arizona, New Mexico and California borders with Mexico cause damage to public lands, including national monuments and designated wilderness areas. Such damage includes unauthorized roads and trails; cut fences; damaged vegetation; contaminated water resources; and large accumulations of solid and hazardous waste.

### **Means and Strategies**

The BLM uses the following strategies to operate the program:

- Developing, implementing, and maintaining emergency response contingency plans (i.e., oil and chemical spill);
- Leveraging funding with partners to respond to community needs and concerns;
- Assessing and maintaining BLM facilities to ensure compliance with environmental laws and regulations;
- Searching for parties responsible for contamination on public lands to seek their participation in remediating the site or recover costs;

- Partnering with other environmental protection-related agencies such as the U.S. Fish and Wildlife Service, the Environmental Protection Agency, the U.S. Army Corps of Engineers, and the U.S. Forest Service, as well as with other BLM programs, including the AML, Law Enforcement, and Recreation Programs;
- Partnering with State, law enforcement, and volunteer groups to deter and mitigate damage to public lands along the Southwest border from illegal immigration and smuggling activities;
- Using the Abandoned Mine Site and Cleanup Module database to track and prioritize sites based on the level of risk to human health and the environment; and
- Using the HMM Special Cleanup Fund (SCF) to address the removal and remediation of hazardous substances (solid waste, hazardous waste and hazardous substances). The SCF was created as a mechanism to manage larger, high-risk hazardous material sites not currently eligible for other funding sources.

### Other Funding Sources

In addition to program funding, the BLM utilizes, in the appropriate circumstances, funding from the Department's Natural Resource Damage Assessment Restoration Fund (NRDAR), and the Department's Central Hazardous Materials Fund (CHF).

The BLM uses the NRDAR Fund to identify damage to natural resources; work with the public and the polluters to plan restoration efforts; seek payment from the polluters for resource restoration costs; and restore or replace resources to pre-contamination conditions. Project scoping and start-up funds may come from Interior. Assessment funds are provided through Interior or negotiated with polluters. Restoration funds come from settlements with polluters, either through negotiations or legal action. Funds from these settlements are then used to restore the damaged resources at no expense to the taxpayer. Settlements often include the recovery of costs incurred in assessing the damages.

The CHF includes appropriated and recovered funds, and supports response actions, remedial investigations, feasibility studies, and cleanup at sites contaminated by hazardous substances. These sites are prioritized based on human health and ecological risk, regulatory factors, and the level of Potentially Responsible Party involvement. Proposals are reviewed and prioritized first by BLM State Offices through a yearly nomination process, and then by Departmental representatives. The BLM currently manages 26 CHF sites. In 2015, the CHF plans to allocate \$3.5 million for BLM sites.

### 2016 Program Performance

The program will continue to perform the following activities in fiscal year 2016:

- Complex Contaminated Site Cleanups – Leverage funding with other Federal programs to address cleanups at hazardous waste sites that pose imminent risk to the public;
- Environmental Compliance – Support, with the Engineering and Safety Programs, the performance of Compliance Assessment – Safety, Health, and the Environment (CASHE) audits. In 2016, CASHE audits will be performed at twenty-nine organizational units;
- Illegal Dumping Prevention - Continue prevention efforts by targeting cleanups, outreach, and monitoring to promote safety and mitigate environmental damage;

- Emergency Response - Respond to and clean up oil spills and hazardous materials releases;
- Munitions and Explosives of Concern - Continue collaboration with other Department of the Interior Bureaus, as well as the Department of Defense, in the development of a database that prioritizes, tracks and monitors munitions and explosives of concern, to ensure visitor and employee safety and to ensure the cleanup of military training sites including Formally Used Defense Sites. The BLM is working with the Department to develop geo-spatial tools to augment the relational database. The program will also support the Lands, Realty, and Cadastral Survey Division in documentation of military sites in LR200 and Case Files;
- Special Cleanup Fund - Remove or remediate hazardous materials sites in Alaska, California, Colorado Idaho, New Mexico, Nevada, Montana, and Oregon.
- Environmental Management System - Continue implementation of the EMS in all States and Centers. Provide for 3<sup>rd</sup> party audits to ensure compliance with Department standards. The Washington Office has implemented an EMS to improve the Bureau's sustainability performance as tracked on the Office of Management and Budget scorecard;
- Sustainability - Continue participation in the Department Technical Working Group in order to meet Department-wide sustainability goals. Also continue participation in the Bureau-wide Technical Working Group to complete the annual Green House Gas (GHG) Inventory. In addition, develop operational controls to enhance environmental performance, including reducing GHG emissions, energy use, and potable water use. Support State BLM projects initiated to meet sustainability targets set for their State operations; and
- Southwest Border Cleanup – Continue to leverage funds and resources with partners to conduct remediation and restoration activities along the Southwest border.

# Transportation and Facilities Maintenance



## Activity: Transportation and Facilities Maintenance

		2014 Actual	2015 Enacted	2016 President's Budget			Requested Amount	Change from 2015
				Fixed Costs	Transfers	Program Changes		
Annual Maint. & Ops	\$000	38,637	38,637	+491	-686	+500	38,942	+305
	FTE	248	248		+0	+0	248	+0
Def. Maint. & Cap. Improvements	\$000	26,995	26,995	+152	+0	+4,240	31,387	+4,392
	FTE	43	43		+0	+0	43	+0
Total, Transportation & Facilities	\$000	65,632	65,632	+643	-686	+4,740	70,329	+4,697
	FTE	291	291		+0	+0	291	+0

The 2016 budget request for Transportation and Facilities Management is \$70,329,000 and 291 FTE, and reflects an internal transfer of -\$686,000 and program increases totaling +\$4,740,000 and 0 FTE from the 2015 enacted level.

### Activity Description

The goals of the Transportation and Facilities Maintenance Programs are to protect employee and visitor safety, resource values, and public investments, as well as to provide facilities management and public lands stewardship. To accomplish this, the BLM focuses on:

- Operating clean, safe, and fully functional facilities at recreation sites;
- Performing annual maintenance on all facilities;
- Conducting comprehensive assessments on the physical condition and regulatory compliance for all facilities;
- Implementing the Five-Year Deferred Maintenance and Capital Improvement Plans;
- Improving capabilities to manage facilities maintenance through development of an automated facility asset management system; and
- Implementing property and asset management planning to accurately inventory and describe assets, establish appropriate levels of investment, and adopt public or commercial benchmarks and best practices.

Within the Transportation and Facilities Maintenance Activity, two subactivities contribute to the stewardship of the BLM facilities:

- Deferred Maintenance and Capital Improvements
- Annual Maintenance and Operational Costs

### Critical Factors

In the contiguous United States, two-thirds of BLM-managed lands are within a one-hour drive of urban areas. As population grows, public use places increasing demands on facilities and resources. Additionally, BLM-managed roads now experience much higher usage rates than when those roads were built, increasing the cost of maintaining them in a safe condition.

## Means and Strategies

In conducting program work, the BLM adheres to the requirements of Executive Order 13327, "Federal Real Property Asset Management." This includes:

- Using public and commercial benchmarks and best practices;
- Employing life-cycle cost-benefit analysis;
- Providing appropriate levels of investment;
- Accurately inventorying and describing all assets; and
- Providing safe, secure, and productive workplaces.

The BLM uses two industry standard performance measures, the Asset Priority Index and the Facilities Condition Index (FCI), for identifying the condition of constructed assets and targeting assets that can be disposed of or require additional annual maintenance or supplemental funding from deferred maintenance. These measures help identify the condition of constructed assets and determine whether the asset requires additional annual maintenance, funding from deferred maintenance, or if the asset should be disposed. Additional criteria used to prioritize projects are the Scope of Benefits, Investment Strategy, and Consequences of Failure to Act. The 4 criteria put emphasis on projects that:

- Repair the highest priority projects that are in the poorest condition;
- Are clearly aligned with DOI, and bureau initiatives and strategic goals;
- Have a positive return on investment that leverages outside interest and/or reduces operation and maintenance liabilities;
- Have unacceptable risk levels if the project is not completed.

### Assessment Process

The BLM conducts baseline condition assessments of recreation sites and administrative sites, including on-site buildings and structures; Maintenance Level 3, 4, and 5 roads, bridges, dams, and major trails. The condition assessment process identifies deferred maintenance needs and determines the current replacement value of constructed assets. Knowing the estimated cost of deferred maintenance and the replacement value of recreation and administrative sites allows the BLM to use the industry standard FCI as a method of measuring the condition and change of condition of facilities.

The FCI is the ratio of accumulated deferred maintenance to the current replacement value ( $FCI = \text{Deferred Maintenance} / \text{Current Replacement Value}$ ). It is an indicator of the overall condition of capital assets. The general guideline is that FCI should be below 0.15 for a facility to be considered in acceptable condition. The Facility Asset Management System documents the FCI, and it is a major tool used for management decisions on the disposal of assets.

## Activity: Transportation and Facilities Maintenance

### Subactivity: Annual Maintenance and Operational Costs

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Annual Maint. & Ops	\$000	38,637	38,637	+491	-686	+500	38,942	+305
	FTE	248	248		+0	+0	248	+0

Note: - The Road Maintenance permanent mandatory appropriation is a collaborative activity of the Annual Maintenance & Operations program accounting for less than \$100,000 in available receipts from public domain lands; for more information on road maintenance, see the Oregon and California Grant Lands and Permanent Operating Funds chapters

Other Resources Supporting Annual Maint. & Ops:					
		2014 Actual	2015 Estimate	2016 Estimate	Change from 2015
Quarters Maintenance	\$000	692	669	620	-49
	FTE	1	1	1	+0

Notes:

- Quarters Maintenance amounts are shown as new budget authority derived from rent on BLM employee-occupied quarters; Section 320 of the 1985 Interior and Related Appropriations Act (Public Law 98-473) appropriates these funds on a permanent basis. More information on Quarters Maintenance is found in the Permanent Operating Funds chapter.

- Amount in 2014 and 2015 for Quarters Maintenance shown net of sequestration

- Actual and estimated obligations, by year for Quarters Maintenance are found in President's Budget Appendix under the BLM section.

### Justification of 2016 Program Changes

The 2016 budget request for the Annual Maintenance program is \$38,942,000 and 248 FTE, and reflects an internal transfer of -\$686,000 and 0 FTE and a program change of +\$500,000 and 0 FTE from the 2015 enacted level.

**Enhance Core Capability (+500,000/+0 FTE)** – The increase will fund additional preventive maintenance on constructed assets supporting administrative, recreational, and infrastructure needs, with an emphasis in areas under greatest pressure from community growth.

**Transfer to National Monuments & National Conservation Areas (NM&NCAs) (-\$686,000/0 FTE)** – In 2016, the BLM proposes to transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Of the \$5.0 million transfer, \$686,000 will be transferred from Annual Maintenance and Operational Costs. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer

units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the amount this subactivity has contributed to the operations of the National Conservation Lands in recent years.

## **Program Overview**

### **Program Components**

The Annual Maintenance Program provides for visitor and employee safety and ensures proper facilities management. Funding provides for emergency, preventive, and cyclical maintenance, and baseline facility condition assessments. The program manages operations, facility services and landscape upkeep in order to maintain BLM facilities in good condition and minimize new deferred maintenance needs.

## **2016 Program Performance**

In 2014, the BLM reported 4,747 structures and 793 buildings in the Federal Real Property Profile. These structures consist of dams, bridges, electrical and communication systems, trails, and roads. In 2016, this appropriation would allow the BLM to maintain 89 to 90 percent of facilities at an acceptable level.

## Activity: Transportation and Facilities Maintenance

### Subactivity: Deferred Maintenance and Capital Improvements

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Def. Maint. & Cap. Improvements	\$000	26,995	26,995	+152	+0	+4,240	31,387	+4,392
	FTE	43	43		+0	+0	43	+0

Summary of 2016 Program Changes/Internal Transfers for Deferred Maintenance & Capital Improvements:

	(\$000)	FTE
High-Priority Projects	+4,240	+0
<b>Total</b>	<b>+4,240</b>	<b>+0</b>

### Justification of 2016 Program Changes

The 2016 budget request for the Deferred Maintenance and Capital Improvements Program is \$31,387,000 and 43 FTE, a program change of +\$4,240,000 and 0 FTE from the 2015 enacted level.

**High-Priority Projects (+\$4,240,000/0 FTE)** – The requested increase will support additional facility repair projects that otherwise would not have been funded. Priorities will be identified using the Department's capital investment guidelines. The projects include sustainability upgrades, radio infrastructure, and bridge, dam, and facilities repairs on critical assets.

### Program Overview

#### Program Components

The program:

- Improves the overall condition of BLM facilities;
- Renews aging infrastructure;
- Provides professional engineering services;
- Manages environmental and structural risks of facilities;
- Manages corrective actions identified through Compliance Assessment Safety, Health and the Environment Audits;
- Manages corrective actions identified for accessibility provisions;
- Manages corrective actions for improvement of energy savings; and
- Constructs facilities for visitors and employees that comply with Federal requirements.

The program prioritizes health and safety work and mission critical assets, followed by resource protection, energy and sustainability, and code compliance. This includes replacing and reconstructing existing roads, trails, bridges, recreation and administrative facilities, and buildings.

Energy conservation and sustainability are primary considerations for all new projects. Projects incorporate the Federal Five Guiding Principles and follow the BLM's Sustainable Buildings Implementation Plan to reduce operational costs, improve energy efficiency, and conserve water.<sup>6</sup> Funding is specifically targeted to assess a building's sustainability performance and to make improvements on the identified deficiencies. The BLM priority is to make every building as sustainable and energy efficient as possible. The planning of all the BLM's Deferred Maintenance projects includes consideration of the possible effects climate change may have on the future operations of its facilities. The sites are assessed to determine if design or site adjustments need to be incorporated to account for possible climate change effects.

The BLM Asset Management Plan prioritizes funding to the highest priority assets and plans the disposal of unneeded assets to attain a portfolio of constructed assets in good physical and functional condition, aligned with current and projected requirements.

In an effort to control costs and save future operational maintenance funding, every project is assessed to determine if space can be economized and unneeded facilities can be disposed. The BLM is targeting three percent of its total budget to dispose of unneeded assets and to align to a more efficient portfolio. Every new building project considers alternatives to consolidate current operations and space to gain the best efficiencies and monetary savings.

The BLM categorizes deferred maintenance needs identified through condition assessments and other inspections into specific projects which are proposed in the Five-Year Deferred Maintenance and Capital Improvement Plan. To manage these projects, the BLM observes the following guidelines:

- For projects with estimated costs of \$10 million or more, the program schedules one year for project planning, one year for design, and no more than two years for construction.
- For projects with estimated costs between \$2 million and \$10 million, the program schedules one year for project planning and design, and no more than two years for construction.
- For projects with estimated costs below \$2 million, the program schedules one year for planning and design and one year for construction.

The Five Year Deferred Maintenance and Capital Improvement Plan is updated annually using the Department of Interior's planning guidance through the budget document Attachment G. Attachment G uses 4 categories in assessing a projects funding priority. Ultimately, Attachment G prioritizes a project using its condition and mission priority, those highest priority buildings in the worst condition are the highest priority for funding. In recent years, the BLM expanded planning for each new project to include the impacts of expected life cycle costs on BLM's total budget. Project submissions include the estimated operation expenses, energy cost saving and sustainability actions, and the improvement in facility condition as a result of the project.

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<sup>6</sup> This policy is supported by the provisions of the Energy Policy Act of 2005 (EPACT 2005), Energy Independence and Security Act of 2007 (EISA) and the goals of Executive Orders 13123 and 13514

## **2016 Program Performance**

In 2016, the planned accomplishments in the Deferred Maintenance and Capital Improvements Program include 69 deferred maintenance projects and nine disposal projects. The deferred maintenance projects include corrective actions, sustainability improvements and accessibility projects. The planned projects in 2016 will consolidate operations and dispose of unneeded assets in the Eastern States office, target mission critical assets in dire need of repair and improve the condition of a number of bridges, recreation sites, and administrative sites that require maintenance requirements.

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# National Conservation Lands



## Activity: National Conservation Lands

### Subactivity: National Monuments and National Conservation Areas

	2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
			Fixed Costs	Transfers	Program Changes	Requested Amount	
NMs & NCAs							
<i>\$000</i>	31,819	31,819	+461	+5,009	+11,181	48,470	+16,651
<i>FTE</i>	241	241		+0	+20	261	+20

Summary of 2016 Program Changes/Internal Transfers for NMs & NCAs:

Secretary's Conservation Vision for Excellence

Internal Transfer from other MLR subactivities

(\$000)      FTE

+11,181      +20

+5,009      +0

Total

+16,190      +20

### Justification of 2016 Program Changes

The 2016 budget request for the National Monuments and National Conservation Areas (NMs and NCAs) subactivity is \$48,470,000 and 261 FTE. This reflects a program increase of +\$11,181,000 and +20 FTE and an internal transfer of +\$5,009,000 and 0 FTE from the 2015 enacted level.

**America's Great Outdoors (+\$11,181,000/+20 FTE)** – The National Conservation Lands comprise 30 million acres of the most ecologically rich and culturally significant of lands managed by the Bureau of Land Management. Our nation's newest collection of protected public lands—standing in stature with our National Parks, National Forests and National Wildlife Refuges—National Conservation Lands are part of an active, vibrant landscape where people live, work and play. They are the mountains, hills and trails where people enjoy the outdoors, exercise and spend time with family and friends. American history is created within the National Conservation Lands with unique cultural, ecological and scientific values. These are places that spark the imagination. Their spacious beauty has drawn people to the West for generations. These landscapes of the American spirit represent an opportunity to leave something for the future that transcends Administrations and will span generations.

Eleven new National Conservation Lands units have been designated during the current Administration; the latest and boldest is the 500,000-acre Organ Mountains-Desert Peaks National Monument in southern New Mexico. The Organ Mountains-Desert Peaks area is important for its ruggedly beautiful landscape and the significant scientific, historic, and prehistoric resources found there. The abundant resources testify to over 10,000 years of vibrant and diverse human history of many peoples. The protection of the Organ Mountains-Desert Peaks area will preserve its cultural, prehistoric, and historic legacy and maintain its diverse array of natural and scientific resources, ensuring that the prehistoric, historic, and scientific values of this area remain for the benefit of all Americans. Continuing this legacy and commitment to conservation requires higher levels of support than the 2015 enacted appropriation. The 2016 budget request supports the advancement of the President's conservation initiative to reconnect Americans to the great outdoors and ensure that public lands reflect the diversity of our country and America's rich history of leadership.

The 2016 budget request includes an increase of \$11.2 million to support critical resource protection and maintenance work on the National Conservation Lands. Efforts to be undertaken will include eradicating invasive plants that jeopardize native species and contribute to unnatural, increasingly difficult-to-manage fire regimes; protecting equipment investments from weather; conducting inventories of the world-class and often endemic resources, objects, and values for which each NM&NCA was designated; and implementing resource, science and travel management plans. The BLM will also address additional maintenance needs, such as signs and kiosks, campground benches, larger trash dumpsters, bathroom facilities, and new access-point facilities needed to ensure the public health and safety of visitor centers. Funding to the visitor centers will accommodate public demand for increased hours of operation, program offerings and greater capacity on National Conservation Lands.

The increase also supports critical staff positions, including dedicated managers, essential resources specialists, outdoor recreation planners, partnership/volunteer/youth coordinators, law enforcement, and seasonal park and river rangers needed to staff visitor centers and manage the unique values of the units. Funds will allow the program to support geographical information systems technicians to implement the Director's recreation mapping project in the States that will support the Secretary's youth initiative and implement priority restoration work.

**Transfer to National Conservation Lands (+\$5,009,000/+0 FTE)** - In 2016, the BLM will transfer a total of \$5.0 million from various MLR subactivities to the National Conservation Lands. Since its creation in 2009, the BLM has not had the financial resources to undertake a systemic effort to incorporate newer units into its funding structure. This transfer will create consistency, clarity and a common approach to funding recurring labor and operational costs across the units of the National Conservation Lands. The transfer amount represents the amount these other MLR subactivities have contributed to the operations of the National Conservation Lands in recent years.

## Program Overview

This program encompasses the BLM's 20 NMs, 16 NCAs, three Outstanding Natural Areas, one Cooperative Management and Protection Area, and one Forest Reserve. The BLM's NMs and NCAs are primarily managed to conserve, protect, restore, and enhance America's national heritage. These 9.2 million acres of public lands are often referred to as the crown jewels of the BLM.

The program is unique in its management of areas established by Congress or Presidential proclamation for conservation purposes because it is managed under the principles of multiple-use and sustained yield. Traditional activities such as hunting, livestock grazing, and Native American cultural and religious uses continue throughout many of these landscapes. Oil and gas development also continues on some of these public lands where valid rights existed prior to their designation. This multiple-use approach honors the essential role these working landscapes have played in molding the history, culture, and economy of the western U.S.

These special places span the breadth of BLM-managed public lands and include such diverse lands as the 1.2 million-acre Steese NCA, which protects two of Alaska's most important caribou herds; America's first NCA—King Range National Conservation Area, designated in 1970 along California's Lost Coast; Jupiter Inlet Lighthouse Outstanding Natural Area on the Atlantic coast of Florida; and Colorado's Canyons of the Ancients NM which protects the

greatest known density of First American archeological sites in the United States, including cliff dwellings, villages, kivas, shrines, agricultural fields, and rock art, some of which are over 10,000 years old.

### Connecting People to the Land

Because more than 64 million people live within 100 miles of BLM-managed lands in the West, and the elevated profile of public lands designated as NMs and NCAs, regional, national, and international visitors are attracted to the National Conservation Lands. Consequently, more people recreate on public lands than ever. The high level of visitation presents the BLM with the challenge of providing more intensive recreation management and law enforcement to ensure visitors have high-quality, diverse, self-directed recreation opportunities. For example, in Nevada, over 1.5 million people visit Red Rock Canyon NCA every year.

### Engaging the Next Generation



Grand Staircase Escalante NM, Utah

The Department of the Interior is engaging the next generation through the Play, Learn, Serve, and Work Initiative. Consistent with this initiative, the program engages, educates, and employs youths, veterans, and military families. At the Grand Staircase-Escalante NM in southern Utah, a native plant restoration project is an innovative and highly regarded partnership that effectively connects youth to the great outdoors through habitat restoration.

The BLM worked with the monument's friends group to engage over 100 students from the nearby Kanab High School in seed collection and propagation, invasive plant species removal, and planting the drought-tolerant native plant seedlings they had grown to restore wildlife habitat. This partnership offers hands-on experiences in the natural sciences to students. The BLM engages in over 50 similar partnerships that work to support the NMs and NCAs.

### Advancing Scientific Knowledge

The NMs and NCAs serve as long-term reserves within an ecological landscape for vulnerable native plant and animal populations. Scientific data on the conditions, trends, and relationships of these resources are critical for managers when determining how to successfully adapt management to address land health stressors, such as climate change, changing fire regimes, the spread of invasive and exotic species, and human population growth.



Grand Gulch Wilderness Study Area, Utah

## Creating Economic Opportunities

Communities surrounding the units of the National Conservation Lands derive significant economic benefits through tourism. The BLM, in cooperation with local communities, supports the creation of recreation and visitor facilities in nearby gateway communities rather than building extensive facilities within the National Conservation Lands.

In addition to the revenue generated by tourism, the National Conservation Lands also provide revenue from energy development as well as traditional uses such as ranching and mineral extraction. Las Cienegas NCA's relationship with grazing spans generations. The BLM continues to work with ranchers and permittees to enhance grazing practices and protect natural resources in this spectacular part of Southern Arizona. In Colorado, over 80 percent of the Canyons of the Ancients NM are leased for oil and gas development. Canyons of the Ancients NM continues to lead the way in development and implementation of best practices to balance protection of Native American cultural resources and extraction of gas from one of most highly-concentrated carbon dioxide fields in the Nation.



[Organ Mountains-Desert Peaks NM, New Mexico](#)

<b>National Monuments &amp; National Conservation Areas Funding By BLM State Office</b>			
<b>BLM State Office</b>	<b>2014 Actual</b>	<b>2015 Enacted</b>	<b>2016 Request</b>
Alaska	450	450	655
Arizona	6,500	6,500	8,525
California	4,925	4,925	7,216
Colorado	3,200	3,200	4,977
Eastern States	150	150	513
Idaho	2,380	2,380	2,975
Montana/Dakotas	1,550	1,550	2,090
New Mexico	1,042	1,042	4,427
Nevada	1,275	1,275	3,025
Oregon/Washington	1,475	1,475	2,765
Utah	5,950	5,950	7,768
<i>Subtotal, State Allocations</i>	<u>28,897</u>	<u>28,897</u>	<u>44,936</u>
National Level Program Support†	2,922	2,922	3,534
<b>Total</b>	<b>31,819</b>	<b>31,819</b>	<b>48,470</b>

*Note: 2014 and 2015 State Office amounts include funds allocated to units for high priority projects*

*†Includes funds supporting Washington Office, National Operations Center, National Training Center, Bureau-Wide Administrative Support, and Fixed Costs Changes to be allocated*

*‡Funds supporting to high priority projects needs as determined by an annual work plan process*

### 2016 PROGRAM PERFORMANCE

The program instituted a new bureau-wide performance measure in 2014: “Percent of designated Monuments and NCAs inventoried for the resources, objects, and values for which they were designated.” The BLM began data collection in fiscal year 2014, focusing on collecting baseline data for all NMs and NCAs.

The program will focus on managing NMs and NCAs as an integral part of the BLM’s multiple-use and sustained-yield mission, including by showcasing the accomplishments of BLM programs such as rangeland resources management, natural gas development, and recreation. Key accomplishments planned in 2016 include:

- Implementing completed land use plans for NMs and NCAs designated in the Omnibus Public Land Management Act of 2009, as required by law.
- Conducting inventories for the presence of the unique resources, objects, and values for which NMs and NCAs were designated.
- Developing science plans for NMs and NCAs to provide a foundation for decision-making.

- Using NMs and NCAs as outdoor laboratories for new, innovative management practices, including the use of livestock grazing to manage both invasive and special status plants, and adaptive management.
- Eradicating and controlling invasive plants, conducting vegetation treatments, removing decommissioned roads, restoring healthy ecosystem function, and promoting habitat connectivity and landscape-scale ecological sustainability.
- Providing resource protection and public safety.
- Engaging communities to provide sustainable recreational experiences to visitors, which benefits local economies.
- Fostering partnerships, including with Friends groups, for NMs and NCAs.
- Expanding volunteer opportunities to permit more important contributions that volunteers make to NMs and NCAs.
- Providing highly regarded education and interpretation to the public.
- Recruiting and retaining youth for employment in conservation.

# Challenge Cost Share



## Activity: Challenge Cost Share

		2014 Actual	2015 Enacted	2016 President's Budget			Change from 2015	
				Fixed Costs	Transfers	Program Changes		Requested Amount
Challenge Cost Share	\$000	2,413	2,413	+3	+0	+10,000	12,416	+10,003
	FTE	5	5		+0	+0	5	+0

Summary of 2016 Program Changes/Internal Transfers for Challenge Cost Share:	(\$000)	FTE
Climate Resilient Landscapes	+10,000	+0
<b>Total</b>	<b>+10,000</b>	<b>+0</b>

### Justification of 2016 Program Changes

The 2016 budget request for the Challenge Cost Share Program is \$12,416,000 and 5 FTE, a program change of +\$10,000,000 and 0 FTE from the 2015 enacted level.

**Climate Resilient Landscapes (+\$10,000,000/0 FTE)** - The increase of \$10.0 million in Challenge Cost Share funds will be used to expand collaborative partnerships and projects that address the adverse impacts of climate change on public resources. The BLM will prioritize projects using criteria developed in coordination with the U.S. Fish and Wildlife Service and National Park Service to conserve and restore the most vulnerable lands. Projects will invest in heritage resources, fish, wildlife and plants, and recreation lands that can recover quickly from disturbance change. The BLM will use novel, cost-effective methods maximizing the return on investment.

### Program Overview

#### Program Components

The Challenge Cost Share (CCS) Program allows the BLM to partner with local organizations to meet Administration priorities for on-the-ground habitat, recreation and cultural resource work. The BLM leverages CCS funds with partners' monies or other in-kind contributions, at a minimum 1:1 rate. When appropriate, CCS funds are focused in high priority areas and aligned with other BLM funding. Some very successful projects have recently combined upwards of \$6.00 in partner contributions for every \$1.00 of CCS funds.

BLM partners represent a broad spectrum of organizations that work to conserve public lands, enrich the public's outdoor experience, and invite rural and urban residents to explore America's Great Outdoors. These organizations care about the health of local communities, recreation and tourism, cultural heritage, forestry, oil and gas drilling, minerals and mining, livestock grazing, scientific research, wildlife, interpretation and environmental education. BLM partners include:

- Federal, State and municipal agencies;
- Recreation and social groups;
- Non-profit organizations;
- School districts, colleges, and universities;
- Special interest groups;
- National advocacy groups;

- Industry, private corporations and local businesses; and
- The Girl Scouts of the USA and the Boy Scouts of America.

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### **Critical Factors**

Partnerships, through programs such as CCS, are vital to the Bureau's success. The BLM's commitment to and involvement with local communities is the key to reach stakeholders and youth. In turn, these successful relationships are an effective way to complete the following strategic work:

- Survey, monitor and inventory resources;
- Restore public land health;
- Support threatened and endangered species management;
- Enhance recreational experiences;
- Manage off-highway-vehicle use;
- Provide visitor services and facilities;
- Conduct public outreach and education projects;
- Support emerging partnership development; and
- Increase the capacity of partners to secure more resources and accomplish more on-the-ground work.

### **Means and Strategies**

Individual CCS projects are prioritized and selected at the local and State level by an interdisciplinary team of BLM State and field office personnel. That prioritized list is then forwarded to the National CCS Team. The National CCS Team evaluates the merit of projects and approves them, in coordination with BLM State office program leads. Project selection criteria include the project's ability to:

- Focus funding in priority areas such as units of the National Conservation Lands and Healthy Landscape focal areas;
- Provide multiple program benefits;
- Restore or sustain BLM land health by accomplishing on-the-ground work that focuses on important habitats;
- Protect cultural and heritage resources and meet public demand for diverse recreational opportunities; and
- Sustain multiple valued and beneficial partnerships.

### **2016 Program Performance**

The BLM has identified national priorities and required State and field offices to submit projects that meet these criteria. The National CCS Team will select the projects using the process described above. Selecting and implementing projects that increase the resilience of BLM lands and resources to climate change will be a major focus of the CCS Program in 2016. The additional \$10.0 requested in CCS, combined with the leveraging effect of working with partners, will supplement ongoing BLM efforts to incorporate resilience into land management programs and activities.

By leveraging funding from a variety of stakeholders, the CCS Program contributes to multiple program subactivities with over 120 program elements. Its accomplishments encompass a wide variety of work activities which assess, treat, and monitor BLM lands.

# Workforce and Organizational Support



## Activity: Workforce and Organizational Support

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Administrative Support	\$000	47,127	47,127	+540	+0	+3,275	50,942	+3,815
	FTE	287	287		+0	+0	287	+0
Bureauwide Fixed Costs	\$000	92,901	91,010	+2,635	+0	+0	93,645	+2,635
	FTE	0	0		+0	+0	0	+0
IT Management	\$000	25,696	25,696	+262	+0	+0	25,958	+262
	FTE	97	97		+0	+0	97	+0
<b>Total, Workforce &amp; Organizational Support</b>	<b>\$000</b>	<b>165,724</b>	<b>163,833</b>	<b>+12,331</b>	<b>+0</b>	<b>+3,275</b>	<b>170,545</b>	<b>+6,712</b>
	<b>FTE</b>	<b>384</b>	<b>384</b>		<b>+0</b>	<b>+0</b>	<b>384</b>	<b>+0</b>

The 2016 budget request for Workforce and Organizational Support is \$170,545,000 and 384 FTE, a program increase of +\$3,275,000 and 0 FTE over the 2015 enacted level.

### Activity Description

Workforce and Organizational Support funds services related to general-use automated systems and specified business practices not directly tied to a specific program output, such as human resources management, equal employment opportunity, financial management, property and acquisition management, and information technology management.

**Estimated Workforce and Organizational Support Costs** – Section 403 of Division F of the 2015 Consolidated Appropriations Act (P.L. 113-235) requires that the “amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities, and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations” be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate.

<b>Administrative Costs (Section 403)†</b>				
\$000	2014 Actual	2015 Enacted	Requeste d Amount	Change from 2015
Bureauwide Fixed Costs	92,901	91,010	93,645	+2,635
IT Management	25,696	25,696	25,958	+262
<b>Subtotal, Direct Appropriations</b>	<b>165,724</b>	<b>163,833</b>	<b>170,545</b>	<b>+6,712</b>
National Assessments	37,168	35,477	34,009	-1,468
State/Regional Assessments	113,415	115,116	116,843	+1,727
<b>Subtotal, Assessments</b>	<b>150,583</b>	<b>150,593</b>	<b>150,852</b>	<b>+259</b>
<b>Total, Administrative Costs (Sec. 404)</b>	<b>316,307</b>	<b>314,426</b>	<b>321,397</b>	<b>+6,971</b>

† Shown as estimated amounts for fiscal years 2014 and 2015

The BLM funds the costs described in Section 403 through a combination of direct appropriations in this activity (Workforce and Organizational Support) and program assessments. For 2016, the BLM estimates these requirements will be approximately \$321.4 million, a \$7.0 million increase from the estimate for 2015, as shown in the table above.

Direct Appropriations – In 2016, the BLM requests \$170.5 in direct appropriations for activities described in Section 403 in three subactivities: Administrative Support, Bureauwide Fixed Costs and Information Technology Management. This provides approximately 53 percent of the funding necessary to maintain these functions.

Program Assessments – In addition to direct appropriations, and in order to provide the level of funding needed to support operations, the BLM assesses its programs at both the national and State-office levels. These assessments provide about 47 percent of the BLM's total Section 403 costs. The estimated program assessments in 2016 are \$150.9 million. These program assessments are conducted with the oversight and administrative management of the BLM Director, Executive Leadership Team, and Information Technology Investment Board.

- *National Assessments* pay for administrative support, Bureauwide program activities, and information technology programs, many of which are mandated and/or fixed costs assessed by the Department through the DOI Working Capital Fund. These initiatives benefit all programs or all employees, and cannot be identified as benefiting any one program. National program assessments are prorated to program areas based upon funding levels and include approximately \$1.0 million for the Bureau's Priority Fund, which is used to assist field offices and programs with high-priority, unplanned or unfunded needs which arise during the fiscal year.
- *State (Regional) Assessments* pay costs at the State level that are not identifiable to a specific program output. In this way, for example, all programs within a State fund support services staff salaries. These costs are prorated to program areas based upon funding levels, historical costs and FTE usage.

**DOI Working Capital Fund** – The Department of the Interior (DOI) manages a Departmental Working Capital Fund (WCF) to provide services to the BLM and other DOI bureaus and offices. The BLM pays for these services with a combination of direct appropriations and program assessments. Program assessments are typically used for services that benefit the entire organization and support the DOI Strategic Plan, BLM focus areas, and DOI requirements. Many of these services are standard and reoccur on an annual basis, but some are fee-for-service based. The DOI and BLM have reimbursable service agreements for these services. The detailed tables that follow show the BLM's portion of Departmental WCF fees for services, both centrally billed and direct billed, for 2014 through 2016.

**WORKING CAPITAL FUND REVENUE - Centralized Billing**  
**FY 2016 President's Budget**  
**BUREAU OF LAND MANAGEMENT**  
**(\$ in thousands)**

<b>Activity/Office</b>	<b>2014 Revised</b>	<b>2015 Pres Budget</b>	<b>2015 Revised</b>	<b>2016 Estimate</b>
FBMS Infrastructure Hosting & Support	0.0	2,225.2	2,203.2	2,181.0
FBMS Hosting / Applications Management	294.6	0.0	0.0	0.0
FBMS Master Data Systems & Hosting	147.1	0.0	0.0	0.0
FBMS Redirect - IDEAS	498.9	0.0	0.0	
FBMS Redirect - FFS	1,435.4	0.0	0.0	0.0
FBMS Master Data Management	0.0	182.6	180.0	0.0
FBMS Business Integration Office	2,375.9	2,407.9	2,383.2	2,181.0
Aviation Management	2,599.7	2,879.8	2,879.8	3,470.9
Office of Aviation Services	2,599.7	2,879.8	2,879.8	3,470.9
Mail and Messenger Services	29.5	54.9	54.9	53.3
Safety, Environmental, and Health Services	15.7	29.2	29.2	28.3
Shipping/Receiving & Moving Services	9.2	17.3	17.3	17.6
Vehicle Fleet	2.1	2.1	2.1	2.6
Personal Property Accountability Services (formerly Property	13.1	24.3	24.3	21.8
Interior Complex Management & Svcs	13.9	26.0	26.0	19.9
Departmental Library	210.0	211.6	211.6	184.9
Mail Policy	44.0	44.2	44.2	38.6
Conference and Special Events Services	22.1	41.0	41.0	40.5
Space Management Services	7.6	14.2	14.2	12.6
Office of Facilities & Administrative Services	367.2	464.8	464.8	420.1
Valuation Services	40.0	40.0	62.6	82.1
Office of Valuation Services	40.0	40.0	62.6	82.1
<b>Subtotal OS Shared Services</b>	<b>5,382.8</b>	<b>5,792.4</b>	<b>5,790.3</b>	<b>6,154.2</b>
Indian Water Rights Office	86.6	86.8	86.8	69.4
Secretary's Immediate Office	86.6	86.8	86.8	69.4
Document Management Unit	15.7	191.5	213.3	63.8
FOIA Tracking & Reporting System	281.2	258.2	275.6	261.0
Office of the Executive Secretariat	296.9	449.7	488.9	324.8
Alaska Affairs Office	226.4	227.5	227.5	230.2
Alaska Resources Library and Information Services	538.4	538.4	538.4	538.6
Secretary's Immediate Office	764.8	766.0	765.9	768.8
Departmental News and Information	129.6	129.0	129.0	176.6
Office of Communications	129.6	129.0	129.0	176.6
Departmental Museum	153.3	152.5	139.2	167.9
Secretary's Immediate Office	153.3	152.5	139.2	167.9
Asbestos-Related Cleanup Cost Liabilities	3.0	3.0	3.0	3.0
FedCenter	1.9	1.9	1.9	1.9
Compliance Support ESF-11/ESF-11 Website	16.4	16.4	16.4	16.4
Office of Environmental Policy and Compliance	21.3	21.3	21.3	21.3
Invasive Species Council	210.7	211.4	214.4	216.4
Land and Water Settlements	101.0	101.4	101.4	102.3
Invasive Species Coordinator	38.6	38.8	38.8	39.2

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**WORKING CAPITAL FUND REVENUE - Centralized Billing**  
**FY 2016 President's Budget**  
**BUREAU OF LAND MANAGEMENT**  
**(\$ in thousands)**

Activity/Office	2014 Revised	2015 Pres Budget	2015 Revised	2016 Estimate
Office of Policy Analysis	350.2	351.6	354.6	357.9
Passport and Visa Services	27.3	21.3	21.3	22.4
International Affairs Office	27.3	21.3	21.3	22.4
CPIC	38.8	37.8	37.8	34.5
Office of Budget	38.8	37.8	37.8	34.5
Financial Statement, Internal Controls & Performance Report	101.9	70.8	70.8	95.7
Travel Management Center	29.8	33.3	33.3	30.0
e-Travel	257.4	192.4	192.4	163.8
Office of Financial Management	389.1	296.6	296.6	289.5
Interior Collections Management System	47.2	47.2	47.2	47.2
Space Management Initiative	50.7	50.5	50.5	51.3
Renewable Energy Certificates	2.5	7.6	7.6	42.1
Facility Maintenance Management System	51.1	51.3	51.3	51.8
DOT Relocation Technical Assistance	7.1	7.1	7.1	7.1
Interior Asset Disposal System O&M	0.0	5.1	5.1	5.1
Office of Property and Acquisition Management	158.6	168.8	168.8	204.5
Planning and Performance Management	168.0	167.5	167.5	171.3
Office of Planning and Performance Management	168.0	167.5	167.5	171.3
Firefighter and Law Enforcement Retirement Team	94.9	91.8	81.0	76.5
Department-wide Worker's Compensation Program Coordination	91.4	91.7	82.3	80.0
OPM Federal Employment Services	58.0	55.2	53.1	53.6
Accessibility and Special Hiring Programs (Formerly ATC)	88.2	87.9	87.9	88.4
Human Resources Accountability Team	90.4	93.2	93.2	94.6
Employee and Labor Relations Tracking System	4.7	4.7	4.7	4.7
Consolidated Employee Assistance Program	0.0	109.9	109.9	105.2
Office of Human Resources	427.7	534.4	512.1	503.0
EEO Complaints Tracking System	6.7	5.3	5.3	5.1
Special Emphasis Program	5.8	5.7	5.7	5.7
Office of Civil Rights	12.5	11.1	11.1	10.8
Occupational Safety and Health	216.7	215.8	215.8	218.7
Safety Management Information System	173.9	173.1	173.1	175.1
Office of Occupational Health and Safety	390.6	388.9	388.9	393.8
Leadership Development Programs	133.4	133.2	133.2	137.0
Dept-Wide Training Programs (including Online Learning)	375.6	319.5	319.5	318.1
Learning & Performance Center Management	100.7	123.8	123.8	124.1
DOIU Management	94.3	93.9	93.9	95.2
DOI University	703.9	670.4	670.4	674.3
Security (Classified Information Facility)	69.6	69.4	69.4	74.6
Law Enforcement Coordination	93.4	93.2	98.2	100.1
Security (MIB/SIB Complex)	112.7	207.5	207.5	216.7
Victim Witness Coordinator	26.5	26.4	26.4	26.9
OLES Detailees - Training and Compliance	0.0		107.2	107.2

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**WORKING CAPITAL FUND REVENUE - Centralized Billing**  
**FY 2016 President's Budget**  
**BUREAU OF LAND MANAGEMENT**  
**(\$ in thousands)**

Activity/Office	2014 Revised	2015 Pres Budget	2015 Revised	2016 Estimate
Office of Law Enforcement and Security	302.2	396.4	508.6	525.6
Interior Operations Center	303.8	311.3	311.3	316.9
Emergency Preparedness (COOP)	152.9	151.9	133.5	135.3
Emergency Response	150.5	150.1	168.5	171.4
MIB Emergency Health and Safety	2.6	4.8	4.8	5.1
Federal Executive Board	37.6	37.5	37.5	39.6
Office of Emergency Management	647.4	655.6	655.6	668.2
Alternative Dispute Resolution (ADR) Training	7.1	7.1	7.1	7.1
Collaborative Action and Dispute Resolution	7.1	7.1	7.1	7.1
Conservation and Educational Partnerships	43.3	43.1	43.1	43.5
Office of Human Resources	43.3	43.1	43.1	43.5
Cooperative Ecosystem Study Units	48.4	48.4	48.4	48.5
CFO Financial Statement Audit	755.4	731.8	731.8	665.0
Department-wide Activities	803.8	780.2	780.2	713.5
Ethics	75.4	74.9	74.9	75.6
FOIA Appeals	98.4	98.4	98.4	98.8
Office of the Solicitor	173.8	173.3	173.3	174.4
<b>Subtotal OS Activities</b>	<b>6,096.7</b>	<b>6,309.3</b>	<b>6,428.1</b>	<b>6,323.1</b>
IT Transformation Planning (ITT)	602.5	717.0	717.0	600.5
Office of the Chief Information Officer	602.5	717.0	717.0	600.5
Enterprise Directory Services (formerly Active Directory)	315.4	272.8	272.8	488.2
IT Asset Management	133.6	104.7	104.7	120.7
IOS Collaboration	137.3	133.6	133.6	165.2
Unified Messaging	108.8	115.9	115.9	160.5
ITD Desktop Services	16.9	0.0	0.0	
Office of IT Service Delivery - End User Services	712.0	626.9	626.9	934.6
Privacy and Civil Liberties	117.0	90.4	90.4	90.8
Identity Credential Access Management (ICAM)	180.1	175.2	175.2	175.1
Threat Management	345.6	483.2	483.2	841.7
Information Systems Security Operations (ISSO) (Formerly ITD ISSO)	444.0	444.0	444.0	17.7
ITD PPCD Privacy Records	59.0	59.0	59.0	
Office of Information Assurance (OIA) (formerly Information Assessment & Authorization Services)	95.6	75.3	75.3	55.8
IT Security	44.7	34.6	34.6	28.4
Enterprise Continuous Diagnostics and Monitoring	0.0	164.8	164.8	150.3
Enterprise Security Information & Event Mgmt Solution (SIEM)	0.0	356.6	356.6	325.1
Office of Information Assurance	1,318.6	1,908.7	1,908.7	1,705.6
Hosting Services (formerly Hosting/Cloud Services)	47.4	53.7	53.7	106.9
Office of IT Service Delivery - Hosting Services	47.4	53.7	53.7	106.9
Electronic Records Management (inc. e-Forms)	265.0	278.2	278.2	392.5
Solutions, Design and Innovation (SDI)	59.1	58.8	58.8	160.2
Geospatial Services	0.0		0.0	34.4

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**WORKING CAPITAL FUND REVENUE - Centralized Billing**  
**FY 2016 President's Budget**  
**BUREAU OF LAND MANAGEMENT**  
**(\$ in thousands)**

Activity/Office	2014 Revised	2015 Pres Budget	2015 Revised	2016 Estimate
Office of Information and Technology Management	324.1	337.0	337.0	587.2
Enterprise Services Network	2,448.3	1,000.7	1,000.7	1,021.7
Frequency Management Support	141.4	163.6	147.7	128.1
NTIA Spectrum Management	264.3	257.6	257.6	214.7
Radio Program Management Office	150.3	154.6	154.6	140.7
Federal Relay Service	5.4	8.4	8.4	35.7
ITD MIB Data Networking	8.2	8.2	8.2	17.2
ITD Telecommunication Services	18.8	18.8	18.8	43.9
ITD Integrated Digital Voice Communications System	33.8	33.8	33.8	36.5
Enterprise Services Network - Central Bill Pass Throughs	0.0	1,487.8	1,487.8	1,987.5
Office of IT Service Delivery - Telecommunications Services	3,070.5	3,133.5	3,117.6	3,626.1
FBMS Help Desk - Customer Support Center	544.1	0.0	0.0	
Enterprise Service Desk	0.0		0.0	119.9
Office of IT Service Delivery - Customer Support Services	544.1	0.0	0.0	119.9
Enterprise Resource Management	251.3	244.4	244.4	
Office of Business Operations	251.3	244.4	244.4	
Architecture & IT Portfolio Performance Management	493.8	389.1	389.1	349.0
Independent Verification and Validation - Risk Mgmt (formerly IT	300.4	232.1	232.1	237.1
IT Budget Formulation & Portfolio Development	368.8	290.6	290.6	216.4
Office of Planning and Performance Management	1,163.0	911.7	911.7	802.6
Recreation One-Stop	50.5	50.5	50.5	25.0
e-Government Initiatives (WCF Contributions Only)	424.2	537.4	537.4	441.9
Volunteer.gov	15.1	15.1	15.1	15.1
Office of Planning and Performance Management	489.8	603.0	603.0	482.0
<b>Subtotal IT Shared Services</b>	<b>8,523.2</b>	<b>8,536.0</b>	<b>8,520.2</b>	<b>8,965.3</b>
FPFS/Employee Express - O&M	2,903.2	2,879.4	2,654.5	2,657.7
Drug Testing	139.1	139.1	139.1	143.8
IBC Human Resources Directorate	3,042.3	3,018.5	2,793.7	2,801.4
Transportation Services (Household Goods)	2.5	2.5	2.5	2.5
Financial Systems	586.6	0.0	0.0	0.0
IDEAS	37.7	0.0	0.0	0.0
Quarters Program	12.3	12.5	12.5	16.8
FBMS Master Data Management	180.5	0.0	0.0	
Consolidated Financial Statement System	147.1	0.0	0.0	0.0
IBC Financial Management Directorate	966.6	15.0	15.0	19.3
Boise Acquisition Office	693.9	1,069.7	1,069.7	1,138.5
IBC Acquisitions Services Directorate	693.9	1,069.7	1,069.7	1,138.5
<b>Subtotal Interior Business Center</b>	<b>4,702.8</b>	<b>4,103.2</b>	<b>3,878.4</b>	<b>3,959.3</b>
<b>TOTAL</b>	<b>24,705.5</b>	<b>24,741.0</b>	<b>24,617.0</b>	<b>25,401.8</b>

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**WORKING CAPITAL FUND REVENUE - Direct Billing**  
**FY 2016 President's Budget**  
**BUREAU OF LAND MANAGEMENT**  
 (\$ in thousands)

Activity/Office	2014 Actual	2015 Pres Budget	2015 Estimate	2016 Estimate
<b>Interior Business Center</b>				
IBC Human Resources Directorate				
IBC Human Resources Directorate				
Payroll & HR Systems	1,563.8	1,595.9	1,472.3	1,498.0
IBC Human Resources Directorate	1,563.8	1,595.9	1,472.3	1,498.0
IBC Financial Management Directorate				
IBC Financial Management Directorate				
IBC Financial Management Directorate				
Indirect Cost Negotiations - DOI Support	0.0	46.0	55.0	40.7
IBC Financial Management Directorate	0.0	46.0	55.0	40.7
IBC Acquisitions Services Directorate				
Acquisition Services	20.7	0.0	0.0	0.0
IBC Acquisitions Services Directorate	20.7	0.0	0.0	0.0
<b>Subtotal Interior Business Center</b>	<b>1,584.5</b>	<b>1,641.9</b>	<b>1,527.3</b>	<b>1,538.7</b>
<b>TOTAL</b>	<b>11,640.7</b>	<b>13,362.9</b>	<b>11,256.2</b>	<b>12,077.5</b>

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WORKING CAPITAL FUND REVENUE - Direct Billing  
 FY 2016 President's Budget  
 BUREAU OF LAND MANAGEMENT  
 (\$ in thousands)

Activity/Office	2014 Actual	2015 Pres Budget	2015 Estimate	2016 Estimate
<b>IT Shared Services</b>				
Unified Messaging	969.4	1,852.9	1,099.1	1,244.8
ITD Desktop Services	154.9		154.9	0.0
Office of IT Service Delivery - End User Services	1,124.3	1,852.9	1,254.0	1,244.8
Anti-Virus Software Licenses	209.4	231.9	231.9	231.9
Identity, Credential Access Management (ICAM)	1,120.3	1,171.5	1,305.8	1,359.1
Data at Rest Initiative	15.5	16.2	15.4	15.3
Office of Information Assurance	1,345.2	1,419.6	1,553.1	1,606.3
Data Center Consolidation and Cloud Planning, Analysis and	0.0	76.1	82.0	90.7
Office of IT Service Delivery - Hosting Services	0.0	76.1	82.0	90.7
ESRI Enterprise Licenses	1,779.8	1,814.2	1,816.4	1,850.3
Electronic Records Management	528.3		528.4	594.6
Office of Information and Technology Management	2,308.1	1,814.2	2,344.8	2,444.9
Enterprise Services Network	3,179.2	4,744.8	3,137.9	3,136.3
EID Office and Rack Space	0.0	8.3		
EID Rack Space	12.7	8.0	13.0	12.8
ISSO ITD Telecommunications	6.2		6.2	6.9
Office of IT Service Delivery - Telecommunications Services	3,198.2	4,761.1	3,157.1	3,156.1
		0.0		
Office of IT Service Delivery - Customer Support Services		0.0		
Office of Planning and Performance Management				
Project Management Services				
<b>Subtotal IT Shared Services</b>	<b>7,975.8</b>	<b>9,923.8</b>	<b>8,391.1</b>	<b>8,542.7</b>

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WORKING CAPITAL FUND REVENUE - Direct Billing  
 FY 2016 President's Budget  
 BUREAU OF LAND MANAGEMENT  
 (\$ in thousands)

Activity/Office	2014 Actual	2015 Pres Budget	2015 Estimate	2016 Estimate
<b>Subtotal OS Activities</b>	1,409.2	1,105.3	1,041.7	1,089.8

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**WORKING CAPITAL FUND REVENUE - Direct Billing**  
**FY 2016 President's Budget**  
**BUREAU OF LAND MANAGEMENT**

Activity/Office	2014 Actual	2015 Pres Budget	2015 Estimate	2016 Estimate
<b>OS Activities</b>				
Indian Water Rights Office	0.0		0.0	67.0
Secretary's Immediate Office	0.0		0.0	67.0
Imagery for the Nation (IFTN)	403.0	403.0	403.0	403.0
Policy, Management and Budget	403.0	403.0	403.0	403.0
Office of Environmental Policy and Compliance				
Ocean Coastal Great Lakes Activities	20.0		20.0	20.0
Office of Policy Analysis	20.0		20.0	20.0
Office of Budget				
Single Audit Clearinghouse	1.0	1.0	1.2	1.2
Office of Financial Management	1.0	1.0	1.2	1.2
e-OFF	210.2	210.2	210.2	189.0
Office of Human Resources	210.2	210.2	210.2	189.0
EAP Consolidation	133.5	0.0	0.0	0.0
Worker's Comp Nurse Case Management	56.8	56.1	56.1	56.4
Office of Human Resources	190.3	56.1	56.1	56.4
Equal Employment Opportunity (EEO) Investigations	14.4	14.4	14.4	15.6
Office of Civil Rights	14.4	14.4	14.4	15.6
Equal Employment Opportunity (EEO) Training	0.0		24.2	24.2
Office of Civil Rights	0.0		24.2	24.2
Albuquerque Learning & Performance Center				
Denver Learning & Performance Center	28.9	28.3	0.0	0.0
Online Learning	30.6	30.0	0.0	0.0
Washington Leadership & Performance Center	59.3	59.3	60.5	61.4
Consolidated Direct Billed Leadership & Perf Centers	22.4	22.0	0.0	0.0
DOI University	0.0		60.3	60.3
Office of Law Enforcement and Security	141.2	139.6	120.8	121.7
Office of Law Enforcement and Security				
OLEs BLM Detailee	150.6	151.6	0.0	0.0
Incident Management Analysis and Reporting System	149.2		149.2	149.2
Office of Law Enforcement and Security	299.8	151.6	149.2	149.2
Federal Flexible Savings Account (FSA) Program				
Department-wide Programs	129.4	129.4	42.6	42.6

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WORKING CAPITAL FUND REVENUE - Direct Billing  
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 BUREAU OF LAND MANAGEMENT  
 (\$ in thousands)

Activity/Office	2014 Actual	2015 Pres Budget	2015 Estimate	2016 Estimate
<b>OS Shared Services</b>				
Reimbursable Mail Services	78.7	79.4	79.4	78.6
Creative Communications	12.5	12.6	12.6	14.2
Office of Facilities & Administrative Services	91.2	91.9	91.9	92.8
Valuation Services	400.0	600.0	204.2	813.6
Office of Valuation Services	400.0	600.0	204.2	813.6
<b>Aviation Management Directorate</b>				
FBMS Change Orders	180.0	0.0	0.0	0.0
FBMS Business Integration Office	180.0	0.0	0.0	0.0
<b>Subtotal OS Shared Services</b>	671.2	691.9	296.2	906.3

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<b>Activity: Workforce and Organizational Support</b> <b>Subactivity: Administrative Support</b>
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		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Administrative Support	\$000	47,127	47,127	+540	+0	+3,275	50,942	+3,815
	FTE	287	287		+0	+0	+287	+0

Summary of 2016 Program Changes/Internal Transfers for Administrative Support:	(\$000)	FTE
Health Benefits for Seasonal Employees	+2,275	+0
Enhance Core Capability	+1,000	+0
Total	+3,275	+0

### Justification of 2016 Program Changes

The 2016 budget request for Administrative Support is \$50,942,000 and 287 FTE, a program change of +\$3,275,000 and 0 FTE from the 2015 enacted level.

**Health Benefits for Seasonal Employees (+\$2,275,000/0 FTE)** – On July 29, 2014, the Office of Personnel Management issued a proposed rule that would expand eligibility for enrollment under the Federal employee health benefits (FEHB) program to certain temporary, seasonal and intermittent employees. This regulation would make FEHB coverage available to these newly eligible employees no later than January 2015. The Department developed a model to estimate the number of employees who would accept the new coverage and the estimated cost to the government.

**Enhance Core Capabilities (+\$1,000,000/0 FTE)** – The increased funding supports increased costs associated with operating the BLM's management and support infrastructure, continuous improvements to internal controls and compliance to support mission assurance and accountability, and supports human capital planning and workforce planning. The overall increase includes \$67,000 for the Secretary's Indian Water Rights Office (SIWRO). This increase will improve coordination and application of expertise across the Department, Indian tribes, States, and other stakeholders to reach Indian water settlements more effectively and expediently. The budget proposes to expand the duties and responsibilities of the SIWRO to achieve an integrated and systematic approach to Indian water rights negotiations that considers the full range of economic, legal, and technical attributes of proposed settlements. The budget includes funding for additional SIWRO staff to reflect the expanded duties.

### Legislative Change

**National BLM Foundation** – The BLM proposes to establish a congressionally chartered foundation to help link individual Americans to their public lands. The BLM Foundation would raise private funds to promote the BLM's multiple use and sustained yield mission and foster productive partnerships. A foundation would provide the Bureau with significant new tools to expand its partnerships and allow the public to support critical programs and activities for which they have a passion, whether that is the Wild Horse and Burro Program, the National Conservation Lands, habitat restoration, or others. Established as a charitable, nonprofit

organization, the foundation would benefit the public by protecting and restoring natural, cultural, historic, and recreational resources for future generations. The BLM is unique in that it is the Nation's only large land management agency without a congressionally chartered foundation to support its work. (Please see the Summary of Program and Legislative Changes for the full text of the legislative proposal.)

## Program Overview

The Administrative Support Program funds the following functions:

- Executive and Management Decisions
- Legislative, Public and Regulatory Affairs and Correspondence
- Budget Formulation and Execution
- Financial Management
- Property and Acquisition Management
- Management Systems
- Human Resources
- Program and Management Evaluations
- Service First
- Equal Employment Opportunity
- Privacy
- Safety

## Means and Strategies

The Administrative Support Program funds services related to management and administrative support that cannot be directly tied to a specific program output. The successful management of these services is vital to the effective use of human and capital resources within the BLM. The Administrative Support Program uses a combination of business process engineering and workforce planning strategies as the means to improve and accomplish customer service and effectiveness across the BLM. Each year, the BLM conducts management and program evaluations to identify and acknowledge best practices, procedures and processes. The BLM also measures the satisfaction of external customers, partners, stakeholders, and employees to adhere to the requirements of Executive Order 12862 and the Government Performance and Results Act, and regularly evaluates performance measurements and analysis to ensure these measurements are in alignment with DOI's strategic plan.

## Other Funding Sources

Many of the programs funded by the Administrative Support Program contribute to multiple BLM activities (i.e., Equal Employment Opportunity and Service First) and are also financially supported by many Department and Bureau-wide subactivities that benefit from this work.

## 2016 Program Performance

In 2016, the BLM will emphasize and assure:

- Adequate internal controls on BLM financial systems;
- Compliance with accounting standards;

- Accountability for undelivered order funds;
- Compliance with fiscal laws and regulations;
- Proper accounting, management, and maintenance of capital assets;
- Complete quarterly financial statements, including intra-governmental eliminations;
- Improved electronic data processing; and
- Financial accountability at all levels of the organization.

The Administrative Support Program will focus on the following operations of the Bureau:

Financial Management – The BLM will continue to operate the National Operation Center to offer support services to a variety of critical programs that include fire support, uniforms, property, accounting, contracting, acquisition, space leasing, treasury investments, and the development and operation of financial, procurement, and property systems.

Improved Financial Performance – The BLM will continue to maintain an unqualified (clean) financial audit opinion, and make available to all employees timely and accurate financial information through the Financial and Business Management System (FBMS). The ability to link budget and performance through cost management, as well as access to financial data in real time, has fostered a Bureau-wide ethic of fiscal accountability.

Performance Improvement – The BLM will continue to use the cost management information systems along with other management information tools to evaluate program effectiveness and help allocate budgetary resources across the organization to maximize performance and cost effectiveness.

Disposal of Personal Property – The BLM will continue to dispose of excess personal property to other Federal and State agencies, to donate computers and other electronics to local schools when possible, and to sell working capital fund vehicles and heavy equipment at auction. These activities have reduced overhead costs, increased visibility, improved revenue, and created fast sales and the transfer of monies to the BLM. Proceeds from the sale of vehicles are returned to the working capital fund to augment the cost of replacement vehicles.

Workforce Planning – In 2016, the BLM will continue to refine its workforce planning process to ensure the agency has employees with appropriate skills in the right places at the right times. As a result of workforce planning, the BLM has placed, and will continue to place, more emphasis on entry-level recruiting, career development, and diversification. For example, the Bureau is using the Presidential Management Fellows Program, the Pathways program for students and recent graduates, and other human capital management programs as viable tools for recruiting and filling entry-level positions and for meeting its future skill requirements. In addition, the BLM will continue to place greater emphasis on hiring veterans and veterans with disabilities through the following special hiring authorities and appointments: Veterans Recruitment Appointment, Veterans Employment Opportunity Act of 1998, 30 Percent or More Disabled Veteran, Disabled Veterans Enrolled in a VA Training Program, Schedule A Appointing Authority, and Veterans Preference.

Service First – The BLM will use the permanent Service First authority across the entire Department of the Interior and U.S. Forest Service in 2016. The Bureau will work to improve customer service and seek additional cost savings and productivity improvements. The BLM currently shares 61 sites with other agencies and will continue to expand on these. For more information on Service First, please see the Crosscutting Programs chapter.

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## Activity: Workforce and Organizational Support

### Subactivity: Bureauwide Fixed Costs

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Bureauwide Fixed Costs	\$000	92,901	91,010	+2,635	+0	+0	93,645	+2,635
	FTE	0	0		+0	+0	0	+0

### Justification of 2015 Program Changes

The 2016 budget request for Bureauwide Fixed Costs is \$93,645,000 and 0 FTE.

### Program Overview

Bureauwide Fixed Costs funds the following:

- The Departmental Working Capital Fund (WCF) – These fixed costs are billed by the Department of Interior's (DOI) Office of the Secretary and the DOI's National Business Center, and categorized as two separate bills:
  1. *Central Bill* – Mandatory services provided by the DOI Office of the Secretary and the DOI National Business Center.
  2. *Direct Bill* – Primarily a fee for service bill. These are services provided under reimbursable agreements between the BLM and DOI.
- The Space Management program portion of the Bureauwide Fixed Costs focuses primarily on general purpose and warehouse space acquired through direct lease and General Services Administration (GSA)-provided space in federally owned or leased buildings.
- The Land Mobile Radio (LMR) program provides two-way radio voice services for the BLM. The primary customers are wildland fire, law enforcement, and resources staff. The radio systems are used jointly with other Federal, State, and local agencies in support of wildland fire and law enforcement operations. The LMR program is working to join the radio network nationally among partners, cooperators, and other stakeholders to build a homogenous and holistic architecture.
- The Telecommunications program manages communication services critical to the day to day operations of the BLM. The program manages fixed-line office phones and fax, mobile voice and data devices and service contracts, video conferencing, and internal and external data networks service contracts, including network security. The program's management of the radio network supports public safety, connecting firefighters and law enforcement through agency and inter-agency managed microwave radio links, base stations, and radios, including contracts for satellite radios service. Communications (fax, print, voice, and data) during Continuity of Operations relies and these established efforts of the Telecommunications program. Costs for these services are funded from individual State/National Centers and the DOI Working Capital Fund.
- The Federal Personnel Payroll System (FPPS) monitors the costs of using and maintaining BLM's personnel management systems.

- The Mail and Postal Costs component of this program assesses and monitors BLM's mail and postal service utilization, which includes base metered postage machines, next day postage, and other express mail services.
- The Unemployment Insurance Costs are based upon historical data, paid through the Department's Federal Employees Compensation Account of the Unemployment Trust Fund to the Department of Labor, pursuant to the *Omnibus Budget Reconciliation Act of 1980*.
- The Workers Compensation amount requested for 2016 covers costs for a 12-month period and is paid to the Department of Labor through the Department's Employee Compensation Fund, pursuant to 5 U.S.C. 8147(b) as amended by Public Law 94-273.

### Critical Factors

The critical factors in the Bureauwide Fixed Costs program:

- The Space Management program promotes and encourages sustainability. All new BLM facilities comply with BLM Sustainable Building Implementation Plans, while addressing current and emerging needs.
- Presidential Memorandum – Disposing of Unneeded Federal Real Estate dated June 10, 2010, emphasized the need to:
  - Improve utilization of facilities through innovative space management, such as alternative work arrangements and telework agreements.
  - Eliminate lease arrangements that are not cost effective.
  - Pursue consolidation opportunities with other agencies in common asset types, such as data centers, office space, and warehouses.
- Department of the Interior Memorandum – Space and Facilities Management dated August 2, 2011, emphasized that real property (owned and leased) is a key aspect of the overall cost cutting campaign. The utilization standard for general purpose office space has now been set to 180 square feet per person. Opportunities for teleworking in order to reduce overall real property costs are encouraged.

### 2016 Program Performance

In 2016, the BLM will continue to manage the LMR Program, telecommunications, the FPPS, unemployment costs, mail and postal costs, the Employee Compensation Fund, and office space leasing, which is the largest of BLM's fixed costs.

The BLM established the following long term goals for Space Management:

- Reduce space usage whenever a reduction can be accomplished economically;
- Evaluate offices for consolidation;
- Maximize the use of existing, owned buildings and warehouses whenever possible;
- Extend existing leases, when appropriate, to allow time to prioritize long-term leasing actions;
- Whenever beneficial, reduce the size and change the layout of leased warehouses;
- Implement the use of high-density, storage systems for office and warehouse areas; and
- Promote telework wherever a corresponding reduction in leased office space would occur.

## Activity: Workforce and Organizational Support

### Subactivity: Information Technology Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
IT Management	\$000	25,696	25,696	+262	+0	+0	25,958	+262
	FTE	97	97		+0	+0	97	+0

### Justification of 2016 Program Changes

The 2016 budget request for the Information Technology Management Program is \$25,958,000 and 97 FTE.

### Program Overview

The Information Technology Management Program is responsible for managing all aspects of information technology (IT) throughout the BLM. These responsibilities include:

- *Bureauwide Policy* – Planning, directing, coordinating, and evaluating IT programs, policies and procedures and providing guidance for the effective use of IT resources in support of BLM programs and services in accordance with the Clinger-Cohen Act of 1996 and the Government Performance and Results Act of 1993;
- *Capital Planning and Investment Control (CPIC)* – The Clinger-Cohen Act of 1996 and the E-Government Act of 2002 sought to improve mission performance by requiring agencies to use a disciplined CPIC process to acquire, use, maintain and dispose of the BLM's IT portfolio. CPIC is a dynamic process in which IT investments are selected and then continually monitored and evaluated to ensure each chosen investment is well managed, cost effective, and supports the mission and strategic goals of the BLM. CPIC ensures that all IT investments align with BLM's mission and support business needs while minimizing risks and maximizing returns throughout the investment's life cycle.
- *Information Resources Management* – Providing management and oversight over implementation of the Freedom of Information Act, Open Government Initiative, Section 508 of the American Disabilities Act, IT Configuration Management, Indian Trust and the Records Act; ensuring that manual and electronic records are accessible, properly maintained, documented, scheduled and disposed of; and, ensuring that automated systems are documented and scheduled and that records preservation orders are tracked and monitored to so that records are properly secured, accessible and retrievable to respond to court orders and requesters;
- *IT Transformation Implementation* – The BLM continues to pursue streamlining efforts to improve IT service delivery and reduce the overall costs for IT support across the BLM. In 2016, the BLM will have its IT support and services delivered in a consistent manner with a focus on customer needs.
- *Data Management and Administration* – Ensuring that the information the BLM uses in decision making is accurate, timely, useful, and free of bias;
- *National Applications* – Managing national applications and systems throughout their life cycles of investment and ensuring successful service delivery through all phases—

concept, design, construction, data management, operation, support and maintenance—in order to meet business needs while ensuring system data integrity;

- *Infrastructure* – Providing compliant and effective technology platforms and environments; and
- *Security* – Developing security-related policies, procedures, and guidance; providing technical assistance for securing major applications and general support systems; overseeing security compliance efforts; maintaining an inventory of systems and their security Assessment and Authorization status; coordinating IT Security Education and Awareness efforts; and developing IT security performance measures and reports.

### Other Funding Sources

Every BLM program contributes some funding for IT activities. Major investments in the BLM IT portfolio are funded by the programs supported by those investments. IT infrastructure investments are funded proportionately by all programs.

### 2016 Program Performance

There are no specific performance goals for this subactivity; however, the BLM has achieved success in lowering the overall costs of IT by implementing dynamic approaches to respond to national priorities. Because the scope of the information needed to support the BLM's mission is vast, the IT systems required to manage this information have grown increasingly complex. Information systems are used throughout the BLM to collect data on land health, water quality, restored ecosystems, hazardous fuels reduction, land contamination, habitat protection, cultural and natural heritage resources, oil and gas leases and permits, lease applications, minerals and grazing permits, timber sales, recreation, and financial transactions. Managing our data as a corporate asset will ensure the BLM has greater consistency and integration while reducing redundancies.

Additionally, BLM's IT Transformation initiative will continue to achieve savings through labor reductions, consolidation of infrastructure staff, servers and data centers closures, contract consolidations and the promotion of mobility which will allow us to reduce our overall footprint. IT contracts will be reevaluated through the IT Spend Plan process, resulting in maximization of bulk purchases to achieve additional savings and standardization. The BLM will continue its commitment to ensuring that information technology efforts align with Departmental initiatives focused on consolidation, shared services, and improving IT cost efficiency. The Bureau will continue to seek further centralization efforts internally, while expanding consolidation efforts by working with other Bureaus to share services in areas the of Data Center Consolidation, Geospatial, IT Acquisitions, and Application Consolidation to achieve greater cost efficiency.

# Mining Law Administration



## Activity: Mining Law Administration

	2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
			Fixed Costs	Transfers	Program Changes	Requested Amount	
Mining Law Administration	39,696	39,696	+0	+0	+0	39,696	+0
<i>Offset</i>	-39,696	-39,696	+0	+0	+0	(39,696)	+0
<i>FTE</i>	319	319		+0	+0	319	+0

### Justification of 2016 Program Changes

The 2016 budget request for Mining Law Administration is \$39,696,000 and 319 FTE. The budget assumes the program's operating cost will be fully offset by revenue from mining claim maintenance and location fees.

### Legislative Changes

The budget includes a legislative proposal to reform hardrock mining and provide a better return to the taxpayer from hardrock production on Federal lands.

This proposal institutes a leasing process under the Mineral Leasing Act of 1920 (MLA) for certain minerals (gold, silver, lead, zinc, copper, uranium, and molybdenum) currently covered by the General Mining Law of 1872. After enactment, mining for these metals on Federal lands will be governed by the new leasing process and subject to annual rental payments and a royalty of not less than five percent of gross proceeds. Half of the receipts will be distributed to the State where the lease is located and half would be deposited to the Treasury's General Fund. Pre-existing mining claims would be exempt from the change to a leasing system, but would be subject to increases in the annual maintenance fees under the General Mining Law of 1872. The Department of the Interior Office of Natural Resources Revenue will collect, account for, and disburse the receipts.

The proposal also increases annual maintenance fees and eliminates the fee exemption for miners holding 10 or fewer mining claims. These changes discourage speculators from holding claims that they do not intend to develop. Holders of pre-existing mining claims for these minerals could voluntarily convert their claims to leases. The legislation would provide a mechanism for royalty relief under certain situations, in the manner currently set out in the MLA.

### Program Overview

#### Program Components

The BLM Mining Law Administration Program is responsible for providing access to locatable mineral resources in an environmentally responsible manner. Locatable minerals are those governed by the General Mining Law of 1872, and include gold, silver, lead, zinc, copper, uranium, and molybdenum. To provide access to these mineral resources, the BLM administers mining claims, manages on the ground activities, and collects location and annual maintenance fees. The BLM also processes notices for exploration and plans of operations for exploration and production of these minerals. Reclamation plans are evaluated and financial guarantees are required to ensure adequate reclamation that meets the requirements of Federal law. The

BLM inspects operations governed by notices and plans of operation to ensure compliance with all applicable laws and regulations. The BLM takes enforcement actions when the terms and conditions of an operation have been violated. Finally, the BLM is responsible for conducting mineral examinations to determine valid existing rights under the mining laws.

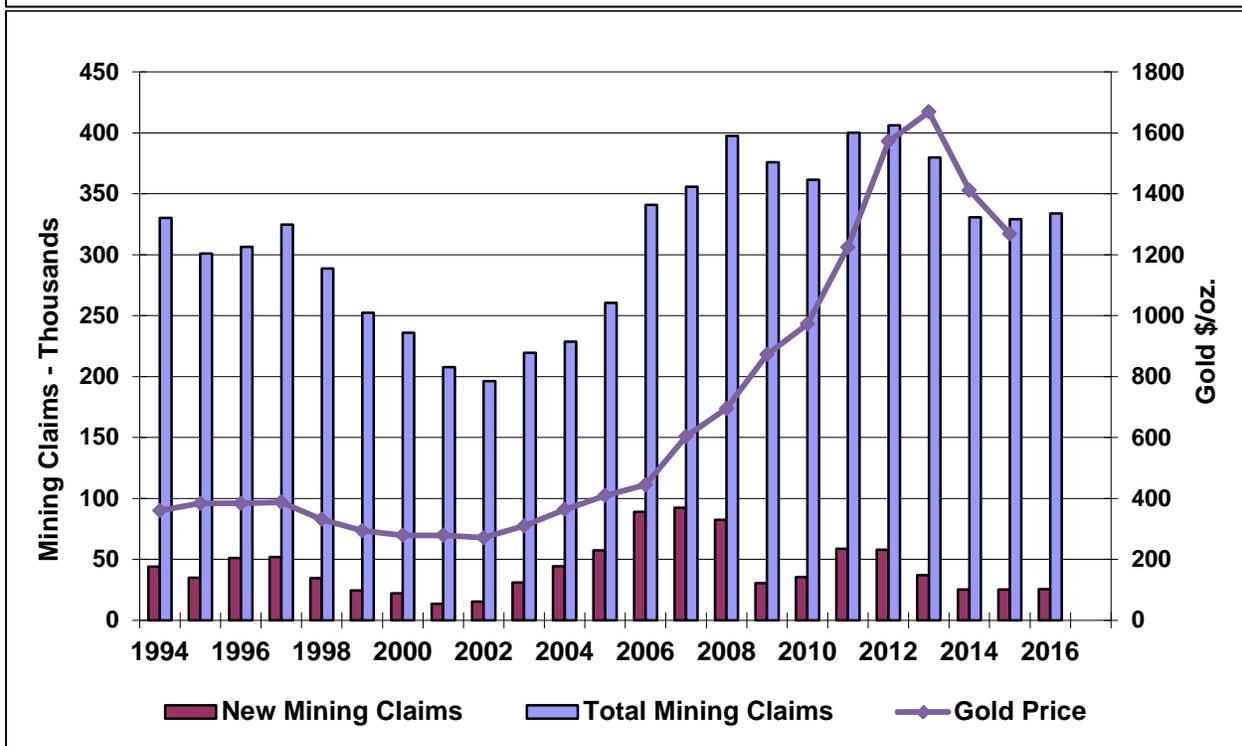
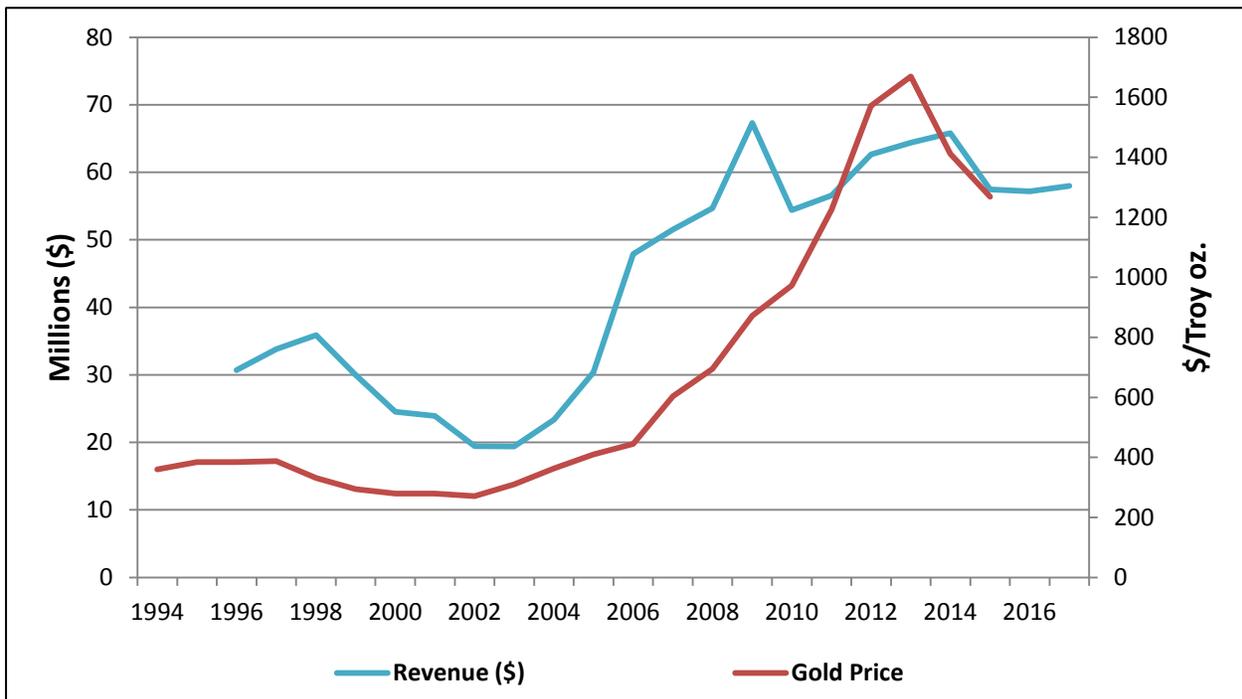
### **The General Mining Law of 1872**

The BLM, through the Mining Law Administration program, is responsible for managing exploration and development of locatable minerals available on public lands under the General Mining Law of 1872, and the Federal Land Policy and Management Act of 1976. Since 1993, claimants have been required to pay an annual maintenance fee for each mining claim and site in lieu of performing assessment work as previously required under the General Mining Law of 1872. The BLM is required by statute to adjust these fees every five years, or more frequently if determined reasonable, to reflect changes in the Consumer Price Index published by the Bureau of Labor Statistics. For the 2015 assessment year, maintenance and location fees were increased. Maintenance fees were increased from \$140 to \$155, and location fees, required for all new claims in addition to the maintenance fee, were increased from \$34 to \$37 per claim. These fees were last adjusted in 2009.

In 2014, the BLM implemented the Mining Claim Maintenance Fee Payment Portal so that mining claimants could begin paying their annual maintenance fee payment online starting with the 2015 assessment year. Based on the initial filings, the portal has proven to provide claimants an efficient and secure means of paying their maintenance fee online. The BLM has also realized benefits by having the data on the claim interface with and update the lands record system (LR2000), which eliminates the need to manually process the payments and manually update the LR2000 system. The BLM is considering ways to expand use of the payment portal and realize increased efficiencies in other programs.

### **Critical Factors**

Filing of new mining claims in the Mining Law Administration Program is commodity price-dependent. Prices for all of the major commodities have been declining since their peak in 2011. For example, gold reached a high of \$1,875 per ounce, in September, 2011 and averaged \$1,167 per ounce for November, 2013, a decline of 38 percent. This is true during the same time period for other major commodities for which mining claims are located, including silver (-67 percent), platinum (-36 percent), and copper (-33 percent). This commodity slump has impacted mining claim location activity on public lands. The number of mining claims recorded for the 2014 assessment year has declined 13 percent since 2013 and 19 percent from 2012. Correspondingly, the revenue from mining claim maintenance and location fees has declined 13 percent from 2013. As gold is the top commodity explored for and produced on public lands, mining claim trends regarding quantity and revenue roughly correlate to gold commodity prices as demonstrated by the two charts below.



\*The above chart is based upon the most recent data. The new and total mining claims illustrate the numbers as reported in the Public Land Statistics (PLS) for the indicated fiscal years. The 2014 claim data was derived from preliminary PLS data and is subject to change. Data for 2015 and 2016 are projections.

The mining industry's domestic activity levels are dependent upon commodity prices. Companies engaged in exploration are known in the industry as junior mining companies and

require millions in venture capital. These companies do not own mines, have no regular revenue streams, and rely significantly on investor financing. These companies invest millions locating mining claims and exploring public lands. When commodity prices are in decline, investment dollars are hard to find, and junior mining companies begin to cut costs usually leading to a reduction in mining claims. This sector of the industry is the most sensitive to commodity pricing and is likely responsible for the decline in the number of active mining claims seen in 2013 and 2014. If the industry activity decreases or remains flat, further decline in mining claim numbers and associated revenue should be expected.

Mining claims found to have no mineral values or interest on the part of the mining claimants typically lapse due to nonpayment of maintenance fees by the claimant or are sold. Lapse claims hold no rights and may be relocated by another claimant. Mining claims found to be of interest will continue to see on the ground activity by the claimants and or operators as they seek to confirm the presence of a mineral deposit. During a market downturn, mining claimants will likely evaluate and release any unfavorable holdings. Also the number of new mining claim locations may decrease due to the lack of exploration investment. The degree to which mining claim revenue will be impacted will depend on the length and the severity of the declining markets. Mining claim location and maintenance trends will likely continue to follow market trends.

Mining claim location for technology metals remains stable despite declines in other commodities. Although no current "rush" exists, the BLM is experiencing continued interest from the mining industry to locate and discover domestic supplies of these minerals. Technology minerals form the building blocks of technology-dependent industries, such as electronics, automotive and energy. These minerals include but are not limited to, rare earths, lithium, indium, germanium, vanadium, graphite and cobalt.

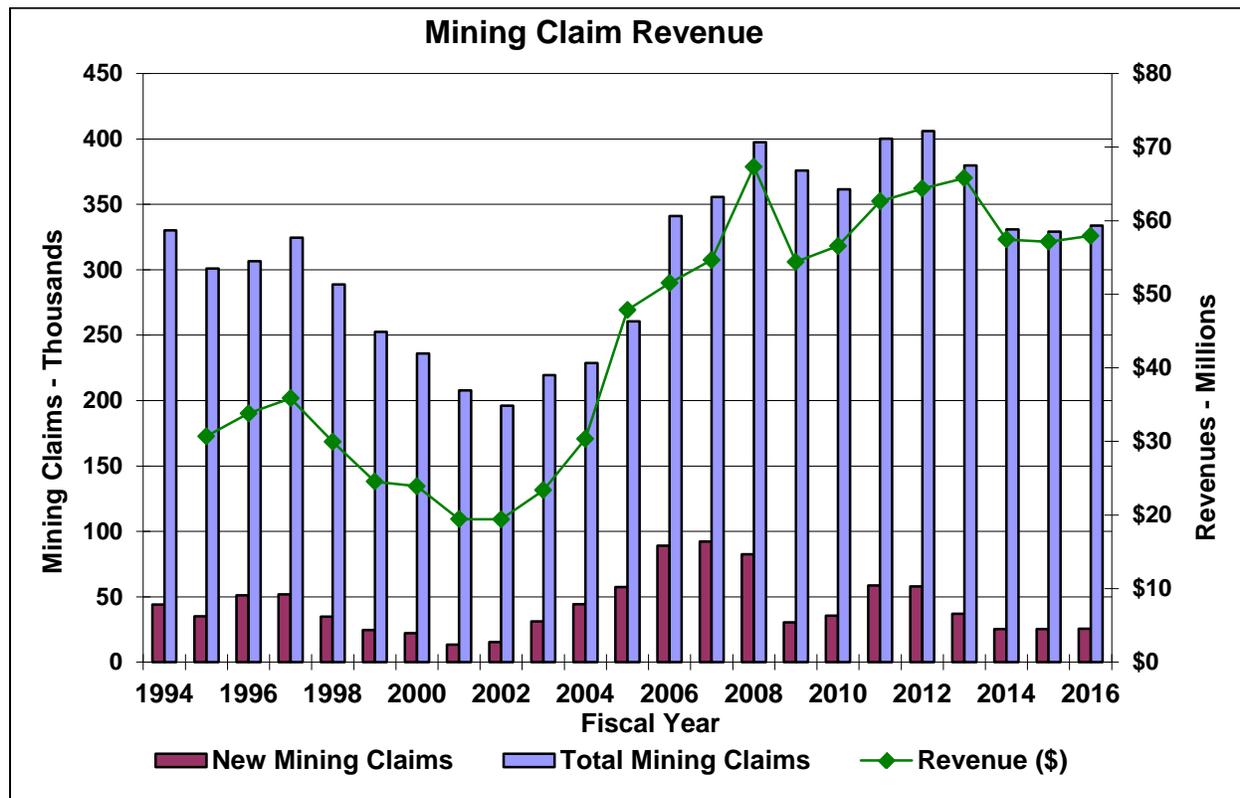
While new mining claims have decreased, the BLM continues to experience a workload for processing plans of operations for new, large scale mines. The inspection workload for existing operations also continues and the funding provided through this program is important to allow the BLM to maintain capability and capacity to ensure activities are done in an environmentally sound and sustainable manner.

### **Other Funding Sources**

The Mining Law Administration program is primarily funded through this subactivity, in which the appropriation is offset by maintenance and location fees. Since 1994, Congress, through its appropriations acts, has tied Mining Law Administration funding to revenue collected by the program. The funds made available by Congress are reduced by amounts collected by the Bureau and credited to this appropriation.

In addition, under the authorities of 43 U.S.C. 1474 and 1734(a), the BLM retains the collected processing fees from mining claim recordation actions and mineral patent adjudication to recover the full cost of processing these documents. A revised fee schedule was promulgated in November 2005. The Mining Claims Revenue chart shows the recent history of mining claims and mining claim revenue. The processing fees for recording a new mining claim, annual filings, transfers of interest, amendments to previously recorded documents, deferments of assessment, and protests increased in June of 2009 and again at the end of 2014. In addition, the BLM charges a processing fee, on a case by case basis, for proposed mining plans of operations requiring an environmental impact statement. A processing fee is also applicable to validity examinations or common variety examinations and associated reports performed in

connection with a patent application, 43 CFR 3809.100 (withdrawn lands) or 43 CFR 3809.101 (common variety determinations) on a case-by case basis.



\*The above chart is based upon the most recent data. The new and total mining claims illustrate the numbers as reported in the Public Land Statistics (PLS) for the indicated fiscal years. The 2014 claim data was derived from preliminary PLS data and is subject to change. The revenue estimates for 2014 and earlier are based upon the amounts credited to the MLR appropriation and the amounts deposited in the hardrock mining claim maintenance fee Treasury account. Data for 2015 and 2016 are projections.

## 2016 Program Performance

In 2016, the BLM will:

- Provide access to locatable mineral resources while ensuring that mining operations follow BLM's regulations and cause no unnecessary and undue degradation;
- Conduct inspection and enforcement to ensure compliance with all applicable Federal regulations for all mining and exploration activities authorized by the mining laws on public lands;
- Record and adjudicate existing mining claims and new mining claim locations; and
- Continue working with State agencies to streamline multiple agency processes and minimize the time necessary to authorize exploration and development activities.

The BLM expects the inspection workload to remain steady in 2016. Output for 2015 and 2016 is expected to rebound to pre-furlough levels. The focus of the inspection program is on exploration and mining sites with on-going operations; sites where reclamation earthwork has been completed and the BLM and the operator are waiting for re-vegetation success are a lower priority for inspection.

The average processing time of Plans of Operations decreased from 26 months in 2013 to 17 months in 2014. The rolling 3-year average for average processing time is 19 months. The BLM will continue to work with industry and internally explore opportunities to find efficiencies to reduce the average processing times of Plans of Operations.

# Budget Schedules



## Budget Schedules

Account Symbol and Title 14X1109 Management of Lands and Resources	Line	2014 Act	2015 CY	2016 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Land resources	0011	256	250	250
Wildlife and fisheries	0012	67	54	65
Threatened and endangered species	0013	22	23	23
Recreation management	0014	69	70	70
Energy and minerals	0015	132	122	122
Realty and ownership management	0016	74	84	84
Resource protection	0017	99	104	106
Transportation and facilities maintenance	0018	66	74	76
Workforce and organizational support	0020	159	160	163
Challenge Cost Share	0026	3	3	8
National Monuments & NCA	0030	32	33	40
Total direct obligations	0799	979	977	1,007
Management of Lands and Resources (Reimbursable)	0801	21	28	28
Communication site rental fees	0802	2	2	2
Mining law administration	0803	41	39	39
APD fees	0804	31	33	0
Cadastral reimbursable program	0805	8	9	9
Inspection fees	0806	0	0	15
Grazing fees	0807	0	0	8
Total reimbursable obligations	0899	103	111	101
Total new obligations	0900	1,082	1,088	1,108
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	154	145	187
Recoveries of prior year unpaid obligations	1021	47	47	40
Unobligated balance (total)	1050	201	192	227
Budget authority:				
Appropriations, discretionary:				
Appropriation	1100	957	970	1,067
Appropriation, discretionary (total)	1160	957	970	1,067
Appropriation [Regular]	1160-40	938	951	1,048
Baseline Civilian Pay	1160-50		507	528
Baseline Non-Pay	1160-50		444	451
Appropriation [Protected:Conserving Fish and Wildlife - Climate Change]	1160-40	16	16	16
Baseline Civilian Pay	1160-50		0	0
Baseline Non-Pay	1160-50		16	16
Appropriation [WHB Sterilization R&D]	1160-40	2	2	2
Baseline Civilian Pay	1160-50		2	2

Account Symbol and Title 14X1109	Line	2014 Act	2015 CY	2016 BY
<b>Management of Lands and Resources</b>				
Appropriation [Homeland Security]	1160-40	1	1	1
Baseline Civilian Pay	1160-50		1	1
Baseline Non-Pay	1160-50		0	0
Spending authority from offsetting collections, discretionary:				
Offsetting collections (Mining law and Comm Sites)	1700	42	42	42
Offsetting collections (Economy Act)	1700	8	38	38
Offsetting collections (APD fees)	1700	33	33	0
Offsetting collections (Inspection fees)	1700	0	0	48
Offsetting Collections (Other)	1700	0	0	17
Change in uncollected payments, Federal sources	1701	-14	0	-50
Spending auth from offsetting collections, disc (total)	1750	69	113	95
Spending authority from offsetting collections [Mining Law and Telecomm Fees, and Permits to Drill]	1750-40	83	75	43
Baseline Program [Mining Law and Telecomm Fees, and Permits to Drill]	1750-50		75	42
Spending authority from offsetting collections [Economy Act]	1750-40	0	38	39
Spending authority from offsetting collections [User Fee: Inspection fees]	1750-40	0	0	48
Spending authority from offsetting collections [Grazing Fees]	1750-40	0	0	17
Spending authority from offsetting collections [other]	1750-40	-14	0	-52
Spending authority from offsetting collections [other]	1750-50		0	0
Spending authority from offsetting collections, mandatory:				
Spending auth from offsetting collections, mand (total)	1850	0	0	0
Budget authority (total)	1900	1,026	1,083	1,162
Total budgetary resources available	1930	1,227	1,275	1,389
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	145	187	281
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	383	393	327
Obligations incurred, unexpired accounts	3010	1,082	1,088	1,108
Outlays (gross)	3020	-1,025	-1,107	-1,150
Recoveries of prior year unpaid obligations, unexpired	3040	-47	-47	-40
Unpaid obligations, end of year	3050	393	327	245
Uncollected payments:				

Account Symbol and Title 14X1109	Line	2014 Act	2015 CY	2016 BY
<b>Management of Lands and Resources</b>				
Uncollected pymts, Fed sources, brought forward, Oct 1	3060	-64	-50	-50
Change in uncollected pymts, Fed sources, unexpired	3070	14	0	50
Uncollected pymts, Fed sources, end of year	3090	-50	-50	0
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	319	343	277
Obligated balance, end of year	3200	343	277	245
Budget authority and outlays, net:				
Discretionary:				
Budget authority, gross	4000	1,026	1,083	1,162
Outlays, gross:				
Outlays from new discretionary authority	4010	756	846	903
Outlays from discretionary balances	4011	269	261	247
Outlays, gross (total)	4020	1,025	1,107	1,150
Offsets against gross budget authority and outlays:				
Offsetting collections (collected) from:				
Federal sources	4030	-31	-38	-38
Policy Program [Mining Law, Comm Sites, APD Fees]	4033-41	-52	-75	-42
Baseline Program [Mining Law, Comm Sites, APD Fees]	4033-71		-75	-42
Policy Program [Inspection Fees]	4033-41	0	0	-48
Policy Program [Grazing Fees]	4033-41	0	0	-17
Offsets against gross budget authority and outlays (total)	4040	-83	-113	-145
Policy Program - Computed Total	4050-20	14	0	50
Policy Program [Inspection Fees]	4050-41	0	0	48
Policy Program [Grazing Fees]	4050-41	0	0	17
Policy Program [Text]	4050-41	14	0	-15
Budget authority, net (discretionary)	4070	957	970	1,067
Outlays, net (discretionary)	4080	942	994	1,005
Budget authority, net (total)	4180	957	970	1,067
Outlays, net (total)	4190	942	994	1,005
Memorandum (non-add) entries:				
Unexpired unavailable balance, SOY: Offsetting collections	5090	4	4	4
Unexpired unavailable balance, EOY: Offsetting collections	5092	4	4	4

Account Symbol and Title 14X1109 Management of Lands and Resources	Line	2014 Act	2015 CY	2016 BY
Direct Federal programs:				
Budget Authority	2004-01	938	948	1,045
Outlays	2004-02	926	977	988
<b>Object Classification (O) (\$ in Millions)</b>				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	356	356	356
Other than full-time permanent	11.3	17	17	17
Other personnel compensation	11.5	14	14	14
Total personnel compensation	11.9	387	387	387
Civilian personnel benefits	12.1	127	127	127
Benefits for former personnel	13.0	1	1	1
Travel and transportation of persons	21.0	13	13	13
Transportation of things	22.0	2	2	2
Rental payments to GSA	23.1	21	21	21
Rental payments to others	23.2	31	31	31
Communications, utilities, and miscellaneous charges	23.3	19	19	22
Printing and reproduction	24.0	3	3	5
Advisory and assistance services	25.1	11	11	15
Other services from non-Federal sources	25.2	157	157	162
Other goods and services from Federal sources	25.3	57	57	62
Operation and maintenance of facilities	25.4	12	12	17
Operation and maintenance of equipment	25.7	16	14	19
Supplies and materials	26.0	23	23	24
Equipment	31.0	17	17	17
Land and structures	32.0	9	9	9
Grants, subsidies, and contributions	41.0	73	73	73
Subtotal, obligations, Direct obligations	99.0	979	977	1,007
Reimbursable obligations:				
Personnel compensation:				
Full-time permanent	11.1	50	51	51
Other than full-time permanent	11.3	2	2	2
Other personnel compensation	11.5	2	2	2
Total personnel compensation	11.9	54	55	55
Civilian personnel benefits	12.1	18	18	17
Travel and transportation of persons	21.0	2	3	2
Rental payments to others	23.2	3	3	2
Communications, utilities, and miscellaneous charges	23.3	2	2	2
Advisory and assistance services	25.1	1	2	1
Other services from non-Federal sources	25.2	7	7	6
Other goods and services from Federal sources	25.3	4	5	4
Operation and maintenance of equipment	25.7	2	3	2
Supplies and materials	26.0	2	3	2

Account Symbol and Title 14X1109	Line	2014 Act	2015 CY	2016 BY
<b>Management of Lands and Resources</b>				
Equipment	31.0	2	3	2
Land and structures	32.0	2	3	2
Grants, subsidies, and contributions	41.0	4	4	4
Subtotal, obligations, Reimbursable obligations	99.0	103	111	101
Total new obligations	99.9	1,082	1,088	1,108
<b>Employment Summary (Q)</b>				
Direct civilian full-time equivalent employment	1001	5,157	5,179	4,959
Reimbursable civilian full-time equivalent employment	2001	734	734	829
Allocation account civilian full-time equivalent employment	3001	2,188	2,208	2,209
<b>Appropriations Requests in Thousands of Dollars (T)</b>				
Budget year budgetary resources [014-1109]	1000			1,067,466



# Land Acquisition



# Land Acquisition

## Appropriations Language

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, [\$19,746,000]\$38,000,000, to be derived from the Land and Water Conservation Fund and to remain available until expended. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2015.*)

Note: The 2016 request amount of \$38,000,000 is updated from the amount included in the Appendix, Budget of the United States Government, Fiscal Year 2016.

## Appropriations Language Citations

### **1. For expenses necessary to carry out sections 205, 206 and 318(d) of Public Law 94-579, including administrative expenses**

Section 205 authorizes the Secretary to acquire by purchase, exchange, donation, or eminent domain, public lands or interests. Eminent domain may only be invoked to secure access to public lands if the lands are confined to a narrow corridor and serve a purpose. This section does not expand or limit the Secretary's authority to acquire land by eminent domain within the boundaries of the National Forest System. Acquisitions must support the mission of the Department and have associated land-use plans.

Section 206 provides authority for the Secretary to dispose of a public tract of land by exchange if it serves the public interest well. The Secretary may accept title to any non-Federal land or interests in exchange for such land which he or she finds proper for transfer out of Federal ownership and which are located in the same State as the non-Federal land or interest to be acquired. For the purposes of this subsection, unsurveyed school sections which, upon survey by the Secretary, would become State lands, shall be considered as "non-Federal" lands. The values of the lands exchanged by the Secretary need to be equal, or if they are not equal, the values will be equalized by the payment of money to the grantor or to the Secretary concerned as the circumstances require.

Section 318 authorizes the Secretary to use the Land and Water Conservation Fund to acquire public lands as described in section 205.

### **2. including administrative expenses and acquisition of lands or waters, or interests therein, \$38,000,000,**

This language provides the Secretary with authority to use \$38,000,000 in appropriated funds to acquire lands or waters or pay administrative expenses to carry out the mission of the program.

### **3. to be derived from the Land and Water Conservation Fund**

The language specifies that funding appropriated for land acquisition activities would be derived from the Land and Water Conservation Fund (LWCF), which was enacted by Congress in 1965.

The Act designated that a portion of receipts from offshore oil and gas leases be placed into a fund annually for State and local conservation, as well as for the protection of our national treasures (parks, forest, and wildlife areas).

#### **4. and to remain available until expended.**

The language makes the appropriations to the account available on a no-year basis. This type of account allows the BLM a valuable degree of flexibility needed to support multi-year land acquisitions, agreements and purchases.

### **Appropriation Language Citations and Authorizations**

<b><i>Federal Land Policy and Management Act of 1976 (FLPMA) (Pub. L. 94-579, Sec. 101 et seq.; 43 U.S.C. 1701 et seq.)</i></b>	Provides authority for acquisition (Pub. L. 94-579, Sec. 205, 206; 43 U.S.C., 1715, 1716) of lands or interests in lands by purchase, exchange, donation, or eminent domain, when it is consistent with the mission of the Department and with land use plans (Pub. L. 94-579, Sec. 205(b); 43 U.S.C., 1715(b)); in exercising this authority, appropriations from the Land and Water Conservation Fund may be used to purchase lands which are primarily of value for outdoor recreation purposes (Pub. L. 94-579, Sec. 318(d); 43 U.S.C., 1748(d)).
<b><i>Federal Land Transaction Facilitation Act of 2000 (FLTFA) (Public Law 106-248)</i></b>	Provided authority for the use of receipts from disposal actions by the BLM to purchase inholdings and lands adjacent to federally designated areas containing exceptional resources, as defined in FLTFA, from willing sellers with acceptable titles, at fair market value, to “promote consolidation of the ownership of public and private lands in a manner that would allow for better overall resource management administrative efficiency, or resource allocation.” The 2010 Supplemental Appropriations Act (P.L. 111-212) reauthorized FLTFA for one year, expiring in July 2011.
<b><i>Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 et seq.)</i></b>	Authorizes planning, acquisition, and development of needed land and water areas and facilities; in exercising this authority, appropriated funds from the LWCF may be used for such acquisition to assist in preserving, developing, and assuring accessibility for the benefit of present and future citizens.
<b><i>Wild and Scenic Rivers Act of 1968, as amended (16 U.S.C. 1271 et seq.)</i></b>	Authorizes the Secretary to exchange or dispose of suitable Federally-owned property for non-Federal property within the authorized boundaries of any federally-administered component of the National Wild and Scenic Rivers System, 1277(d). Similar exchange authority is contained in The National Trails System Act of 1968, as amended 16 U.S.C. 1241et seq.).
<b><i>Wilderness Act of 1964 (16 U.S.C. 1131 et seq.)</i></b>	Authorizes the Secretary to acquire privately owned property within the boundary of any area designated as a component of the National Wilderness Preservation System.

***National Trails System Act of 1968, as amended (16 U.S.C. 1241-1249)*** Authorizes the Secretary to acquire lands or interests in lands included in the right-of-way selected for a National Historic, National Recreation, or National Scenic Trail; by written cooperative agreement, donation, purchase (with donated or appropriated funds), or exchange.

***Other*** Other acts such as, the King Range National Conservation Area Act of 1970, as amended (16 U.S.C. 460y); San Pedro Riparian National Conservation Area Act, in Arizona (16 U.S.C. 460xx); Arkansas-Idaho Land Exchange Act of 1992 (P.L. 102-584); Utah School Lands Act (P.L. 103-93); Steens Mountain Cooperative Management and Protection Act of 2000 (16 U.S.C. 460nnn, P.L. 106-399; and California Desert Protection Act of 1994 (P.L. 103-433), authorize the Secretary to enter into acquisitions, including purchase, donation, land exchange.

Summary of Requirements  
(dollars in thousands)

	2014 Actual		2015 Enacted		Fixed Cost	2016 President's Budget				Change from 2015 Enacted			
	FTE	Amount	FTE	Amount		Transfers		Program Changes		Requested Amount		FTE	Amount
						FTE	Amount	FTE	Amount	FTE	Amount		
Land Acquisitions	-	15,949	-	16,226	+0	-	+0	-	+18,158	-	34,384	-	+18,158
Emergencies, Hardships and Inholdings	-	1,616	-	1,616	+0	-	+0	-	+0	-	1,616	-	+0
Acquisition Management	10	1,898	10	1,904	+96	-	+0	-	+0	10	2,000	-	+96
<b>Total, Land Acquisition</b>	<b>10</b>	<b>19,463</b>	<b>10</b>	<b>19,746</b>	<b>+96</b>	<b>-</b>	<b>+0</b>	<b>-</b>	<b>+18,158</b>	<b>10</b>	<b>38,000</b>	<b>-</b>	<b>+18,254</b>

Note: The total of \$19,463,000 does not include +\$700,000 for Fire Repayments.

**Justification of Fixed Costs and Internal Realignments**

**Land Acquisition**

*(Dollars In Thousands)*

<b>Fixed Cost Changes and Projections</b>	<b>2015 Total or Change</b>	<b>2015 to 2016 Change</b>
<b>Change in Number of Paid Days</b>	-	<b>+22</b>
<p>This column reflects changes in pay associated with the change in the number of paid days between 2015 and 2016. total paid days for FY 2016 is 262 which is one day (+1) increase from FY 2015 paid days of 261. FTE hours for FY 2016 is 2096.</p>		
<b>Pay Raise</b>	<b>+57</b>	<b>+71</b>
<p>The change reflects the salary impact of a programmed pay raise increases. This estimate relects one quarter (October-December) of the programmed pay raise for 2015. This estimate reflects three quarter (January - September) of the programmed pay raise for 2016.</p>		
<b>Seasonal Federal Health Benefit Increase</b>	-	-
<p>The change reflects changes in the fixed cost portion of the Seasonal Health Benefits Model. Remaining costs associated with offering Health Benefits to seasonal employees are reflected as program changes in the Administrative Support subactivity.</p>		
<b>Employer Contribution to FERS</b>	<b>42</b>	<b>3</b>
<p>The change reflects the directed increase of 0.5% in employer's contribution to the Federal Employee Retirement System. This estimate captures an increase of 0.5% to FY2016 employer contribution to the Federal Employee Retirement Service (FERS). The FY2015 FERS contribution assumption was 13.2%. The FY2016 level is 13.7%. The baseline for these estimates is the FY2014 pay actuals.</p>		

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## Activity: Land Acquisition

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Land Acquisitions	\$000	15,949	16,226	+0	+0	+18,158	34,384	+0
	FTE	0	0		+0	+0	0	+0
Emergency & Hardships	\$000	1,616	1,616	+0	+0	+0	1,616	+0
	FTE	0	0		+0	+0	0	+0
Acquisition Management	\$000	1,898	1,904	+96	+0	+0	2,000	+96
	FTE	10	10		+0	+0	10	+0
Total, Land Acquisition	\$000	19,463	19,746	+96	+0	+18,158	38,000	+96
	FTE	10	10		+0	+0	10	+0

*The 2014 total of \$19,463,000 does not include +\$700,000 for Fire Repayments*

Other Resources Supporting Land Acquisitions:					
		2014 Actual	2015 Estimate	2016 Estimate	Change from 2015
Permanent Land Acquisition	\$000	0	0	55,397	+55,397

**Notes:**

*In addition, the Administration will submit a legislative proposal to permanently authorize annual funding without further appropriation from the Land and Water Conservation Fund*

The 2016 budget proposes to fund the Land Acquisition program with an appropriation from the Land and Water Conservation Fund at a total level of \$38,000,000 and 10 FTE, a program change of +\$18,158,000 and 0 FTE from the 2015 enacted level.

### Activity Description

The BLM is authorized to acquire intermingled and adjacent non-Federal lands through purchase, exchange, and donation for specified public benefits. Consolidation of the public lands through land acquisition increases management efficiency in pursuing land management goals such as maintaining open space, providing opportunities for environmentally responsible recreation, preserving natural and cultural heritage resources, restoring at-risk botanical, fisheries and wildlife resources, and maintaining functioning ecosystems. The BLM's Land Acquisition program utilizes Land and Water Conservation Fund (LWCF) monies for Land Acquisition, Emergencies, Hardships, and Inholdings, and Acquisition Management.

In addition to acquiring land by purchase with LWCF appropriated funds, the BLM acquires land by exchange. When an exchange is proposed, every attempt is made to equalize values between the lands coming into Federal ownership and the lands leaving Federal ownership. In those instances where land values are not equal, the BLM attempts to equalize land values by decreasing or increasing the land leaving Federal ownership. In certain instances where values are not equal and there is no available land in Federal ownership to equalize values, a cash payment can be made to the exchange proponent. This cash payment, an equalization payment, cannot exceed 25 percent of the difference between the values of the lands coming into Federal ownership and the lands leaving Federal ownership.

<b>Major Components of BLM's Land Acquisition Program</b>				
(\$000)	2014 Actual	2015 Enacted	2016	
			Discretionary	Mandatory
Land Acquisition - Core Projects	3,820	5,000	10,442	15,299
Land Acquisition - Collaborative Projects	12,129	9,226	19,942	29,598
<b>Total Land Acquisition Project Funding</b>	<b>15,949</b>	<b>14,226</b>	<b>30,384</b>	<b>44,897</b>
Sportsman/Recreational Access		2,000	4,000	6,000
Acquisition Management	1,898	1,904	2,000	3,000
Emergencies, Hardships, & Inholdings	1,616	1,616	1,616	1,500
<b>Total BLM Land Acquisition Funding</b>	<b>19,463</b>	<b>19,746</b>	<b>38,000</b>	<b>55,397</b>

**Activity: Land Acquisition**  
**Subactivity: Land Acquisition**

		2014 Actual	2015 Enacted	2016 President's Budget			Requested Amount	Change from 2015
				Fixed Costs	Transfers	Program Changes		
Land Acquisitions	\$000	15,949	16,226	+0	+0	+18,158	34,384	+18,158
	FTE	0	0		+0	+0	0	+0

Summary of 2016 Program Changes/Internal Transfers for Land Acquisitions:	(\$000)	FTE
High-Priority Projects	+18,158	+0
<b>Total</b>	<b>+18,158</b>	<b>+0</b>

### Justification of 2016 Program Changes

The 2016 budget request for the Land Acquisitions program is \$34,384,000, a program change of +\$18,158,000 and 0 FTE from the 2015 enacted level.

**High Priority Projects (+\$18,158,000 / 0 FTE)** - In 2016, the BLM will acquire high priority acquisition projects in the core and collaborative landscape planning land acquisition programs. The 2016 core program is \$10.4 million and will fund nine of BLM's highest priorities. The collaborative landscape-planning component builds on efforts begun in 2011 to invest strategically in interagency landscape-scale conservation projects while continuing to meet bureau-specific programmatic needs. The Department of the Interior and the U.S. Forest Service (USFS) collaborated extensively to develop a process to more effectively coordinate land acquisitions with government and local community partners to achieve the highest priority shared conservation goals. The 2016 request includes a total of \$19.9 million for four collaborative landscapes consisting of nine projects. Within this total, the BLM includes \$9.2 million for the Upper Rio Grande landscape, \$5.8 million for the High Divide landscape, \$2.6 million for the Rivers of the Chesapeake landscape and \$2.3 million for projects that are part of the National Trails System landscape. The 2016 request also includes a total of \$4.0 million to benefit Sportsmen/Recreational access, a program change of +\$2.0 million from the FY2015 enacted level.

### Legislative Change

**Permanent Appropriation: Permanent Land Acquisition** – The Department of the Interior will submit a legislative proposal to permanently authorize annual funding, without further appropriation or fiscal year limitation for the Land and Water Conservation Fund (LWCF). Starting in 2017, \$900 million annually in permanent funds would be available. During the transition to full permanent funding in 2017, the budget proposes \$900 million in total LWCF funding in FY 2016, comprised of \$500 million in permanent and \$400 million discretionary funds. The amounts requested include the authorized levels for the Department of the Interior and the Department of Agriculture.

In 2016, the budget requests \$38.0 million in discretionary funds for Federal land. The mandatory proposal includes \$55.4 million for Federal land acquisition. Land acquisition funds are also used to secure access for the American public to their Federal lands. Concurrent with the America's

Great Outdoor initiative, these funds will invest in acquisitions to better meet recreation access needs by working with willing landowners to secure rights-of-way, easements or fee simple lands that provide access or consolidate Federal ownership so the public has unbroken spaces to recreate, hunt, and fish. BLM will focus \$4.0 million in discretionary funding and \$6.0 million in mandatory funding towards projects to acquire access for sportsmen/recreation access.

### Program Overview

The Land Acquisitions Program promotes the conservation of natural landscapes and resources by consolidating public lands through purchase, exchange and donation to increase management efficiency and preserve areas of natural, cultural, and recreational importance. Acquisition projects occur within or adjacent to nationally-designated management units, including National Monuments, National Conservation Areas, Wilderness, National Wild and Scenic Rivers, National Scenic Trails, and National Historic Trails, as well as in BLM-designated Areas of Critical Environmental Concern and Special Recreation Management Areas. Land acquisition funding is also necessary to acquire small parcels of land or access easements through these lands to provide public access to landlocked BLM lands. The BLM estimates 23 million acres (or nine percent) of BLM-managed public lands lack public access or have inadequate public access, primarily due to checkerboard land ownership patterns. Securing and improving public access to these lands will serve various recreational activities, including hunting and fishing.

The BLM utilizes funding from other sources such as from the *Southern Nevada Public Land Management Act* and other land sale authorizations. The Budget includes a legislative proposal to reauthorize the Federal Land Transaction Facilitation Act (FLTFA) and allow lands identified as suitable for disposal in recent land use plans to be sold using FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally sensitive lands and the administrative costs associated with conducting sales, which would provide funding for land acquisition as well. These legal authorities are described in the Lands and Realty Management section of the Management of Lands and Resources chapter, and various land sale accounts are described in the Permanent Operation Funds chapter.

The national Collaborative Landscape Planning (CLP) priority projects contained in this document reflect the collaborative efforts between the Departments of Interior and Agriculture in specific focal areas. As part of the landscape program, Interior bureaus collaborated extensively with the USFS and with government and local community partners to plan projects to achieve the highest priority shared landscape-scale conservation goals. An interagency team of BLM, U.S. Fish and Wildlife Service, National Park Service, and USFS experts identified a number of ecosystems throughout the Nation where high priority shared conservation goals could be achieved based on existing locally-driven conservation efforts. The prospective projects were evaluated according to criteria that included:

- Process: ensure proposals are community-driven, collaborative, and cost-effective;
- Outcome: ensure proposals contribute to informed, science-based, important local landscape-scale outcomes, so that Federal resources strategically achieve land management objectives;
- Urgency: ensure funding decisions acknowledge where funds must be spent sooner rather than later to achieve outcomes or prevent harm, versus areas where outcomes could be achieved even if funding were postponed; and,

- Contribution to National/Regional priorities: ensure outcome goals contribute to regional and national priorities.

After analyzing the results of this process, bureau directors advised the Secretary on the development of the final CLP acquisitions to be incorporated in the integrated land acquisition lists.

**Mandatory Appropriation: Permanent Land Acquisition** - The Department of the Interior's FY 2016 budget request proposes a multi-year strategy leading to full and mandatory funding for the LWCF. Mandatory funding would help to fulfill the commitment of LWCF: a fair return of the profits from developing the Nation's offshore oil and gas resources to improve and increase the availability of outdoor opportunities for all Americans. The FY 2016 mandatory request through LWCF would provide an additional \$55.4 million for BLM land acquisition activities, for a total of \$93.4 million between discretionary funding and the mandatory proposal. The complete listing of proposed projects would cover the top 25 BLM priorities, located in 12 States.

The joint Interior-Agriculture National Selection Committee identified a number of ecosystems throughout the Nation where high priority shared conservation goals can be achieved based on existing locally-driven conservation efforts. Through the rigorous merit based evaluation process, eight ecosystems were selected for inclusion in the 2016 budget. The BLM is involved in seven of those landscapes including the Upper Rio Grande, High Divide, Rivers of the Chesapeake, National Trails System, Florida-Georgia Long Leaf Pine, Pathways to the Pacific, and Northern California Coastal.

Investing now in these ecologically important but threatened landscapes will ensure that they remain resilient in the face of development pressures and global climate change. Smart investment in strategic conservation in these landscapes will prevent further ecosystem decline or collapse, which is expected to preclude the need for future investments in restoration.

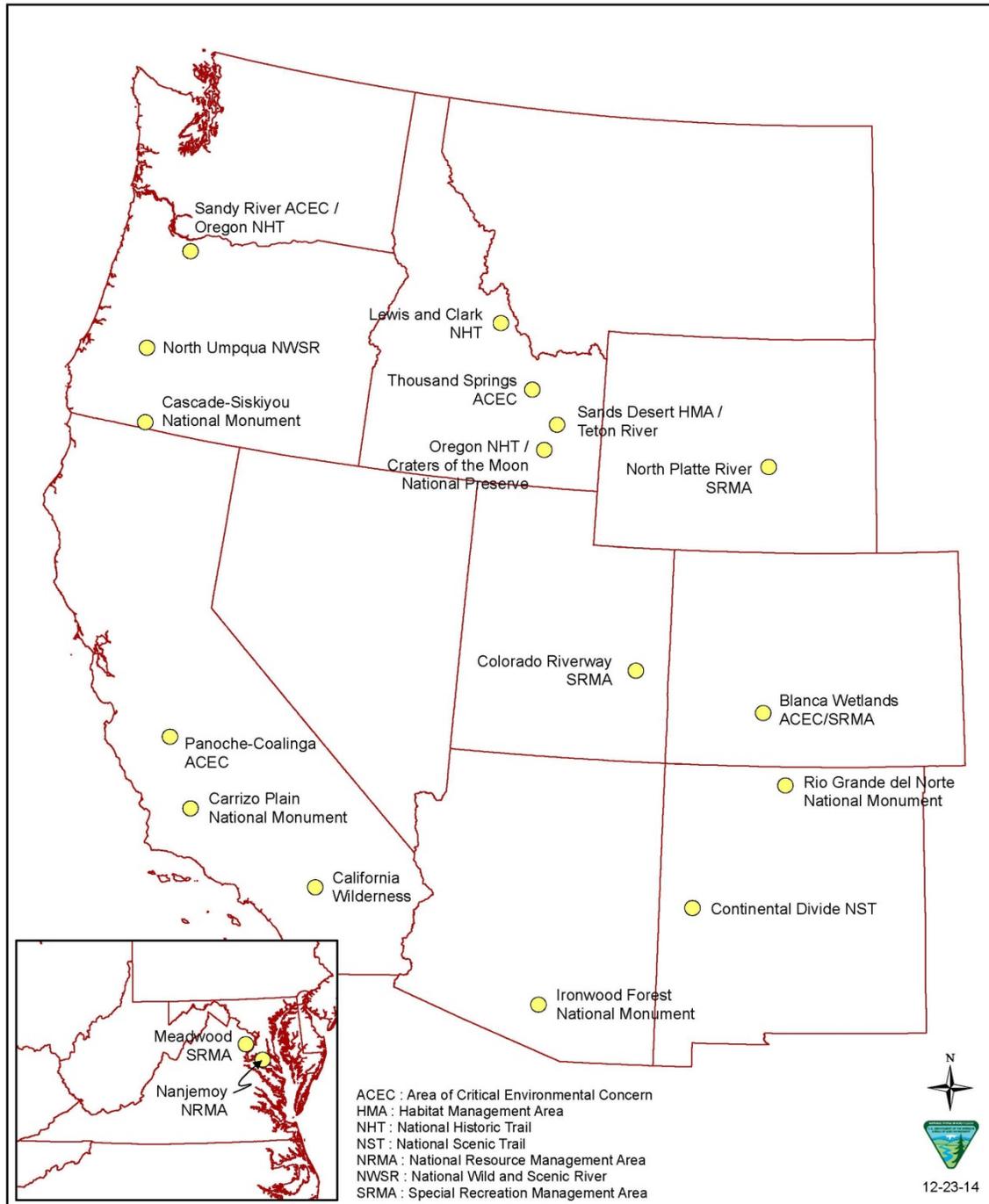
### **2016 Program Performance**

In 2016, the BLM has plans for 18 acquisition projects (nine core and nine collaborative) in ten States using discretionary funding. With mandatory funding, the BLM has plans for 15 acquisition projects (five core and ten collaborative) in 9 States. These acquisitions will strengthen the BLM's efforts to preserve wildlife habitat and wilderness, conserve and protect cultural and historic resources, retain open space, and enhance public recreation opportunities in the western U.S. in perpetuity. The BLM will utilize innovative methods to acquire lands, including conservation easements, leveraged purchases, and the purchase of development rights where these methods meet management objectives and landowner needs. Planned acquisitions for 2016 are listed on the following page. The subsequent pages include maps of the acquisition projects and project descriptions.

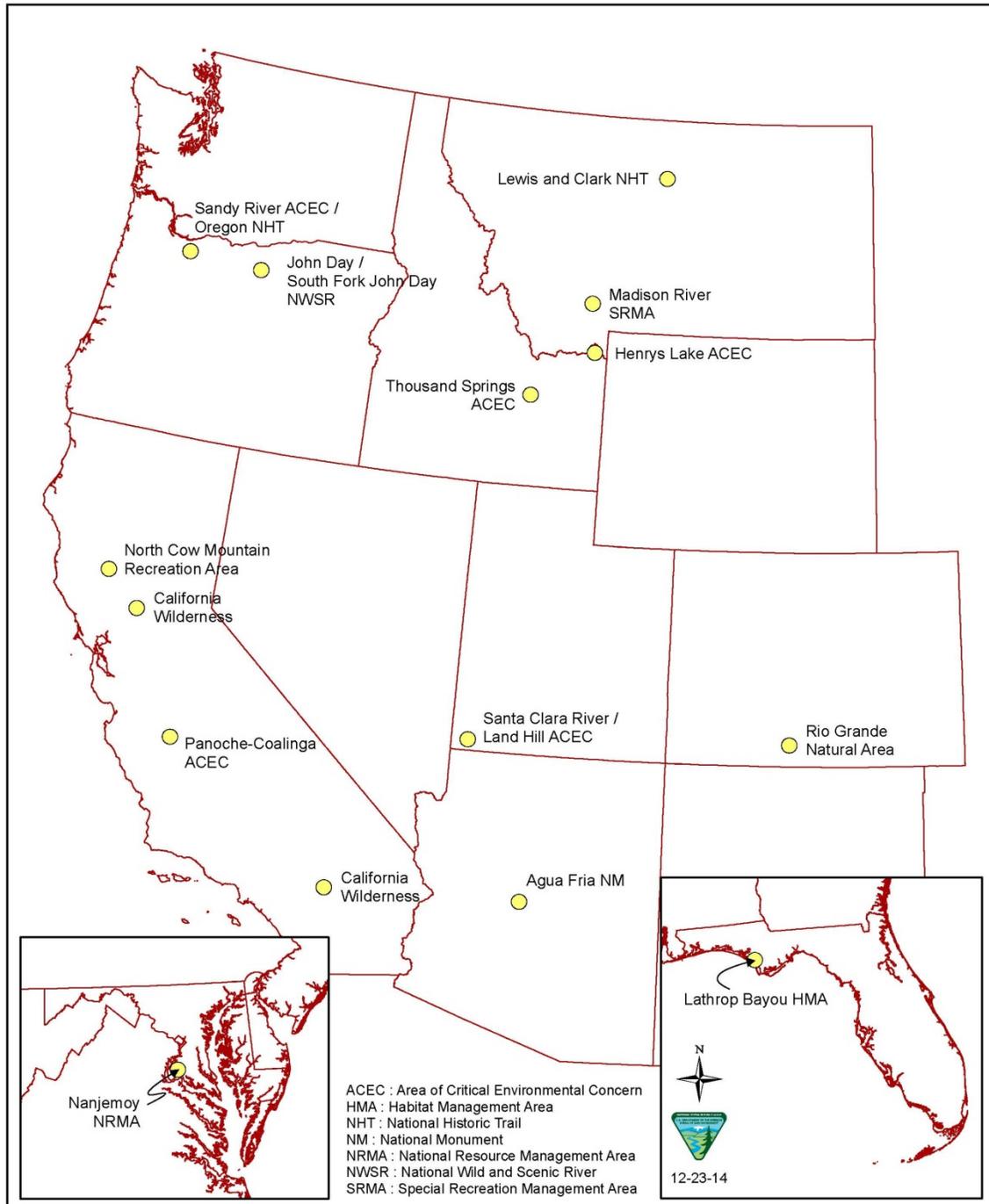
The following lists of proposed land acquisition projects is the current set of land acquisition priorities that has been vetted and approved by the BLM and Departmental leadership to meet the high priority programmatic needs during fiscal year 2016.



### Bureau of Land Management Land and Water Conservation Fund 2016 National Project Priorities (Discretionary)



### Bureau of Land Management Land and Water Conservation Fund 2016 National Project Priorities (Mandatory)



Bureau of Land Management  
 Land and Water Conservation Fund  
 FY2016 National Project Discretionary Priorities

8 January 2015

Rank	State	Collaborative Landscape/Project Name or Core Project Name <sup>1</sup>	FY2016 President's Budget Request (Discretionary)
1	CO	Blanca Wetlands ACEC/SRMA	\$6,346,000
	NM	Rio Grande del Norte National Monument	\$2,900,000
		Upper Rio Grande Total	\$9,246,000
2	WY	North Platte River SRMA	\$1,310,000
3	OR	Sandy River ACEC/Oregon National Historic Trail	\$750,000
4	AZ	Ironwood Forest National Monument	\$1,000,000
5		<b>High Divide</b>	
	ID	Lewis and Clark National Historic Trail	\$740,000
	ID	Sands Desert Habitat Management Area/Teton River	\$3,500,000
	ID	Thousand Springs ACEC	\$250,000
	ID	Oregon National Historic Trail/Craters of the Moon NP	\$1,315,000
		High Divide Total	\$5,805,000
6	CA	Panoche-Coalinga ACEC	\$900,000
7	CA	Carrizo Plain National Monument	\$300,000
8		<b>Rivers of the Chesapeake</b>	
	VA	Meadowood SRMA	\$2,400,000
	MD	Nanjemoy National Resource Management Area	\$191,000
		Rivers of the Chesapeake Total	\$2,591,000
9	OR	Cascade-Siskiyou National Monument	\$2,600,000
10		<b>National Trails System</b>	
	NM	Continental Divide National Scenic Trail	\$2,300,000
		National Trails System Total	\$2,300,000
11	CA	California Wilderness	\$482,000
12	OR	North Umpqua National Wild and Scenic River	\$2,000,000
13	UT	Colorado Riverway SRMA	\$1,100,000
		<b>Total Core Projects</b>	<b>\$10,442,000</b>
		<b>Total Collaborative Projects</b>	<b>\$19,942,000</b>
		<b>Total Line Item Projects</b>	<b>\$30,384,000</b>
		Sportsman/Recreational Access	\$4,000,000
		Emergency/Inholding/Hardship	\$1,616,000
		Acquisition Management	\$2,000,000
		<b>TOTAL</b>	<b>\$38,000,000</b>

<sup>1</sup>Acronyms

ACEC = Area of Critical Environmental Concern

NP = National Preserve

SRMA = Special Recreation Management Area

Bureau of Land Management  
 Land and Water Conservation Fund  
 FY2016 National Project Mandatory Priorities

12 January 2015

Rank	State	Collaborative Landscape/Project Name or Core Project Name <sup>1</sup>	FY2016 President's Budget Request (Mandatory)
<b>Upper Rio Grande</b>			
14	CO	Rio Grande Natural Area	\$3,850,000
		Upper Rio Grande Total	\$3,850,000
15	OR	John Day National Wild and Scenic River	\$4,000,000
<b>High Divide</b>			
16	MT	Madison River SRMA	\$8,300,000
	ID	Thousand Springs ACEC	\$200,000
	ID	Henry's Lake ACEC	\$296,000
		High Divide Total	\$8,796,000
17	CA	California Wilderness	\$2,299,000
<b>Rivers of the Chesapeake</b>			
18	MD	Nanjemoy National Resource Management Area	\$465,000
		Rivers of the Chesapeake Total	\$465,000
19	CA	Panoche-Coalinga ACEC	\$3,800,000
<b>National Trails System</b>			
20	MT	Lewis and Clark National Historic Trail	\$4,750,000
		National Trails System Total	\$4,750,000
21	AZ	Agua Fria National Monument	\$3,300,000
<b>Florida-Georgia Long Leaf Pine</b>			
22	FL	Lathrop Bayou Habitat Management Area	\$412,000
		Florida-Georgia Long Leaf Pine Total	\$412,000
23	UT	Santa Clara River/Land Hill ACEC	\$1,900,000
<b>Pathways to the Pacific</b>			
24	OR	John Day/South Fork John Day National Wild and Scenic River	\$7,075,000
	OR	Sandy River ACEC/Oregon National Historic Trail	\$1,000,000
		Pathways to the Pacific Total	\$8,075,000
<b>Northern California Coastal</b>			
25	CA	North Cow Mountain Recreation Area	\$3,250,000
		Northern California Coastal Total	\$3,250,000
<b>Total Core Projects</b>			\$15,299,000
<b>Total Collaborative Projects</b>			\$29,598,000
<b>Total Line Item Projects</b>			\$44,897,000
Sportsman/Recreational Access			\$6,000,000
Emergency/Inholding/Hardship			\$1,500,000
Acquisition Management			\$3,000,000
<b>TOTAL</b>			<b>\$55,397,000</b>

<sup>1</sup>Acronyms

ACEC = Area of Critical Environmental Concern

SRMA = Special Recreation Management Area

### Blanca Wetlands Area of Critical Environmental Concern/ Special Recreation Management Area

State: Colorado <input type="text"/>		County: Alamosa	Congressional District: 3 <input type="text"/>	Priority: <input type="text"/>	
Location	Southern Colorado, approximately 17 miles northeast of Alamosa.		Acquired to Date		
Purpose	Acquire/restore critical playa wetland systems to provide essential wildlife habitat to multiple threatened and endangered species and offer important public recreational opportunities.		<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>
			Purchase	1,115	\$1,404,600
			Exchange <sup>2</sup>	1,269	\$10,500
			Donation <sup>2</sup>	80	\$4,600
			Other	233	\$293,500
			Partners	0	\$0
Purchase Opportunities	The Nature Conservancy acquired these lands in 2004 as part of the creation of the Great Sand Dunes National Park & Preserve and the Baca National Wildlife Refuge. Owner is a highly-motivated willing seller.		Proposed for FY2016		
			Purchase	12,678	\$6,346,000
			<i>Pending Future Action</i>		
	Pending	160	\$80,000		
Partner(s)	The Nature Conservancy.				
Cooperator(s)	National Park Service, U.S. Fish and Wildlife Service, Bureau of Reclamation, Colorado Division of Wildlife, Ducks Unlimited, Wetlands Focus Area Committee, Intermountain West Joint Venture.				
Project Description	<p>Long ago, a network of playa lakes and marshes shimmered in the desert scrub of the San Luis Valley (SLV). The skies were blackened by thousands of birds drawn to these wetlands for breeding, resting, and foraging during their long migrations. During the past few decades surface water has become significantly over-appropriated as more and more wells have been drilled into the aquifers causing the lowering of the SLV's water table. The effects have now caused these wetlands to start disappearing at a rapid rate. State and federal agencies initiated wetland restoration efforts in the 1960's as bird populations were plummeting. A critical component of the restoration efforts was the development of the BLM's Blanca Wetlands Area (BWA). The newly-expanded Blanca Wetlands Area of Critical Environmental Concern covers over 124,000 acres, 10,000 acres of which are managed by the BLM as a wetlands network of playa lakes, ponds, marshes and wet meadows. The BLM and its partners have made great strides in preserving and managing the Blanca Wetlands landscape to provide rich and diverse habitats for wildlife and a haven for people.</p> <p>The Blanca Wetlands ACEC is an Important Bird Area in Colorado and a key site for the Intermountain West Joint Venture shorebird science team and a nationally significant wildlife resource area. The diverse wetlands found here provide important habitats for 13 threatened and endangered species and 160 species of water birds. The project would fulfill goals identified in the Integrated Activity Plan for Blanca Wetlands (1995) by purchasing over 12,000 acres of land bordering the northern boundary of the site. These acquisitions are imperative for connectivity of wetlands across the SLV and would essentially merge wetlands owned by BLM, State of Colorado, NPS, FWS, and TNC. This would also encourage management across jurisdictions to achieve broad scale resource objectives.</p>				
O&M Cost	Estimated "start up" cost:	\$75,000	Estimated "annual" maintenance:	\$40,000	

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Rio Grande del Norte National Monument

State: New Mexico <input type="checkbox"/>		County: Taos	Congressional District: 3 <input type="checkbox"/>	Priority:	
Location	Northern New Mexico, approximately 30 miles northwest of Taos.		Acquired to Date		
Purpose	Acquire private inholdings within the Monument, preserve traditional uses, secure connectivity to the Rio Grande NWSR corridor, preserve avian and wildlife habitat, protect prehistoric human habitation sites, and improve recreation & tourism.		<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>
Purchase Opportunities	Multiple parcels within the Monument face immediate threat of off-the-grid rural residential development. Landowners are interested in selling and third party partners are engaged.		Purchase	17,228	\$21,000,000
			Exchange <sup>2</sup>	16,032	\$6,412,800
			Donation <sup>2</sup>	0	\$0
			Other	0	\$0
			Partners	0	\$0
			Proposed for FY2016		
			Purchase	5,448	\$2,900,000
			<i>Pending Future Action</i>		
			Pending	13,960	\$16,850,000
Partner(s)	Rocky Mountain Elk Foundation, The Trust for Public Land.				
Cooperator(s)	New Mexico Department of Game and Fish (NMDGF), Rio Grande del Norte Coalition, New Mexico Wilderness Alliance, New Mexico Wildlife Federation, The Wilderness Society, Trout Unlimited, and Backcountry Hunters & Anglers.				
Project Description	<p>The 42,500-acre Rio Grande del Norte National Monument landscape is comprised of rugged, wide open plains at an average elevation of 7,000 feet, dotted by volcanic cones, and cut by steep canyons with rivers tucked away in their depths. The Rio Grande National Wild and Scenic River carves an 800-foot-deep gorge through layers of volcanic basalt flows and ash. Among the volcanic cones in the Monument, Ute Mountain is the highest, reaching 10,093 feet.</p> <p>Private inholdings within the Monument are vulnerable to increasing residential and "off grid" rural residential development and subdivision. Acquisition of inholdings would enhance BLM's ability to protect fragile cultural, biological and scenic resources within the Monument, secure and increase traditional and recreational access, and prevent fragmentation of a vital interstate wildlife migration corridor and crucial winter range. Cultural significance of the area dates back 14,000 years to the Pleistocene era, when native hunters first followed the massive migrating herds of Mammuthus primigenius (wooley mammoth) and Bison antiquus (mega bison), into the region. The Plateau is rife with remains of the earliest known human cultures in the hemisphere with petroglyphs, tipi rings, wickiup structures, arrow heads, and pottery shards scattered across the landscape. Continuing archaeological investigation has documented over 500 recorded sites. Several Native American tribes and descendants of Hispanic settlers continue to use these lands as important areas for hunting, native plant and fire-wood gathering, and grazing. Hunting, camping, wildlife viewing, fishing and renowned whitewater rafting contribute much-needed economic revenue to nearby rural communities. Access to the interior of the Monument and preservation of the rugged, wide-open landscape and vistas would be preserved through land acquisition.</p> <p>Acquisition would also protect habitat for multiple species, including Gunnison's Prairie dog, loggerhead shrike and burrowing owl, both BLM sensitive species. The New Mexico Department of Fish and Game identified this area as the most important winter range habitat for elk populations moving between Colorado and New Mexico. Up to 10,000 elk winter on the plateau each year.</p>				
O&M Cost	Estimated "start up" cost:	\$5,000	Estimated "annual" maintenance:	\$10,000	

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### North Platte River Special Recreation Management Area

State: Wyoming <input type="checkbox"/>		County: Natrona		Congressional District: 1 <input type="checkbox"/>		Priority:	
Location	Central Wyoming, up to 50 miles southwest of Casper.			Acquired to Date			
Purpose	Enhance public recreation opportunities, preserve riparian/wetland and endangered species habitat along the North Platte River, and conserve Greater Sage-grouse habitat.			<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>	
				Purchase	1,063	\$6,996,000	
				Exchange <sup>2</sup>	0	\$0	
				Donation <sup>2</sup>	0	\$0	
				Other	0	\$0	
				Partners	706	\$890,000	
Purchase Opportunities	Multiple riverfront opportunities, facing threats from commercial and rural residential development and mining, are immediately available.			Proposed for FY2016			
				Purchase	154	\$1,310,000	
				<i>Pending Future Action</i>			
			Pending	36,620	\$40,420,000		
Partner(s)	The Conservation Fund.						
Cooperator(s)	Wyoming Game and Fish Department, City of Casper, Platte River Parkway Trust, Wyoming Fly Casters, North Platte Walleyes Unlimited.						
Project Description	<p>Weaving a fragile thread of green through the high plains of central Wyoming, the vegetative corridor hugging the banks of the North Platte River represents the rarest of Western ecosystems, only 1% of land in Wyoming constitutes riparian/wetland habitat. The 4,600-acre North Platte River Special Recreation Management Area (SRMA) includes a 45-mile segment of the North Platte, between Pathfinder National Wildlife Refuge (administered by the U.S. Fish and Wildlife Service) and the City of Casper. While the flow of the North Platte is regulated, the river remains lightly impacted by agriculture, mining, and rural residential subdivision. Native cottonwood stands along the river are critical to a wintering bald eagle population. The Oregon, California, Mormon Pioneer, and Pony Express National Historic Trails, diverging from and interpreted at Casper's National Historic Trails Interpretive Center were established along the natural contour of the North Platte River valley more than a century ago.</p> <p>An intermingled land ownership pattern stymies public access to and use of the river. Minutes away from Casper's 50,000 residents, local outdoor enthusiasts and area visitors have turned to the BLM to address their growing demand for river access. The popularity of the Platte River Parkway, Casper's highly successful "greenway" project initiated in 1982, and public fishing access easements purchased by the Wyoming Game and Fish Department along the North Platte are indicators of public use. The North Platte is regarded by the WGFD as a "Blue Ribbon/Class I" trout fishery.</p> <p>The project area overlaps 62,000 acres of Greater Sage-grouse core habitat amidst a vast, relatively untrammled landscape of short grass prairies and sagebrush steppe communities intermixed with mountain shrubs and bounded by riparian corridors. Uplifts along with sandstone hogbacks and cuestas add color and create visual diversity. The combination of these varied components is critical to the life cycle and long-term survival of the Greater sage-grouse.</p>						
O&M Cost	Estimated "start up" cost:		\$50,000	Estimated "annual" maintenance:		\$15,000	

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Sandy River Area of Critical Environmental Concern Oregon National Historic Trail

State: Oregon	County: Clackamas, Multnomah	Congressional District: 3	Priority:
Location	Northwest Oregon, 20 miles southeast of Portland.	Acquired to Date	
Purpose	Preservation of the Sandy/Salmon River gorge and interwoven Oregon National Historic Trail corridor, providing for the protection of open space, scenic, recreation, fisheries and wildlife values. Improve public recreational access to the river corridor.	<b>Method</b>	<b>Acres<sup>1</sup></b>
Purchase Opportunities	Multiple properties facing immediate threat from commercial and rural residential development and subdivision, and degrading land use practices.	Purchase	3,150
		Exchange <sup>2</sup>	3,548
		Donation <sup>2</sup>	0
		Other	0
		Partners	1,500
		Proposed for FY2016	
		Purchase	20
		Pending Future Action	
		Pending	667
Partner(s)	Western Rivers Conservancy.		
Cooperator(s)	U.S. Forest Service, State of Oregon, Clackamas and Multnomah Counties, METRO (regional government body), Cities of Portland and Sandy, Portland General Electric (PGE), The Nature Conservancy, Northwest Steelheaders, Oregon Trout, Sand River Watershed.		
Project Description	<p>A breath-taking scenic corridor immediately east of metropolitan Portland, the Sandy and Salmon Rivers descend from the forested slopes of Mount Hood, harboring a rich diversity of animal and plant populations, within secluded riparian and wetland areas. Multiple threatened salmonid species, including Lower Columbia Chinook and Coho salmon and Steelhead use these turbulent waters for spawning and rearing their young before returning to the Pacific Ocean via the Columbia River. Old growth stands of Douglas fir contain prime habitat for the threatened northern spotted owl.</p> <p>The 29,000-acre Sandy River Area of Critical Environmental Concern (ACEC) project offers exceptional recreational opportunities for fishing, hiking, wildlife viewing, nature study, and non-motorized boating or floating. The project is easily accessible from the Portland metro area, the Northwest's second largest population center. Within the project area is the route of the historic Barlow Trail, the western segment of the Oregon National Scenic Trail. The project shares a common boundary with the Salmon-Huckleberry Wilderness, administered by the U.S. Forest Service.</p> <p>PGE recently completed removal of their Bull Run hydroelectric project, including dams on both the Sandy and Little Sandy Rivers. Dam removal has restored the free flowing character of the Sandy River. Numerous projects designed to improve public access and enhance and restore habitat for listed species have been undertaken by the BLM and its partners on and adjacent to recently acquired parcels within the project area.</p>		
O&M Cost	Estimated "start up" cost:	\$5,000	Estimated "annual" maintenance: \$1,500

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Ironwood Forest National Monument

State: Arizona <input type="text"/>		County: Pima <input type="text"/>	Congressional District: 7 <input type="text"/>	Priority: <input type="text"/>	
Location	Southeast Arizona, approximately 25 miles northwest of Tucson.		Acquired to Date		
Purpose	To prevent rural residential development and subdivision, and mining within Ironwood Forest National Monument, and provide long-term protection of ecosystem, open space, species and watershed values.		<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>
Purchase Opportunities	Inholding parcels are available from highly-motivated willing sellers. Acquisition of these parcels would consolidate land ownership and improve Monument management.		Purchase	358	\$737,000
Partner(s)	Arizona Land and Water Trust.		Exchange <sup>2</sup>	41	\$24,500
Cooperator(s)	Tohono O'odham Indian Nation, Pima County, Friends of Ironwood Forest.		Donation <sup>2</sup>	0	\$0
Project Description	<p>Taking its name from one of the longest living trees in the Arizona desert, the 129,000-acre Ironwood Forest National Monument is a true Sonoran Desert showcase. The Ironwood is a very long-lived tree, with some specimens estimated to be more than 800 years old. Ironwood is a keystone species because it provides a nursery environment of shade and protection that enables young seedlings of other species to become established despite the harsh desert climate, where night-time lows can exceed 105°F. Studies by the Arizona-Sonora Desert Museum have documented 560 plant species within the Monument. Resident birdwatchers have documented more than 80 species of migratory and non-migratory birds.</p> <p>Available parcels, located in the remote heart of the Monument, have immediate rural residential subdivision development potential, however they are still pristine tracts possessing natural resources that are characteristic of the Monument. The Monument's heart provides habitat to a small population of Nichol Turk's Head cactus, occurring in localized limestone-rich areas. The Nichol Turk's Head is a very slow-growing cactus. It was listed as endangered in 1976 and has an approved recovery plan.</p> <p>More than 200 Hohokam and Paleoindian archaeological sites dated between 600 and 1450 (including many petroglyphs) have been identified on adjacent Monument land, some are likely to occur on these tracts.</p> <p>The Silverbell acquisition would allow public access to the peak of Ragged Top Mountain, the Monument's crown jewel and most distinctive geologic feature. Acquisition would improve future access to Monument lands, increase recreational amenities, protect plant and animal habitat, and limit the rapidly encroaching rural residential development occurring in the area.</p>		Other	0	\$0
			Partners	0	\$0
			Proposed for FY2016		
			Purchase	602	\$1,000,000
			Pending Future Action		
			Pending	4,789	\$12,283,000
O&M Cost	Estimated "start up" cost:	<input type="text" value="\$5,000"/>	Estimated "annual" maintenance:	<input type="text" value="\$1,000"/>	

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Lewis and Clark National Historic Trail

State: Idaho	County: Lemhi	Congressional District: 2	Priority:	
Location	Central Idaho, 8 miles north of Salmon.	Acquired to Date		
Purpose	Protect a portion of the Lewis and Clark National Historic Trail (LCNHT); special landscapes; scenic viewshed; historic and cultural resources; provide LCNHT access; ensures resiliency and connectivity of terrestrial and related ecosystems.	<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>
		Purchase	1,336	\$2,714,500
		Exchange <sup>2</sup>	0	\$0
		Donation <sup>2</sup>	42	\$141,500
		Other	0	\$0
		Partners	0	\$0
Purchase Opportunities	Unique opportunity to purchase one property in fee and conserve an additional property with a conservation easement to protect and provide addition access to over four miles of the Lewis and Clark Trail.	Proposed for FY2016		
		Purchase	437	\$740,000
		<i>Pending Future Action</i>		
		Pending	0	\$0
Partner(s)	The Nature Conservancy, Lemhi Regional Land Trust.			
Cooperator(s)	Idaho Department of Fish and Game, local County support, State of Idaho, local Trails Committee, Central Idaho Rangeland Committee, Heart of the Rockies Initiative, National Park Service.			
Project Description	<p>A portion of the Lewis and Clark National Historic Trail crosses a property that is being offered for sale in the Blackhawk subdivision. Acquiring these lots (totaling 20 acres) would provide public and recreational access to four miles the Trail and allow for Corps of Discovery interpretive opportunities to be expanded from the BLM's Discovery Hill to this area. Acquisition would also provide an emergency access route for the City of Salmon.</p> <p>Additionally the nearby Beaverhead Peaks Ranch is willing to sell a a conservation easement to enable the owners to continue traditional working ranch practices while conserving a portion of the Lewis and Clark National Historic Trail, 417 acres of important wildlife habitat, and tremendous scenic values.</p> <p>In 1805 the Corps of Discovery had reached the headwaters of the Missouri River, crossed the Lemhi Pass into the Lemhi valley and encountered the central Idaho mountain barrier to the west. Here they Sacagawea's people, the Shoshone, who offered tremendous assistance to the Corps. William Clark took a group of men to explore the opportunity to boat the Salmon River through the mountains to reach the Pacific Ocean. Clark had discovered what the Shoshone had told the Corp was true, that the Salmon River was impassable. Clark returned and rejoined with Lewis and the main Corps of Discovery party at what is now the City of Salmon. His band crossed the two properties twice.</p> <p>The Shoshone provided the Corps with horses and advised them of a long used Indian trail over what is now Lost Trail Pass to continue their efforts to find a route to the Pacific. Once again the Lewis and Clark expedition crossed the target properties using the ancient Indian trail. In places trail ruts formed by Indians dragging travois are still visible in the area.</p>			
O&M Cost	Estimated "start up" cost:	\$5,000	Estimated "annual" maintenance: \$500	

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Sands Desert Habitat Management Area and the Teton River Wildlife Corridor

State: Idaho	County: Fremont, Teton	Congressional District: 2	Priority:
Location	Southeast Idaho, east, north and west of St. Anthony, extending into the Teton Basin.	Acquired to Date	
Purpose	Conserve significant big game migration corridors and crucial winter range, key year round sage and sharp-tail grouse habitat, tremendous hunting opportunities, and archaeological resources.	<b>Method</b>	<b>Acres<sup>1</sup></b>
Purchase Opportunities	Multiple willing land owners are seeking a conservation alternative for their properties to keep them as working ranches or secure in public ownership to ensure they will always make a significant wildlife contribution.	Purchase	2,037
		Exchange <sup>2</sup>	80
		Donation <sup>2</sup>	0
		Other	0
		Partners	23,654
			\$19,035,247
		Proposed for FY2016	
		Purchase	723
			\$3,500,000
		Pending Future Action	
		Pending	9,272
			\$7,700,000
Partner(s)	Teton Regional Land Trust, The Conservation Fund, Rocky Mountain Elk Foundation.		
Cooperator(s)	Idaho Department of Fish and Game (IDFG), Henrys Fork Legacy Project (HFLP), Mule Deer Foundation, Doris Duke Charitable Foundation, Natural Resource Conservation Service, Caribou-Targhee National Forest, Heart of the Rockies Initiative.		
Project Description	<p>The Sands Desert Habitat Management Area and Teton River Wildlife Corridor encompass some of the best remaining sagebrush steppe habitat, riparian, and fish habitat in the state of Idaho. This high quality habitat supports healthy populations of two species of national importance: the greater sage-grouse (core habitat) and the Columbian sharp-tailed grouse. For Idahoans though, it is best known for its large mammal populations; more than 4,000 elk, 3,000 mule deer and 400 moose winter on the Sands and Teton River public rangelands, the IDFG's 35,000 acre Sand Creek Wildlife Management Area (WMA), and the adjacent private property. Much of the wildlife that people attribute to Yellowstone National Park and the surrounding National Forest lands, leave those public lands in the winter to find refuge from heavy snows at lower elevations. On the west side of Yellowstone the best winter refuge on the Sands Desert and Teton River Corridor. While IDFG's WMA is not small, the lands that have been cobbled together to date are somewhat disconnected and do not encompass some of the best habitat. The value of this habitat was recognized by in the Idaho Fish and Game Comprehensive Wildlife Conservation Strategy, but few opportunities have come about to match willing land-owners with funds for habitat conservation.</p> <p>These substantial fish and game resources also support outstanding hunting and fishing opportunities for both Idahoans and nonresidents. A high profile OHV program on the St. Anthony Sand Dunes which also supports the local rural economies. Additionally the Shoshone-Bannock Tribes rely heavily on the areas to continue their aboriginal hunting and gathering Treaty rights.</p> <p>Through a rigorous prioritization process, the HFLP identified a dozen private parcels near the Sand Creek WMA and Teton River that would dramatically improve the protection offered by the WMA as well as existing conserved private properties and would permanently protect migration corridors land connectivity habitat. If successful, this funding would ensure the persistence of the large mammals that need the WMA and Teton River in the winter and two grouse species which can be found there year-round.</p>		
O&M Cost	Estimated "start up" cost:	\$5,000	Estimated "annual" maintenance: \$1,000

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Thousand Springs Area of Critical Environmental Concern

State: Idaho	County: Custer	Congressional District: 2	Priority:	
Location	Central Idaho, approximately 100 miles west of Idaho Falls.	Acquired to Date		
Purpose	Conservation & enhancement of one of Idaho's significant wildlife corridors & habitat areas lying at the base of the state's highest mountain range. Crucial wetland adjacent to sage-brush steppe habitat.	<b>Method</b>	<b>Acres<sup>1</sup></b>	
Purchase Opportunities	Private property within the area is for sale and has been subdivided threatening migratory birds, sensitive species habitat including year-round sage-grouse use, visual resources, cultural sites, & recreation.	Purchase	0 \$0	
Partner(s)	Lemhi Regional Land Trust, The Conservation Fund.	Exchange <sup>2</sup>	0 \$0	
Cooperator(s)	Idaho Department of Fish and Game (IDFG), The Nature Conservancy, Ducks Unlimited, Rocky Mountain Elk Foundation, Idaho State Historic Preservation Office, Heart of the Rockies Initiative.	Donation <sup>2</sup>	0 \$0	
Project Description	<p>The Thousand Springs/Chilly Slough area is one of the few remaining examples of natural, high desert, spring-fed wetlands. Winter snows melt, gather along a range-front fault and feed thousands of springs to this area. It is the largest wetland in east-central Idaho and is managed jointly by the BLM and the Idaho Fish and Game.</p> <p>Acquisition of the private parcels are crucial because it encompass the headwaters of the Thousand Springs/Chilly Slough wetlands. Land administered by BLM within the Thousand Springs/Chilly Slough wetlands is designated an ACEC and is valued for its diversity of wildlife that use it. The Zollinger parcel falls within the boundary delineated in the BLM Thousand Springs/Chilly Slough Habitat Management Plan. Acquisition will assure protection of this wildlife migration corridor and year-round habitat. Currently, the Chilly Slough Wetland Conservation Area protects almost 2,000 acres (BLM has acquired 1,028 acres and IDFG has acquired 918 acres) in public ownership. The 1999 BLM Resource Management Plan for this area allows for the creation of a wetlands management area of approximately 4,400 acres.</p> <p>One hundred and seventy three wildlife species are known to use Thousand Springs/Chilly Slough wetlands with 113 of those being birds. These wetlands hold a high importance for migratory birds for a refueling spot during their annual migration. The riparian edge and adjacent sage-brush steppe habitat have shown to be important to sage-grouse throughout the year. Numerous historic and prehistoric archeological sites are present in and around the wetlands, and it is highly probable that other prehistoric and historic sites are located within these parcels; one prehistoric site is already known to exist on these private lands proposed for purchase. The Shoshone-Bannock Tribes have expressed interest in using this area for the practice of treaty-reserved rights. Recreational opportunities would include bird watching, hiking, fishing, canoeing, and historical education. Acquisition of this land through fee purchase would help to provide additional access to the wetlands, as well as, provide connectivity between publicly managed lands for wildlife conservation.</p>	Other	1,028 \$1,750,000	
O&M Cost		Estimated "start up" cost: \$2,000	Partners	918 \$1,560,600
			Proposed for FY2016	
			Purchase	200 \$250,000
			Pending Future Action	
		Pending	1,220 \$1,650,000	
		Estimated "annual" maintenance: \$1,000		

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Oregon National Historic Trail Craters of the Moon National Preserve

State: Idaho	County: Blaine	Congressional District: 2	Priority:	
Location	Central Idaho, approximately 65 miles east of Sun Valley.	Acquired to Date		
Purpose	Conserve significant big game migration corridors and crucial winter range, key year round sage-grouse core habitat, tremendous hunting opportunities, archaeological & geologic resources.	<b>Method</b>	<b>Acres<sup>1</sup></b>	
Purchase Opportunities	Multiple willing land owners are seeking a conservation alternative for their properties to keep them as working ranches to ensure they will always make a significant wildlife contribution.	Purchase	0 \$0	
Partner(s)	The Conservation Fund, The Nature Conservancy, Wood River Land Trust.	Exchange <sup>2</sup>	0 \$0	
Cooperator(s)	Pioneer Alliance, Idaho Department of Fish and Game, National Park Service, Natural Resources Conservation Service, Central Idaho Rangeland Committee, Heart of the Rockies Initiative.	Donation <sup>2</sup>	0 \$0	
Project Description	<p>Craters of the Moon National Monument and Preserve (CRMO) protects 750,100 acres of National Park Service and BLM land in South Central Idaho and the southwestern corner of the High Divide Conservation Collaborative. CRMO is a member of the Pioneers Alliance, a coalition of ranchers, farmers, local residents, conservationists, agency officials and elected officials working together to accomplish common goals in Blaine and Butte counties. Conservation easements have been negotiated in both counties to protect the open spaces; the abundant wildlife; the access to the mountains, foothills, and desert; the agricultural way of life; and the small communities – and to build an economically, environmentally and socially sustainable future.</p> <p>The Pioneers Foothills encompasses intact shrub habitat and provides a migration corridor between the Pioneer Mountains, Sawtooth National Forest and CRMO. Pronghorn antelope migrate seasonally through the north end of CRMO from the Pioneer Mountains to the Birch Creek area approximately 100 miles each way. The project area is core habitat for greater sage-grouse. Over 40 greater sage-grouse leks have been monitored in the CRMO. A portion of the Oregon National Historic Trial (i.e., Jeffrey–Goodale Cutoff) is also within the project area. The Goodale's Cutoff of the Oregon Trail is a 230-mile spur headed north from Fort Hall toward Big Southern Butte, and then through the northern part of Craters of the Moon National Monument.</p> <p>The target properties are located in Blaine County near the community of Carey, Idaho, and have tremendous potential for rural residential development. In the last decade, many farms and ranches in the vicinity have been subdivided and developed. Recreation use within the areas is in high demand due to the magnitude of proposed development of the surrounding areas; thus changing and/or increasing the demand, type and intensity of recreational use. CRMO attracted 198,545 visitors during calendar year 2011, with visitors spending an estimated \$6,821,000, resulting in 81 jobs and a \$2,940,000 value added to local communities.</p>	Other	0 \$0	
O&M Cost		Estimated "start up" cost: \$500	Partners	72,529 \$42,330,200
			Proposed for FY2016	
			Purchase	1,783 \$1,315,000
			Pending Future Action	
		Pending	5,801 \$4,268,000	

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Panoche-Coalinga Area of Critical Environmental Concern

State: California <input type="checkbox"/>		County: Fresno, San Benito		Congressional District: 20 <input type="checkbox"/>		Priority:	
Location	Central California, approximately 70 miles south of San Jose.			Acquired to Date			
Purpose	Consolidate disbursed ownerships of public, state and private lands to provide landscape level connectivity for wildlife and the recovery of threatened and endangered (T&E) species.			<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>	
				Purchase	3,827	\$2,316,000	
				Exchange <sup>2</sup>	39,600	\$15,900,000	
				Donation <sup>2</sup>	40	\$28,000	
				Other	0	\$0	
				Partners	6,388	\$3,434,000	
Purchase Opportunities	Fee and conservation easement acquisition opportunities of multiple large acreage ranch properties threatened with commercial, industrial and residential development, mining, visual intrusion and loss of T&E species habitat.			Proposed for FY2016			
				Purchase	1,500	\$900,000	
				<i>Pending Future Action</i>			
	Pending	47,740	\$26,800,000				
Partner(s)	The Nature Conservancy.						
Cooperator(s)	National Park Service (NPS), U.S. Fish and Wildlife Service (USFWS), Bureau of Reclamation (BOR), California Department of Fish and Game, Westside Resource Conservation District, Rocky Mountain Elk Foundation, San Benito Resource Conservation District.						
Project Description	<p>The Panoche-Coalinga Area of Critical Environmental Concern (ACEC) lies along the western fringe of the northern San Joaquin Valley intermingled with overlapping resource designations including the Joaquin Rocks and Serpentine ACEC's, and the San Benito Mountain and Monvero Dunes Research Natural Areas. Within easy reach of the busy Interstate 5 corridor, these often-overlooked designations collectively conserve approximately 180,000 acres within a 300,000-acre mountainous setting. Buffered from urban influences these converging mountain ranges create a landscape of striking diversity in topography, soil type, and plant communities, presenting a unique opportunity for landscape conservation on a large scale. With most of the high country already in public ownership, a handful of strategic valley acquisitions would transform this patchwork of protected lands and secure it as one of the most productive biologic landscapes in California.</p> <p>The primary goal of the project is to implement the Recovery Plan for Upland Species of the San Joaquin Valley (USRP). Implementation would accomplish multiple recovery tasks listed in the plan, including endangered species connectivity and the potential to de-list several species, including the San Joaquin kit fox, blunt-nosed leopard lizard, and giant kangaroo rat, all Federally listed species. All three species occupy properties that have been identified by the U.S. Fish and Wildlife's Endangered Species Recovery Program as crucial stepping-stones for maintaining connectivity between the Panoche Valley core populations and these species to the south.</p> <p>Secondary project goals would protect the headwaters of several ecologically important drainages, conserve world-class paleontological resources, expand the range of an existing elk herd, improve public access and recreation, and preserve several pristine valleys that support core T&amp;E recovery populations identified in the USRP. The BOR and USFWS have committed \$4M over the next five years in support of land acquisitions to support T&amp;E recovery.</p>						
O&M Cost	Estimated "start up" cost:		\$50,000	Estimated "annual" maintenance:		\$10,000	

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Carrizo Plain National Monument

State: California <input type="checkbox"/>		County: Kern, San Luis Obispo		Congressional District: 22 <input type="checkbox"/>		Priority:	
Location	Central California, approximately 60 miles west of Bakersfield.			Acquired to Date			
Purpose	Acquire private inholdings within the Carrizo Plain National Monument to protect outstanding biological and cultural resource values and consolidate the landscape.			<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>	
Purchase Opportunities	Multiple properties facing immediate threat from commercial, industrial, rural residential and suburban development, and unregulated OHV use.			Purchase	95,040	\$22,635,500	
				Exchange <sup>2</sup>	20,376	\$3,224,552	
				Donation <sup>2</sup>	5,567	\$3,015,700	
				Other	0	\$0	
				Partners	11,400	\$2,929,000	
				Proposed for FY2016			
				Purchase	240	\$300,000	
				Pending Future Action			
				Pending	1,614	\$1,535,000	
Partner(s)	Resources Legacy Fund Foundation, Sequoia Rivers Land Trust.						
Cooperator(s)	Bureau of Reclamation, U.S. Fish and Wildlife Service, California Department of Fish and Game, Friends of Carrizo Plain, Southern Sierra Archeological Society, Carrizo Plain Native American Advisory Committee.						
Project Description	<p>The Carrizo Plain National Monument is a majestic 250,000-acre grassland and scenic mountainous preserve that contains the last remaining undeveloped remnant of the San Joaquin Valley ecosystem. As a result, it provides critical contiguous habitat for one of the largest assemblages of threatened and endangered species surviving on any public lands in the United States, including the blunt-nosed leopard lizard, San Joaquin kit fox, giant kangaroo rat, Kern primrose sphinx moth, longhorn fairy shrimp, vernal pool fairy shrimp, California jewelflower, San Joaquin wooly threads, and the San Joaquin antelope squirrel.</p> <p>Within the vast expanse of the Carrizo Plain lies Painted Rock, an important ceremonial site of the Chumash that rises majestically from the surrounding grassland. In addition, the Monument contains other world-class archaeological sites, which are part of a current nomination as a National Historic Landmark.</p> <p>Soda Lake, a glistening bed of white salt in the dry summer, and the largest alkali wetland remaining in Southern California, provides important habitat for migratory birds during the winter. Those interested in geology can see one of the most spectacular sections of the 800-mile long San Andreas Fault with its complex corrugated topography along the edge of the Plain.</p> <p>The Monument's diversity and proximity to over 20 million people living in Southern and Central California attracts over 75,000 visitors annually who come to enjoy a variety of recreational activities. Those stopping at the Goodwin Education Center or taking guided tours to Painted Rock or the San Andreas Fault, can share in the rich history of the Carrizo Plain and learn about its unique plant and animal life.</p>						
O&M Cost	Estimated "start up" cost:		\$5,000	Estimated "annual" maintenance:		\$1,000	

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Meadowood Special Recreation Management Area

State: Virginia	County: Fairfax	Congressional District: 8	Priority:																																	
Location	Northern Virginia, approximately 20 miles southwest of Washington, D.C.	<table border="1"> <thead> <tr> <th colspan="3">Acquired to Date</th> </tr> <tr> <th>Method</th> <th>Acres<sup>1</sup></th> <th>Cost</th> </tr> </thead> <tbody> <tr> <td>Purchase</td> <td>0</td> <td>\$0</td> </tr> <tr> <td>Exchange<sup>2</sup></td> <td>0</td> <td>\$0</td> </tr> <tr> <td>Donation<sup>2</sup></td> <td>802</td> <td>\$41,000,000</td> </tr> <tr> <td>Other</td> <td>0</td> <td>\$0</td> </tr> <tr> <td>Partners</td> <td>0</td> <td>\$0</td> </tr> <tr> <th colspan="3">Proposed for FY2016</th> </tr> <tr> <td>Purchase</td> <td>407</td> <td>\$2,400,000</td> </tr> <tr> <th colspan="3">Pending Future Action</th> </tr> <tr> <td>Pending</td> <td>22</td> <td>\$2,000,000</td> </tr> </tbody> </table>		Acquired to Date			Method	Acres <sup>1</sup>	Cost	Purchase	0	\$0	Exchange <sup>2</sup>	0	\$0	Donation <sup>2</sup>	802	\$41,000,000	Other	0	\$0	Partners	0	\$0	Proposed for FY2016			Purchase	407	\$2,400,000	Pending Future Action			Pending	22	\$2,000,000
Acquired to Date																																				
Method	Acres <sup>1</sup>	Cost																																		
Purchase	0	\$0																																		
Exchange <sup>2</sup>	0	\$0																																		
Donation <sup>2</sup>	802	\$41,000,000																																		
Other	0	\$0																																		
Partners	0	\$0																																		
Proposed for FY2016																																				
Purchase	407	\$2,400,000																																		
Pending Future Action																																				
Pending	22	\$2,000,000																																		
Purpose	Enhance public access to an extensive recreational trail network and strengthen aquatic and terrestrial habitat connectivity to and from Meadowood Special Recreation Management Area (SRMA) from neighboring conserved lands.																																			
Purchase Opportunities	Acquisition of these pivotal parcels from motivated willing sellers would consolidate resource management. The properties are potentially threatened with deforestation, rural residential development and other nonconforming uses.																																			
Partner(s)	Northern Virginia Conservation Trust.																																			
Cooperator(s)	U.S. Fish and Wildlife Service, Virginia Department of Conservation and Recreation, Northern Virginia Regional Park Authority, Fairfax County Department of Parks and Recreation, Chesapeake Conservancy, Audubon Society, Gunston Hall, Hands on the Land, Gunston Elementary School.																																			
Project Description	<p>Established in 2001 and managed by the BLM-Eastern States Office, the 802-acre Meadowood SRMA is a key component of the parks, refuges, and other preserves on the Mason Neck Peninsula that have been protected from encroaching urban development radiating south from metropolitan Washington, D.C. The landscape is a mosaic of gently sloping open meadows, mature hardwood forests, freshwater ponds, creeks, streams, and riparian wetlands.</p> <p>Two national trail segments pass through Meadowood SRMA, the Potomac Heritage National Scenic Trail and the Washington-Rochambeau Revolutionary Route National Historic Trail. These national trail segments help make up Meadowood's 15-mile, multiple-use trail system, which provides opportunities for hiking, running, mountain biking, and horseback riding. One universally accessible trail is incorporated within the trail system. The proposed acquisitions would permit BLM to significantly expand and enhance the existing trail system, conserve and restore strategic wetland and buffer areas and establish a defined boundary along Gunston Road. Additional day-use dispersed recreational activities at Meadowood include wildlife viewing, fishing, seasonal hunting, nature photography, geocaching, environmental education, and interpretation. The SRMA attracts over 22,000 annual recreational visitors and reaches over 700 area youth through a variety of educational and recreational programs including Hands on the Land and Take it Outside.</p> <p>The diverse Meadowood habitat supports a great variety of wildlife, including white-tailed deer, red fox, coyote, beaver, raccoons, hawks, eagles, reptiles, and amphibians. Home to 30 species of migratory songbirds, the SRMA lies within the National Audubon Society's Lower Potomac River Important Bird Area. Meadowood contains some of the best mature hardwood forest on the Mason Neck peninsula as well as less mature woodlands. Woody plants common to the woodlands, forests and forest edges at Meadowood include red and white oak, beech, sweet gum, Virginia pine, persimmon and paw paws. The trails at Meadowood pass through a wide variety of terrain and vegetation types, providing visitors with constantly changing seasonal experiences.</p>																																			
O&M Cost	Estimated "start up" cost:	\$100,000	Estimated "annual" maintenance: \$5,000																																	

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Nanjemoy National Resource Management Area

State: Maryland	County: Charles	Congressional District: 5	Priority:
Location	Southern Maryland, approximately 45 miles south of Washington, D.C.	Acquired to Date	
Purpose	Provide habitat connectivity and improve public access between State of Maryland (MD) conservation areas and BLM's Douglas Point Special Recreation Management Area (SRMA), all within the Nanjemoy National Resource Management Area (NRMA).	<b>Method</b>	<b>Acres<sup>1</sup></b>
Purchase Opportunities	Acquisition of multiple parcels from willing sellers would consolidate shared BLM/State of Maryland resource management. The properties are potentially threatened with mineral and rural residential development and other nonconforming uses.	Purchase	548
		Exchange <sup>2</sup>	0
		Donation <sup>2</sup>	0
		Other	24
		Partners	1,373
			\$2,708,216
			\$0
			\$0
			\$120,000
			\$6,785,000
		Proposed for FY2016	
		Purchase	42
			\$191,000
		Pending Future Action	
		Pending	5,505
			\$61,313,000
Partner(s)	The Nature Conservancy.		
Cooperator(s)	Maryland Department of Natural Resources (DNR), Charles County, Piscataway-Conoy tribe, Chesapeake Conservancy.		
Project Description	<p>Situated only one hour from Washington, D.C. on the tidal, lower Potomac River, the Nanjemoy Peninsula is one of the most ecologically and culturally significant landscapes remaining in the State of Maryland. Migratory waterfowl and wading birds find shelter and abound along ten miles of undisturbed shoreline, and an extensive network of wetlands and forests harbor some of Maryland's finest examples of rare and endangered plants and animals. Nanjemoy's outstanding natural attributes are equally matched by its archeological resources and history - early Native American sites in the region offer a rare insight into indigenous cultures prior to European settlement, the site of a 25,000-troop Civil War encampment and dozens of World War I-era sunken ship remains in Mallovs Bay. Two water-based national trails on the Potomac River pass to the east of Nanjemoy NRMA, the Captain John Smith Chesapeake National Historical Trail and the Star-Spangled Banner National Historic Trail. A two-mile segment of the Potomac Heritage National Scenic Trail loops through the area. Limiting development within the Nanjemoy NRMA will preserve the historic Potomac River viewshed associated with these trails.</p> <p>The State of Maryland manages several conservation areas within the Nanjemoy Peninsula, including Nanjemoy NRMA, Myrtle Grove Wildlife Management Area, Doncaster State Forest and Purse State Park. The BLM contributes to the Nanjemoy NRMA landscape through two "anchors", Douglas Point SRMA and Maryland Point.</p> <p>In September 2005, the State of Maryland DNR and the BLM approved a long-term land management plan for the Nanjemoy NRMA that provides guidance for the sustainable protection, use and future conservation of additional lands. The BLM and Maryland DNR are working together to establish habitat linkages between these conserved areas and the Potomac River, to enhance wildlife species viability, and protect cultural resources and watershed values.</p>		
O&M Cost	Estimated "start up" cost:	\$5,000	Estimated "annual" maintenance: \$5,000

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Cascade-Siskiyou National Monument

State: Oregon <input type="text"/>		County: Jackson		Congressional District: 2 <input type="text"/>		Priority: <input type="text"/>	
Location	Southwest Oregon, 11 miles southeast of Ashland.			Acquired to Date			
Purpose	Consolidate checkerboard land ownership pattern within the Monument to conserve and restore native and endemic plants and habitats within the greater Klamath-Cascade eco-region.			<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>	
				Purchase	10,319	\$13,589,684	
				Exchange <sup>2</sup>	0	\$0	
				Donation <sup>2</sup>	0	\$0	
				Other	147	\$66,500	
				Partners	0	\$0	
Purchase Opportunities	Acquisition of key parcels from willing sellers in order to increase the connectivity of protected Monument lands and biologic, geologic and hydrologic resources.			Proposed for FY2016			
				Purchase	2,289	\$2,600,000	
				<i>Pending Future Action</i>			
			Pending	10,578	\$10,736,000		
Partner(s)	The Conservation Fund, The Pacific Forest Trust.						
Cooperator(s)	The Wilderness Society, Rocky Mountain Elk Foundation, Pacific Crest Trail Association, Soda Mountain Wilderness Council, Friends of the Cascade-Siskiyou National Monument, Southern Oregon Lands Conservancy.						
Project Description	<p>Fir forests, oak groves, wildflower meadows and steep canyons make the 85,105-acre Cascade-Siskiyou National Monument (CSNM) an ecological wonder, with biological diversity unmatched in the Cascade Range. A tremendous variety of plants and animals make homes amidst the Monument's towering forests, sunlit groves, wildflower-strewn meadows, and steep canyons. The Monument is a bird sanctuary, with more than 200 species identified, including the Northern Spotted Owl, the Great Gray Owl, the Peregrine Falcon and the Willow Flycatcher.</p> <p>The properties proposed for acquisition include a mix of Douglas-fir, ponderosa pine, other conifers and oak species. They also contain alpine meadows supporting wildflowers including the rare Greene's Mariposa Lily. The parcels are bordered by BLM-identified Old Growth Emphasis and Diversity Emphasis Areas including Soda Mountain Wilderness, and provide important connectivity within the Monument's ecosystem. Several parcels make up the "land bridge" between the mountain systems and the Eco-regions. Multiple properties include cold-water springs containing rare and endemic snails. The CSNM provides habitat for three endemic bureau sensitive fish species: Jenny Creek suckers, the speckled dace and a long-isolated stock of redband trout. The lands support populations of white-headed woodpecker, western pond turtle and beaver.</p> <p>Several tracts include, abut, or are within the viewshed of a popular section of the 2,638-mile Pacific Crest National Scenic Trail (NST). The Pacific Crest NST acts as the "gateway" to the Monument from Interstate 5.</p>						
O&M Cost	Estimated "start up" cost:		\$15,000	Estimated "annual" maintenance:		\$5,000	

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Continental Divide National Scenic Trail

State: New Mexico <input type="checkbox"/>		County: Catron	Congressional District: 2 <input type="checkbox"/>	Priority:	
Location	East central New Mexico, approximately 50 miles south of Grants.		Acquired to Date		
Purpose	Provide permanent route for the Continental Divide NST, replacing a temporary highway routing. Protect the Alamocita Creek landscape and improve public access to Cibola National Forest.		<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>
			Purchase	0	\$0
			Exchange <sup>2</sup>	0	\$0
			Donation <sup>2</sup>	0	\$0
			Other	0	\$0
			Partners	0	\$0
Purchase Opportunities	Parcel faces threat from rural residential subdivision development. Currently available from a highly-motivated willing seller.		Proposed for FY2016		
			Purchase	5,227	\$2,300,000
			<i>Pending Future Action</i>		
		Pending	670	\$545,000	
Partner(s)	Rocky Mountain Elk Foundation, The Trust for Public Land.				
Cooperator(s)	U.S. Forest Service, New Mexico State Lands Office, New Mexico State Parks, New Mexico Department of Game and Fish, Catron County, Pueblo of Acoma, Continental Divide Trail Coalition, Backcountry Horsemen.				
Project Description	<p>The Continental Divide National Scenic Trail (CDNST), one of the crown jewels of the National Trails System, runs 3,100 miles between Canada and Mexico. It follows the Continental Divide of the Americas along the Rocky Mountains and traverses five U.S. states — Montana, Idaho, Wyoming, Colorado, and New Mexico. The trail is a combination of dedicated trails and small roads and is considered 70% complete. Portions designated as incomplete must be traveled by roadwalking on dirt or paved roads.</p> <p>Almost complete in New Mexico, the proposed acquisition would nearly close an existing gap and eliminate a 52-mile temporary route along state highway shoulders. The existing highway routing presents significant safety concerns and is inconsistent with the nature and purpose of the CDNST "to provide for a high-quality scenic, primitive hiking and horseback riding opportunity and to conserve natural, historic, and cultural resources along the CDNST corridor". The proposed rerouting is especially scenic and within the mostly undeveloped Alamocita Creek landscape. The proposed acquisition would offer a rare source of perennial water for CDNST users and cottonwood galleries providing shaded camping opportunities.</p> <p>The Alamocita Creek landscape would improve public access (especially for hunting) to the Cibola National Forest, an area with a significant elk population. The parcel contains eight miles of Alamocita Creek, providing riparian habitat for many species of wildlife. The area is known for cultural sites (including those highlighting early contact between native Americans and Europeans).</p> <p>Improving the tread and connectivity of the CDNST supports multiple America's Great Outdoors goals, including expanding access to public lands, providing high quality trail opportunities and creating youth oriented job and volunteer opportunities for underserved communities.</p>				
O&M Cost	Estimated "start up" cost:	\$5,000	Estimated "annual" maintenance:	\$5,000	

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### California Wilderness

State: California	County: Several	Congressional District:	Priority:	
Location	All of California.	Acquired to Date		
Purpose	Consolidate public ownership within designated wilderness to preserve wilderness character, and increase opportunities for the public to experience primitive recreation	<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>
		Purchase	162,400	\$32,215,000
		Exchange <sup>2</sup>	125,000	\$24,375,000
		Donation <sup>2</sup>	112,800	\$21,995,000
		Other	0	\$0
		Partners	0	\$0
Purchase Opportunities	Multiple properties facing immediate threat from commercial, industrial, rural residential and suburban development, and unregulated motorized recreational use.	Proposed for FY2016		
		Purchase	625	\$482,000
		Pending Future Action		
		Pending	204,400	\$153,368,000
Partner(s)	Friends of the Desert Mountains, Mojave Desert Land Trust, Wilderness Land Trust.			
Cooperator(s)	Resources Legacy Fund Foundation, The Wilderness Society, The California Wilderness Coalition, The Nature Conservancy, The Sierra Club, The Wildlands Conservancy, California State Lands Commission, California Native Plants Society, Pacific Crest Trail Association.			
Project Description	<p>There are 88 designated Wilderness areas encompassing over 3.9 million acres of public land in California. The first 69 Wilderness areas were designated in southern California with the passage of the California Desert Protection Act of 1994. Subsequently the Otay Mountain Wilderness Act, Big Sur Wilderness and Conservation Act of 2002, Northern California Coastal Wild Heritage Act of 2006, and most recently the Omnibus Public Lands Management Act of 2009 designated 19 additional Wilderness areas on BLM lands in California. These Wilderness areas stretch from the north coast of California to the peaks of the Sierra Nevada to lands along the Mexican border.</p> <p>Over 37 million people are now living in California and these Wilderness areas offer places of solitude where people can experience freedom from our fast-paced industrialized society. They are places where people can renew the human spirit through association with the natural world and offer a respite from the pressure of an ever increasing urban lifestyle.</p> <p>These Wilderness areas provide important habitat to a wide variety of animal and plant species, many threatened and endangered, and some Federally-listed species. There are six Wilderness areas that are transected by the 2,638-mile Pacific Crest National Scenic Trail, as well as seven Wilderness areas that are located adjacent to the Juan Bautista de Anza and Old Spanish National Historic Trails.</p>			
O&M Cost	Estimated "start up" cost:	\$10,000	Estimated "annual" maintenance:	\$5,000

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### North Umpqua National Wild and Scenic River

State: Oregon <input type="text"/>		County: Douglas		Congressional District: 4 <input type="text"/>		Priority: <input type="text"/>	
Location	Southwest Oregon, 22 miles east of Roseburg.			Acquired to Date			
Purpose	Acquire lands within the North Umpqua NWSR corridor to preserve and protect water quality and quantity benefitting wildlife, recreation, scenic and cultural resources. Preserve North Umpqua National Recreation Trail accessibility and quality.			<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>	
				Purchase	53	\$500,000	
				Exchange <sup>2</sup>	0	\$0	
				Donation <sup>2</sup>	0	\$0	
				Other	0	\$0	
Purchase Opportunities	Multiple parcels within the North Umpqua NWSR corridor face county divestment. Strong support from the local community and across Oregon for the BLM to secure perpetual ownership and guarantee public access.			Proposed for FY2016			
				Purchase	211	\$2,000,000	
				<i>Pending Future Action</i>			
			Pending	247	\$2,500,000		
Partner(s)	Western Rivers Conservancy.						
Cooperator(s)	Partnerships for Umpqua Rivers (formerly the Umpqua Watersheds Council), Wild Salmon Center, Pacific Rivers Council, River Network, International Mountain Biking Association.						
Project Description	<p>The unique, emerald-green waters of the North Umpqua National Wild and Scenic River (NWSR) originate high in the Cascade Mountains, near Crater Lake National Park. The river's reputation as a world-class steelhead stream and its famous emerald water results from the river's source being high enough in the Cascades to derive from snowmelt during the entire year. The melting snow is trapped in volcanic soil and pumice and released during the summer months, providing an even cool-temperature flow. The North Umpqua is one of two rivers in Oregon that flows directly from the Cascades to the Pacific Ocean.</p> <p>The North Umpqua National Recreation Trail parallels the North Umpqua for 80 miles. Over this distance the trail descends 5,000 vertical feet, propelling trail users on a journey through deep dark canyons and past waterfalls, volcanic rock cliffs and pristine, towering old growth forests. The trail affords public access to the North Umpqua's hidden holes and riffles offering challenges to fly-fishing anglers. The world renowned North Umpqua is known as one of the top ten fly fishing destinations in the world. Zane Grey, the famous author and sportsman maintained a camp along the North Umpqua in the 1930's and was a strong advocate for protection of the rivers fisheries. The trail is labeled as one of 59 "Epic Rides" in the world by the International Mountain Biking Association. Over 250,000 annual visitors experience the water quality and quantity, recreation, scenic, fish, wildlife and cultural values of the corridor. The corridor provides critical habitat for two federally threatened species, the Oregon Coast Coho Salmon and northern spotted owl as well as the American bald eagle, a BLM sensitive species.</p> <p>In addition to the NWSR designation, the proposed acquisition is within the Rogue-Umpqua National Scenic Byway, North Umpqua Special Recreation Management Area, and is designated an Oregon State Scenic Waterway. Acquisition of the parcel is imperative to protect the remarkable values of the corridor and to consolidate federal ownership. Recent timber clear cuts abutting the proposed acquisition threaten the unique values of the corridor.</p>						
O&M Cost	Estimated "start up" cost: <input type="text" value="\$10,000"/>		Estimated "annual" maintenance: <input type="text" value="\$5,000"/>				

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Colorado Riverway Special Recreation Management Area

State: Utah	County: Grand	Congressional District: 3	Priority:
Location	Southeastern Utah, 8 to 18 miles northwest of Moab.	Acquired to Date	
Purpose	Purchase inholdings within the Colorado Riverway Special Recreation Management Area (SRMA) to protect riparian and scenic resources, T&E species and habitat, and enhance recreation opportunities from uses inconsistent with management goals.	<b>Method</b>	<b>Acres<sup>1</sup></b>
Purchase Opportunities	Multiple inholding parcels are immediately available from highly-motivated willing sellers.	Purchase	1,116
		Exchange <sup>2</sup>	6,410
		Donation <sup>2</sup>	0
		Other	0
		Partners	0
		Proposed for FY2016	
		Purchase	1,280
		Pending Future Action	
		Pending	2,520
Partner(s)	The Nature Conservancy.		
Cooperator(s)	Town of Castle Valley, City of Moab, Utah Guides and Outfitters, Moab Area Travel Council, Utah Division of Wildlife Resources, Fort Lewis College, Moab Bird Club.		
Project Description	<p>The 90,000-acre Colorado Riverway SRMA is one of Utah's busiest recreation areas. Over 800,000 visitors annually enjoy the scenic and recreational opportunities offered within this area, including 60,000 visitors who float (many with local outfitters) the "daily" stretch of the Colorado River that flows through the SRMA. The river is an important economic asset to the local community, it supports many local river-running businesses. The SRMA contains nine developed boating access facilities, 22 campgrounds, eight non-motorized trailheads, and three trailheads used by both motorized and non-motorized users. The SRMA contains Moab's most popular hiking trails, including Corona Arch, Negro Bill Canyon and Fisher Towers (a National Recreation Trail), as well as several of the most popular rock climbing areas in southeastern Utah. The spectacular "red-rock" scenery afforded by the Colorado Riverway is the main draw for all of these activities. The SRMA also provides habitat for Federal T&amp;E and state listed sensitive species such as several native fish species, the Mexican spotted owl, Southwest Willow Flycatcher, and several types of plants.</p> <p>The BLM Moab Field Office has an ongoing program to acquire private parcels within the Colorado Riverway SRMA to protect scenic and recreational values. Past acquisitions were accomplished by both purchase and exchange. A recent legislatively mandated exchange with the Utah State School and Institutional Trust Lands Administration will add 21 formerly state parcels (surface and minerals) to the Colorado River SRMA.</p>		
O&M Cost	Estimated "start up" cost:	\$10,000	Estimated "annual" maintenance:
			\$2,000

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Rio Grande Natural Area (Brownie Hills)

State: Colorado <input type="text"/>		County: Costilla <input type="text"/>	Congressional District: 3 <input type="text"/>	Priority: <input type="text"/>	
Location	Southern Colorado, approximately 15 miles west of San Luis.		Acquired to Date		
Purpose	Expand public access, recreation opportunities and habitat restoration of threatened and endangered species within the the Congressionally-designated Rio Grande Natural Area.		<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>
			Purchase	0	\$0
			Exchange <sup>2</sup>	0	\$0
			Donation <sup>2</sup>	0	\$0
			Other	0	\$0
Purchase Opportunities	Western Rivers Conservancy has approached the San Luis Valley FO with an opportunity to facilitate transfer two parcels from a private land holder. Costilla County Commissioners are very supportive of expanding public lands in the county.		Partners		
			0		
			\$0		
			Proposed for FY2016		
			Purchase	17,880	\$3,850,000
			Pending Future Action		
			Pending	8,550	\$1,850,000
Partner(s)	Western Rivers Conservancy.				
Cooperator(s)	Costilla County, Colorado Division of Wildlife, Trout Unlimited, Rio Grande Headwaters Trust.				
Project Description	<p>The Rio Grande Natural Area (RGNA) was established in 2006 to conserve, restore, and protect the natural, historic, cultural, scientific, scenic, wildlife, and recreational resources of the 33-mile stretch of the Rio Grande between the southern end of the Alamosa National Wildlife Refuge and the Colorado-New Mexico state border (the northern end of the Rio Grande del Norte National Monument). The Brownie Hills acquisition lies partly within the Congressionally-designated boundaries of the RGNA and presents an exciting opportunity to introduce access to public lands to the residents of and visitors to Costilla County. Costilla County historically has had virtually no public land of any jurisdiction (local, state, or federal) because of its rich history as a land grant recognized by the United States under the Treaty of Guadalupe-Hidalgo. Almost two centuries later, Costilla County's elected and other civic leaders have expressed great interest in an acquisition that could permanently secure land for public use, conservation, and enjoyment.</p> <p>From a resource perspective, the Brownie Hills rise above the Rio Grande corridor, as the river begins to deepen into the Rio Grande Gorge. The river corridor passing the Brownie Hills and adjacent lands have been designated as critical habitat for the endangered Southwestern Willow Flycatcher, both lie within the U.S. Fish and Wildlife Service's Sangre de Cristo Conservation Area. The BLM has begun implementing habitat improvement projects in this corridor adjacent to the acquisition parcels. The Brownie Hills are valuable upland habitat for other wildlife, including mule deer, elk, and a population of Rocky Mountain Bighorn Sheep that have moved north from the Rio Grande Gorge. Less is known about the cultural resource values and sites that are in the acquisition parcels, but based on local knowledge and recorded site density in the remainder of the corridor, there is a strong expectation that conservation of these parcels will result in protection of substantial cultural resources. Bringing these lands under Federal management and implementing conservation programs will enable the efforts to restore a healthy river and riparian ecosystem by excluding unauthorized livestock, establishing appropriate river access points, and conducting rehabilitation projects where needed.</p>				
O&M Cost	Estimated "start up" cost: <input type="text"/>		Estimated "annual" maintenance: <input type="text"/>		

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### John Day National Wild and Scenic River

State: Oregon <input type="text"/>		County: Gilliam, Grant, Wasco		Congressional District: 2 <input type="text"/>		Priority: <input type="text"/>	
Location	North central Oregon, 95 miles southeast of Portland.			Acquired to Date			
Purpose	Conserve significant scenic, recreation, fisheries, wildlife, cultural, paleontological, and botanical values. Increase recreational access.			<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>	
				Purchase	11	\$40,000	
				Exchange <sup>2</sup>	0	\$0	
				Donation <sup>2</sup>	0	\$0	
				Other	0	\$0	
				Partners	0	\$0	
Purchase Opportunities	Multiple properties are threatened with commercial use, rural residential development and seasonal rural residential development.			Proposed for FY2016			
				Purchase	8,418	\$4,000,000	
				<i>Pending Future Action</i>			
	Pending	12,740	\$7,025,000				
Partner(s)	Western Rivers Conservancy.						
Cooperator(s)	Oregon Parks and Recreation Department, Oregon Department of Fish & Wildlife, Oregon Watershed Enhancement Board, Gilliam and Sherman Counties Soil and Water Conservation Districts, Lower John Day Working Group.						
Project Description	<p>The John Day River is the third longest free-flowing river in the contiguous United States. In 1988 Congress designated 147 of its 281 miles as the John Day National Wild and Scenic River (NWSR). The John Day is the Columbia Basin's most biologically diverse river system with the largest native fish populations in Oregon including Chinook salmon, Mid Columbia Steelhead and Bull Trout; both listed as Threatened. The system includes the mainstem and its North, Middle and South Forks and covers more than 500 river miles. The John Day and its tributaries have been identified as a salmon stronghold and key for recovery of important fish populations. The landscape also provides enhanced opportunities for bats, neo-tropical and resident birds, and dispersal territories for wide-ranging species like elk, mule deer and wolverine.</p> <p>An investment into the John Day will benefit important habitat and ensure public access to thousands of acres of public land for a diverse range of highly desirable recreation opportunities including hunting, fishing, camping, sight-seeing, nature study, photography and float boating. Every segment of the river offers a different experience. Vast expanses of wilderness and roadless areas provide remote, wild settings with great solitude and primitive conditions. These options can only be accessed by 5 to 7 day float trips; an experience not available within 100 miles of the area. Visitors can also experience day trips through a variety of spectacular scenic and rural settings.</p> <p>The landscape includes Spring Basin Wilderness, the North Pole Ridge and Thirty Mile Wilderness Study Areas (WSA), the John Day and South Fork John Day NWSR's, State Scenic Waterways, State Wildlife Management Areas along the lower mainstem and along the South Fork, and the John Day Fossil Beds National Monument.</p> <p>Historically, various Tribal groups used the region for root collecting, hunting, fishing and religious activities. These traditions continue today however, access for these traditional activities is an issue due to land ownership and geography.</p>						
O&M Cost	Estimated "start up" cost: <input type="text" value="\$20,000"/>		Estimated "annual" maintenance: <input type="text" value="\$5,000"/>				

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Madison River Special Recreation Management Area

State: Montana	County: Madison	Congressional District: 1	Priority:	
Location	Southwest Montana, 15 miles south of Ennis.	Acquired to Date		
Purpose	Conserve and enhance crucial habitat for species restoration, emphasizing open space and critical wildlife connectivity. Secure scenic, wildlife/plant resources and enhance recreational opportunities.	<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>
		Purchase	0	\$0
		Exchange <sup>2</sup>	0	\$0
		Donation <sup>2</sup>	0	\$0
		Other	0	\$0
		Partners	0	\$0
Purchase Opportunities	Inholding parcels available from highly-motivated willing sellers. The parcels face potential threat of rural residential and/or recreational development.	Proposed for FY2016		
		Purchase	3,350	\$8,300,000
		Pending Future Action		
		Pending	0	\$0
Partner(s)	The Rocky Mountain Elk Foundation, The Conservation Fund.			
Cooperator(s)	Montana Department of Fish, Wildlife & Parks (MFWP).			
Project Description	<p>The parcel identified for acquisition is within the Greater Yellowstone Ecosystem (GYE), the largest intact ecosystem in the lower 48 States. Within the GYE lies the legendary trout waters of the Madison River (originating in Yellowstone National Park) and the headwater tributaries of the Missouri River. It is here that its true character is revealed and its reputation as a world-renowned Blue Ribbon/Class 1 trout fishery harboring some of the largest rainbows and trophy browns is found. To the river's east, the Madison Range with its magnificent 10,000-foot peaks comprises the Lee Metcalf Wilderness; to the west are the vast timbered slopes of the Gravelly Range. The Madison Valley is a major migration corridor for big game, is a host to migratory birds and is part of the GYE (considered one of the nation's most intact ecologically functioning landscapes) with abundant populations of elk, antelope and deer. A significant elk herd (~ 2,000 animals) traverses the valley seasonally, wintering at the adjoining MFWP's Wall Creek Wildlife Management Area. The valley provides secure core habitat for connectivity and dispersal, as wide-ranging grizzlies, wolverine and wolves expand their range outward from the Greater Yellowstone landscape.</p> <p>The property adjoins BLM lands managed within the Madison River Special Recreation Management Area, as well as MFWP, State Trust Lands, and private lands under conservation easements, linking hundreds of thousands of protected acres. The property includes aquatic features such as 350 acres of wetlands, numerous ponds, and two miles of the Madison River. The river and ponds on the project provide foraging, nesting, and migration habitat for a variety of resident and migratory birds. Trumpeter Swans have been breeding on these ponds. Protecting the area from future development will aid in preserving this condition, maintaining critical wildlife connectivity and transitional habitat while increasing resiliency to the effects of climate change. Addition of the project lands will also greatly enhance access to the river expanding public recreational opportunities.</p>			
O&M Cost	Estimated "start up" cost:	\$20,000	Estimated "annual" maintenance:	\$5,000

1 Includes fee and conservation easement interest  
2 For donation and exchange "cost" = "value"

### Thousand Springs Area of Critical Environmental Concern

State: Idaho	County: Custer	Congressional District: 2	Priority:	
Location	Central Idaho, approximately 100 miles west of Idaho Falls.	Acquired to Date		
Purpose	Conservation & enhancement of one of Idaho's significant wildlife corridors & habitat areas lying at the base of the state's highest mountain range. Crucial wetland adjacent to sage-brush steppe habitat.	<b>Method</b>	<b>Acres<sup>1</sup></b>	
Purchase Opportunities	Private property within the area is for sale and has been subdivided threatening migratory birds, sensitive species habitat including year-round sage-grouse use, visual resources, cultural sites, & recreation.	Purchase	0 \$0	
Partner(s)	Lemhi Regional Land Trust, The Conservation Fund.	Exchange <sup>2</sup>	0 \$0	
Cooperator(s)	Idaho Department of Fish and Game (IDFG), The Nature Conservancy, Ducks Unlimited, Rocky Mountain Elk Foundation, Idaho State Historic Preservation Office, Heart of the Rockies Initiative.	Donation <sup>2</sup>	0 \$0	
Project Description	<p>The Thousand Springs/Chilly Slough area is one of the few remaining examples of natural, high desert, spring-fed wetlands. Winter snows melt, gather along a range-front fault and feed thousands of springs to this area. It is the largest wetland in east-central Idaho and is managed jointly by the BLM and the Idaho Fish and Game.</p> <p>Acquisition of the private parcels are crucial because it encompass the headwaters of the Thousand Springs/Chilly Slough wetlands. Land administered by BLM within the Thousand Springs/Chilly Slough wetlands is designated an ACEC and is valued for its diversity of wildlife that use it. The Zollinger parcel falls within the boundary delineated in the BLM Thousand Springs/Chilly Slough Habitat Management Plan. Acquisition will assure protection of this wildlife migration corridor and year-round habitat. Currently, the Chilly Slough Wetland Conservation Area protects almost 2,000 acres (BLM has acquired 1,028 acres and IDFG has acquired 918 acres) in public ownership. The 1999 BLM Resource Management Plan for this area allows for the creation of a wetlands management area of approximately 4,400 acres.</p> <p>One hundred and seventy three wildlife species are known to use Thousand Springs/Chilly Slough wetlands with 113 of those being birds. These wetlands hold a high importance for migratory birds for a refueling spot during their annual migration. The riparian edge and adjacent sage-brush steppe habitat have shown to be important to sage-grouse throughout the year. Numerous historic and prehistoric archeological sites are present in and around the wetlands, and it is highly probable that other prehistoric and historic sites are located within these parcels; one prehistoric site is already known to exist on these private lands proposed for purchase. The Shoshone-Bannock Tribes have expressed interest in using this area for the practice of treaty-reserved rights. Recreational opportunities would include bird watching, hiking, fishing, canoeing, and historical education. Acquisition of this land through fee purchase would help to provide additional access to the wetlands, as well as, provide connectivity between publicly managed lands for wildlife conservation.</p>	Other	1,028 \$1,750,000	
O&M Cost		Estimated "start up" cost: \$2,000	Partners	918 \$1,560,600
			Proposed for FY2016	
			Purchase	120 \$200,000
			Pending Future Action	
		Pending	1,100 \$1,700,000	
Estimated "annual" maintenance: \$1,000				

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Henrys Lake Area of Critical Environmental Concern

State: Idaho	County: Fremont	Congressional District: 2	Priority:
Location	Southeast Idaho, 14 miles west of Yellowstone National Park.	Acquired to Date	
Purpose	Further a conservation easement purchase program to conserve working ranch land, open spaces, wetlands, and wildlife habitat for recreation.	<b>Method</b>	<b>Acres<sup>1</sup></b>
Purchase Opportunities	Excellent opportunities to protect remaining ranch lands from residential summer home development by providing a significant economic incentive to keep these ranch properties intact.	Purchase	2,076
Partner(s)	The Nature Conservancy.	Exchange <sup>2</sup>	383
Cooperator(s)	The Conservation Fund, Teton Regional Land Trust, Idaho Department of Fish & Game, Caribou-Targhee National Forest, Henrys Fork Legacy Project, Greater Yellowstone Coalition, Henrys Fork Foundation, Heart of the Rockies Initiative.	Donation <sup>2</sup>	0
Project Description	On the western doorstep of Yellowstone National Park and surrounded by the Continental Divide, the 35,875-acre Henrys Lake Area of Critical Environmental Concern's exceptional aesthetic and wildlife values have been an attraction to generations of Americans who have fished, hiked, hunted, skied and snowmobiled here. The area offers high quality open space, rangeland, streams, wetlands, and wildlife and fish resources to the approximately 4,000,000 annual visitors who pass through the project area. Large carnivores such as grizzly bears and wolverines, antelope, elk, moose, and mule deer utilize the region for summer/winter range and as a migratory corridor connecting summer range in Yellowstone National Park with winter range in Idaho and Montana.  The vast wet meadows support large concentration of long billed curlews and sandhill cranes. The world-renowned Henrys Lake fishery is the last stronghold in the Henrys Fork basin for the Yellowstone cutthroat trout. White spruce/aspen forested wetlands on the east and north shores of the lake are globally rare and found nowhere else in the continental United States. Chief Joseph led his Nez Perce tribe through the basin on his failed flight to Canada, their journey now evidenced by the Nez Perce National Historic Trail. The Continental Divide National Scenic Trail rings the project area to the west and north.  Working ranches in the area provide valuable summer range for cattle operations based throughout Idaho, contributing an important economic base for ranching families. Diverse recreation, attracted to the basin's natural open space, provides a critical economic base to the local communities. To compensate for agricultural revenue shortfalls and to meet estate tax commitments, an increasing amount of these productive lands are being lost to second home and resort development, sacrificing the natural amenities of open space and wildlife, which originally attracted recreational development. This landscape is literally being "loved to death".	Other	597
O&M Cost	Estimated "start up" cost: \$2,000	Partners	2,791
	Estimated "annual" maintenance: \$2,000	Proposed for FY2016	
		Purchase	197
		Pending Future Action	
		Pending	5,565

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### California Wilderness

State: California	County: Several	Congressional District:	Priority:
Location	All of California.	Acquired to Date	
Purpose	Consolidate public ownership within designated wilderness to preserve wilderness character, and increase opportunities for the public to experience primitive recreation	<b>Method</b>	<b>Acres<sup>1</sup></b>
Purchase Opportunities		Purchase	162,400
		Exchange <sup>2</sup>	125,000
		Donation <sup>2</sup>	112,800
		Other	0
		Partners	0
			Proposed for FY2016
		Purchase	3,100
		Pending Future Action	
		Pending	201,925
			\$151,371,000
Partner(s)	Friends of the Desert Mountains, Mojave Desert Land Trust, Wilderness Land Trust.		
Cooperator(s)	Resources Legacy Fund Foundation, The Wilderness Society, The California Wilderness Coalition, The Nature Conservancy, The Sierra Club, The Wildlands Conservancy, California State Lands Commission, California Native Plants Society, Pacific Crest Trail Association.		
Project Description	<p>There are 88 designated Wilderness areas encompassing over 3.9 million acres of public land in California. The first 69 Wilderness areas were designated in southern California with the passage of the California Desert Protection Act of 1994. Subsequently the Otay Mountain Wilderness Act, Big Sur Wilderness and Conservation Act of 2002, Northern California Coastal Wild Heritage Act of 2006, and most recently the Omnibus Public Lands Management Act of 2009 designated 19 additional Wilderness areas on BLM lands in California. These Wilderness areas stretch from the north coast of California to the peaks of the Sierra Nevada to lands along the Mexican border.</p> <p>Over 37 million people are now living in California and these Wilderness areas offer places of solitude where people can experience freedom from our fast-paced industrialized society. They are places where people can renew the human spirit through association with the natural world and offer a respite from the pressure of an ever increasing urban lifestyle.</p> <p>These Wilderness areas provide important habitat to a wide variety of animal and plant species, many threatened and endangered, and some Federally-listed species. There are six Wilderness areas that are transected by the 2,638-mile Pacific Crest National Scenic Trail, as well as seven Wilderness areas that are located adjacent to the Juan Bautista de Anza and Old Spanish National Historic Trails.</p>		
O&M Cost	Estimated "start up" cost:	\$10,000	Estimated "annual" maintenance:
			\$5,000

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Nanjemoy National Resource Management Area

State: Maryland	County: Charles	Congressional District: 5	Priority:
Location	Southern Maryland, approximately 45 miles south of Washington, D.C.	Acquired to Date	
Purpose	Provide habitat connectivity and improve public access between State of Maryland (MD) conservation areas and BLM's Douglas Point Special Recreation Management Area (SRMA), all within the Nanjemoy National Resource Management Area (NRMA).	<b>Method</b>	<b>Acres<sup>1</sup></b>
Purchase Opportunities	Acquisition of a parcels from willing sellers would consolidate shared BLM/State of Maryland resource management. The properties are potentially threatened with mineral and rural residential development and other nonconforming uses.	Purchase	548
		Exchange <sup>2</sup>	0
		Donation <sup>2</sup>	0
		Other	24
		Partners	1,373
		Proposed for FY2016	
		Purchase	25
		Pending Future Action	
		Pending	5,522
Partner(s)	The Nature Conservancy.		
Cooperator(s)	Maryland Department of Natural Resources (DNR), Charles County, Piscataway-Conoy tribe, Chesapeake Conservancy.		
Project Description	<p>Situated only one hour from Washington, D.C. on the tidal, lower Potomac River, the Nanjemoy Peninsula is one of the most ecologically and culturally significant landscapes remaining in the State of Maryland. Migratory waterfowl and wading birds find shelter and abound along ten miles of undisturbed shoreline, and an extensive network of wetlands and forests harbor some of Maryland's finest examples of rare and endangered plants and animals. Nanjemoy's outstanding natural attributes are equally matched by its archeological resources and history - early Native American sites in the region offer a rare insight into indigenous cultures prior to European settlement, the site of a 25,000-troop Civil War encampment and dozens of World War I-era sunken ship remains in Mallows Bay. Two water-based national trails on the Potomac River pass to the east of Nanjemoy NRMA, the Captain John Smith Chesapeake National Historical Trail and the Star-Spangled Banner National Historic Trail. A two-mile segment of the Potomac Heritage National Scenic Trail loops through the area. Limiting development within the Nanjemoy NRMA will preserve the historic Potomac River viewshed associated with these trails.</p> <p>The State of Maryland manages several conservation areas within the Nanjemoy Peninsula, including Nanjemoy NRMA, Myrtle Grove Wildlife Management Area, Doncaster State Forest and Purse State Park. The BLM contributes to the Nanjemoy NRMA landscape through two "anchors", Douglas Point SRMA and Maryland Point.</p> <p>In September 2005, the State of Maryland DNR and the BLM approved a long-term land management plan for the Nanjemoy NRMA that provides guidance for the sustainable protection, use and future conservation of additional lands. The BLM and Maryland DNR are working together to establish habitat linkages between these conserved areas and the Potomac River, to enhance wildlife species viability, and protect cultural resources and watershed values.</p>		
O&M Cost	Estimated "start up" cost:	\$5,000	Estimated "annual" maintenance:
			\$5,000

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Panoche-Coalinga Area of Critical Environmental Concern

State: California <input type="text"/>		County: Fresno, San Benito		Congressional District: 20 <input type="text"/>		Priority: <input type="text"/>	
Location	Central California, approximately 70 miles south of San Jose.			Acquired to Date			
Purpose	Consolidate disbursed ownerships of public, state and private lands to provide landscape level connectivity for wildlife and the recovery of threatened and endangered (T&E) species.			<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>	
				Purchase	3,827	\$2,316,000	
				Exchange <sup>2</sup>	39,600	\$15,900,000	
				Donation <sup>2</sup>	40	\$28,000	
				Other	0	\$0	
				Partners	6,388	\$3,434,000	
Purchase Opportunities	Fee and conservation easement acquisition opportunities of multiple large acreage ranch properties threatened with commercial, industrial and residential development, mining, visual intrusion and loss of T&E species habitat.			Proposed for FY2016			
				Purchase	5,460	\$3,800,000	
				<i>Pending Future Action</i>			
	Pending	43,780	\$23,900,000				
Partner(s)	The Nature Conservancy.						
Cooperator(s)	National Park Service (NPS), U.S. Fish and Wildlife Service (USFWS), Bureau of Reclamation (BOR), California Department of Fish and Game, Westside Resource Conservation District, Rocky Mountain Elk Foundation, San Benito Resource Conservation District.						
Project Description	<p>The Panoche-Coalinga Area of Critical Environmental Concern (ACEC) lies along the western fringe of the northern San Joaquin Valley intermingled with overlapping resource designations including the Joaquin Rocks and Serpentine ACEC's, and the San Benito Mountain and Monvero Dunes Research Natural Areas. Within easy reach of the busy Interstate 5 corridor, these often-overlooked designations collectively conserve approximately 180,000 acres within a 300,000-acre mountainous setting. Buffered from urban influences these converging mountain ranges create a landscape of striking diversity in topography, soil type, and plant communities, presenting a unique opportunity for landscape conservation on a large scale. With most of the high country already in public ownership, a handful of strategic valley acquisitions would transform this patchwork of protected lands and secure it as one of the most productive biologic landscapes in California.</p> <p>The primary goal of the project is to implement the Recovery Plan for Upland Species of the San Joaquin Valley (USRP). Implementation would accomplish multiple recovery tasks listed in the plan, including endangered species connectivity and the potential to de-list several species, including the San Joaquin kit fox, blunt-nosed leopard lizard, and giant kangaroo rat, all Federally listed species. All three species occupy properties that have been identified by the U.S. Fish and Wildlife's Endangered Species Recovery Program as crucial stepping-stones for maintaining connectivity between the Panoche Valley core populations and these species to the south.</p> <p>Secondary project goals would protect the headwaters of several ecologically important drainages, conserve world-class paleontological resources, expand the range of an existing elk herd, improve public access and recreation, and preserve several pristine valleys that support core T&amp;E recovery populations identified in the USRP. The BOR and USFWS have committed \$4M over the next five years in support of land acquisitions to support T&amp;E recovery.</p>						
O&M Cost	Estimated "start up" cost:		\$50,000	Estimated "annual" maintenance:		\$10,000	

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"



### Agua Fria National Monument

State: Arizona	County: Yavapai	Congressional District: 2	Priority:
Location	Central Arizona; 40 miles north of the Phoenix metropolitan area.	<b>Acquired to Date</b>	
Purpose	To enhance management efficiency and preservation of Monument values and objects, including open space, a flowing stream, riparian habitat, recreation opportunities, and cultural resources.	<b>Method</b>	<b>Acres<sup>1</sup></b>
Purchase Opportunities	The Cross Y Ranch property is a significant Monument inholding, and is available from a willing seller. The parcel is highly threatened by rural residential development.	Purchase	0
		Exchange <sup>2</sup>	60,000
		Donation <sup>2</sup>	0
		Other	0
		Partners	199
		<b>Proposed for FY2016</b>	
		Purchase	621
		<i>Pending Future Action</i>	
		Pending	655
Partner(s)	The Conservation Fund.		
Cooperator(s)	Arizona Game and Fish Department, U.S. Forest Service, Friends of the Agua Fria. There is strong community and user group support.		
Project Description	<p>The 71,000-acre Agua Fria National Monument contains one of the most significant complexes of late prehistoric pueblo settlement sites in the American Southwest. The Monument encases many significant archaeological sites, including distinctive rock art, settlements, stone pueblos and clusters of pueblos and forts, all amid visually spectacular settings. There is an extraordinary array of biological and scientific resources, including riparian areas, upland high-desert grasslands, year-round flowing streams, and a 21-mile segment of the Agua Fria River. This segment of the Agua Fria River is proposed for designation as a National Wild and Scenic River.</p> <p>This proposal represents the second of a two phase attempt to acquire the entire 701 acre property. The first phase of the property acquisition plan will be completed in FY2014. The property proposed for FY 2016 acquisition is comprised of a Monument inholding totaling approximately 621 acres.</p> <p>The Cross Y Ranch property includes more than a mile of Agua Fria River riparian habitat, and a substantial number of water rights. This stretch of the Agua Fria River is habitat for several endangered and State and Bureau sensitive species including but not limited to: Gila Chub, Gila Topminnow, Longfin Dace, Speckled Dace, Lowland Leopard Frog, Gila Monster, Yellow-billed Cuckoo, and Zone-tailed Hawk. The upland portions of the property encompass numerous pueblo ruins, rock art sites, and artifact scatters. The property is highly scenic and includes dense stands of saguaro cacti, and other rare plant species. Acquisition would contribute to maintaining connectedness and resource integrity of important grassland habitat types as part of the Central Arizona Grasslands Strategy. The Cross Y Ranch acquisition is a high BLM priority due to its natural resource values, new public access opportunities, water rights, and the proximity to the Phoenix metropolitan area.</p>		
O&M Cost	Estimated "start up" cost:	\$10,000	Estimated "annual" maintenance: \$5,000

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Lathrop Bayou Habitat Management Area

State: Florida	County: Bay	Congressional District: 2	Priority:	
Location	Western Florida, 25 miles east of Panama City.	Acquired to Date		
Purpose	Protect habitat for the endangered red-cockaded woodpecker (RCW) and preserve the longleaf pine ecosystem from rural residential subdivision.	<b>Method</b>	<b>Acres<sup>1</sup></b>	
Purchase Opportunities	The property is currently available from a willing seller. Acquisition of the parcel would provide an opportunity to consolidate land ownership and further the protection of the RCW and longleaf pine ecosystem.	Purchase	0 \$0	
Partner(s)	The Nature Conservancy.	Exchange <sup>2</sup>	0 \$0	
Cooperator(s)	U.S. Fish and Wildlife Service, U.S. Forest Service, Department of Defense, St. Joe Timberland, Genecov Group, State of Florida.	Donation <sup>2</sup>	0 \$0	
Project Description	<p>At the 189-acre Lathrop Bayou Habitat Management Area (HMA), BLM is working with private landowners to manage a relic longleaf pine forest which supports breeding red-cockaded woodpeckers (RCW) and 13 Federally and State listed-plant species. Prescribed burns and careful hand thinning of encroaching slash pine is improving habitat for these species.</p> <p>The federally endangered RCW is the keystone species of the longleaf pine ecosystem. Over the last 100 years agricultural conversion of forested lands, timber product harvesting, commercial, industrial, and rural residential development, and periodic infestations have significantly impacted the longleaf pine ecosystem. Once encompassing up to 98 million acres in the southeastern United States, forested lands now number approximately 3 million acres, much of it in poor condition. The St. Marks National Wildlife Refuge and Apalachicola National Forest have been working cooperatively for more than 30 years to recover the RCW &amp; restore the ecosystem. The partnership expanded to Okefenokee National Wildlife Refuge, Osceola National Forest and Lathrop Bayou HMA during the last 20 years to dramatically grow the RCW populations and promote the recovery of the longleaf pine ecosystem through the RCW Southern Range Translocation Cooperative.</p> <p>In October 2007, nineteen artificial cavities were installed at Lathrop Bayou to provide additional nesting and roosting opportunities for the red-cockaded woodpeckers.</p> <p>The BLM's Southeastern States Resource Management Plan designates the Lathrop Bayou HMA as an Area of Critical Environmental Concern. Acquisition of these lands would allow BLM to effectively manage the area to maintain and increase the population of the endangered RCW and conserve the longleaf pine ecosystem.</p>	Other	0 \$0	
O&M Cost		Estimated "start up" cost:	Partners	0 \$0
		\$5,000	Proposed for FY2016	
			Purchase	206 \$412,000
		Pending Future Action		
		Pending	0 \$0	
		Estimated "annual" maintenance: \$1,500		

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

**Santa Clara River/Land Hill Area of Critical Environmental Concern**

State: Utah	County: Washington	Congressional District: 2	Priority:
Location	Southwest Utah, 6 miles northwest of St. George.	Acquired to Date	
Purpose	Consolidate ownership in the Santa Clara River/Land Hill ACEC to complete and provide public access to an established public trail system, protect cultural resources, and improve critical riparian habitat for Federally-listed species.	<b>Method</b>	<b>Acres<sup>1</sup></b>
Purchase Opportunities	Multiple parcels are available for immediate purchase from highly motivated willing sellers.	Purchase	0 \$0
		Exchange <sup>2</sup>	0 \$0
		Donation <sup>2</sup>	0 \$0
		Other	0 \$0
		Partners	0 \$0
		Proposed for FY2016	
		Purchase	158 \$1,900,000
		Pending Future Action	
		Pending	0 \$0
Partner(s)	The Trust for Public Land.		
Cooperator(s)	Shivwits Band of Paiute Indians, Cities of Ivins and Santa Clara, Virgin River Recovery Program, Washington County Water Conservancy District.		
Project Description	<p>Lands along the lower reaches of the Santa Clara River and bordering Land Hill are rich with prehistoric Ancestral Puebloan sites, Southern Paiute sites, and extensive prehistoric rock art sites. The Santa Clara River supports essential riparian resources rare in this Mojave Desert environment, providing important habitat for the Southwest willow flycatcher and Dwarf Bearclaw poppy (both endangered), and Virgin spinedace, Holmgren milkvetch and Western Yellow-billed cuckoo. A consolidated block of public land, bordered by the Paiute Indian Reservation to the west and the Cities of Ivins and Santa Clara to the east, provides important open space, recreational, and educational opportunities to the rapidly growing city of St. George and surrounding communities.</p> <p>Recognizing the need for special protection of these important resources from looting, vandalism, target shooting, motorized use, illegal dumping, and development; 1,645 acres were designated as the Santa Clara River/Land Hill ACEC in 1999. The ACEC forms part of a larger 6,500-acre block of public land known as the Santa Clara River Reserve (SCCR), which is managed in partnership with Ivins and Santa Clara for community-based recreation. A 2005 Recreation and Open Space Master Plan guides the management of the SCCR to ensure protection of the historical, ecological and recreational and open space values that are important to the communities. The SCCR offers over 35 miles of hiking, biking, and equestrian trails to 50,000 annual visitors to witness rare cultural sites, riparian areas, and scenic vistas. Four trail-heads with parking areas, kiosks and visitor amenities have been constructed with the assistance of these community partnerships.</p> <p>The SCCR is entirely public land except for three contiguous parcels in the center of the ACEC spanning the river corridor. The parcels identified for purchase include critical riparian habitat, an established river trail, and access across the river. The three owners are highly supportive of the SCCR and have allowed public access on their property, but have recently raised concerns with safety and increased public use of their property. Acquiring these key parcels would ensure continued access to a primary SCCR trail and enhance resource protection.</p>		
O&M Cost	Estimated "start up" cost:	\$5,000	Estimated "annual" maintenance: \$5,000

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### John Day National Wild and Scenic River South Fork John Day National Wild and Scenic River

State: Oregon <input type="text"/>		County: Gilliam, Grant, Wasco		Congressional District: 2 <input type="text"/>		Priority: <input type="text"/>	
Location	North central Oregon, 95 to 150 miles southeast of Portland.			Acquired to Date			
Purpose	Conserve significant scenic, recreation, fisheries, wildlife, cultural, paleontological, and botanical values. Increase recreational access.			<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>	
				Purchase	11	\$40,000	
				Exchange <sup>2</sup>	0	\$0	
				Donation <sup>2</sup>	0	\$0	
				Other	0	\$0	
Purchase Opportunities	Multiple properties are threatened with commercial use, rural residential development and seasonal rural residential development.			Proposed for FY2016			
				Purchase	11,327	\$7,075,000	
				<i>Pending Future Action</i>			
			Pending	8,530	\$4,450,000		
Partner(s)	Western Rivers Conservancy.						
Cooperator(s)	Oregon Parks and Recreation Department, Oregon Department of Fish & Wildlife, Oregon Watershed Enhancement Board, Gilliam and Sherman Counties Soil and Water Conservation Districts, Lower John Day Working Group.						
Project Description	<p>The John Day River is the third longest free-flowing river in the contiguous United States. In 1988 Congress designated 147 of its 281 miles as the John Day National Wild and Scenic River (NWSR). The John Day is the Columbia Basin's most biologically diverse river system with the largest native fish populations in Oregon including Chinook salmon, Mid Columbia Steelhead and Bull Trout; both listed as Threatened. The system includes the mainstem and its North, Middle and South Forks and covers more than 500 river miles. The John Day and its tributaries have been identified as a salmon stronghold and key for recovery of important fish populations. The landscape also provides enhanced opportunities for bats, neo-tropical and resident birds, and dispersal territories for wide-ranging species like elk, mule deer and wolverine.</p> <p>An investment into the John Day will benefit important habitat and ensure public access to thousands of acres of public land for a diverse range of highly desirable recreation opportunities including hunting, fishing, camping, sight-seeing, nature study, photography and float boating. Every segment of the river offers a different experience. Vast expanses of wilderness and roadless areas provide remote, wild settings with great solitude and primitive conditions. These options can only be accessed by 5 to 7 day float trips; an experience not available within 100 miles of the area. Visitors can also experience day trips through a variety of spectacular scenic and rural settings.</p> <p>The landscape includes Spring Basin Wilderness, the North Pole Ridge and Thirty Mile Wilderness Study Areas (WSA), the John Day and South Fork John Day NWSR's, State Scenic Waterways, State Wildlife Management Areas along the lower mainstem and along the South Fork, and the John Day Fossil Beds National Monument.</p> <p>Historically, various Tribal groups used the region for root collecting, hunting, fishing and religious activities. These traditions continue today however, access for these traditional activities is an issue due to land ownership and geography.</p>						
O&M Cost	Estimated "start up" cost:		\$20,000	Estimated "annual" maintenance:		\$5,000	

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### Sandy River Area of Critical Environmental Concern Oregon National Historic Trail

State: Oregon	County: Clackamas, Multnomah	Congressional District: 3	Priority:
Location	Northwest Oregon, 20 miles southeast of Portland.	Acquired to Date	
Purpose	Preservation of the Sandy/Salmon River gorge and interwoven Oregon National Historic Trail corridor, providing for the protection of open space, scenic, recreation, fisheries and wildlife values. Improve public recreational access to the river corridor.	<b>Method</b>	<b>Acres<sup>1</sup></b>
Purchase Opportunities	Multiple properties facing immediate threat from commercial and rural residential development and subdivision, and degrading land use practices.	Purchase	3,150
		Exchange <sup>2</sup>	3,548
		Donation <sup>2</sup>	0
		Other	0
		Partners	1,500
		Proposed for FY2016	
		Purchase	100
		Pending Future Action	
		Pending	577
Partner(s)	Western Rivers Conservancy.		
Cooperator(s)	U.S. Forest Service, State of Oregon, Clackamas and Multnomah Counties, METRO (regional government body), Cities of Portland and Sandy, Portland General Electric (PGE), The Nature Conservancy, Northwest Steelheaders, Oregon Trout, Sand River Watershed.		
Project Description	<p>A breath-taking scenic corridor immediately east of metropolitan Portland, the Sandy and Salmon Rivers descend from the forested slopes of Mount Hood, harboring a rich diversity of animal and plant populations, within secluded riparian and wetland areas. Multiple threatened salmonid species, including Lower Columbia Chinook and Coho salmon and Steelhead use these turbulent waters for spawning and rearing their young before returning to the Pacific Ocean via the Columbia River. Old growth stands of Douglas fir contain prime habitat for the threatened northern spotted owl.</p> <p>The 29,000-acre Sandy River Area of Critical Environmental Concern (ACEC) project offers exceptional recreational opportunities for fishing, hiking, wildlife viewing, nature study, and non-motorized boating or floating. The project is easily accessible from the Portland metro area, the Northwest's second largest population center. Within the project area is the route of the historic Barlow Trail, the western segment of the Oregon National Scenic Trail. The project shares a common boundary with the Salmon-Huckleberry Wilderness, administered by the U.S. Forest Service.</p> <p>PGE recently completed removal of their Bull Run hydroelectric project, including dams on both the Sandy and Little Sandy Rivers. Dam removal has restored the free flowing character of the Sandy River. Numerous projects designed to improve public access and enhance and restore habitat for listed species have been undertaken by the BLM and its partners on and adjacent to recently acquired parcels within the project area.</p>		
O&M Cost	Estimated "start up" cost:	\$5,000	Estimated "annual" maintenance: \$1,500

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

### North Cow Mountain Recreation Area

State: California <input type="text"/>		County: Lake, Mendocino		Congressional District: 1 <input type="text"/>		Priority: <input type="text"/>	
Location	Northern California, approximately 15 miles east of Ukiah.			Acquired to Date			
Purpose	Acquire lands to facilitate public access in the North Cow Mountain Recreation Area to increase public recreation (non-motorized trails, camping, fishing and hunting), and better consolidate lands for effective management.			<b>Method</b>	<b>Acres<sup>1</sup></b>	<b>Cost</b>	
				Purchase	580	\$415,000	
				Exchange <sup>2</sup>	0	\$0	
				Donation <sup>2</sup>	0	\$0	
				Other	0	\$0	
Purchase Opportunities	Land acquisition would provide public access and development of 17 miles of new trails, as well as camping, fishing and hunting opportunities.			Proposed for FY2016			
				Purchase	880	\$3,250,000	
				<i>Pending Future Action</i>			
		Pending	560	\$2,000,000			
Partner(s)	Golden State Land Conservancy.						
Cooperator(s)	Lake County Board of Supervisors, Lake County Land Trust, Blue Ribbon Coalition, local users and visitors.						
Project Description	<p>The 52,000-acre Cow Mountain Recreation Area is located in the mountains east of Ukiah and offers a variety of recreational opportunities. The terrain is rugged, consisting mostly of steep, chaparral-covered slopes with scattered stands of fir, pine and oak. Elevations range from 800 to 4,000 feet. The area offers dramatic views of the towns of Ukiah and Clear Lake, over 31 miles of streams, 13 wildlife reservoirs, and habitat for blacktail deer, bear, wild turkey and other upland species.</p> <p>Cow Mountain Recreation Area is divided into two management sections to provide quality recreation opportunities for a wide variety of users: North Cow Mountain and South Cow Mountain.</p> <p>North Cow Mountain is primarily managed for non-motorized activities, such as hunting, hiking, camping, horseback riding, and mountain biking.</p> <p>South Cow Mountain emphasizes off-highway vehicle use. Over 120 miles of vehicle trails interweave 23,000 acres, and offer challenges to motorcycle, all-terrain vehicles, and four-wheel drive enthusiasts alike. Non-motorized recreation is also welcome.</p> <p>The property of interest is located on North Cow Mountain. As other recreational areas close down, the Cow Mountain Recreation Area continues to increase in popularity and use, receiving a high volume of various recreational activities.</p> <p>On October 17, 2006, congress designated 42,585 acres as wilderness under the Northern California Coastal Wild Heritage Act. Part of the act designated Cow Mountain as a Congressionally-designated Recreation Area. The Act specifies the North Cow Mountain area be managed primarily for other, non-motorized recreation.</p>						
O&M Cost	Estimated "start up" cost:		\$5,000	Estimated "annual" maintenance:		\$2,000	

<sup>1</sup> Includes fee and conservation easement interest  
<sup>2</sup> For donation and exchange "cost" = "value"

**Activity: Land Acquisition**  
**Subactivity: Emergencies, Hardships, and Inholdings**

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Emergency & Hardships	\$000	1,616	1,616	+0	+0	+0	1,616	+0
	FTE	0	0		+0	+0	0	+0

**Justification of 2016 Program Changes**

The 2016 budget request for the Inholding, Emergency and Hardship program is \$1,616,000.

**Program Overview**

The Inholding, Emergency and Hardship program allows the BLM to promote conservation of natural landscapes and resources by consolidating privately owned land with publicly owned land when properties become available on short notice and would not remain available unless immediate action is taken. The availability of funds for Inholding, Emergency, and Hardship purchases permits timely actions to alleviate hardships and prevent adverse land use that may conflict with management objectives for adjacent public lands. The BLM's parcels targeted for purchase with these funds, although typically small and generally inexpensive, conserve and protect cultural and historic resources, permit retention of increasingly limited open spaces, preserve wildlife habitat and wilderness, enhance public recreation opportunities, and are strongly supported for Federal acquisition by local communities.

**2016 Program Performance**

In 2016, the BLM will respond to field requests for Inholding, Emergency and Hardship funding as they are submitted for consideration on a case-by-case basis. The Bureau will continue to focus on acquisitions that conserve and protect cultural and historic resources, retain open space, preserve wildlife habitat and wilderness, and enhance public recreation opportunities in the western U.S. in perpetuity

<b>Activity:</b>	<b>Land Acquisition</b>
<b>Subactivity:</b>	<b>Acquisition Management</b>

	2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
			Fixed Costs	Transfers	Program Changes	Requested Amount	
Acquisition Management							
<i>\$000</i>	1,898	1,904	+96	+0	+0	2,000	+96
<i>FTE</i>	10	10		+0	+0	10	+0

### Justification of 2016 Program Changes

The 2016 budget request for the Acquisition Management program is \$2,000,000 and 10 FTE.

#### Program Overview

The Acquisition Management program completes the administrative tasks necessary for the Land Acquisition program to acquire land funded through the Land and Water Conservation Fund. Acquisition Management program funds are used for title research, appraisal, appraisal review, project planning, boundary surveys, relocation, taxes, escrow, closing, coordination with BLM multi-resource programs, and coordination with local governments and private parties.

The BLM closely monitors funds spent for processing costs associated with the purchase of land and interests in land. Processing costs typically range between \$50,000 and \$100,000 per project, depending on the complexity of title searches and appraisals, boundary surveys, the number of parcels contained in each purchase, costs associated with the purchase of conservation easements, and other factors. Close communication with field offices and close monitoring of funds spent, allows the BLM to allocate the appropriate amount of funding to each office.

The Acquisition Management program receives assistance from dozens of third-party partners such as the Audubon Society, the Conservation Fund, the Nature Conservancy, the Trust for Public Land and the Wilderness Land Trust. These partners continually assist local communities and the BLM in supporting the acquisition and management of specific properties for cultural, recreational and wildlife values and to preserve open space. While the majority of these partners support acquisition of lands through grassroots political advocacy and long-term conservation management, some regional and national partners directly assist the BLM by becoming transactionally involved in the purchase of fee and conservation easement property interests. Approximately 80 percent of BLM purchase transactions are completed with the assistance of these third-party conservation partners. This assistance is a major cost savings for the BLM.

#### 2016 Program Performance

In 2016, the BLM will complete the administrative tasks necessary to acquire fee or easement interests in lands designated for purchase under the Land Acquisition program.

## Budget Schedules – Current Law

Account Symbol and Title 14X5033 Land Acquisition	Line	2014 Act	2015 CY	2016 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Land acquisition	0001	11	14	16
Acquisition management	0002	2	2	2
Total new obligations	0900	13	16	18
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	16	23	27
Budget authority:				
Appropriations, discretionary:				
Appropriation (special or trust fund)	1101	19	20	38
Appropriations transferred from other accts [014-1125]	1121	1	0	0
Appropriation, discretionary (total)	1160	20	20	38
Appropriation [Protected Conserving New Lands-LWCF]	1160-40	20	20	38
Baseline Civilian Pay	1160-50		1	1
Baseline Non-Pay	1160-50		19	20
Appropriation [Text]	1160-40	0	0	0
Baseline Non-Pay	1160-50		0	0
Total budgetary resources available	1930	36	43	64
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	23	27	46
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	1	6	7
Obligations incurred, unexpired accounts	3010	13	16	18
Outlays (gross)	3020	-8	-15	-24
Unpaid obligations, end of year	3050	6	7	1
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	1	6	7
Obligated balance, end of year	3200	6	7	1
Budget authority and outlays, net:				
Discretionary:				
Budget authority, gross	4000	20	20	38
Outlays, gross:				
Outlays from new discretionary authority	4010	3	5	9

Account Symbol and Title 14X5033 Land Acquisition	Line	2014 Act	2015 CY	2016 BY
Outlays from discretionary balances	4011	5	10	15
Outlays, gross (total)	4020	8	15	24
Budget authority, net (discretionary)	4070	20	20	38
Outlays, net (discretionary)	4080	8	15	24
Budget authority, net (total)	4180	20	20	38
Outlays, net (total)	4190	8	15	24
Physical assets:				
Major equipment:				
Purchases and sales of land and structures for Federal use:				
Direct Federal programs:				
Budget Authority	1340-01	20	20	38
Outlays	1340-02	8	15	24
<b>Object Classification (O) (\$ in Millions)</b>				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	1	1	1
Other services from non-Federal sources	25.2	3	5	6
Land and structures	32.0	9	10	11
Total new obligations	99.9	13	16	18
<b>Employment Summary (Q)</b>				
Direct civilian full-time equivalent employment	1001	10	10	10
<b>Appropriations Requests in Thousands of Dollars (T)</b>				
Budget year budgetary resources [014-5033]	1000			38,000

## Budget Schedules - Proposal

Account Symbol and Title 14X5033 Land Acquisition	Line	2014 Act	2015 CY	2016 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Land acquisition	0001	0	0	30
Acquisition management	0002	0	0	4
Total new obligations	0900	0	0	34
Budgetary resources:				
Budget authority:				
Appropriations, mandatory:				
Appropriations transferred from other accts [014-5005]	1221	0	0	56
Appropriations, mandatory (total)	1260	0	0	56
Appropriations, mandatory - Computed Totals	1260-20	0	0	56
Appropriation [LWCF]	1260-40	0	0	56
Total budgetary resources available	1930	0	0	56
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	0	0	22
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	0	0	0
Obligations incurred, unexpired accounts	3010	0	0	34
Outlays (gross)	3020	0	0	-6
Unpaid obligations, end of year	3050	0	0	28
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	0	0	0
Obligated balance, end of year	3200	0	0	28
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	0	0	56
Outlays, gross:				
Outlays from new mandatory authority	4100	0	0	6
Budget authority, net (mandatory)	4160	0	0	56
Outlays, net (mandatory)	4170	0	0	6
Budget authority, net (total)	4180	0	0	56
Outlays, net (total)	4190	0	0	6
Physical assets:				

Account Symbol and Title 14X5033 Land Acquisition	Line	2014 Act	2015 CY	2016 BY
Major equipment:				
Purchases and sales of land and structures for Federal use:				
Direct Federal programs:				
Budget Authority	1340-01	0	0	56
Outlays	1340-02	0	0	6
<b>Object Classification (O) (\$ in Millions)</b>				
Direct obligations:				
Other services from non-Federal sources	25.2	0	0	10
Land and structures	32.0	0	0	24
Total new obligations	99.9	0	0	34
<b>Employment Summary (Q)</b>				
Direct civilian full-time equivalent employment	1001	0	0	0



# Oregon and California Grant Lands



# Oregon and California Grant Lands

## Appropriations Language

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; [\$113,777,000] \$107,734,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 1181(f)). (Department of the Interior, Environment, and Related Agencies Appropriation Act, 2015.)

## Appropriations Language Citations

- 1. For expenses necessary for management, protection, and development of resource and for construction, operation, and maintenance of access roads, reforestation, and other improvements**

This language provides authority to use appropriated funds provided for the BLM to carry out the mission of the Oregon and California Grant Lands program. The BLM manages these lands for forest diversity and sustainability while providing multiple-use benefits and services to local communities and the public. Activities focus on forest management, watershed health, wildlife and fisheries habitat improvement, recreation opportunities, cultural resources protection, and infrastructure maintenance.

- 2. on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon,**

The BLM manages resources on public domain under the provisions of the Federal Land Policy and Management Act of 1976. Programs conducted on certain O&C grant lands within National Forests are under the jurisdiction of the U.S. Forest Service (USFS) and managed with USFS funds. The USFS returns receipts generated from activities on these lands to the BLM for payment to counties in accordance with the Act.

- 3. and on adjacent rights-of-way and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands;**

The O&C appropriation supports the acquisition of easements, road-use agreements for timber site access, and the design of access roads for general resource management purposes.

- 4. \$113,777,000 to remain available until expended**

This language provides authority to use \$113,777,000 in appropriated funds to carry out the mission of the program. The language makes the funding no-year, available for expenditure in any year after the appropriation. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, agreements and purchases.

5. ***Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 1181(f)).***

The 2016 budget request reflects the continuation of BLM's Oregon and California Grant Lands existing authorities within the Office of the Secretary.

## Authorizations

***The Oregon and California Grant Lands Act of 1937 (43 U.S.C. 1181)*** provides for conservation, management, permanent forest production, and sale of timber from revested Oregon and California (O&C) grant lands and reconveyed Coos Bay Wagon Road (CBWR) grant lands located in western Oregon.

***The Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701 et seq.***, as amended, provides for the public lands to be generally retained in Federal ownership; for periodic and systematic inventory of the public lands and their resources; for a review of existing withdrawals and classifications; for establishing comprehensive rules and regulations for administering public land statutes; for multiple use management on a sustained yield basis; for protection of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values; for receiving fair market value for the use of the public lands and their resources; for establishing uniform procedures for any disposal, acquisition, or exchange; for protecting areas of critical environmental concern; and for recognizing the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands, including implementation of the *Mining and Minerals Policy Act of 1970*.

***The Federal Land Policy and Management Act*** applies to all public lands that include the O&C grant lands by definition (Sec. 103(e)). However, Sec. 701(b) of *FLPMA (43 U.S.C. 1701)* note) provides that if any provision of *FLPMA* is in conflict with or inconsistent with the *O&C Act* and *Coos Bay Wagon Road Act*, insofar as they relate to management of timber resources and disposition of revenue from lands and resources, the latter Acts will prevail. In addition, many other Federal statutes regarding natural resource management and protection apply to the management of the O&C and CBWR grant lands in western Oregon.

***The Act of May 24, 1939 (53 Stat. 753)*** relates to the disposition of funds from the CBWR grant lands located in western Oregon.

***The Timber Protection Act of 1922 (16 U.S.C. 594)*** provides for the protection of timber from fire, insects, and disease.

***The Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393)*** authorizes stabilized payments to O&C and CBWR Counties for 2001 through 2006. Each county that received at least one payment during the eligibility period (1986-1999) received an amount equal to the average of the three highest 50-percent payments and safety net payments made for the years of the eligibility period. The payments were adjusted to reflect changes in the Consumer Price Index. The Act expired in 2006. The final payments for 2006 were made in 2007, consistent with the Act.

***P.L. 110-28*** provided one additional year of payments to O&C grant lands and Coos Bay Wagon Road counties.

***Sec. 601. of P.L. 110-343 Secure Rural Schools and Community Self-Determination Program*** provided an extension and ramping down of payments to the O&C grant lands and the Coos Bay Wagon Road counties through fiscal year 2011.

***P.L. 112-141 – Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21)*** provided an extension of one year of Secure Rural School payments to O&C grant lands and Coos Bay Wagon Road counties.

***P.L. 113-40 – Helium Stewardship Act of 2013*** provided an extension of one year of Secure Rural School payments to O&C grant lands and Coos Bay Wagon Road counties.

***Public Land Order 5490***, dated February 12, 1975, reserved all public lands in and west of Range 8 East of the Willamette Meridian and all lands within that area which hereinafter become public lands for multiple use management, including sustained yield of forest resources in connection with intermingled revested Oregon and California Railroad Grant Lands and reconveyed Coos Bay Wagon Road Grant Lands.

***Healthy Forest Restoration Act (P.L. 108-148)*** authorizes the BLM and the U.S. Forest Service to conduct hazardous fuels reduction projects on federal land in wildland-urban interface (WUI) areas and on certain other federal lands using expedited procedures.

***Land Conveyance to Douglas County, Oregon, (P.L. 108-206)*** authorized conveyance to Douglas County, Oregon, of approximately 68.8 acres of BLM-managed land in Douglas County in order to improve management of and recreational access to the Oregon Dunes National Recreation Area.

***Forest Ecosystem Health & Recovery Fund, (P.L. 102-381)*** authorized quick response to fire and reforestation of forests damaged by insects, disease, and fire and activities designed to reduce the risk of catastrophic damage to forests in addition to responding to damage events. Funds in this account are derived from the Federal share (defined as the portion of receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181-1 et seq., and P.L. 106-393) of receipts from all BLM timber salvage sales and all BLM forest health restoration treatments funded by this account. The authority to make deposits and to spend from this fund was provided in the 2010 Interior Appropriations Act (P.L. 111-88, 123 STAT. 2906) and was scheduled to expire at the end of fiscal year 2015. The 2015 Omnibus Appropriations Act (Section 117) extended this authority through 2020.

**Timber Sale Pipeline Restoration Funds (PL 104-134 - Section 327 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996.)** established initial funds for the USFS and the BLM using revenues generated by timber sales released under *Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act*. The legislation directs that 75 percent of the subsequent pipeline fund be used to fill each agency's timber sale "pipeline" and that 25 percent of the pipeline funds be used to address maintenance backlog for recreation projects on BLM and USFS lands after statutory payments are made to State and local governments and the U.S. Treasury.

**Stewardship Contracting (Sec. 347 of Public Law 105-277, as amended by Public Law 108-7 and Public Law 113-79)** permanently authorizes the BLM, via agreement or contract as appropriate, to enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

**Summary of Requirements**  
(dollars in thousands)

	2014 Actual		2015 Enacted		Fixed Cost	2016 President's Budget				Requested Amount		Change from 2015 Enacted	
	FTE	Amount	FTE	Amount		FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Western Oregon Resources Management</b>													
Forest Management	261	33,447	261	33,447	+305	-	-	-	-	261	33,752	-	+305
Reforestation & Forest Development	134	23,851	134	23,851	+172	-	-	-	-	134	24,023	-	+172
Other Forest Resource Mgmt	271	36,985	271	36,985	+263	-	-	-24	-3,753	247	33,495	-24	-3,490
Resource Mgmt Planning	51	7,140	51	7,140	+20	-	-	-10	-3,175	41	3,985	-10	-3,155
<b>Total, Western Oregon Resource Management</b>	<b>717</b>	<b>101,423</b>	<b>717</b>	<b>101,423</b>	<b>+760</b>	<b>-</b>	<b>-</b>	<b>-34</b>	<b>-6,928</b>	<b>683</b>	<b>95,255</b>	<b>-34</b>	<b>-6,168</b>
<b>Info. &amp; Resource Data Systems</b>	<b>11</b>	<b>1,923</b>	<b>11</b>	<b>1,772</b>	<b>+14</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>11</b>	<b>1,786</b>	<b>-</b>	<b>+14</b>
<b>Transportation &amp; Facilities Maintenance</b>													
Annual Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	+0
Annual Maintenance & Operations	68	10,063	68	9,517	+85	-	-	-	-	68	9,602	-	+85
<b>Subtotal, Western Oregon Trans &amp; Facilities Maint</b>	<b>68</b>	<b>10,063</b>	<b>68</b>	<b>9,517</b>	<b>+85</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>68</b>	<b>9,602</b>	<b>-</b>	<b>+85</b>
<b>Construction &amp; Acquisition</b>	<b>3</b>	<b>310</b>	<b>3</b>	<b>312</b>	<b>+12</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3</b>	<b>324</b>	<b>-</b>	<b>+12</b>
<b>NMs &amp; NCAs</b>	<b>5</b>	<b>748</b>	<b>5</b>	<b>753</b>	<b>+14</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>5</b>	<b>767</b>	<b>-</b>	<b>+14</b>
<b>Total, Oregon &amp; California Grant Lands</b>	<b>804</b>	<b>114,467</b>	<b>804</b>	<b>113,777</b>	<b>+885</b>	<b>-</b>	<b>-</b>	<b>-34</b>	<b>-6,928</b>	<b>770</b>	<b>107,734</b>	<b>-34</b>	<b>-6,043</b>

**Justification of Fixed Costs and Internal Realignments  
Oregon and California Grant Lands**

*(Dollars In Thousands)*

Other Fixed Cost Changes and Projections	2015 Total or Change	2015 to 2016 Change
<b>Change in Number of Paid Days</b>	-	<b>+134</b>
<p>This column reflects changes in pay associated with the change in the number of paid days between 2015 and 2016. total paid days for FY 2016 is 262 which is one day (+1) increase from FY 2015 paid days of 261. FTE hours for FY 2016 is 2096.</p>		
<b>Pay Raise</b>	<b>+343</b>	<b>+424</b>
<p>The change reflects the salary impact of a programmed pay raise increases. This estimate relects one quarter (October-December) of the programmed pay raise for 2015. This estimate reflects three quarter (January - September) of the programmed pay raise for 2016.</p>		
<b>Seasonal Federal Health Benefit Increase</b>	-	-
<p>The change reflects changes in the fixed cost portion of the Seasonal Health Benefits Model. Remaining costs associated with offering Health Benefits to seasonal employees are reflected as program changes in the Administrative Support subactivity.</p>		
<b>Employer Contribution to FERS</b>	<b>5,270</b>	<b>+327</b>
<p>The change reflects the directed increase of 0.5% in employer's contribution to the Federal Employee Retirement System. This estimate captures an increase of 0.5% to FY2016 employer contribution to the Federal Employee Retirement Service (FERS). The FY2015 FERS contribution assumption was 13.2%. The FY2016 level is 13.7%. The baseline for these estimates is the FY2014 pay actuals.</p>		

## Appropriation Description

The Oregon and California (O&C) grant lands appropriation provides for management of the revested O&C Railroad grant lands and the reconveyed Coos Bay Wagon Road (CBWR) grant lands. The BLM manages these lands for forest diversity and sustainability while providing an array of multiple-use benefits and services to local communities and the public (see discussion under each activity and subactivity). As mandated by the O&C Act of 1937 (43 U.S.C. 1181), these lands are managed for timber production under the principle of sustained yield. Activities focus on forest management including commodity production; watershed health and productivity including soil and water restoration projects; wildlife and fisheries habitat improvement; recreation opportunities; cultural resources protection; and infrastructure maintenance.

The BLM manages 2.4 million acres of O&C grant lands, CBWR lands, and intermingled public domain lands with this appropriation. The BLM manages resources on public domain land (10 percent of the area) under the provisions of the Federal Land Policy and Management Act of 1976. Programs conducted on certain O&C grant lands within National Forests are under the jurisdiction of the U.S. Forest Service (USFS) and managed with USFS funds (often referred to as Controversial O&C Lands). The USFS returns receipts generated from activities on these lands to the BLM for payment to counties in accordance with the Act. The five budget activities of the O&C appropriation are summarized below. Through these activities, the BLM implements resource management plans (RMP) and supports resource activities on the O&C and CBWR grant lands under the BLM's jurisdiction.

- **Western Oregon Construction and Acquisition** provides for the acquisition of easements, road-use agreements for timber site access, and the design of access roads for general resource management purposes.
- **Western Oregon Transportation and Facilities Maintenance** provides for maintenance activities for the transportation system, office buildings, warehouse and storage structures, shops, greenhouses, and recreation sites. This program's efforts maintain the transportation system necessary for effective implementation of the RMPs. Road maintenance activities help to reduce or eliminate negative impacts of poor road conditions on aquatic and fisheries resources, including Pacific salmon and other resident and anadromous fish populations in the Northwest.
- **Western Oregon Resources Management** provides for planning, preparing, offering, administering and monitoring timber sales; maintaining the sustainability of forest resources and timber harvest through reforestation, development, and restoration techniques; managing and monitoring wildlife habitat, recreational opportunities, and rangeland resources; and maintaining or improving water and air quality.
- **Western Oregon Information and Resource Data Systems** provides for the acquisition, operation, and maintenance of the automated data support systems required for the management of the O&C grant lands. The focus of this program is to make data operational for monitoring and adaptive management; and for developing and analyzing activity plans, such as timber sales and habitat management plans.
- **Western Oregon National Monuments and National Conservation Areas** provides for the management of National Monuments and National Conservation Areas and other similar Congressionally designated areas in western Oregon.

<b>O&amp;C LANDS IN WESTERN OREGON</b>	
<b>(ACRES)</b>	
<b>BLM-Managed Lands</b>	
O&C Grant Lands	2,084,796
CBWR Lands	74,547
Public Domain Lands	239,500
<b>Total – BLM</b>	<b>2,398,843</b>
<b>U.S. Forest Service-Managed Lands</b>	
Controverted O&C Lands	462,678
Special Act O&C Lands	29,721
<b>Total - U.S. Forest Service</b>	<b>492,399</b>

### Additional Funding Methods

In addition to the O&C Grant Lands appropriation, two Permanent Appropriations, the Timber Sale Pipeline Restoration Fund and the Forest Ecosystem Health and Recovery Fund, are available for use and do not require annual appropriation action. These are the outlined in Permanent Operating Funds, 2016 Budget Justifications.

### Management of Oregon and California Grant Lands

The BLM manages 2.4 million acres of O&C and CBWR lands in western Oregon. The BLM has practiced sustainable forest management, as outlined in the O&C Act of 1937, which includes a provision for the western Oregon counties to receive shares of timber sale receipts. In the late 1970's, USFS researchers observed a rapid decline in the populations of the Northern Spotted Owl, a species associated with old-growth forests. In 1990, the U.S. Fish and Wildlife Service (FWS) listed the Northern Spotted Owl as threatened under the Endangered Species Act of 1973, citing loss of old-growth habitat. The BLM modified management of forested lands to conserve the old-growth forests, reducing the annual timber sale volumes and thus reducing receipts to counties.

Soon after the listing of the owl, President Clinton convened a group of scientists called the Forest Ecosystem Management Assessment Team. Their Assessment report in 1993, led to the development of the Northwest Forest Plan (NWFP) in 1994; the NWFP amended BLM and USFS land use plans within the range of the Northern Spotted Owl. This plan set out land use allocations, standards and guidelines for management designed to contribute to the recovery of Northern Spotted Owls and marbled murrelets and to produce a predictable and sustainable level of timber sales. Under the NWFP, agencies are required to survey and manage for rare, uncommon, or little known species of plants and animals.

The BLM has managed the O&C lands under the NWFP since 1994. The change in management resulting from the NWFP has not been without controversy. The BLM's Western Oregon Districts continue to receive protests, appeals, and litigation on individual timber sales as well as on other larger programmatic issues.

In 2009, the Western Oregon Plan Revisions (2008 Records of Decision), finalized in December, 2008, were withdrawn by the Secretary. He determined the process was legally flawed, having failed to complete consultation under the Endangered Species Act. The decision to withdraw the 2008 Records of Decision was accompanied with the direction to revert to managing the O&C lands under the Northwest Forest Plan (1995 Records of Decision/RMP). Since 2009, the BLM has subsequently designed a timber sale program of work consistent with

the 1995 Records of Decision, Northwest Forest Plan, the Endangered Species Act, and other laws and regulations. Forest restoration is one of the goals of the NWFP, and is emphasized where appropriate in the context of the timber sale planning process. The BLM resource management plans continue to be litigated from both conservation and industry groups, resulting in a complicated and changing legal framework under which managers must implement projects.

In October 2009, former BLM Director Abbey and the late FWS Director Sam Hamilton convened the interdisciplinary Western Oregon Task Force. The task force, composed of experts across a range of resource disciplines, from the BLM, the FWS, the National Marine Fisheries Service and the USFS, examined the Western Oregon Plan Revisions process and the long-standing challenges of managing the forests for multiple goals. The task force issued recommendations that the BLM and other Federal agencies have been working on in order to find new approaches for forest management.

In December 2010, the Secretary initiated a plan applying the principles of ecological forestry as suggested by Doctors Norm Johnson and Jerry Franklin, on BLM lands. This ongoing initiative explores ways to restore ecological processes and address economic issues on O&C lands. As of December 2014, the BLM has completed a number of forestry ecological pilot timber sales and continues to offer additional timber sales in various western Oregon Districts. The projects seek to:

- Demonstrate a landscape level approach to forest ecosystem restoration that includes active management;
- Restore functional and sustainable ecological conditions in Federal forests;
- Allow recovery for threatened species; and
- Provide needed employment opportunities.

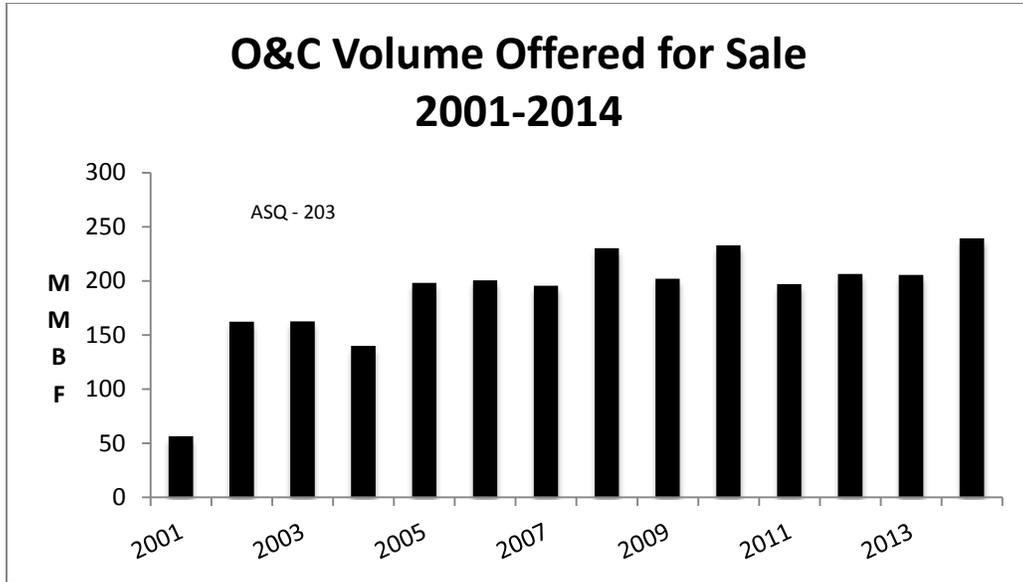
The FWS is assisting in development and review of the ecological forestry efforts. The BLM is using a variety of means to inform and involve stakeholders to stimulate collaboration with public stakeholders.

In June 2011, the FWS issued their Revised Recovery Plan for the Northern Spotted Owl, and in November 2012, issued the final Critical Habitat Rule for the Northern Spotted Owl. Both the Recovery Plan and the final Critical Habitat Rule emphasize maintenance and enhancement of Northern Spotted Owl habitat and do not preclude active forest management, where appropriate, to increase stand resiliency, reduce hazardous fuels, and promote ecological diversity. The BLM is incorporating the new Critical Habitat Rule and Recovery Plan into out-year timber sale planning.

In February 2012, the BLM announced new planning efforts for the six West-side Oregon Resource Management Plans. The BLM expects to release the Draft EIS for public comment in the spring of 2015 with an anticipated completion date for signing the Record of Decision scheduled for spring of 2016. The present RMPs were signed in 1995. The new RMPs will analyze management of the different resources and incorporate new information including the 2011 Northern Spotted Owl Recovery Plan and 2012 Final Critical Habitat Rule. The U.S. Forest Service Oregon and Washington National Forests within the Northwest Forest Plan region are in the very initial planning phase to revise their National Forest Plans.

### Timber Harvest Targets and Volumes

The long-term annual timber target or allowable sale quantity (ASQ) from O&C lands and as declared in the six Resource Management Plans (RMPs) is 203 million board feet (MMBF). Although volume offered from the reserve land use allocations does not count towards the ASQ target, it does contribute towards meeting the BLM’s annual performance target; achieving ecological objectives in reserve areas through active management; and contributing to the needs of rural communities. The NWFP timber targets and accomplishments displayed in the tables below are for the BLM-managed lands in both western Oregon and northern California, even though timber activities in northern California are funded by other appropriations.



<b>BLM O&amp;C WESTERN OREGON AND CALIFORNIA ALLOWABLE SALE QUANTITY – TOTAL VOLUME OFFERED UNDER THE NWFP</b>						
<b>BLM NWFP Area Timber Volume Targets</b>						
<b>Year</b>	<b>Allowable Sale Quantity Target</b>			<b>Total Volume Offered</b>		
	<b>OR</b>	<b>CA</b>	<b>Total</b>	<b>OR</b>	<b>CA</b>	<b>Total</b>
1995	118	15	133	127.3	22.8	150.1
1996	180	2.5	182.5	189.7	5.8	195.5
1997	211	2.5	213.5	212	10.2	222.2
1998	211	2.5	213.5	257.5	0.4	257.9
1999	203	2.5	205.5	61.7	3.1	64.8
2000	203	2.5	205.5	69.2	0.7	69.9
2001	203	1	204	56.4	0.1	56.5
2002	203	1	204	162.5	0.4	162.9
2003	203	1	204	162.7	0	162.7
2004	203	1	204	140	0.1	140.1
2005	203	1	204	198.2	7.7	205.9
2006	203	1	204	200.6	0.6	201.2
2007	203	1	204	195.6	3.2	198.8
2008	203	1	204	236.0	0.8	236.8
2009	203	1	204	202	0.8	202.8
2010	203	1	204	233	0.8	233.8
2011	203	1	204	197	1.8	198.8
2012	203	1	204	206.4	0.5	206.9
2013	203	1	204	204.9	0.0	204.9
2014	203	1	204	239.4	.2	239.6
2015 est.	203	1	204	214	1.0	215
2016 est.	203	1	204	203	1.0	204

*Note: Timber volumes displayed include BLM-managed lands in California managed within the area of the NWFP, even though activities are funded by BLM appropriations other than O&C funds.*

### O&C Revenues and Receipts

The BLM derives timber receipts used for O&C payments from the harvest of timber on O&C lands managed by the BLM, and controverted O&C grant lands under the jurisdiction of the USFS. In addition, the BLM derives receipts from CBWR and Public Domain lands in western Oregon as well.

While the projected timber receipts in 2016 are lower than those projected for 2015, timber sale receipts have risen significantly as the economy recovers from the Great Recession and associated construction decline. The large increase in 2014 is reflective of the large amount of salvage volume sold and harvested in 2014 as well as improving market conditions.

<b>TIMBER RECEIPTS FOR WESTERN OREGON BLM LANDS</b>									
<b>(Million \$)</b>									
	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015 est.</b>	<b>2016 est.</b>
<b>O&amp;C Grant Lands</b>									
Regular Sales	13.0	14.2	9.7	11.6	11.5	17.3	30.2	22.0	19.0
Salvage Sales	4.3	5.5	3.2	2.7	4.3	4.0	4.5	4.5	4.5
Subtotal	17.3	19.7	12.9	14.3	15.8	21.3	34.7	26.5	23.5
<b>CBWR Lands</b>									
Regular Sales	0.3	0.2	.8	0	1.0	2.2	3.3	2.0	1.0
Salvage Sales	0.1	0	0	0	0.2	0.2	0.1	0.2	0.2
Subtotal	0.4	0.2	0.8	0.1	1.2	2.4	3.4	2.2	1.2
<b>Timber Sale Pipeline Restoration Fund</b>									
PD, O&C, and CBWR	9.8	4.5	4.3	3.9	3.8	2.4	4.3	2.0	2.8
<b>Stewardship Contract Excess Proceeds</b>									
PD, O&C, and CBWR	0	0.2	0	0.1	0.3	0.05	0.1	0.0	0.0
Total Receipts	27.60	24.6	18.0	18.3	21.1	26.1	42.5	30.7	27.5

### Timber Sale Pipeline Restoration Fund

The Timber Sale Pipeline Restoration Fund (the Pipeline Fund) was established under Section 327 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996. The Act established separate funds for the USFS and the BLM, using revenues generated by timber sales released under Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act, which directs that 75 percent of the Pipeline Fund be used to fill each agency's timber sale "pipeline" and that 25 percent of the Pipeline Fund be used to address maintenance backlog for recreation projects on BLM and USFS lands after statutory payments are made to State and local governments and the U.S. Treasury.

At the end of 2014, the balance in BLM's Pipeline Fund was approximately \$8.5 million. The BLM has implemented a spend-down plan to bring the Pipeline Fund balance down to approximately \$5.0 million by the end of 2015. This carryover balance generally offsets irregular annual deposits caused by fluctuations in timber market conditions and purchasers opting on which year to harvest their 1-3 year timber sale contracts. A balance at the end of the year allows continued use of the Pipeline Fund to meet the Pipeline Fund's annual objective of rebuilding and maintaining the timber sale pipeline. Receipts, deposits and cumulative expenditures are described in the Permanent Operating Funds chapter.

### Payments to the O&C Counties

Timber harvest levels have dropped significantly from the historical levels of the late 1980s and early 1990s. The traditional payment formulas defined in Title II of the Oregon and California Grant Lands Act of 1937, U.S.C. 43 1181f, (50 Stat. 876, Title II) were modified to account for these declines and provide fiscal predictability to the O&C counties.

Receipts from public domain lands within the O&C grant lands are distributed to the State of Oregon (four percent), the General Fund of the U.S. Treasury (20 percent), and the Reclamation Fund (76 percent), except those generated through projects funded by the Forest

Ecosystem Healthy Recovery Fund and the Timber Sale Pipeline Restoration Fund, which are deposited into those accounts.

<b>PAYMENT TO WESTERN OREGON COUNTIES (MILLION \$)<sup>†</sup></b>			
<b>Year</b>	<b>O&amp;C Lands</b>	<b>CBWR Lands</b>	<b>Total Payment</b>
1994	\$78.6	\$0.6	\$79.2
1995	75.8	0.6	76.4
1996	73.0	0.6	73.6
1997	70.3	0.6	70.9
1998	67.5	0.5	68.0
1999	64.7	0.5	65.2
2000	61.9	0.5	62.4
2001	0.0	0.0	0.0
2002	108.7	1.0	109.7
2003	109.6	1.0	110.6
2004	110.9	1.0	111.9
2005	112.3	1.0	113.3
2006	114.9	1.0	115.9
2007	116.3	1.0	117.3
2008	115.9	1.0	116.9
2009	104.5	0.9	105.4
2010	94.0	0.8	94.8
2011	84.7	0.7	85.5
2012	39.7	0.3	40.0
2013 <sup>††</sup>	37.7	0.3	38.0
2014	39.3	0.3	39.6
2015 <sup>†††</sup>	18.0	0.2	18.2

<sup>†</sup>Payments reflect the fiscal year the payments were made **in**.

<sup>††</sup>BLM made 94.9% of payments for FY 2013, reserving approximately \$2.04 million against sequestration

<sup>†††</sup> Payments based upon 1937 Act for O&C lands and 1939 Act for CBWR lands - Payments subject to 7.3% sequester. CBWR payments are estimated as payments are still pending

Under the Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393), the annual payments to the 18 O&C counties were derived from any revenues, fees, penalties, or miscellaneous receipts (exclusive of deposits to any relevant trust fund, or permanent operating funds such as the Timber Sale Pipeline Restoration or the Forest Ecosystem Health and Recovery funds) received by the Federal government from activities by the BLM on O&C lands, and to the extent of any shortfall, out of any funds in the Treasury not otherwise appropriated. The Secure Rural Schools Act of 2000 provided that, for 2001-2006, each payment to eligible counties would be an amount equal to the average of the three highest payments made during fiscal years 1986-1999. For each payment made by the BLM under the law, the full payment amount would be adjusted for inflation. The Secure Rural Schools Act of 2000 expired in 2006 and final payments for 2006 were made in 2007, consistent with the Act. Public Law 110-28 provided payments for one additional year. In October 2008, Congress enacted Section 601 of Public Law 110-343, which extended the Secure Rural Schools Act of 2000. Public Law 110-343 provided an extension of payments to the O&C grant lands and the Coos Bay Wagon Road counties through fiscal year 2011. As in the prior act, payments were to be made for the year prior. The payments for 2008 through 2010 are described in the law as “transition” payments, and are a declining percentage of the payments made in 2006; the payment in 2009 (for 2008) is 90 percent of the amount paid in 2006, the payment in 2010 (for 2009) is 81 percent, and the payment in 2011 (for 2010) is 73 percent. The payments made to counties in 2012 (for 2011) used a formula based on several factors that include acreage of Federal land, previous payments, and per capita personal income. More information on these payments is contained in the Miscellaneous Permanent Payments chapter.

Since the Secure Rural Schools Act of 2000, the BLM has worked collaboratively with the five western Oregon Resource Advisory Committees, to review over 1,000 restoration projects and implement over 600 of them totaling over \$43.0 million dollars.

In 2012 and 2013, the Secure Rural Schools Act was reauthorized for one year under PL 112-141 (2012 payments made in 2013) and PL 113-40 (2013 payments made in 2014). The total SRS payment made in fiscal year 2013 was \$38,008,975.11 and the total SRS payment made in fiscal year 2014 was \$39,630,137.85.

The 2016 Budget includes a legislative proposal to reauthorize the Secure Rural Schools Act with mandatory funding through the U.S. Forest Service. The proposal includes a five-year reauthorization, starting with the payments for fiscal year 2015. This SRS proposal revises the allocation split between the three portions of the program from the current authority emphasizing enhancement of forest ecosystems, restoration and improvement of land health and water quality and the increase of economic activity. For more information on this proposal, see the USFS 2016 Budget Justification.

## Activity: Western Oregon Acquisition

	2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
			Fixed Costs	Transfers	Program Changes	Requested Amount	
Construction & Acquisition	310	312	+12	+0	+0	324	+12
<i>\$000</i>							
<i>FTE</i>	3	3		+0	+0	3	+0

### Justification of 2016 Program Change

The 2016 Budget Request for the Western Oregon Acquisition Program is \$324,000 and 3 FTE.

### Activity Description

The Western Oregon Acquisition Program uses appropriated funds to acquire and protect access to public lands in western Oregon, providing access to BLM timber sales and other activities associated with managing Oregon and California (O&C) lands. The BLM estimates that nearly 5,000 separate tracts of O&C lands require some form of access for proper management. The BLM obtains access by purchase of perpetual easements, acquisition, or condemnation. Acquisition funding is also used to manage the historical reciprocal rights-of-way agreements, and acquire additional lands or interests in lands needed for infrastructure development including recreation sites, administrative sites, and transportation facilities.

The BLM has many long-standing (since the 1950s) reciprocal right-of-way agreements with surrounding and adjacent private landowners allowing reciprocal use of each owner's roads. Access to western Oregon O&C lands is dependent upon the continual upkeep of these long standing reciprocal rights-of-way agreements. As adjacent private lands change ownership, existing agreements need to be continuously negotiated and updated. The BLM prioritizes reciprocal right-of-way agreements based upon both private requests and land management needs. Generally, right-of-way agreements necessary to meet timber management performance measures for the BLM and adjacent private harvesting plans receive the highest priority, while access to recreational and key administrative facilities also receive high priority.

**Other Funding Sources** – Timber haul roads, or “fee roads” negotiated under reciprocal right-of-way agreements are maintained using both appropriated funds and road maintenance fees collected from commercial users and deposited into a permanent account for road maintenance.

### 2016 Program Performance

In 2016, the Western Oregon Acquisition Program proposes to:

- Complete up to 20 new reciprocal right-of-way agreements, amendments, or assignments; and
- Complete uploading historic 1950s reciprocal O&C ROW agreement data into an electronic and GIS database that facilitates analysis for 14,000 miles of roads, expedites analysis of third party ROW agreements, and depicts public access via GIS.

## Activity: Western Oregon Transportation and Facilities Maintenance

		2014 Actual	2015 Enacted	2016 President's Budget			Change from 2015	
				Fixed Costs	Transfers	Program Changes		Requested Amount
Annual Maintenance & Operations	\$000	10,063	9,517	+85	0	0	9,602	+85
	FTE	68	68		+0	+0	68	+0
Transportation & Facilities Maintenance	\$000	10,063	9,517	+85	+0	+0	9,602	+85
	FTE	68	68		+0	+0	68	0

### Justification of 2016 Program Changes

The 2016 budget request for Western Oregon Transportation and Facilities Maintenance program is \$9,602,000 and 69 FTE.

### Activity Description

In 2014, under the Interior, Environment, and Related Appropriations (P.L. 113-76), the O&C Deferred Maintenance function was transferred to the Management of Lands and Resources, Deferred Maintenance and Capital Improvements Subactivity, leaving only the Annual Maintenance and Operations Program in the Transportation and Facilities Maintenance Activity.

# Activity: Western Oregon Transportation and Facilities Maintenance

## Subactivity: Annual Maintenance & Operations

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Annual Maintenance & Operations	\$000	10,063	9,517	+85	+0	+0	9,602	+85
	FTE	68	68		+0	+0	68	+0

Other Resources Supporting Annual Maintenance & Operations:					
		2014 Actual	2015 Estimate	2016 Estimate	Change from 2015
Road Maintenance	\$000	3,103	2,530	2,530	+0
	FTE	10	10	10	+0

**Notes:**

- Road Maintenance amounts are shown as new budget authority derived from provisions for amortization of road costs in contracts and by cooperative financing with other public agencies and with private agencies or persons, or by a combination of these methods; 43 USC 1762(c), which provides the authority to acquire, construct, and maintain roads within and near the public lands to permit maximum economy in harvesting timber from such lands tributary to such roads and at the same time meet the requirements for protection, development, and management of such lands for utilization of the other resources thereof. appropriates these funds on a permanent basis. More information on Road Maintenance is found in the Permanent Operating Funds chapter

- Amount in 2014 and 2015 for Road Maintenance shown net of sequestration

- Road Maintenance is used on both Oregon and California Grant Lands and Public Domain Forestry Lands

- Actual and estimated obligations, by year for Road Maintenance are found in President's Budget Appendix under the BLM section

- The Road Maintenance appropriation is also a collaborative activity of the MLR Annual Maintenance & Operations program, accounting for less than \$100,000 in available receipts from public domain lands

### Justification of 2016 Program Changes

The 2016 budget request for Western Oregon Annual Maintenance and Operations program is \$9,602,000 and 69 FTE.

#### Program Overview

The Operations and Annual Maintenance Program maintains the BLM's investment in the transportation network, preserves public safety, and minimizes environmental impacts, especially related to water quality and soil erosion, and provides for functional utilities and other services at visitor and administrative sites supporting O&C grant land functions. BLM-managed roads serve commercial, administrative, and local government functions. They also serve public land users by providing for timber haul, school bus and emergency routes, and access to private, local, State, and Federal lands. The types of facilities maintained by the BLM in western Oregon include:

#### Program Process Improvements

Periodic maintenance reviews are performed within each district to assure the maintenance work meets or exceeds district expectations and is within established budgets. Districts are also required to complete annual Maintenance Operation Plans (MOP's) to show their planned work. Costs can then be monitored against the planned targets by WO, state, and district program leads to determine the effectiveness of the maintenance program.

- Sixty-five administrative sites with 162 buildings served by 230 separate mechanical, plumbing and electrical systems;
- One hundred and seventy recreation sites with 350 buildings, served by trash collection, sanitation facilities, and safe drinking water;
- Three dams; and
- A system of 14,200 miles of roads, including 131 miles designated as Back Country Byways, 324 miles of trails, along with related structures including 410 bridges, 586 major culverts, and multiple retaining walls and subsurface drainage systems.

### **Critical Factors**

The following factors can impact program performance:

- Natural disturbances (heavy winter rains, windstorms, wildfires) which alter maintenance priorities, requiring changes to planned work; and
- State of Oregon Parks and Recreation surveys indicate that public use of BLM's recreational facilities and the roads accessing them is increasing.

Maintenance priorities are established at the district and field office level annually using a MOP. This prioritization is based on roads and facilities that are essential to the districts and have the highest impact on the health and safety of employees, contractors, and the general public. Emergency repair work that is identified as high priority is completed as soon as funding is available.

### **Other Funding Sources**

Most O&C roads and trails used by the public are maintained using appropriated funds. Timber haul roads, or "fee roads," are maintained using both appropriated funds and road maintenance fees that are collected from commercial users and deposited into a permanent operating fund for road maintenance.

Recreation facility maintenance activities are partially funded by the O&C Recreation Management Program, use fees, and the O&C National Monuments and National Conservation Areas subactivity. Eighteen of 170 O&C recreation sites participate in the Recreation Site Fee program.

### **2016 Program Performance**

The BLM will continue to emphasize maintenance on high-priority facilities, particularly those that have the greatest public exposure and use. In 2016, the Western Oregon Operations and Annual Maintenance Program proposes to complete routine annual maintenance at 275 recreation sites, 88 bridges, 175 BLM administrative buildings, and 45 BLM non-building sites. In addition, over 14,000 miles of roads will be assessed to prioritize where 2,000 miles of annual road maintenance will occur in 2016. Annual routine maintenance will also include upkeep of wells, sanitation facilities, and trails to reduce public health and safety risks and provide positive recreational experiences.

## Activity: Western Oregon Resources Management

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Forest Management	\$000	33,447	33,447	+305	+0	+0	33,752	+305
	FTE	261	261		+0	+0	261	+0
Reforestation & Forest Development	\$000	23,851	23,851	+172	+0	+0	24,023	+172
	FTE	134	134		+0	+0	134	+0
Other Forest Resource Mgmt	\$000	36,985	36,985	+263	+0	-3,753	33,495	-3,490
	FTE	271	271		+0	-24	247	-24
Resource Mgmt Planning, Assessment, and Monitoring	\$000	7,140	7,140	+20	+0	-3,175	3,985	-3,155
	FTE	51	51		+0	-10	41	-10
<b>Total, -Western Oregon Resource Management</b>	<b>\$000</b>	<b>101,423</b>	<b>101,423</b>	<b>+760</b>	<b>+0</b>	<b>-6,928</b>	<b>95,255</b>	<b>-6,168</b>
	<b>FTE</b>	<b>717</b>	<b>717</b>		<b>+0</b>	<b>-34</b>	<b>683</b>	<b>-34</b>

Other Resources Supporting Forest Management:					
		2014 Actual	2015 Estimate	2016 Estimate	Change from 2015
Forest Ecosystem Health and Recovery Fund	\$000	4,524	3,601	6,396	+2,795
	FTE	48	48	48	+0
USFS Forest Pest Control	\$000	310,000	606,000	500,000	-106,000
	FTE	0	0	0	+0
Timber Sale Pipeline Restoration	\$000	2,991	2,218	2,180	-38
	FTE	23	23	23	+0

## Notes:

- Forest Ecosystem Health and Recovery Fund amounts are shown as new budget authority derived from the federal share of receipts from all BLM timber salvage sales, and from BLM forest health restoration treatments funded by this account; 43 USC 1736a appropriates these funds on a permanent basis. More information on Forest Ecosystem Health and Recovery Fund is found in the Permanent Operating Funds chapter. Forest Ecosystem Health and Recovery Fund is used on both Oregon and California Grant Lands and Public Domain Forestry Lands.

- USFS Forest Pest Control amounts are shown as estimated transfers. More information on USFS Forest Pest Control is found in the U.S. Forest Service budget Justifications. USFS Forest Pest Control is used on both Oregon and Public Domain Forestry Lands.

- Timber Sale Pipeline Restoration amounts are shown as new budget authority derived from revenues generated by timber sales released under Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act, which directs that 75 percent of the fund be used to fill the BLM's timber sale pipeline and that 25 percent of the fund be used to address the maintenance backlog for recreation projects on BLM land; Section 327 of the Omnibus Consolidated Appropriations Act of 1996 (Public Law 104-134) appropriates these funds on a permanent basis. More information on Timber Sale Pipeline Restoration is found in the Permanent Operating Funds chapter. Timber Sale Pipeline Restoration is used on lands in Oregon that are managed under the Northwest Forest Plan. The Interior, Environment, and Related Agencies Appropriation Act of 1996 (Public Law 104-134), Section 327, states that the Secretary of the Interior shall establish a Timber Sales Pipeline Restoration Fund, of which 75 percent shall be available for preparation of timber sales and 25 percent shall be available to expend on the backlog of recreation projects on lands administered by the Bureau of Land Management, without fiscal year limitation or further appropriation.

- Amount in 2014 and 2015 for Forest Ecosystem Health and Recovery Fund and Timber Sale Pipeline Restoration shown net of sequestration

- Actual and estimated obligations, by year for Timber Sale Pipeline Restoration are found in President's Budget Appendix under the BLM section

The 2016 budget request for the Western Oregon Resources Management activity is \$95,255,000 and 683 FTE, a program change of -\$6,928,000 and -34 FTE from the 2015 enacted level.

### **Activity Description**

The Western Oregon Resources Management activity provides for the management of 2.4 million acres of Oregon and California (O&C) and Coos Bay Wagon Road grant lands, and intermingled Public Domain lands. This program's objectives are to:

- Restore and maintain the ecological health of forested watersheds;
- Provide well-distributed blocks of late-successional and old-growth forest habitat to benefit threatened, endangered and other sensitive species;
- Provide recreational opportunities to a growing number of users; and
- Provide a sustainable supply of timber and other forest products.

The BLM designs landscape level solutions to address resource management challenges which includes applying active forest management to maintain and restore forest landscapes and terrestrial and aquatic habitat to increase resiliency to disturbance factors such as wildfire, insects and climate change. The BLM works collaboratively with Federal, State, local, and tribal partners, as well as public stakeholders and individuals during the planning and implementation of active forest management treatments to address timber production, fuels reduction, species habitat considerations and restoration opportunities.

**Activity: Western Oregon Resources Management**  
**Subactivity: Forest Management**

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Forest Management	\$000	33,447	33,447	+305	+0	+0	33,752	+305
	FTE	261	261		+0	+0	261	+0

### Justification of 2016 Program Changes

The 2016 budget request for the Western Oregon Forest Management Program is \$33,752,000 and 261 FTE.

### Program Overview

The Western Oregon Forest Management Program includes costs associated with management, maintenance and enhancement of forests on the public lands, including the O&C Grant lands, the Coos Bay Wagon Road lands, and Public Domain land within western Oregon, except for activities directly related to reforestation and forest development.

### Critical Factors

Compliance with the six 1995 western Oregon Resource Management Plans, the 1995 Northwest Forest Plan (NWFP), the 2011 Northern Spotted Owl Recovery Plan, the 2012 Northern Spotted Owl Critical Habitat Plan, Survey and Manage guidance, and court orders remain critical factors to the success of the program. The BLM continues to collaborate with Federal, State, and local governmental agencies as well as Tribes and other stakeholders in project-level National Environmental Policy Act (NEPA) development and consultation to support efforts to meet performance targets for timber offered. Additionally, the BLM is engaged in the resolution of pending protests, appeals and litigation of timber sale contracts that permit the actual offering and harvesting of timber. Within existing regulations, the BLM is looking for efficiencies in streamlining the administrative review process with the strategy and objective of resolving project level issues early in the planning process.

### Means and Strategies

Within the framework of the Endangered Species Act (ESA), the Clean Water Act, the O&C Act, and the NWFP, the program provides a sustainable source of timber, protects watersheds, and contributes to conservation, restoration, species recovery, and economic stability. The BLM develops forest management projects using landscape and watershed approaches to determine the suite of treatment activities. Work continues in coordination with the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) to implement active forest management prescriptions. The BLM continues to implement and monitor timber sales that incorporate the ecological principles suggested by Doctors Norm Johnson and Jerry Franklin and initiated by the Secretary in December of 2010. Lessons learned are being applied to subsequent timber sales that apply the ecological principles on O&C lands. The components of the Forest Management program include:

- Forest landscape planning and project level NEPA development;
- Forest inventory and monitoring;
- Trespass prevention and investigation;
- Maintenance of existing right-of-way agreements;
- Maintenance and restoration of late-successional and old-growth forest structure;
- Resolving protests, appeals, and litigation;
- Sales of timber and other forest and vegetative products; and
- Maintenance and development of the national Forest Resource Information System databases to assure data integrity including the interfacing of the Timber Sale Information System and Collection and Billing System.

The Forest Management Program cooperates with the USFS in the Integrated Vegetation Management Group to support projects that overlap USFS and BLM lands.

### **Other Funding Sources**

In addition to the O&C Grant Lands appropriation, two Permanent Operating Funds are available for use on O&C lands. These are the Timber Sale Pipeline Restoration Fund and the Forest Ecosystem Health and Recovery Fund (FEHRF) as described in the Permanent Operating Funds chapter of the Budget Justification. Public Law 113-235 reauthorized the FEHRF through 2020.

### **2016 Program Performance**

In 2016, the O&C Forest Management Program proposes to:

- Offer at least 203 million board feet (MMBF) of timber for sale;
- Inventory and Monitor 9,000 acres of forest and woodland vegetation;
- Offer 7,000 tons of biomass through firewood permits and stewardship contracts through a combination of the Forest Management Program and Forest Development Program; and
- Harvest 180-200 MMBF of volume from 10,000+ acres under contract from the current and previous year's operational timber sales (normal 3-year contracts).

<b>Activity: Western Oregon Resources Management</b> <b>Subactivity: Reforestation and Forest Development</b>
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		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Reforestation & Forest Development	\$000	23,851	23,851	+172	+0	+0	24,023	+172
	FTE	134	134		+0	+0	134	+0

### Justification of 2016 Program Changes

The 2016 budget request for the Western Oregon Reforestation and Forest Development Program is \$24,023,000 and 134 FTE.

### Program Overview

The Reforestation & Forest Development Program includes costs associated with reforestation, intermediate stand management and forest health treatments in young growth forest stands on the Public Lands in western Oregon. This program provides for forest restoration and sustainable and permanent forest production through active management to achieve healthy and productive watersheds.

### Program Components

The focus areas for the Western Oregon Reforestation and Forest Development Program include:

- Forest regeneration and restoration activities of commercial and non-commercial forest lands that establish young stands and restore habitat in riparian and other reserve areas;
- Intermediate stand management activities in young growth forests that promote forest growth, health, value enhancement, fuel hazard reduction and structure development to provide for future timber harvest, biomass utilization, habitat requirements, and fire recovery;
- Treatments to control the spread of forest pathogens and destructive insects;
- Forest monitoring and adaptive management assessments that inform active forest management to achieve stand objectives and provide for the sustainable harvest of timber;
- Non-native and noxious weed management;
- Forest inventory, data acquisition, and consolidation of data storage and retrieval capabilities to facilitate coordination with other programs; and
- Cooperative research on developing technologies and management activities with other Federal and State resource management agencies and universities.

### Critical Factors

The Reforestation and Forest Development Program is implementing the Cooperative Landscape Conservation Adaptation Initiative that incorporates climate change management planning and carbon sequestration. The BLM participates with the Adapting Forests To Climate

Change Task Force that is a cooperative project to addresses how forest managers will modify seed zones in response to future climate conditions.

The BLM continually assures that landscape-level planning and project-level NEPA compliance work is integrated into and analyzes the full suite of reforestation and forest development treatments and restoration needs in the analysis areas. As part of the overall process, the BLM works with external and internal stakeholders to ensure that program goals are achieved.

### **Means and Strategies**

The BLM uses the following strategies in western Oregon reforestation and forest development:

- Employing emerging technologies such as Light and Detection and Ranging (LiDAR) to provide better, more cost-effective information for decision makers;
- Supporting the Secretarial forestry ecological pilot projects by developing site-specific prescriptions, modeling, and monitoring;
- Supporting the Cooperative Landscape Conservation strategy through work with the USFS to study the potential for assisted migration of Douglas-fir in response to future climate conditions;
- Balancing workforce and operational capacity to prepare and administer service contracts, stewardship contracts, and agreements to reforest and implement high-priority forest development treatments;
- Implementing intermediate stand management activities using a variety of authorities including stewardship contracts, service contracts, and timber sale contracts to offer biomass, reduce hazardous fuels, improve forest health, and enhance growth in young growth stands, achieving multiple resource objectives;
- Working with the USFS, the Oregon Department of Forestry, the Oregon Department of Agriculture, and Oregon State University to treat and monitor sudden oak death in Curry County, Oregon in accordance with a federally mandated quarantine zone;
- Engaging in several collaborative efforts to maintain and enhance ecosystem function, such as the Medford Small Log Collaborative, Tillamook Watershed restoration projects, and Klamath Falls small diameter log and juniper utilization; and
- Improving efficiencies, and where appropriate, taking advantage of The Good Neighbor and Stewardship Contracting authorities.

### **2016 Program Performance**

In 2016, the Reforestation and Forest Development Program will:

- Assure that post-fire reforestation efforts continue as harvesting of salvage timber sale areas continues;
- Treat a total of approximately 14,000 acres of matrix and forest reserve forests to assure adequate growth and habitat development;
- Monitor over 40,000 acres post-treatment;
- Inventory over 30,000 acres of forest or woodland vegetation;
- Inventory over 20,000 acres for the presence of invasive or noxious weeds;
- Treat over 5,000 acres of noxious and invasive weeds or pathogens, including the fungus involved in sudden oak death;
- Produce 1,000 pounds of Improved Seed from western Oregon seed orchards; and
- Summarize use of LiDAR technology and its cost-effective benefits for decision makers.

**Activity: Western Oregon Resources Management**  
**Subactivity: Other Forest Resources Management**

	2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015	
			Fixed Costs	Transfers	Program Changes	Requested Amount		
Other Forest Resource	\$000	36,985	36,985	+263	+0	-3,753	33,495	-3,490
Mgmt	FTE	271	271		+0	-24	247	-24

Summary of 2016 Program Changes/Internal Transfers for Other Forest Resource Management:

	(\$000)	FTE
Reduce Core Capability	-3,753	-24
<b>Total</b>	<b>-3,753</b>	<b>-24</b>

**Justification of 2016 Program Changes**

The 2016 budget request for the Western Oregon Other Forest Resources Management Program is \$33,495,000 and 247 FTE, a program change of -\$3,753,000 and -24 FTE from the 2015 enacted level.

**Reduce Core Capability (-\$3,753,000)** – A decrease of \$3.8 million will reduce a range of activities, including inventory and monitoring, rangeland health assessments and restoration projects, and activities in support of recreation, soil, water, and air. Some cost savings are expected by primarily thinning stands less than 80 years old, where less pre-disturbance surveys are needed.

**Program Overview**

The O&C Grant Lands Other Forest Resources Management Program includes funding for four programs critical to effective multiple-use management across BLM lands in western Oregon: Rangeland Management; Recreation Management; Soil, Water and Air Management; and Wildlife and Fish Habitat Management.

In western Oregon, the BLM addresses public demand for recreation, clean water and productive soil, while managing for the sustained yield timber production as required by the Oregon and California Act of 1937. Additionally, this program provides the necessary funding to support fish and wildlife environmental clearances related to this management of BLM forestlands in western Oregon. This program supports species and habitat management and associated data collection, aquatic restoration for clean water and fish habitat, as well as the timber sale program in the form of surveys, clearances, interdisciplinary team participation, and environmental assessment preparation. In turn, the Forest Management Program supports active forest habitat management within the reserve land use allocations designed to benefit fish and wildlife species in the long term.

## Critical Factors

- Rangeland Management – Coordination with permittees, private landowners, county, State and Federal agencies to integrate best management practices and mitigation measures to reduce the spread of noxious weeds. Utilize approved herbicides and mechanical means to improve habitat.
- Recreation Management – Recreational interest and use is increasing on BLM lands. Look for opportunities to accommodate increasing demand. Until new RMPs are completed, use available public input and information and available transportation management plans to guide, prioritize and address public recreational needs; (e.g. construction and maintenance of recreational facilities and sites, access needs via roads and trails, promoting the America Great Outdoor initiative as well as youth activities, managing various special use permits).
- Soil, Water, and Air Management – Coordination with County, State, and Federal agencies to assure compliance with the regulatory framework. Address climate change concerns at the appropriate scale.
- Fish and Wildlife Management – Coordination with regulatory agencies to complete necessary surveys to assess biological impacts in support of proposed forest management activities. Coordinate implementation at the appropriate scale to meet Endangered Species Act, Clean Water Act, and other regulatory requirements.

## Means and Strategies

The Other Forest Resources Management Program uses collaborative cooperative conservation principles, engaging commodity users, private groups, local communities, government agencies, and other stakeholders when planning and implementing management activities.

BLM biologists in western Oregon consult closely with their FWS and NMFS counterparts to implement an array of forest management and other resource restoration projects. The BLM, in collaboration with the FWS and the NMFS, has been monitoring various fish and wildlife populations as part of on-going regional studies to assist in making informed decisions. The BLM works with the USFS to implement an interagency Special Status Species Program and Clean Water Act compliance activities that extend across administrative boundaries. Applying the concept of Service First and sharing skills accommodates an interagency approach toward resource conservation. Partnering improves administrative efficiencies, and decreases the cost of program administration. In the Soil, Water and Air Management Program, key partnerships with the USFS, the EPA, and the Oregon Department of Environmental Quality have contributed toward administrative streamlining, restoration prioritization, and water quality standard updates—all of which contribute to the BLM's role as a Designated Management Agency under the Clean Water Act.

The BLM also partners with The Nature Conservancy, NatureServe, and local watershed councils to share data and planning strategies that extend across private, State, and Federal jurisdictions. Additionally, the management of invasive species benefits from coordination with other landowners and land management agencies to control the spread of noxious weeds in high-priority habitats. Eradication efforts focus on rapid detection and an early response and prevention, including seeking approval for the use of additional and more effective herbicides.

The Soil, Water and Air Management Program in western Oregon is focused on designing projects and implementing BLM Water Quality Restoration Plan objectives. These objectives emphasize the protection of drinking water sources, improvement of aquatic species habitat, restoring of water quality, and improving aquatic and riparian conditions while incorporating stakeholder input and involvement in development of program priorities. The program involves long-term coordination and collaboration with the fisheries and riparian management programs of multiple agencies and landowners. The program is tasked with managing for soil stabilization, health and productivity; impacts from invasive species to riparian and upland habitat; upland forest and rangeland health; habitat for sensitive species; and the Bureau's wild and scenic rivers.

Much of the work involves assessment, monitoring, and restoring of watersheds to comply with the Clean Water Act and the Safe Drinking Water Act. This is accomplished through development and implementation of restoration projects and activities defined within the context of water quality restoration plans, which support the State of Oregon's Total Maximum Daily Loads program.

Additionally, the program funds studies necessary to establish in-stream flows that are required to support wild and scenic river outstandingly remarkable values; work to obtain or maintain Federal reserve water rights, and inter-agency agreements with the U.S. Geological Survey and Oregon State University to develop flow and water quality monitoring data necessary for developing NEPA planning documents.

### **2016 Program Performance**

The Rangeland Program consists of 95 grazing allotments (52 active and 43 vacant) covering about 352,000 acres of the Medford District, and 11 allotments covering about 14,400 acres in the Klamath Resource Area, Lakeview District. Nine allotments in the Medford District providing 2,714 Animal Unit Months of forage are partially or completely within the Cascade-Siskiyou National Monument. In 2016, the O&C Rangeland Management program proposes to:

- Issue 5-6 grazing allotment permits/leases;
- Maintain 49 grazing use authorizations;
- Complete 15 shrub, grassland, woodland and forest projects related to range management;
- Monitor 5 grazing allotments;
- Inspect 8 grazing allotments for compliance; and
- Complete 3 Land Health Evaluations.

The America's Great Outdoors Initiative continues to be a focus in 2016. The O&C Recreation Management program promotes and expands outdoor recreation opportunities for youth and supports the Secretary's Youth in the Great Outdoors Initiative. Another high priority will be improving public access and protecting resources through Comprehensive Travel and Transportation Management. The BLM will manage rivers and trails to protect their special values, minimize user conflicts, promote a quality recreational experience in a preferred setting, and promote public safety. In 2016, the O&C Recreation Management Program proposes to:

- Inventory Recreation Resources on over 2,000 acres;
- Assess 200 Linear Miles of Recreation Resources;

- Assess 45 Nationally Designated Rivers and Trails;
- Prepare 3 Recreation Activity Plans;
- Process 275 Commercial and Group Special Recreation Permits;
- Issue and Manage over 40,000 Recreation Use Permits;
- Evaluate Recreation Areas on over 12,000 acres; and
- Monitor over 250 acres of Wilderness and Wilderness Study Areas.

The O&C Soil, Water, and Air Management program supports the Energy Policy Act of 2005 through involvement in the Federal Energy Regulatory Commission re-licensing process.

In 2016, the O&C Soil, Water and Air Management Program proposes to:

- Inventory over 100 water resources;
- Monitor air resources/climatic conditions at over 10 sites; and
- Monitor over 100 water resources.

The Western Oregon Wildlife and Fish Habitat Program combines habitat management and habitat restoration actions for fish, wildlife and botany with inventory and monitoring for key species of management concern. Management for, and monitoring of, specific habitat conditions to meet the requirements of the NWFP and the latest Survey and Manage guidance are critical elements of the program. The program supports the Forest Management and the Reforestation and Forest Development Programs through pre-disturbance surveys, project level NEPA analysis and appropriate consultation of proposed treatments. The program is responsible under the NWFP, the Endangered Species Act and Bureau policies for inventorying, monitoring and managing habitat for 68 federally endangered or threatened species and 632 Bureau sensitive fish, wildlife and plant species.

Specific wildlife management emphasis includes a partnership with the FWS to monitor northern spotted owl populations. Fisheries management emphasis is on continued cooperation with the Oregon Watershed Enhancement Board, watershed councils and the NMFS to improve habitat for Pacific salmon species.

Some work is focused on identifying priority watersheds from a landscape perspective to increase effectiveness of restoration efforts in contributing to recovery of listed salmonids. Identifying priority watersheds in conjunction with other Federal and State partners allows for identification of areas with overlapping priorities and the opportunity to form partnerships that leverage additional resources.

In 2016, the O&C Wildlife and Fish Habitat Management program proposes to:

- Inventory over 150 miles of streams and riparian areas;
- Inventory over 40,000 acres of wildlife and plant habitat;
- Implement 45 species recovery and conservation actions;
- Monitor over 50 acres of lake and wetland habitat;
- Monitor 2,000,000 acres of terrestrial habitat; and
- Monitor over 600 species populations

**Activity: Western Oregon Resources Management**  
**Subactivity: Resource Management Planning**

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Resource Management	\$000	7,140	7,140	+20	+0	-3,175	3,985	-3,155
Planning	FTE	51	51		+0	-10	41	-10

Summary of 2016 Program Changes/Internal Transfers for Resource Management Planning:	(\$000)	FTE
Reduction in anticipation of completion of plans	-3,175	-10
<b>Total</b>	<b>-3,175</b>	<b>-10</b>

### Justification of 2016 Program Changes

The 2016 budget request for the Western Oregon Resource Management Planning Program is \$3,985,000 and 41 FTE, a program change of -\$3,175,000 and -10 FTE from the 2015 enacted level.

**Planned Completion of Six Resource Management Plans (-\$3,175,000)** –The BLM plans to complete the six revised RMPs in Spring 2016. As the final environmental impact statements are released and decisions are signed, the program's emphasis will be to support plan implementation with continued collaboration both internally and externally.

### Program Overview

The Western Oregon Resource Management Planning Program emphasizes the development, implementation, and maintenance of Resource Management Plans for BLM-managed land in western Oregon communities. The program supports implementation of NEPA by providing a network of planning experts who provide oversight and extensive advice and review of the various NEPA documents to assure compliance with the existing Resource Management Plans.

The BLM has been managing western Oregon lands for 20 years under the existing 1995 RMPs. Continuation of complex environmental, economic and social issues have challenged the 1995 RMPs ability to meet the balance of human and environmental outcomes originally envisioned at that time. In February of 2012, Secretary Salazar announced the beginning of a new resource management planning process and on March 9, 2012, a Notice of Intent was published in the Federal Register to formalize the initiation of the new plans.

### Program Components

The new RMPs for Western Oregon will determine how the BLM-administered lands in western Oregon will be managed in the future to further the recovery of threatened and endangered species, provide for clean water, restore fire-adapted ecosystems, produce a sustained yield of timber products, provide for recreation opportunities, and meet tribal concerns. The new RMPs will:

- Assure compliance with applicable laws, regulations, and policies, including, but not limited to, the O&C Act, the National Environmental Policy Act (NEPA), the Federal Land Policy and Management Act, the Endangered Species Act, and the Clean Water Act;
- Facilitate completing the subsequent environmental assessments, categorical exclusions, and determinations of NEPA adequacy as appropriate for project implementation; and
- Provide critical analysis to respond to protests, appeals, or litigation.

### **Critical Factors**

Within its regulatory guidance, the BLM is actively engaging all stakeholders to ensure dialogue, collaboration, transparency, and overall support for the new plans.

### **Means and Strategies**

The Means and Strategies the BLM is engaging to gain support for the final Record of Decision include:

**Consultation** - On June 18, 2013, the BLM, the U.S. Fish and Wildlife Service (FWS), and National Marine Fisheries Service signed an ESA Consultation Agreement that outlined a vision on how the consultation would work for the new RMP revision process. Consultation meetings among the agencies are continuing throughout the RMP revision process so the Biological Assessments and Biological Opinions can be completed soon after the release of the Proposed RMP/Final EIS. The U.S. Forest Service (USFS) and the Environmental Protection Agency are also participating in the meetings to provide insight, and to integrate the consultation work with those aspects of the RMPs that involve those particularly agencies.

**Incorporation of New Information** - The RMP revisions will incorporate new information, science, and regulatory requirements into the analysis that was not available or has been modified since the 1995 RMPs were signed. Not exclusive of other new information, two key issues that are incorporated into the RMP revisions are the 2011 Northern Spotted Owl Recovery Plan and 2012 final Critical Habitat rule.

In 2011, the FWS finalized the Recovery Plan for the Northern Spotted Owl. Subsequently in 2012, the Critical Habitat rule for the Northern Spotted Owl was finalized. The Resource Management Plans identified in the Purpose and Need the necessity to provide for the conservation and recovery of threatened and endangered species. The RMPs are using this new information in formulating alternatives to avoid actions that jeopardize the continued existence of listed species.

**Scoping / Listening Sessions** - A number of public outreach meetings have been held to encourage dialogue with community partners, cooperating agencies, Federal and State agencies, and the public. To date, the following formal public outreach efforts have been made throughout western Oregon:

- Eight initial public scoping meetings from May 16<sup>th</sup> – June 5<sup>th</sup> 2012.
- Four recreation outreach workshops from January 29<sup>th</sup> – February 5<sup>th</sup> 2013.
- Four community listening sessions from December 3<sup>rd</sup> – December 18<sup>th</sup> 2013.
- Eight Planning Criteria and Preliminary Alternatives Meeting from March 3<sup>rd</sup> – March 17<sup>th</sup> 2014.

**Cooperating Agencies Advisory Group** - The BLM is fully utilizing the Cooperating Agency process in the RMP revision process. Presently, the BLM has 27 different Cooperating Agencies from State, local, tribal, and the Federal government working closely with them to assure communication and understanding, identify common goals and objectives, and enhance the quality of BLM's management of public lands. The Cooperating Agencies have formed four specific work groups to assist the BLM in the planning process, focused on: terrestrial, aquatic, social-economic, and tribal issues. The Cooperating Agencies are actively engaged in assisting the BLM with alternative development, effect analysis, and outreach.

**Staffing, Neutral Facilitation, External Contracting Analysis** - Internally, western Oregon has a core staff of eight employees working exclusively on preparing the draft and final EIS. In addition to a core staff, an interdisciplinary team of 22 Oregon State Office and District staff throughout western Oregon is providing key input and analysis to support the plan revisions. Externally, the BLM has contracted out different operational aspects of the plan including: neutral party facilitation; socioeconomic analysis; vegetation modeling; northern spotted owl habitat and demographic response modeling; and recreation demand analysis.

### **2016 Program Performance**

In 2016, the Western Oregon Resource Management Planning Program plans to:

- Release the final EIS and sign the Record of Decision in Spring 2016;
- Provide support and guidance for implementing new RMPs; and
- Address any follow-up issues associated with new RMPs.

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## Activity: Western Oregon Information and Data Systems

### Subactivity: Western Oregon Information Systems Operation and Maintenance

		2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015
				Fixed Costs	Transfers	Program Changes	Requested Amount	
Info. & Resource Data	\$000	1,923	1,772	+14	+0	+0	1,786	+14
Systems	FTE	11	11		+0	+0	11	+0

### Justification of 2016 Program Changes

The 2016 budget request for the Western Oregon Information Systems Operation and Maintenance Program is \$1,786,000 and 11 FTE.

### Program Overview

This program deploys hardware and software necessary to implement Resource Management Plans, develop and maintain data sets supporting decision making, and provides technology to facilitate management decisions utilizing programs such as mobile geographic information system (GIS) and internet mapping services. This program manages infrastructure, including workstations, networks, Web services and software applications, and ensures system security, integrity and reliability.

### Means and Strategies

The BLM instituted corporate spatial data standards to ensure GIS data integrity, facilitate integration with partners, and implement Web-based collaboration and mapping tools to enhance access and communication. In 2016, the BLM will continue to centralize management of IT support services. Efforts will continue under Service First to align the GIS functions and leverage BLM and U.S. Forest Service (USFS) data resources to reduce costs to both agencies, facilitate knowledge transfer, and standardize data and procedures.

### Other Funding Sources

Public Domain Forest Management funding in the Management of Lands and Resources Appropriation also supports the maintenance and development of the suite of Forest Management databases within the Forest Information Database Systems.

## 2016 Program Performance

In 2016, western Oregon's BLM Information Technology program proposes to support the following:

- Operations and maintenance for various State and national applications (software) to monitor multiple resource data including fish and wildlife populations and sites, recreational use and permits, special status species, cultural information, forest inventory, hydrology and riparian information, transportation network, and other databases.
- Assure the interface transition between the Collection and Billing System and the Timber Sale Information System continues to meet both national and user requirements.
- Coordinate Information Technology needs with the need to update components of the Forest Resource Information System focusing on:
  - Integrating BLM's forest inventory system (MICROSTORM and FORVIS) into a single national forest inventory system
  - Updating the Special Forest Products database including looking at information technology needs to transition to an on-line permit system.
- Remote sensing support to facilitate resource management and analysis.
- Regular upgrading and/or replacement of computer hardware (i.e. personal computers, radios, phones, storage).

## Activity: Western Oregon National Landscape Conservation System

### Subactivity: National Monuments & National Conservation Areas

	2014 Actual	2015 Enacted	2016 President's Budget				Change from 2015	
			Fixed Costs	Transfers	Program Changes	Requested Amount		
NMs & NCAs	\$000	748	753	+14	+0	+0	767	+14
	FTE	5	5		+0	+0	5	+0

#### Justification of 2016 Program Changes

The 2016 budget request for the Western Oregon National Monuments & National Conservation Areas Program is \$767,000 and 5 FTE.

#### Program Overview

The Cascade Siskiyou National Monument (CSNM) in southwestern Oregon and the Yaquina Head Outstanding Natural Area (YHONA) located in the central coast near Newport, Oregon, are the two units that comprise the Western Oregon National Monuments and National Conservation Areas program. These are both units of the BLM National Conservation Lands.

#### Critical Factors

In support of the NCL goals, in 2016 the BLM will focus on these critical factors:

- Law Enforcement Presence and Visibility — Law enforcement is a key factor in ensuring visitor safety and protecting fragile or rare geologic, archeological, paleontological, and biological resources. Threats include vandalism of natural features, archeological sites, facilities, and theft of irreplaceable archeological and paleontological resources.
- Critical Inventories and Monitoring Programs — Inventories define the critical resource values representative of each unit's uniqueness, and the information provided is essential to the development and implementation of management plans.
- Restoration — Both CSNM and YHONA are home to a variety of ecosystems. These areas contribute to protection and restoration of native plant and animal communities, including riparian habitats, corridors, and migration routes, to sustain and conserve public land resources affected by climate change, altered fire regimes, and invasive species.
- Comprehensive Travel and Transportation Management — Unmanaged recreation use continues to impact resources in the monuments through increased erosion, vegetative damage, spread of weeds and invasive plants, and impacts to wildlife habitat.
- Visitor and Community Education — Interpretation and environmental education improve visitor experiences, providing information about the cultural, ecological, and scientific values of units and the BLM's balanced resource mission.

- Maintenance and Operations of Recreation Facilities – The program supports a number of education and visitor centers along with other facilities to enhance the visitor experience in the natural setting.
- Supporting Soda Mountain Wilderness Stewardship Plan Implementation – The BLM will continue to implement the new plan, including activities such as decommissioning former roads, conducting roads-to-trails projects, removing unneeded grazing management facilities and other human infrastructure, and other “re-wilding” projects.

### **Means and Strategies**

Both the CSNM and the YHONA work with volunteers, partners, and communities. The BLM works closely with the public to ensure that recreation in these units meets the needs of user groups while remaining compatible with the values for which each unit was designated.

### **2016 Program Performance**

To fulfill the goals of the NLCS program at CSNM and YHONA, the BLM will:

- Manage monuments and conservation areas to conserve, protect, and restore the values for which they were designated, as guided by each unit’s enabling legislation or proclamation;
- Manage valid existing rights and compatible uses;
- Support and encourage scientific study and research, while ensuring that research methodologies conserve and protect resources;
- Develop and maintain partnerships with local, State, Federal, and tribal government agencies, as well as scientists, local communities, public land users, non-governmental organizations, and the public; and
- Recognize gateway communities as vital links to monuments and conservation areas and where practical, locate developed recreation and interpretive facilities adjacent to NLCS lands.

## Budget Schedules

Account Symbol and Title 14X1116 Oregon and California Grant Lands	Line	2014 Act	2015 CY	2016 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Western Oregon Maintenance	0002	1	1	5
Western Oregon Resource Management	0004	116	115	100
Western Oregon Data Systems Operation & Management	0005	2	2	2
Western Oregon National Monuments & NCA	0006	1	1	1
Total new obligations	0900	120	119	108
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	4	5	0
Recoveries of prior year unpaid obligations	1021	7	0	0
Unobligated balance (total)	1050	11	5	0
Budget authority:				
Appropriations, discretionary:				
Appropriation	1100	114	114	108
Appropriation, discretionary (total)	1160	114	114	108
Appropriation [O&C]	1160-40	114	114	108
Baseline Civilian Pay	1160-50		76	79
Baseline Non-Pay	1160-50		38	39
Appropriation [Text]	1160-40	0	0	0
Baseline Non-Pay	1160-50		0	0
Total budgetary resources available	1930	125	119	108
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	5	0	0
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	46	44	49
Obligations incurred, unexpired accounts	3010	120	119	108
Outlays (gross)	3020	-115	-114	-112
Recoveries of prior year unpaid obligations, unexpired	3040	-7	0	0
Unpaid obligations, end of year	3050	44	49	45
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	46	44	49
Obligated balance, end of year	3200	44	49	45
Budget authority and outlays, net:				

Account Symbol and Title 14X1116 Oregon and California Grant Lands	Line	2014 Act	2015 CY	2016 BY
Discretionary:				
Budget authority, gross	4000	114	114	108
Outlays, gross:				
Outlays from new discretionary authority	4010	83	84	80
Outlays from discretionary balances	4011	32	30	32
Outlays, gross (total)	4020	115	114	112
Budget authority, net (discretionary)	4070	114	114	108
Outlays, net (discretionary)	4080	115	114	112
Budget authority, net (total)	4180	114	114	108
Outlays, net (total)	4190	115	114	112
Direct Federal programs:				
Budget Authority	2004-01	114	114	108
Outlays	2004-02	115	114	112
<b>Object Classification (O) (\$ in Millions)</b>				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	49	49	47
Other than full-time permanent	11.3	5	5	5
Other personnel compensation	11.5	2	2	2
Total personnel compensation	11.9	56	56	54
Civilian personnel benefits	12.1	18	18	16
Travel and transportation of persons	21.0	1	1	1
Communications, utilities, and miscellaneous charges	23.3	4	4	3
Printing and reproduction	24.0	1	1	1
Other services from non-Federal sources	25.2	20	20	15
Other goods and services from Federal sources	25.3	4	4	5
Operation and maintenance of facilities	25.4	3	3	2
Operation and maintenance of equipment	25.7	3	3	3
Supplies and materials	26.0	3	3	2
Equipment	31.0	1	1	1
Grants, subsidies, and contributions	41.0	6	5	5
Total new obligations	99.9	120	119	108
<b>Employment Summary (Q)</b>				
Direct civilian full-time equivalent employment	1001	804	804	770
<b>Appropriations Requests in Thousands of Dollars (T)</b>				
Budget year budgetary resources [014-1116]	1000			107,734

# Range Improvements



# Range Improvements

## Appropriations Language

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315(b), 315(m)) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: Provided, That not to exceed \$600,000 shall be available for administrative expenses. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2015.*)

## Appropriations Language Citations

1. **For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1751),**

The language provides authority for the Secretary to direct on-the-ground range rehabilitation, protection and improvements to Federal range lands, including seeding and reseeding, fence construction, weed control, water development, and fish and wildlife habitat enhancement.

2. **notwithstanding any other Act,**

The provisions of this language supercede any other provision of law.

3. **sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315(b), 315(m))**

Section 3 of the Taylor Grazing Act concerns grazing permits issued on public lands within the grazing districts established under the Act. Receipts from grazing on section 3 lands are distributed three ways: 50 percent goes to range betterment projects, 37.5 percent remains in the US Treasury, and 12.5 percent is returned to the State.

Section 15 of the Taylor Grazing Act concerns issuing grazing leases on public lands outside the original grazing district boundaries. The receipts from grazing on section 15 public lands are distributed two ways: 50 percent goes to range betterment projects and 50 percent is returned to the State.

4. **and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law,**

The Bankhead Jones Farm Tenant Act of 1937 authorized and directed the Secretary of Agriculture to purchase low production, privately owned farmlands. These lands were later transferred to the Department of the Interior for use, administration, or exchange under the applicable provisions of the Taylor Grazing Act.

**5. but not less than \$10,000,000,**

If grazing receipts are less than \$10 million, the balance of the \$10 million appropriation comes from the General Fund

**6. to remain available until expended:**

The language makes the funding no-year, available for expenditure in any year after the appropriation. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, agreements and purchases.

**7. Provided, That not to exceed \$600,000 shall be available for administrative expenses.**

The provision limits the amount of funding in this appropriation that can be used for administrative expenses to \$600,000.

### **Appropriations Language Citations and Authorizations**

**Section 401 of Federal Land Policy & Management Act (FLPMA) (43 U.S.C. 1751), as amended by the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1905),** provides that 50 percent of all monies received by the U.S. as fees for grazing domestic livestock on public land under the Taylor Grazing Act (43 U.S.C. 315) and the Act of August 28, 1937 (43 U.S.C. 1181d) shall be credited to a separate account in the Treasury and made available for the purpose of on-the-ground range rehabilitation, protection, and improvements, including, but not limited to, seeding and reseeding, fence construction, weed control, water development, and fish and wildlife habitat enhancement.

**Taylor Grazing Act of 1934 (43 U.S.C 315) as, amended by the Act of August 28, 1937 (43 U.S.C. 1181d),** authorizes the establishment of grazing districts, regulation, and administration of grazing on the public lands, and improvement of the public rangelands. It also authorizes the Secretary to accept contributions for the administration, protection, and improvement of grazing lands, and establishment of a trust fund to be used for these purposes.

**7 U.S.C. 1010 (the Bankhead Jones Farm Tenant Act of 1937),** provides that the Secretary of Agriculture is authorized and directed to develop a program of land conservation and utilization in order to correct maladjustments in land use, and thus assist in controlling soil erosion, conducting reforestation, preserving natural resources, protecting fish and wildlife, developing and protecting recreational facilities, mitigating floods, preventing impairment of dams and reservoirs, conserving surface and subsurface moisture, protecting the watersheds of navigable streams, and protecting the public land, health, safety, and welfare; but not to build industrial parks or establish private industrial or commercial enterprises.

**Executive Orders 10046, et al.,** provide that land under the jurisdiction of the Secretary of Agriculture under the provision of §32 of the Bankhead Jones Farm Tenant Act is transferred from the Department of Agriculture to the Department of the Interior for use, administration, or exchange under the applicable provisions of the Taylor Grazing Act.

**30 U.S.C. 355,** provides that all mineral leasing receipts derived from leases issued under the authority of the Mineral Leasing Act for Acquired Lands of 1947 shall be paid into the same

funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease. The intention is that this act shall not affect the distribution of receipts pursuant to legislation applicable to such lands.

***Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2814)***, provides for the designation of a lead office and person trained in the management of undesirable plants; establishes and funds an undesirable plant management program; completes and implements cooperative agreements with State agencies; and establishes integrated management systems to control undesirable plant species.

***The Annual Department of the Interior, Environment, and Related Agencies Appropriations Acts***, provide that a minimum amount is appropriated, that the appropriation shall remain available until expended, and that a maximum of \$600,000 is available from this appropriation for BLM administrative expenses.

Under the provisions of the ***Balanced Budget and Emergency Deficit Control Act of 1985 and the Budget Enforcement Act of 1990***, this account is classified as a current, mandatory account.

Summary of Requirements  
(dollars in thousands)

	2014 Actual		2015 Enacted		Fixed Cost	2016 President's Budget				Requested Amount		Change from 2015 Enacted	
	FTE	Amount	FTE	Amount		FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Public Lands Improvements	30	7,590	30	7,582	+0	-	-	-	+597	30	8,179	-	+597
Farm Tenant Act Land Improvements	5	1,690	5	1,688	+0	-	-	-	+133	5	1,821	-	+133
Administrative Costs	-	[557]	-	[600]	+0	-	-	-	[+43]	-	[600]	-	[+43]
<b>Range Improvements</b>	<b>35</b>	<b>9,280</b>	<b>35</b>	<b>9,270</b>	<b>+0</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>+730</b>	<b>35</b>	<b>10,000</b>	<b>-</b>	<b>+730</b>

Notes: - 2014 amount for Range Improvements includes 7.2% sequester and the 2015 amount includes 7.3% sequester pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.  
 - Change in Range Improvements between 2015 and 2016 reflects the change in available appropriations between 2015 and 2016 due to sequester in 2015, not a request for an increase in appropriated funds.

## Appropriation: Range Improvements

		2014 Actual	2015 Enacted	2016 President's Budget			Requested Amount	Change from 2015
				Fixed Costs	Transfers	Program Changes		
Public Lands Improvements	\$000	7,590	7,582	+0	+0	+0	8,179	+0
	FTE	30	30		+0	+0	30	+0
Farm Tenant Act Land Improvements	\$000	1,690	1,688	+0	+0	+0	1,821	+0
	FTE	5	5		+0	+0	5	+0
Administrative Costs	\$000	[570]	[600]	+0	+0	+0	[600]	[+0]
Range Improvements	\$000	9,280	9,270	+0	+0	+730	10,000	+730
	FTE	35	35		+0	+0	35	+0

*Notes: 2014 amount for Range Improvements includes sequester of 7.2% and 2015 amount 7.3% sequester pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*Change in Range Improvements between 2015 and 2016 reflects the change in available appropriations between 2015 and 2016 due to sequester in 2015, not a request for an increase in appropriated funds.*

### Justification of 2016 Program Changes

The 2016 budget request for the Range Improvement Account is \$10,000,000 and 35 FTE.

### Program Overview

#### Program Components

The Range Improvement Account functions as the primary support program for Rangeland Management and is used to construct on-the-ground projects, such as vegetation management treatments, fencing, and wildlife-livestock water developments.

These funds are used to improve land health and resource conditions, facilitating the production of a wide variety of ecosystem goods and services, such as high quality water. Areas identified through land health evaluations are prioritized at the district level for funding. Examples of areas not achieving rangeland health standards could be riparian areas functioning at-risk with a downward trend, areas with unacceptable plant community composition including areas invaded by noxious and invasive weeds or other invasive species, or areas with unnaturally high amounts of exposed soil that would be subject to accelerated erosion.

Healthy landscapes in the West today are at greater risk due to more intense and extended droughts, increasing wildfire frequency, and continuing migration of invasive species. Range Improvement funds also provide field offices with the flexibility to address changing resource conditions such as drought, wildfire, newly listed species, critical habitat, and candidate species such as sage-grouse.



Installation of a cattleguard, in cooperation with the Colorado Parks and Wildlife, is used to provide access to the Arkansas Headwaters Recreation Area and prevent livestock from getting out onto the highway.

### Means and Strategies

- The BLM uses funding from the Range Improvement Account in addition to funding from other programs and contributions from permittees and partner organizations to support rangeland health. The amount of funding the BLM is able to leverage from partners and stakeholders is a factor used to help prioritize projects for funding.
- Other workload priorities such as wildfire, droughts, floods, and litigation can affect the BLM's ability to complete range improvement projects.
- Project prioritization is based on resource issues, such as protection of sensitive species through management of sage-grouse habitat, reduction of wildfire risks through the management of fuel loads, and coordination with post-fire rehabilitation efforts to help manage the spread of invasive or noxious weeds.

### Funding for the Range Improvement Appropriation

Fifty percent of grazing fees collected on public lands, or \$10.0 million, whichever is greater, is appropriated annually into the Range Improvement Account. Funding is distributed to the BLM grazing districts according to where the receipts were collected. This funding remains available until exhausted and is to be used for on-the-ground projects, principally for improving public lands not achieving land health standards.

Please refer to the Collections chapter for information on grazing fees collected on public lands.

### Grazing Fees

Grazing fees are set each year under the authority of FLPMA and the Public Range Improvement Act. The fee for 2014 was \$1.35 per Animal Unit Month (AUM), as announced on January 31, 2014. The fee for 2015 will be announced in late January 2015. A portion of the grazing fees are deposited into the Treasury and 50 percent of the fees are appropriated to the BLM in this Range Improvement Account for the purposes described in this chapter.

These fees do not fund the Rangeland Management Program, and they also differ from the proposed grazing permit administrative fee. More information on the Rangeland Management Program and the proposed cost recovery measure can be found in the MLR appropriation section.

### 2016 Program Performance

In 2016, the focus and priorities of the Range Improvement Account will remain as described in the overview section. It is estimated that approximately 18,000 acres would receive vegetation treatment, 300 new structural projects would be constructed, 250 existing projects would be re-constructed/maintained and 50,000 acres of weed treatment would be completed.



A windmill powered well is used to improve livestock distribution in Colorado in an area without a reliable water source.

## Budget Schedules – Current Law

Account Symbol and Title 14X5132 Range Improvements	Line	2014 Act	2015 CY	2016 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Public Lands Improvements	0001	7	8	8
Farm Tenant Act Lands Improvements	0002	1	1	1
Total new obligations	0900	8	9	9
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	3	4	4
Budget authority:				
Appropriations, mandatory:				
Appropriation (General Fund)	1200	3	3	3
Appropriation (special or trust fund)	1201	7	7	7
Appropriations and/or unobligated balance of appropriations temporarily reduced	1232	-1	-1	0
Appropriations, mandatory (total)	1260	9	9	10
Appropriations, mandatory - Computed Totals	1260-20	9	9	10
Appropriation [Indefinite]	1260-40	4	2	2
Baseline Civilian Pay	1260-50		0	0
Baseline Non-Pay	1260-50		2	2
Appropriation [Special Fund, Indefinite]	1260-40	6	8	8
Baseline Civilian Pay	1260-50		3	3
Baseline Non-Pay	1260-50		5	5
Appropriation [Text]	1260-40	0	0	0
Baseline Non-Pay	1260-50		0	0
Effects of 2014 sequester	1260-40	-1	-1	0
Baseline Non-Pay	1260-50		-1	0
Total budgetary resources available	1930	12	13	14
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	4	4	5
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	6	4	6
Obligations incurred, unexpired accounts	3010	8	9	9
Outlays (gross)	3020	-10	-7	-10
Unpaid obligations, end of year	3050	4	6	5
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	6	4	6

Account Symbol and Title 14X5132 Range Improvements	Line	2014 Act	2015 CY	2016 BY
Obligated balance, end of year	3200	4	6	5
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	9	9	10
Outlays, gross:				
Outlays from new mandatory authority	4100	4	4	4
Outlays from mandatory balances	4101	6	3	6
Outlays, gross (total)	4110	10	7	10
Budget authority, net (mandatory)	4160	9	9	10
Outlays, net (mandatory)	4170	10	7	10
Budget authority, net (total)	4180	9	9	10
Outlays, net (total)	4190	10	7	10
Physical assets:				
Major equipment:				
Other physical assets:				
Direct Federal programs:				
Budget Authority	1352-01	9	9	10
Outlays	1352-02	10	7	10
<b>Object Classification (O) (\$ in Millions)</b>				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	2	2	2
Civilian personnel benefits	12.1	1	1	1
Other services from non-Federal sources	25.2	1	1	1
Other goods and services from Federal sources	25.3	1	1	1
Supplies and materials	26.0	1	1	1
Land and structures	32.0	1	1	1
Grants, subsidies, and contributions	41.0	1	2	2
Total new obligations	99.9	8	9	9
<b>Employment Summary (Q)</b>				
Direct civilian full-time equivalent employment	1001	35	35	35
<b>Appropriations Requests in Thousands of Dollars (T)</b>				
Budget year budgetary resources [014-5132]	1000			10,000

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# Service Charges, Deposits and Forfeitures



# SERVICE CHARGES, DEPOSITS AND FORFEITURES

## Appropriations Language

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579 (43 U.S.C.1701 et seq.), and under section 28 of the Mineral Leasing Act (30 U.S.C. 185), to remain available until expended: Provided, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands. (*Division F—Department of the Interior, Environment, and Related Agencies Appropriations Act, 2015*)

## Appropriations Language Citations

- 1. For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources,**

This language provides authority to recover costs associated with the processing of documents related to Rights-of-Way (ROW) and energy and minerals authorizations required to dispose of public lands and resources. These funds are deposited in the Service Charges, Deposits, and Forfeitures account and used by BLM for labor and other expenses of processing these documents. Only those costs directly associated with processing an application or issuing a ROW grant are charged to an individual project.

- 2. for costs of providing copies of official public land documents,**

The BLM performs certain types of realty work on a cost-recoverable basis. Regulations promulgated pursuant to FLPMA allow the BLM to collect from applicants the costs associated with providing copies of public land documents.

- 3. for monitoring construction, operation, and termination of facilities in conjunction with use authorizations,**

The BLM performs certain types of realty work on a cost-recoverable basis. Regulations promulgated pursuant to FLPMA allow the BLM to collect from applicants the costs of monitoring construction, operation and termination of facilities.

**4. and for rehabilitation of damaged property,**

The BLM performs certain types of realty work on a cost-recoverable basis. Regulations promulgated pursuant to the FLPMA allow the BLM to collect from applicants the costs of monitoring rehabilitation and restoration of the land.

**5. such amounts as may be collected under Public Law 94–579 (43 U.S.C.1701 et seq.),**

This language authorizes the BLM to collect amounts for activities authorized by FLPMA

**6. and under section 28 of the Mineral Leasing Act (30 U.S.C. 185),**

This language authorizes the Secretary to issue Rights-of-Way and other land use authorizations related to the Trans-Alaska Pipeline. Rights-of-Way applicants and permittees are to reimburse the U.S. for all costs associated with processing applications and monitoring pipeline construction and operations.

**7. to remain available until expended:**

The language makes the funds deposited into the account available on a no-year basis. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, maintenance, construction, operations, and rehabilitation of public lands.

**8. Provided, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)),**

This provision authorizes BLM to collect for land damaged by users who have not fulfilled the requirements of contracts or bonds.

**9. any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)),**

This language authorizes the Secretary to issue a refund of the amount in excess of the cost of doing work to be made from applicable funds.

**10. shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action:**

This language authorizes the Secretary to use funds to improve, protect, or rehabilitate public lands that were damaged by a developer or purchaser even if the funds collected were not damages on those exact lands.

11. Provided further, that any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

If a funding excess exists after repair has been made to the exact land for which funds were collected or forfeited, then the BLM may use these funds to improve, protect, or rehabilitate any damaged public land.

### Appropriation Language Authorizations

<b><i>Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1735)</i></b>	Authorizes the BLM to receive deposits and forfeitures.
<b><i>The Mineral Leasing Act of 1920, as amended by the Trans-Alaska Pipeline Act of 1973, §101 (Public Law 93-153) (30 U.S.C. 185)</i></b>	Authorizes rights-of-way for oil, gas, and other fuels. It further authorizes the Secretary to issue Rights-of-Way and other land use authorizations related to the Trans-Alaska Pipeline. Rights-of-Way applicants and permittees are to reimburse the U.S. for all costs associated with processing applications and monitoring pipeline construction and operations.
<b><i>The Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719)</i></b>	Authorizes the granting of certificates, Rights-of-Way permits, and leases.
<b><i>The National Environmental Policy Act of 1969 (42 U.S.C. 4321, 4331-4335, 4341-4347)</i></b>	Requires the preparation of environmental impact statements for Federal projects that may have a significant effect on the environment.
<b><i>The Wild Free Roaming Horse and Burro Act of 1971, as amended by the Public Rangelands Improvement Act of 1978 (16 U.S.C. 1331-1340)</i></b>	Authorizes adoption of wild horses and burros by private individuals under cooperative agreements with the Government.
<b><i>The Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1908)</i></b>	Establishes the policy of improving Federal rangeland conditions and facilitates the humane adoption or disposal of excess wild free-roaming horses and burros.
<b><i>Omnibus Public Land Management Act, 2009 (P.L. 111-11)</i></b>	Among numerous other things, authorizes the disposal of certain lands in the Boise District of the Bureau of Land Management, in Washington County, Utah, and in Carson City, Nevada. It authorizes BLM to retain and spend most of the proceeds of these sales to acquire lands in wilderness and other areas and for other purposes, and to pay a portion to the states in which the sold land was located.

## Summary of Requirements

(Dollars in Thousands)

Comparison by Activity/ Subactivity	2014 Actual		2015 Enacted		2016				Change from 2015 (+/-)	
					Program Changes (+/-)		Budget Request			
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Service Charges, Deposits, & Forfeitures	184	29,998	184	32,465	0	-1,415	184	31,050	0	-1,415
Offsets		-29,998		-32,465		1,415		-31,050		+1,415
Right-Of-Way Processing [5101, 5102 & 5103]	102	12,360	102	16,105	0	-1,415	102	14,690	0	-1,415
Energy and Minerals Cost Recovery [5110 & 5104]	22	5,399	22	5,160	0	0	22	5,160	0	0
Trans Alaska Pipeline [5106 & 5109]	23	1,819	23	1,620	0	0	23	1,620	0	0
Adopt-A-Horse Program [5200 thru 5220]	0	332	0	380	0	0	0	380	0	0
Repair of Damaged Lands [5330, 5310, & 5320]	16	4,419	16	3,420	0	0	16	3,420	0	0
Cost Recoverable Realty Cases [5410 thru 5440]	3	808	3	830	0	0	3	830	0	0
Timber Contract Expenses [5500 & 5600]	0	127	0	60	0	0	0	60	0	0
Commercial Film & Photography Fees [5441]	3	251	3	230	0	0	3	230	0	0
Recreation Cost Recovery [5105]	8	3,655	8	3,690	0	0	8	3,690	0	0
Copy Fee Account [5700]	7	828	7	970	0	0	7	970	0	0

## Appropriation: Service Charges, Deposits, and Forfeitures (Indefinite)

### Program Overview

***Rights-of-Way Processing and Energy and Minerals Cost Recovery*** – The BLM recovers certain costs of processing documents related to Rights-of-Way (ROW), and energy and minerals authorizations. These funds are deposited in the Service Charges, Deposits, and Forfeitures account and used by BLM for labor and other expenses of processing these documents. More detail for each type of cost recovery is described below.

***Rights-of-Way Processing*** – ROW processing is funded through a combination of applicant deposits made into this indefinite appropriation and a direct appropriation of funds in the Management of Lands and Resources (MLR) appropriation, which include the Renewable Energy subactivity as well as the Land and Realty Management subactivity.

The BLM recovers costs for the processing of ROW applications pursuant to the Mineral Leasing Act (MLA) and the Federal Land Policy and Management Act (FLPMA). Processing fees are determined by a fee schedule for minor category ROWs (those which require fewer than 50 Federal work hours). Processing fees for major category ROWs (those which require greater than 50 Federal work hours) are based on reasonable costs (FLPMA) or actual costs (MLA). In 2014, BLM's average cost to process a major category right-of-way application was approximately \$92,000; in 2015 it is estimated to be \$98,000. Major category ROW projects are usually for oil and gas pipelines, electric transmission lines, wind and solar energy development sites, or other projects associated with energy development. Twenty percent of BLM's rights-of-way applications are for these types of projects. BLM estimates that it will recover 80 percent of the reasonable or actual processing costs of the larger scale project types of applications.

Approximately 80 percent of the ROW projects are minor category which usually consists of short roads, well gathering pipelines, and electric distribution lines. Minor category ROW applications cost an average of \$2,400 each to process in 2014; in 2015 minor category cost recovery applications are estimated to have an average processing cost of \$2,600. For these smaller-scale projects, the BLM recovers 50 percent of the actual costs of each right-of-way application. Approximately 10 percent of the ROW projects are for roads and other infrastructure for local or state government agencies for which BLM recovers no cost recovery funds.

Only those costs directly associated with processing an application or issuing a ROW grant are charged to an individual project. Costs of land use planning or studies to determine placement of ROW corridors, and other general costs that are not specific to a ROW application, cannot be charged to the individual ROW cost recovery account. These costs are funded entirely from the MLR appropriation. In addition, certain types of ROW applicants are exempted, by law, from cost recovery. These applicants include States and local governments.

The BLM currently administers more than 107,000 ROW authorizations. The Bureau will continue to expedite the granting of ROWs by processing applications, issuing grants, and monitoring construction involved with the operation and termination of ROWs on the public land as authorized by the FLPMA and the MLA.

**Energy and Minerals Cost-Recovery** - The BLM issued a final rule effective November 7, 2005, to amend its mineral resources regulations to increase certain fees and to impose new fees to cover BLM's costs of processing documents relating to its minerals programs. The new fees included costs of actions such as environmental studies performed by the BLM, lease applications, name changes, corporate mergers, lease consolidations and reinstatements, and other processing-related costs. The BLM charges the fees pursuant to authorities under the Independent Offices Appropriation Act, as amended, 31 U.S.C. 9701 (IOAA); Section 304(a) of FLPMA; and OMB Circular A-25; DOI Manual 346 DM 1.2 A; and case law (also see the preamble to the proposed rule at 70 FR 41533 and Solicitor's Opinion M-36987 (December 5, 1996)).

**Recreation Cost Recovery** – The BLM recovers its costs associated with authorizing and administering certain recreation activities or events. The BLM uses Special Recreation Permits to authorize events such as off-highway vehicle areas, shooting ranges, and specialized trail systems; or to authorize group activities or recreation events. This subactivity covers revenues and expenditures associated with any Special Recreation Permit that has been determined to be cost recoverable by BLM personnel as outlined in 43 CFR 2930-1 Permits for Recreation on Public Lands and H-2930-1, Recreation Permit Administration Handbook. Primary work in this program involves processing the application and administering the permit, which includes environmental analysis and monitoring.

**Adopt-a-Horse Program** – The BLM conducts adoptions of wild horses and burros removed from its public lands. In 2016, the BLM will offer animals for adoption to qualified applicants. The BLM administers animal adoptions primarily through a competitive bidding process, receiving a minimum of \$380 per horse or burro to offset veterinary, transportation, and animal maintenance costs.

**Repair of Damaged Lands** – Under FLPMA, the BLM is authorized to collect for land damaged by users who have not fulfilled the requirements of contracts or bonds. If a funding excess exists after repair has been made to the exact land for which funds were collected or forfeited, then the BLM may use these funds to improve, protect, or rehabilitate any damaged public land.

**Cost-Recoverable Realty Cases** – The BLM performs certain types of realty work on a cost-recoverable basis. Regulations promulgated pursuant to the FLPMA allow the BLM to collect from applicants the costs of processing applications for realty work, as described below.

- **Conveyance of Federally Owned Mineral Interests** –The BLM collects costs from applicants to cover administrative costs, including the costs of conducting an exploratory program to determine the type and amount of mineral deposits, establishing the fair market value of the mineral interests to be conveyed, and preparing conveyance documents.
- **Recordable Disclaimers of Interest** – The BLM collects costs from applicants to cover administrative costs, including the costs to determine if the U.S. has an interest in the property or boundary definitions, as well as preparing the riparian specialist's report or preparing and issuing the document of disclaimer.
- **Leases, Permits, and Easements** – The BLM collects costs from applicants to cover administrative costs, including the cost of processing applications, monitoring construction, operating and maintaining authorized facilities, and monitoring rehabilitation and restoration of the land.

Applicants may deposit money in an approved account for the BLM use in completing specific realty work. These dollars become immediately available to the BLM without further appropriation.

**Timber Contract Expenses** – Many BLM timber contracts have provisions that allow the purchaser to make cash payments to the BLM in lieu of performing specified work directly. The BLM uses these funds as required by the contract. This involves performing timber slash disposal and reforestation.

**Commercial Film and Photography** – A permit is required for all commercial filming activities on public lands. Commercial filming is defined as the use of motion picture, videotaping, sound recording, or other moving image or audio recording equipment on public lands that involves the advertisement of a product or service, the creation of a product for sale, or the use of actors, models, sets, or props, but not including activities associated with broadcasts for new programs. Creation of a product for sale includes a film, videotape, television broadcast, or documentary of participants in commercial sporting or recreation event created for the purpose of generating income. These fees are exclusive of cost recovery fees for processing the permits which are collected under leases, permits, and easements.

**Copy Fees** – The BLM is the custodian of the official public land records of the United States. There are more than 500,000 requests annually from industry, user organizations, and the general public, for copies of these official records. The BLM charges a fee for copies of these documents (maps, plats, field notes, copies of use authorizations, reservations of easements and ROW, serial register pages, and master title plats). This fee covers the cost of research, staff time, and the supplies required for printing and for responding to Freedom of Information Act requests.

## Budget Schedules

Account Symbol and Title 14X5017 Service Charges, Deposits, and Forfeitures	Line	2014 Act	2015 CY	2016 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Right-of-way processing	0001	13	13	13
Energy and minerals cost recovery	0004	3	3	3
Wild horse and burro cost recover	0005	0	0	1
Repair of damaged lands	0006	3	3	3
Cost recoverable realty	0007	1	1	1
Recreation cost recovery	0008	3	3	3
Copy fees	0009	1	1	1
Trans Alaska Pipeline Authority	0011	4	4	4
Total new obligations	0900	28	28	29
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	46	49	53
Recoveries of prior year unpaid obligations	1021	1	0	0
Unobligated balance (total)	1050	47	49	53
Budget authority:				
Appropriations, discretionary:				
Appropriation (special or trust fund)	1101	30	32	31
Appropriation, discretionary (total)	1160	30	32	31
Appropriation [Text]	1160-40	30	32	31
Baseline Civilian Pay	1160-50		22	23
Baseline Non-Pay	1160-50		10	10
Appropriation [Text]	1160-40	0	0	0
Baseline Non-Pay	1160-50		0	0
Total budgetary resources available	1930	77	81	84
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	49	53	55
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	6	2	3
Obligations incurred, unexpired accounts	3010	28	28	29
Outlays (gross)	3020	-31	-27	-32
Recoveries of prior year unpaid obligations, unexpired	3040	-1	0	0
Unpaid obligations, end of year	3050	2	3	0
Memorandum (non-add) entries:				

Account Symbol and Title 14X5017	Line	2014 Act	2015 CY	2016 BY
<b>Service Charges, Deposits, and Forfeitures</b>				
Obligated balance, start of year	3100	6	2	3
Obligated balance, end of year	3200	2	3	0
Budget authority and outlays, net:				
Discretionary:				
Budget authority, gross	4000	30	32	31
Outlays, gross:				
Outlays from new discretionary authority	4010	15	16	16
Outlays from discretionary balances	4011	16	11	16
Outlays, gross (total)	4020	31	27	32
Budget authority, net (discretionary)	4070	30	32	31
Outlays, net (discretionary)	4080	31	27	32
Budget authority, net (total)	4180	30	32	31
Outlays, net (total)	4190	31	27	32
Direct Federal programs:				
Budget Authority	2004-01	30	32	31
Outlays	2004-02	31	27	32
<b>Object Classification (O) (\$ in Millions)</b>				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	13	13	13
Other than full-time permanent	11.3	1	1	1
Other personnel compensation	11.5	1	1	1
Total personnel compensation	11.9	15	15	15
Civilian personnel benefits	12.1	5	5	5
Travel and transportation of persons	21.0	1	1	1
Other services from non-Federal sources	25.2	2	2	2
Other goods and services from Federal sources	25.3	4	4	4
Supplies and materials	26.0	1	1	2
Total new obligations	99.9	28	28	29
<b>Employment Summary (Q)</b>				
Direct civilian full-time equivalent employment	1001	184	184	184
<b>Appropriations Requests in Thousands of Dollars (T)</b>				
Budget year budgetary resources [014-5017]	1000			31,050

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# Miscellaneous Permanent Payments



# Miscellaneous Permanent Payments

## Appropriations Language

No Appropriations Language

## Explanation

The Permanent Payment Accounts provide for sharing specified receipts collected from the sale, lease, or use of the public lands and resources with States and counties. They do not require annual appropriations action. Amounts are estimated based on anticipated collections, or in some cases, upon provisions required by permanent legislation. The BLM distributes these funds in accordance with the provisions of the various laws that specify the percentages to be paid to the applicable recipient jurisdictions and, in some cases, how the States and counties must use these funds. These payments are made subject to the authorities of permanent law, and the amounts are made available by operation of permanent laws. The payment amounts show for each year are the amounts paid, or estimated to be paid, in that year.

## Authorizations

**30 U.S.C. 191, 286; 95 Stat. 12051**

Mineral leasing receipts are collected from the leasing of public land (including bonuses, royalties and rents) for exploration of oil and gas, coal, oil shale, and other minerals. The amount charged depends on the type of mineral that is leased.

**1952 Interior and Related Agencies Appropriations Act (65 Stat. 252)**

States are paid five percent of the net proceeds (four percent of gross proceeds) from the sale of public land and public land products.

**Taylor Grazing Act of 1934 (43 U.S.C. 315 b, i and m)**

States are paid 12½ percent of the grazing fee receipts from lands within organized grazing district boundaries; States are paid 50 percent of the grazing fee receipts from public land outside of organized grazing districts; and States are paid specifically determined amounts from grazing fee and mineral receipts from miscellaneous lands within grazing districts that are administered under certain cooperative agreements which stipulate that the fees be retained by the BLM for distribution.

**The Oregon and California Grant Lands Act of 1937 (50 STAT. 874)**

Provides for payments to 18 western Oregon counties of 75 percent of receipts derived from the activities of BLM on O&C grant lands. The percentage was changed to 50 percent by agreement between Oregon and the Federal government.

**The Act of May 24, 1939 (53 STAT. 753)**

Provides for payments in lieu of taxes to Coos and Douglas counties in Oregon of not to exceed 75 percent of receipts derived from BLM activities on Coos Bay Wagon Road grant lands.

**7 U.S.C. 1012, the Bankhead Jones Farm Tenant Act of 1937, and Executive Orders 107878 and 10890**

25 percent of the revenues received from the use of these land use project lands, including grazing and mineral leasing, are paid to the counties in which such lands are located. The Act transfers the management of certain Farm Tenant Act-Land Utilization Project lands to the jurisdiction of the Department of the Interior.

**The Burton-Santini Act of 1980 (P.L. 96-586) and P.L. 105-263**

Authorizes and directs the sale of up to 700 acres per year of certain lands in Clark County, Nevada, and the acquisition of environmentally sensitive lands in the Lake Tahoe Basin, with 85 percent of the proceeds. The remaining 15 percent of proceeds from sales are distributed to Nevada and Clark County.

***Southern Nevada Public Land Management Act, P.L. 105-263, as amended by P.L. 107-282.***

Authorizes the disposal through sale of 27,000 acres in Clark County, Nevada, the proceeds of which are distributed as follows: (a) five percent for use in the general education program of the State of Nevada; (b) 10 percent for use by Southern Nevada Water Authority for water treatment and transmission facility infrastructure in Clark County, Nevada; and (c) the remaining 85 percent to be used to acquire environmentally sensitive lands in Nevada; to make capital improvements to areas administered by NPS, FWS and BLM in Clark County, Nevada; to develop a multi-species habitat plan in Clark County, Nevada; to develop parks, trails, and natural areas in Clark County, Nevada; and to provide reimbursements for BLM costs incurred in arranging sales and exchanges under this Act.

***The Alaska Native Claims Settlement Act of 1971 as amended by Public Law 94-204 of 1976 (43 U.S.C. 1611)***

Directs the Secretary to make conveyances to Cook Inlet Region, Inc. (CIRI) in accordance with the "Terms and Conditions for Land Consolidation and Management in Cook Inlet Area."

***The Alaska National Interest Lands Conservation Act of 1980 (43 U.S.C. 1611)***

Authorizes CIRI to bid on surplus property in accordance with the *Federal Property and Administrative Services Act of 1940 (40 U.S.C. 484)*, and provides for the establishment of a CIRI surplus property account by the Secretary of the Treasury.

***The Alaska Railroad Transfer Act of 1982 (43 U.S.C. 1611)***

Expands the account by allowing CIRI to bid on properties anywhere in the U.S.

***The 1988 Department of Defense Appropriations Act (101 Stat. 1329- 318)***

Authorizes CIRI to bid at any public sale of property by any agent of the U.S., including the Department of the Defense.

***The 1990 Department of Defense Appropriation Act (16 U.S.C 396f)***

Appropriated monies to be placed into the CIRI Property Account in the U.S. Treasury as permanent budget authority.

***Alaska Land Status Technical Corrections Act of 1992 (P.L. 102-415)***

Authorizes payments to the Haida and Gold Creek Corporations to reimburse them for claims in earlier land settlements.

***The Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393) as amended by P.L. 110-343, October, 2008.***

Authorizes stabilized payments to Oregon and California (O&C) Grant lands and Coos Bay Wagon Road Counties for fiscal years 2001 through 2006. Each county that received a payment during the eligibility period (1988-1999) had an option to receive an amount equal to the average of the three highest 50 percent payments and safety net payments made for the fiscal years of the eligibility period. The payments were adjusted to reflect 50 percent of the cumulative changes in the Consumer Price Index that occur after publication of the index for fiscal year 2000. The final payments for 2006 were made in 2007, consistent with the Act. Public Law 110-28, May 25, 2007 provided payments for one additional year. The fiscal year 2007 payments under the original act were made in October, 2007, that is in FY2008.

***Public Law 110-28***

Provided one additional year of payments to Oregon & California Grant Lands and Coos Bay Wagon Road counties for 2007 to be made in 2008.

***Public Law 110-343***

Secure Rural Schools and Community Self-Determination Act payments were authorized to be made in 2009 through 2012 (for 2008 through 2011) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.

***Public Law 112-141***

Secure Rural Schools and Community Self-Determination Act payments were authorized to be made in 2013 (for 2012) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.

***Public Law 113-40***

Secure Rural Schools and Community Self-Determination Act payments were authorized to be made in 2014 (for 2013) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.

***Clark County Conservation of Public Land and Natural Resources Act of 2002 (P.L. 107-282) as amended by P.L. 108-447***

Enlarges the area in which the BLM can sell lands under the Southern Nevada Public Land Management Act; approves a land exchange in the Red Rock Canyon Area; designates wilderness; designates certain BLM lands for a new airport for Las Vegas; and gives land to the State and City for certain purposes.

***Lincoln County  
Conservation,  
Recreation and  
Development Act (PL  
108-424)***

Addresses a wide-range of public lands issues in Lincoln County, Nevada, designates as wilderness 768,294 acres of BLM-managed lands and releases from wilderness study area (WSA) status 251,965 acres of public land. The bill also directs the BLM to dispose of up to 90,000 acres of public land and divides the proceeds 85 percent to a Federal fund and 15 percent to State and county entities, establishes utility corridors, transfers public lands for State and county parks, creates a 260-mile OHV trail and resolves other public lands issues.

***Public Law 109-432,  
White Pine County Land  
Sales***

Authorizes the disposal through sale of 45,000 acres in White Pine County, Nevada, the proceeds of which are distributed as follows: (a) 5 percent for use in the general education program of the State of Nevada; (b) 10 percent shall be paid to the County for use for fire protection, law enforcement, education, public safety, housing, social services, transportation, and planning; and (c) the remaining 85 percent to be used to reimburse the BLM and DOI for certain costs, to manage unique archaeological resources, for wilderness and endangered species protection, for improving recreational opportunities in the County, and for other specified purposes.

***Public Law 111-11,  
State Share, Carson  
City Land Sales***

Authorizes five percent of the proceeds from Carson City, Nevada land sales to be paid to the State for the general education program of the State.

**Summary of Requirements**  
(Dollars in Thousands)

Comparison by Activity/ Subactivity	2014 Actual		2015 Enacted		2016				Change	
	FTE	Amount	FTE	Amount	Program Changes (+/-)		Budget Request		from 2015 (+/-)	
					FTE	Amount	FTE	Amount	FTE	Amount
<b>Miscellaneous Permanent Payments Appropriation Total</b>	<b>7</b>	<b>47,921</b>	<b>0</b>	<b>17,239</b>	<b>0</b>	<b>+4,930</b>	<b>0</b>	<b>22,169</b>	<b>7</b>	<b>+4,930</b>
Payments to States from Proceeds of Sales [5133]		<b>625</b>		<b>723</b>		<b>+162</b>		<b>885</b>		<b>+162</b>
Payments to States from Grazing Fees, etc. on Public Lands outside Grazing Districts [5016]		<b>800</b>		<b>811</b>		<b>+39</b>		<b>850</b>		<b>+39</b>
Payments to States from Grazing Fees, etc. on Public Lands within Grazing Districts [5032]		<b>1,148</b>		<b>1,097</b>		<b>-284</b>		<b>813</b>		<b>-284</b>
Payments to States from Grazing Fees, etc. on Public Lands within Grazing Districts, Misc. [5044]		<b>18</b>		<b>18</b>		<b>+1</b>		<b>19</b>		<b>+1</b>
Payments to Counties, National Grass Lands (Farm Tenant Lands) [5896]		<b>584</b>		<b>639</b>		<b>+41</b>		<b>680</b>		<b>+41</b>
Payments to Nevada from Receipts on Land Sales (includes 15%) [5129]		<b>5,112</b>		<b>13,951</b>		<b>+4,971</b>		<b>18,922</b>		<b>+4,971</b>
State Share, Carson City Land Sales [5561]		<b>3</b>		<b>0</b>		<b>0</b>		<b>0</b>		<b>0</b>
Payments to O&C Counties 50% of receipts under 1937 statute <sup>7</sup>		<b>0</b>		<b>0</b>		<b>0</b>		<b>0</b>		<b>0</b>
Payments to Coos and Douglas Counties under 1939 statute <sup>8</sup>		<b>0</b>		<b>0</b>		<b>0</b>		<b>0</b>		<b>0</b>
Secure Rural Schools	<b>7</b>	<b>39,631</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>0</b>
Payments to O&C Counties, Title I/III		<b>35,976</b>		<b>0</b>		<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>

<sup>7</sup> The estimated payments in 2015 and 2016 are zero because the FS would make Secure Rural Schools payments under a proposal in the budget. Absent enactment of this proposal, in 2015 BLM will pay O&C and CBWR counties under statutes enacted in 1937 and 1939. The O&C payments would total \$18,001,000; the CBWR payment amount has not been determined, but cannot exceed seventy-five percent of CBWR receipts.

<sup>8</sup> Ibid.

Payments to Coos Bay Wagon Road Counties, Title I/III		311		0		0		0		0
Payments to O&C and Coos Bay Wagon Road Counties, Title II	7	3,344	0	0	0	0	0	0	0	0

## Appropriation: Miscellaneous Permanent Payments

### Program Overview

The following activities include payments made to States and counties from the sale, lease, or use of other public lands or resources under the provisions of permanent legislation and do not require annual appropriations. The payment amounts for 2015 and 2016 are estimated based on the amounts of collections or receipts as authorized by applicable legislation and the provisions of those laws that specify the percentage of receipts to be paid to designated States, counties, or other recipients.

**Payments to States from Proceeds of Sales** – The BLM collects funds from the sale of public lands and materials in the limits of public domain lands pursuant to 31 U.S.C. 1305. States are paid five percent of the net proceeds of these sales. The BLM makes these payments annually and payments are used by States either for educational purposes or for the construction and improvement of public roads. The payments in 2014 were \$625,000. The estimated payments for 2015 and 2016 are \$723,000 and \$885,000 respectively.

**Payments to States from Grazing Receipts, etc., on Public Lands outside Grazing Districts** – The States are paid 50 percent of the grazing receipts from public lands outside grazing districts (43 U.S.C. 315i, 315m). These funds are to be expended by the State for the benefit of the counties in which the lands are located. The States will continue to receive receipts from public lands outside organized grazing districts. The BLM makes these payments annually. The actual payments for 2014 were \$800,000 and estimated payments for 2015 and 2016 are \$811,000 and \$850,000 respectively.

**Payments to States from Grazing Receipts, etc., on Public Lands within Grazing Districts** – The States are paid 12½ percent of grazing receipts from public lands inside grazing districts (43 U.S.C. 315b, 315i). These funds are to be expended by the State for the benefit of the counties in which the lands are located. The BLM makes the payments annually. The actual payments for 2014 were \$1,148,000 and estimated payments for 2015 and 2016 are \$1,097,000 and \$813,000 respectively.

**Payments to States from Grazing Fees, etc. on Public Lands within Grazing Districts, misc.** – Also included are grazing receipts from isolated or disconnected tracts. The States are paid specifically determined amounts from grazing receipts derived from miscellaneous lands within grazing districts when payment is not feasible on a percentage basis (43 U.S.C. 315m). These funds are to be expended by the State for the benefit of the counties in which the lands are located. The BLM makes these payments annually. The actual payments for 2014 were \$18,000 and estimated payments for 2015 and 2016 are \$18,000 and \$19,000 respectively.

**Payments to Counties, National Grasslands (Farm Tenant Act Lands)** – Of the revenues received from the use of Bankhead-Jones Act lands administered by the BLM, 25 percent is paid to the counties in which such lands are situated for schools and roads (7 U.S.C. 1012). The BLM makes payments annually on a calendar-year basis. The actual payments for 2014 were \$584,000 and estimated payments for 2015 and 2016 are \$639,000, and \$680,000 respectively.

**Payments to Nevada from Receipts on Land Sales** – Payments to the State of Nevada are authorized by two Acts. The Burton-Santini Act authorizes and directs the Secretary to sell not more than 700 acres of public lands per calendar year in and around Las Vegas, Nevada, the proceeds of which are to be used to acquire environmentally sensitive land in the Lake Tahoe Basin of California and Nevada. Annual revenues are distributed to the State of Nevada (five percent) and the county in which the land is located (ten percent).

The Southern Nevada Public Land Management Act (SNPLMA), as amended, authorizes the disposal through sale of approximately 50,000 acres in Clark County, Nevada, the proceeds of which are to be distributed as follows: (a) 5 percent for use in the general education program of the State of Nevada (b) 10 percent for use by Southern Nevada Water Authority for water treatment and transmission facility infrastructure in Clark County, Nevada and (c) the remaining 85 percent for various uses by the BLM and other Federal lands. (For more information, see the Southern Nevada Public Land Management Act, P.L. 105-263, as amended by P.L. 107-282.)

The actual payments for 2014 were \$5,112,000. Estimated payments for 2015 and 2016 are \$13,951,000 and \$18,922,000 based on the estimates of collections from planned land sales. Sales values for these lands in Clark County have stabilized, but collections are still relatively low compared to the past. The BLM collected \$62,444,000 in 2014 from Nevada land sales (including SNPLMA and Lincoln County) and estimates collections from sales in 2015 and 2016 will be \$100,026,000 and \$125,908,000 respectively. Some receipts from sales held in the latter half of one fiscal year are not collected in full until the next fiscal year because of normal delay in the acceptance of bids.

**Payments to Oregon and California Grant Lands Counties** – Under the Oregon and California Act of 1937, the BLM paid 50 percent of receipts from Federal activities on O&C lands (mainly from timber sales) to 18 counties in western Oregon. These revenues decreased since the 1980s due to changes in Federal timber policies.

The Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393) was enacted on October 30, 2000. The Act was designed to provide a predictable payment to States and counties, in lieu of funds derived from Federal timber harvests. Payments were based on historical payments, adjusted for inflation.

Payments to the 18 O&C counties were derived from:

1. Revenues from Federal activities on O&C lands in the previous fiscal year that are not deposited to permanent operating funds such as the Timber Sale Pipeline Restoration or the Forest Ecosystem Health and Recovery, and,
2. To the extent of any shortfall, out of any funds in the Treasury not otherwise appropriated.

Under P.L. 106-393, and in the extensions of it, payments for a fiscal year were made in the following fiscal year. For example, payments for 2013 were made in 2014.

Payments have been extended four times. Under the extensions, payments tend to be reduced each year, and they are not adjusted for inflation as they were under P.L. 106-393 during the first six years.

P.L. 110-28 provided authorized payments for 2007 which were made in 2008. Payments in 2008 were distributed among the counties in the same way as payments in 2007. Payments were limited to a total of \$525,000,000 for both the BLM and the Forest Service, \$100,000,000

from receipts and \$425,000,000 from the General Fund. BLM's share was \$116,865,000.

In October, 2008, Congress enacted Section 601 of Public Law 110-343, which extended the Secure Rural Schools Act of 2000. Public Law 110-343 provided an extension of payments to the O&C Grant Lands and the Coos Bay Wagon Road counties through fiscal year 2011 (with final payment to be made in 2012). As in the prior act, payments were to be made for the year prior. The payments for 2008 through 2010 are described in the law as "transition" payments, and are a declining percentage of the payments made in 2006; the payment in 2009 (for 2008) is 90 percent of the amount paid in 2006, the payment in 2010 (for 2009) is 81 percent, and the payment in 2011 (for 2010) is 73 percent.

The payments in 2012 (for 2011) were calculated based on several factors that included acreage of Federal land, previous payments, and per capita personal income. The table below shows payments made from 2002 (for 2001) through the payments for 2012 (in 2013). The payments to the Coos and Douglas counties have followed the same pattern as payments to O&C counties under the Secure Rural Schools Act and extensions.

In July 2012, Congress enacted Public Law 112-141, which extended the Secure Rural Schools Act of 2000. Public Law 112-141 provided an extension of payments to the O&C Grant Lands and the Coos Bay Wagon Road counties through fiscal year 2012 (with the payment to be made in 2013).

In October 2013, Congress enacted Public Law 113-40 which extends payments for one year to the O&C Grant Lands and the Coos Bay Wagon Road counties through fiscal year 2013 (with the payment to be made 2014).

As of January, 2015, authority for Secure Rural Schools Act payments for 2014 (in 2015) has not been enacted. Therefore, the BLM plans to make payments according to the provision of the statutes enacted in 1937 and 1939.

The Budget reflects a five-year reauthorization of the Secure Rural Schools Act with funding through mandatory U.S. Forest Service (USFS) appropriations, starting with the payments for fiscal year 2014 (which would be made in 2015). This SRS proposal revises the allocation split between the three portions of the program from the current authority emphasizing enhancement of forest ecosystems, restoration and improvement of land health and water quality and the increase of economic activity. For more information on this proposal, see the USFS 2016 Budget Justification.

For any of the 18 counties in Western Oregon choosing not to receive payments for 2015 (in 2016) under the reauthorization proposal discussed above, the payments would revert back to payments under the 1937 O&C Act and subsequent amendments. The 1937 statute authorizes payments of 50 percent of Federal receipts from activities on O&C grant lands. In the case of Coos and Douglas Counties, if they were to choose not to receive payments for 2014 (in 2015) under the proposal, the 1939 statute authorizes payments for lost tax revenue not to exceed 75 percent of the receipts from activities on Coos Bay Wagon Road grant lands.

The table below shows actual and estimated payments for 2001 through 2013.

## Secure Rural Schools Payments (\$ in thousands)

Payments for 2001 in 2002	O&C	CBWR	Total
<b>Amount from Receipts:</b>	<b>\$15,540</b>	<b>\$330</b>	<b>\$15,869</b>
Amount from General Fund:	\$93,192	\$618	\$93,811
Total	\$108,732	\$948	\$109,680
Title I/III	\$101,085	\$875	\$101,960
Title II	\$7,647	\$73	\$7,720
Total	\$108,732	\$948	\$109,680

Payments for 2002 in 2003	O&C	CBWR	Total
Amount from Receipts:	\$11,519	\$229	\$11,748
Amount from General Fund:	\$98,083	\$727	\$98,809
Total	\$109,602	\$956	\$110,558
Title I/III	\$101,433	\$834	\$102,266
Title II	\$8,169	\$122	\$8,291
Total	\$109,602	\$956	\$110,558

Payments for 2003 in 2004	O&C	CBWR	Total
Amount from Receipts:	\$6,199	\$51	\$6,249
Amount from General Fund:	\$104,718	\$917	\$105,635
Total	\$110,917	\$967	\$111,884
Title I/III	\$102,468	\$844	\$103,312
Title II	\$8,449	\$124	\$8,572
Total	\$110,917	\$967	\$111,884

Payments for 2004 in 2005	O&C	CBWR	Total
Amount from Receipts:	\$11,935	\$133	\$12,068
Amount from General Fund:	\$100,424	\$847	\$101,271
Total	\$112,359	\$980	\$113,339
Title I/III	\$103,595	\$936	\$104,531
Title II	\$8,763	\$44	\$8,808
Total	\$112,359	\$980	\$113,339

Payments for 2005 in 2006	O&C	CBWR	Total
Amount from Receipts:	\$11,100	\$251	\$11,351
Amount from General Fund:	\$103,843	\$751	\$104,594
Total	\$114,943	\$1,002	\$115,946
Title I/III	\$106,123	\$955	\$107,077
Title II	\$8,820	\$48	\$8,868
Total	\$114,943	\$1,002	\$115,946

Note: Amounts may not add due to rounding

<b>Payments for 2006 in 2007</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,720	\$530	\$12,250
Amount from General Fund:	\$104,373	\$394	\$104,767
<b>Total</b>	<b>\$116,093</b>	<b>\$924</b>	<b>\$117,017</b>
Title I/III	\$107,928	\$924	\$108,852
Title II	\$8,165	\$88	\$8,253
<b>Total</b>	<b>\$116,093</b>	<b>\$1,013</b>	<b>\$117,105</b>

<b>Payments for 2007 in 2008*</b>	O&C	CBWR	Total
Amount from Receipts:	\$6,354	\$297	\$6,652
Amount from General Fund:	\$109,500	\$713	\$110,213
<b>Total</b>	<b>\$115,854</b>	<b>\$1,010</b>	<b>\$116,865</b>
Title I/III	\$110,873	\$995	\$111,868
Title II	\$4,982	\$15	\$4,997
<b>Total</b>	<b>\$115,854</b>	<b>\$1,010</b>	<b>\$116,865</b>
P.L. 110-28 extended Secure Rural Schools payments for one year.			

<b>Payments for 2008 in 2009</b>	O&C	CBWR	Total
Amount from Receipts:	\$12,999	\$312	\$13,311
Amount from General Fund:	\$91,484	\$599	\$92,083
<b>Total</b>	<b>\$104,483</b>	<b>\$911</b>	<b>\$105,394</b>
Title I/III	\$95,870	\$838	\$96,708
Title II	\$8,614	\$73	\$8,686
<b>Total</b>	<b>\$104,483</b>	<b>\$911</b>	<b>\$105,394</b>
P.L. 110-343 extended Secure Rural Schools payments through 2011 with the final payment in 2012.			

<b>Payments for 2009 in 2010</b>	O&C	CBWR	Total
Amount from Receipts:	\$14,423	\$248	\$14,471
Amount from General Fund:	\$79,812	\$573	\$80,384
<b>Total</b>	<b>\$94,035</b>	<b>\$820</b>	<b>\$94,855</b>
Title I/III	\$86,420	\$755	\$87,175
Title II	\$7,615	\$65	\$7,680
<b>Total</b>	<b>\$94,035</b>	<b>\$820</b>	<b>\$94,855</b>

<b>Payments for 2010 in 2011</b>	O&C	CBWR	Total
Amount from Receipts:	\$9,670	\$636	\$10,306
Amount from General Fund:	\$75,077	\$102	\$75,180
<b>Total</b>	<b>\$84,748</b>	<b>\$739</b>	<b>\$85,487</b>
Title I/III	\$77,393	\$636	\$78,029
Title II	\$7,354	\$102	\$7,457
<b>Total</b>	<b>\$84,748</b>	<b>\$739</b>	<b>\$85,487</b>

Note: Amounts may not add due to rounding

<b>Payments for 2011 in 2012</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,575	0	\$11,575
Amount from General Fund:	\$28,116	\$346	\$28,463
<b>Total</b>	<b>\$39,691</b>	<b>\$346</b>	<b>\$40,037</b>
Title I/III	\$35,992	\$318	\$36,310
Title II	\$3,699	\$28	\$3,727
<b>Total</b>	<b>\$39,691</b>	<b>\$346</b>	<b>\$40,037</b>

<b>Payments for 2012 in 2013</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,521	\$326	\$11,847
Amount from General Fund:	\$26,162	\$0	\$26,162
<b>Total</b>	<b>\$37,683</b>	<b>\$326</b>	<b>\$38,009</b>
Title I/III	\$34,054	\$281	\$34,334
Title II	\$3,629	\$45	\$3,675
<b>Total</b>	<b>\$37,683</b>	<b>\$326</b>	<b>\$38,009</b>

<b>Estimated Payments made for 2013 in 2014</b>	O&C	CBWR	Total
Amount from Receipts:	\$17,341	\$337	\$17,678
Amount from General Fund:	\$21,952	\$0	\$21,952
<b>Total</b>	<b>\$39,293</b>	<b>\$372</b>	<b>\$39,630</b>
Title I/III	\$35,976	\$310	\$36,286
Title II	\$3,316	\$27	\$3,343
<b>Total</b>	<b>\$39,293</b>	<b>\$318</b>	<b>\$39,630</b>

Note: Amounts may not add due to rounding

P.L. 113-40 extended Secure Rural Schools payments through 2013 with the payment to be made in 2014.

**2014 Total Payments of BLM Receipts to States and Counties  
(in Dollars)**

State	a/ Mineral Leasing Act ROW payments	Taylor Grazing Act			Proceeds of Sales	Other	Total Payments
		SEC. 15 Outside Grazing Districts	SEC. 3 Outside Grazing Districts	Other			
Alaska	1,138	0	0	0	1,721	0	2,859
Arizona	112,052	66,166	47,689	0	44,449	0	270,356
California	656,665	47,314	11,344	0	89,663	0	804,986
Colorado	784,947	26,266	44,717	4,990	19,858	0	880,778
Florida	0	0	0	0	15		15
Idaho	29,739	19,271	142,224	0	2,350	0	193,584
Michigan	0	0	0	0	156		156
Minnesota	0	0	0	0	169	0	169
Montana	26,804	90,763	118,678	0	59,086	b/ 540,040	840,371
Nebraska	0	454	0	0	0	0	454
Nevada	98,196	7,145	194,771	0	77,541	c/ 9,278,970	9,656,623
New Mexico	1,064,624	113,544	159,794	14	145,524	8,387	1,491,887
North Dakota	132	4,106	0	0	(16.00)	0	4,222
Oklahoma	4,244	68	0	0	0.00	0	4,312
Oregon	58,191	21,151	107,981	0	44,483.00	d/ 39,630,135	39,861,944
South Dakota	0	55,867	23	0	95.00	0	55,985
Utah	374,794	0	110,159	0	33,925.00	0	518,878
Washington	835	18,176	0	0	(3,336.00)	0	15,675
Wisconsin	0	0	0	0	516	0	516
Wyoming	905,271	283,454	143,401	11,287	41,349	0	1,384,762
<b>Total</b>	<b>4,117,632</b>	<b>753,745</b>	<b>1,080,781</b>	<b>16,291</b>	<b>557,548</b>	<b>49,462,535</b>	<b>55,988,532</b>
<p><i>Note: The amounts shown above are outlays, some of which may be from prior year budget authority, and therefore, may be different than the amounts reported for fiscal year 2014 in the Summary of Requirements table at the beginning of this chapter.</i></p> <p><i>a/ These are payments to States of 50 percent of mineral leasing rights-of-way rents. They are not reported in the Summary of Requirements table in this chapter because the Department of the Interior, Office of Natural Resource Revenues (ONRR), not BLM, includes these payments in accounting reports to Treasury. The Summary of Requirements amounts in the BLM Justifications tie to the amounts reported to Treasury by BLM. ONRR does not include the mineral leasing rights-of-way payments to States in the ONRR Budget Justifications.</i></p> <p><i>b/ LU lands under the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1021)</i></p> <p><i>c/ Payments to Clark County and the State of Nevada.</i></p> <p><i>d/ These are Secure Rural Schools and Community-Self-Determination Act payments to 18 counties in Western Oregon authorized by P.L. 106-393, as amended by P.L. 110-343, and P.L. 112-141.</i></p>							

## Budget Schedules – Current Law

Account Symbol and Title 14X9921 Miscellaneous Permanent Payment Accounts	Line	2014 Act	2015 CY	2016 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Payments to O&C Counties, Title I/III 5884	0001	36	0	0
Payment to O&C and CBWR Counties, Title II 5485	0003	4	0	0
From grazing fees, etc., public lands outside grazing districts 5016	0004	1	1	1
From grazing fees, etc., public lands within grazing districts 5032	0005	1	1	1
Proceeds from sales 5133	0009	1	1	1
Payments to counties from national grasslands 5896	0010	1	1	1
Payments to State and Counties from Nevada Land Sales	0013	5	14	19
Payments to O&C counties under 1937 statute	0014	0	18	14
Payments to CBWR counties under 1939 statute	0015	0	3	2
Total new obligations	0900	49	39	39
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	3	3	2
Recoveries of prior year unpaid obligations	1021	1	0	0
Unobligated balance (total)	1050	4	3	2
Budget authority:				
Appropriations, mandatory:				
Proceeds of sales-payments to states	1201	1	1	1
Payments from grazing fees outside grazing districts	1201	1	1	1
Payments from grazing fees within grazing districts	1201	1	1	1
Payments to Counties, National Grasslands, BLM	1201	1	1	1
Payments from Nevada Land Sales	1201	5	15	19
Payments to O&C Grants lands counties under 1937 statute	1201	0	19	14
Payments to CBWR counties under 1939 statute	1201	0	3	2
Appropriation (SRS O&C Payments from GF- Title I/III)	1201	19	0	0
Appropriation (SRS O&C Payments from receipts- Title I/III)	1201	17	0	0
Appropriation (SRS Payments from GF-Title II)	1201	3	0	0
Appropriations and/or unobligated balance of appropriations temporarily reduced	1232	0	-3	0
Appropriations, mandatory (total)	1260	48	38	39
Appropriations, mandatory - Computed Totals	1260-20	48	38	39
Appropriation [Text]	1260-40	49	38	39
Baseline Civilian Pay	1260-50		0	0
Baseline Non-Pay	1260-50		38	39

Account Symbol and Title 14X9921	Line	2014 Act	2015 CY	2016 BY
<b>Miscellaneous Permanent Payment Accounts</b>				
Effects of 2014 sequester	1260-40	-1	0	0
Baseline Non-Pay	1260-50		0	0
Total budgetary resources available	1930	52	41	41
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	3	2	2
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	7	7	8
Obligations incurred, unexpired accounts	3010	49	39	39
Outlays (gross)	3020	-48	-38	-41
Recoveries of prior year unpaid obligations, unexpired	3040	-1	0	0
Unpaid obligations, end of year	3050	7	8	6
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	7	7	8
Obligated balance, end of year	3200	7	8	6
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	48	38	39
Outlays, gross:				
Outlays from new mandatory authority	4100	1	30	31
Outlays from mandatory balances	4101	47	8	10
Outlays, gross (total)	4110	48	38	41
Budget authority, net (mandatory)	4160	48	38	39
Outlays, net (mandatory)	4170	48	38	41
Budget authority, net (total)	4180	48	38	39
Outlays, net (total)	4190	48	38	41
Grants to State and local govts:				
Budget Authority	2001-01	48	38	39
Outlays	2001-02	48	38	41
<b>Object Classification (O) (\$ in Millions)</b>				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	1	0	0
Other services from non-Federal sources	25.2	1	0	0
Grants, subsidies, and contributions	41.0	47	39	39
Total new obligations	99.9	49	39	39
<b>Employment Summary (Q)</b>				
Direct civilian full-time equivalent employment	1001	7	0	0

Account Symbol and Title	Line	2014 Act	2015 CY	2016 BY
14X9921				
Miscellaneous Permanent Payment Accounts				
Appropriations Requests in Thousands of Dollars (T)				
Budget year budgetary resources [014-9921]	1000			0

## Budget Schedules - Proposal

Account Symbol and Title 14X9921 Miscellaneous Permanent Payment Accounts	Line	2014 Act	2015 CY	2016 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Payments to O&C counties under 1937 statute	0014	0	0	-14
Payments to CBWR counties under 1939 statute	0015	0	0	-2
Total new obligations (object class 41.0)	0900	0	0	-16
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	0	0	-21
Budget authority:				
Appropriations, mandatory:				
Payments to O&C Grants lands counties under 1937 statute	1201	0	-18	-14
Payments to CBWR counties under 1939 statute	1201	0	-3	-2
Appropriations, mandatory (total)	1260	0	-21	-16
Appropriations, mandatory - Computed Totals	1260-20	0	-21	-16
Appropriation [Text]	1260-40	0	-21	-16
Appropriation [FLTFA]	1260-40	0	0	0
Total budgetary resources available	1930	0	-21	-37
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	0	-21	-21
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	0	0	21
Obligations incurred, unexpired accounts	3010	0	0	-16
Outlays (gross)	3020	0	21	16
Unpaid obligations, end of year	3050	0	21	21
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	0	0	21
Obligated balance, end of year	3200	0	21	21
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	0	-21	-16
Outlays, gross:				
Outlays from new mandatory authority	4100	0	-21	-16
Budget authority, net (mandatory)	4160	0	-21	-16

Account Symbol and Title 14X9921	Line	2014 Act	2015 CY	2016 BY
<b>Miscellaneous Permanent Payment Accounts</b>				
Outlays, net (mandatory)	4170	0	-21	-16
Budget authority, net (total)	4180	0	-21	-16
Outlays, net (total)	4190	0	-21	-16
Grants to State and local govts:				
Budget Authority	2001-01	0	-21	-16
Outlays	2001-02	0	-21	-16
<b>Object Classification (O) (\$ in Millions)</b>				
Direct obligations:				
Grants, subsidies, and contributions	41.0	0	0	-16

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# Permanent Operating Funds



# Permanent Operating Funds

## Appropriation Language Sheet

No Appropriation Language Sheet

### Explanation

The Permanent Operating Funds Appropriation contains funds available for use by the BLM for the purposes specified in permanent laws and do not require annual appropriation action. The activities authorized by the appropriations are funded through various receipts received from the sale, lease or use of the public lands and resources. Amounts shown for 2015 and 2016 are estimates based on anticipated collections.

### Authorizations

***Forest Ecosystem  
Health & Recovery Fund  
(P.L. 102-381)***

The initial purpose of this fund was to allow quick response to fire and reforestation of forests damaged by insects, disease, and fire. Expanded authorization in the 1998 Interior and Related Agencies Appropriations Act allows activities designed to reduce the risk of catastrophic damage to forests in addition to responding to damage events. Funds in this account are derived from the Federal share (defined as the portion of receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181-1 et seq., and P.L. 106-393) of receipts from all BLM timber salvage sales and all BLM forest health restoration treatments funded by this account. The authority to make deposits and to spend from this fund was provided in the 2010 Interior Appropriations Act (P.L. 111-88, 123 STAT. 2906) and was scheduled to expire at the end of fiscal year 2015. The 2015 Omnibus Appropriations Act (Section 117) extended this authority through 2020.

***Omnibus Consolidated  
Appropriations Act of  
1996, section 327***

This Act established the Timber Sale Pipeline Restoration Fund, using revenues generated by timber sales released under Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act, which directs that 75 percent of the Pipeline Fund be used to fill each agency's timber sale "pipeline" and that 25 percent of the Pipeline Fund be used to address the maintenance backlog for recreation projects on BLM and U.S. Forest Service lands after statutory payments are made to State and local governments and the U.S. Treasury.

<b>1985 Interior and Related Agencies, Appropriations Act (P.L. 98-473), Section 320</b>	Established a permanent account in each bureau for the operation and maintenance of quarters, starting with 1985 and each fiscal year thereafter.
<b>75th Congress, 1st Session – Ch. 876 – August 28, 1937, 50 Stat. 874</b>	An Act relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon provides that 18 counties in western Oregon be paid 50 percent of the revenues from Oregon and California grant lands.
<b>76th Congress, 1st Session – Ch. 142-144 – May 24, 1939, 53 Stat. 753</b>	An Act relating to the disposition of funds derived from the Coos Bay Wagon Road grant lands provides that Coos and Douglas counties in western Oregon be paid for lost tax revenue.
<b>The Omnibus Budget Reconciliation Act of 1993</b>	Amended the <i>Land and Water Conservation Fund Act</i> and further expanded collection of recreation use fees to be deposited into a special account established for each agency in the U.S. Treasury to offset the cost of collecting fees.
<b>The 1993 Interior and Related Agencies Appropriations Act</b>	The Federal share of receipts from the disposal of salvage timber from lands under BLM jurisdiction is deposited in a special fund in the U.S. Treasury.
<b>Section 502(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1762(c))</b>	Provides for the permanent appropriation of money collected from commercial road users in lieu of user maintenance. Receipts are permanently appropriated to the BLM for road maintenance.
<b>Act of October 30, 1998 (P.L. 105-321)</b>	The legislation provides that the BLM will convey property to Deschutes County, Oregon, and the amount paid by the County pursuant to the Act, may be used by the Secretary of the Interior to purchase environmentally sensitive land east of Range 9 East of Willamette Meridian, Oregon.
<b>Lincoln County Conservation, Recreation and Development Act (PL 108-424)</b>	Addresses a wide range of public lands issues in Lincoln County, Nevada, designates as wilderness 768,294 acres of BLM-managed lands and releases from Wilderness Study Area (WSA) status 251,965 acres of public land. The Act also directs the BLM to dispose of up to 90,000 acres of public land and divides the proceeds 85 percent to a Federal fund and 15 percent to State and County entities, establishes utility corridors, transfers public lands for State and County parks, creates a 260-mile off-highway vehicle trail and resolves other public lands issues.

***Lincoln County Land Sales (P.L. 106-298)***

The *Lincoln County Land Act of 2000*, among other things, authorizes the Secretary to dispose of certain lands in Lincoln County, Nevada, to distribute the proceeds as follows: Five percent to the State of Nevada, 10 percent the County, and 85 percent to an interest bearing account that is available for expenditure without further appropriation.

***White River Oil Shale Mine, Utah Property Sale Provisions, The 2001 Interior and Related Agencies Appropriations Act (P.L. 106-291)***

The Act authorized the sale of improvements and equipment at the White River Oil Shale Mine with the proceeds to be available for expenditure without further appropriation to reimburse (A) the Administrator for the direct costs of the sale; and (B) the Bureau of Land Management Utah State Office for the costs of closing and rehabilitating the mine.

***The Federal Land Transaction Facilitation Act (P.L. 106-248)***

The Federal Land Transaction Facilitation Act (FLTFA) provides that the BLM may conduct sales of lands that have been classified as suitable for disposal under current resource management plans. This law provides that receipts from such sales may be used to acquire non-Federal lands with significant resource values that fall within the boundaries of areas now managed by the Department. FLTFA expired on July 25, 2010. It was reauthorized through July 25, 2011 by the 2010 Supplemental Appropriations Act (P.L. 111-212). The 2016 Budget includes a proposal to reauthorize FLTFA and allow lands identified as suitable for disposal in recent land use plans to be sold using the FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally sensitive lands and the administrative costs associated with conducting sales.

***Southern Nevada Public Land Management Act (P.L. 105-263).***

Provides for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition of environmentally sensitive lands in the State of Nevada. Receipts are generated primarily through the sale of public lands in the Las Vegas Valley.

***Federal Lands  
Recreation  
Enhancement Act (Title  
VIII of P.L. 108-447)***

Enacted as Title VIII of the Consolidated Appropriations Act, 2005, this Act provides authority for 10 years for the BLM to manage public lands for recreational purposes and to collect and spend recreation use fees. The purposes for which the collections may be spent are generally for maintenance and repair of recreation facilities, visitor services, and habitat restoration related to recreation, law enforcement related to public use and recreation, and direct operating and capital costs of the recreation fee program. The 2016 budget proposes legislation to permanently authorize the Federal Lands Recreation Enhancement Act, which will expire in December 2016. In addition, the Department will propose a general provision in the 2016 budget request to amend appropriations language to extend the authority through FY 2017.

***Energy Policy Act of  
2005 (P.L. 109-58,  
Sections 224 and 234,  
Section 365, Section  
332, and Section 349)***

Established three multi-year appropriations to use a portion of onshore mineral leasing receipts to improve oil and gas permit processing, facilitate the implementation of the Geothermal Steam Act, and clean up environmental contamination on the Naval Petroleum Reserve Numbered 2 in California. It also authorized the Secretary of the Interior to establish standards under which leaseholders may reduce payments owed by the reasonable actual costs of remediating, reclaiming, and closing orphaned wells.

***Public Law 109-432,  
White Pine County Land  
Sales***

Authorizes the disposal through sale of 45,000 acres in White Pine County, Nevada, the proceeds of which are distributed as follows: (a) Five percent for use in the general education program of the State of Nevada; (b) 10 percent shall be paid to the County for use for fire protection, law enforcement, education, public safety, housing, social services, transportation, and planning; and (c) the remaining 85 percent to be used to reimburse the Bureau of Land Management and the Department of the Interior for certain costs, to manage unique archaeological resources, for wilderness and endangered species protection, for improving recreational opportunities in the County, and for other specified purposes.

***Public Law 111-11,  
Omnibus  
Public Land  
Management Act of  
2009***

Among numerous other things, authorizes the disposal of certain lands in the Boise District of the Bureau of Land Management, in Washington County, Utah, and in Carson City, Nevada. It authorizes the BLM to retain and spend most of the proceeds of sales of those lands to acquire lands in wilderness and other areas and for other purposes, and to pay a portion to the States in which the sold land was located.

<b><i>Sec. 347 of Public Law 105-277, as amended by Public Law 108-7 and Public Law 113-79</i></b>	Permanently authorizes the BLM, via agreement or contract as appropriate, to enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.
<b><i>Public Law 109-94, Ojito Wilderness Act</i></b>	Authorizes the sale of land to the Pueblo of Zia Tribe, and appropriates the proceeds of that sale to the BLM to purchase lands within the State of New Mexico.
<b><i>Public Law 113-291, National Defense Authorization Act</i></b>	Provides for permanent extension of BLM's access to the Permit Processing Improvement Fund and adds fees for applications for permit to drill as a source of deposits to the Fund.

## Summary of Requirements

(Dollars in Thousands)

Comparison by Activity/ Subactivity	2014 Actual		2015 Enacted		2016				Change From 2015 (+/-)	
					Program Changes (+/-)		Budget Request b/			
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Permanent Operating Funds Total</b>	<b>422</b>	<b>96,671</b>	<b>421</b>	<b>129,832</b>	<b>+275</b>	<b>+81,946</b>	<b>696</b>	<b>211,778</b>	<b>+275</b>	<b>+81,946</b>
Operations & Maintenance of Quarters	1	692	1	669	0	-49	1	620	0	-49
Recreation Enhancement Act, BLM	121	17,673	121	19,653	0	-470	121	19,183	0	-470
Forest Ecosystem Health & Recovery	48	4,524	48	3,601	0	+2,795	48	6,396	0	+2,795
Timber Sale Pipeline Restoration	23	2,991	23	2,218	0	-38	23	2,180	0	-38
Expenses, Road Maintenance Deposits	10	3,103	10	2,759	0	-229	10	2,530	0	-229
Southern Nevada Public Land Sales	54	51,260	54	80,249	0	+32,391	54	112,640	0	+32,391
Southern Nevada Earnings on Investments	0	338	0	1,000	0	+3,000	0	4,000	0	+3,000
Lincoln County Land Sales	7	1,016	7	2,332	0	-1,665	7	667	0	-1,665
Interest, Lincoln County Land Sales	0	31	0	100	0	+1,800	0	1,900	0	+1,800
White Pine County Special Account	0	0	0	240	0	-17	0	223	0	-36
Stewardship contract excess receipts	0	162	0	32	0	-11	0	21	0	-11
Federal Land Disposal Account	0	0	0	0	0	+4,800	0	4,800	0	+4,800
Owyhee Land Acquisition Account	0	0	0	712	0	-656	0	56	0	-656
Washington County, Utah Land Acquisition Account	0	0	0	732	0	-674	0	58	0	-674
Silver Saddle Endowment	0	0	0	49	0	-45	0	4	0	-45
Carson City Special Account	0	75	0	6	0	-6	0	0	0	-6
Ojito Land Acquisition	0	735	0	57	0	-57	0	0	0	-57
NPR-2 Lease Revenue Account	2	5	2	5	0	0	2	5	0	0
Geothermal Lease and Use Authorization Fund a/	1	0	0	0	0	0	0	0	0	0
Oil and Gas Permit Processing Improvement Fund	155	14,066	155	15,418	+275	+41,077	430	56,495	+275	+41,077

a/ Authority for deposits to this fund has expired. Unobligated balances are being expended.

b/ The 2016 amount is updated from the amount included in the Appendix, Budget of the United States Government, Fiscal Year 2016. The 2016 amount reflects previously unavailable amounts as provided in the Balanced Budget and Emergency Deficit Control Act, as amended.

## Appropriation: Permanent Operating Funds

### Program Overview

The following activities account for certain receipts received from the sale, lease, or use of public lands or resources. They are available for use by Bureau of Land Management (BLM) for the purposes specified in permanent laws and do not require annual appropriation action by Congress. Amounts shown for 2015 and 2016 are estimates based on anticipated collections. Projected collection amounts consider such factors as market and economic indicators, expected public or industry demand levels for services or sales products, fee or collection schedules or structures, and certain legislative proposals expected to be enacted into law.

**Operations & Maintenance of Quarters** –This account is used to maintain and repair all BLM employee-occupied quarters from which quarters rental charges are collected. Agencies are required to collect quarter rentals from employees who occupy Government-owned housing and quarters. This housing is provided only in isolated areas or when an employee is required to live on-site at a Federally-owned facility or reservation. The BLM currently maintains and operates 248 housing or housing units in 11 States.

**Recreation Fee Program, BLM** – The Federal Lands Recreation Enhancement Act (FLREA) of 2004, Title VIII of the Consolidated Appropriations Act, 2005, Public Law 108-447, provided a comprehensive restatement of Federal authority, including that of the BLM, to collect and spend recreation use fees. This statute replaced prior authorities enacted in the Land and Water Conservation Act, the Omnibus Budget Reconciliation Act of 1993, and the Recreational Fee Demonstration Program authority enacted in annual appropriation acts since 1996. During fiscal 2005, the BLM switched to the authorities and arrangements enacted in the FLREA.

Recreation projects operating under the former Recreational Fee Demonstration program have varying fee structures depending upon the day of week, season of use, free use days, and standardized entrance fees. Service fees, automated fee collection machines, third-party collection contracts, volunteer fee collectors, entrance booths, donations, self-serve pay stations, reservation systems, fee collection through the mail for permitted areas, special recreation permits for competitive and organized groups, and online Internet reservation payment with credit cards are examples of new collection methods the BLM has used as a result of the Recreational Fee Demonstration program. The fee structure at each site is periodically evaluated to ensure that the fees are comparable to similar sites in the surrounding area. These fees, combined with appropriated funds, are used to maintain buildings, shelters, water supply systems, fences, parking areas, and landscaping; to pump vault toilets and dump stations; to replace or repair broken or non-functioning facilities; to modify facilities to accessibility standards; and to collect trash at recreation sites.

The Administration proposes to permanently reauthorize the Department of the Interior's and the Department of Agriculture's recreation fee programs under the Federal Lands Recreation Enhancement Act, which is set to expire on December 8, 2015.

The following table provides the actual collections for 2014 and the estimated revenues projected for 2015 and 2016 from BLM recreational fee sites. In addition, the table provides

information on the number of projects approved, the type of work conducted and the amount of revenues spent for all three fiscal years.

### Recreation Fee Projects

(In thousands of dollars)

Bureau of Land Management	2014 Actual	2015 Estimated	2016 Budget
Unobligated Balance Brought Forward & Recoveries	14,116	14,852	15,320
Recreation Fee Revenues [Post-sequestration]	17,673	19,653	19,183
America the Beautiful pass	[800]	[800]	[800]
Funds Obligated	-16,937	-19,185	-21,630
<b>Unobligated Balance</b>	<b>14,852</b>	<b>15,320</b>	<b>12,873</b>
<b>Total Expenditures (outlays)</b>	<b>16,977</b>	<b>17,764</b>	<b>19,418</b>
<i>Obligations by Type of Project</i>			
Asset Repair & Maintenance			
<i>Facilities Routine/Annual Maintenance</i>	4,742	5,000	5,500
<i>Facilities Capital Improvements Health &amp; Safety</i>	169	185	200
<i>Facilities Deferred Maintenance</i>	679	1,000	1,500
<b>Subtotal, Asset Repair and Maintenance</b>	<b>5,590</b>	<b>6,185</b>	<b>7,200</b>
<i>Interp. Visitor Services, issue SRP &amp; RUP</i>	5,421	6,000	6,130
<i>Law Enforcement, Recreation</i>	2,372	2,800	3,000
<i>Habitat Restoration, Resource Protection</i>	848	800	850
<i>Collection Costs</i>	508	400	450
<i>Fee Mgmt. Agreement &amp; Reservation Services</i>	847	1,000	1,500
<i>Pass Administration and Overhead</i>			
<i>Administration, Overhead, Indirect Costs &lt; = 15%</i>	1,351	2,000	2,500
<b>Total Obligations</b>	<b>16,937</b>	<b>19,185</b>	<b>21,630</b>
<b>Total Expenditures (outlays)</b>	<b>16,977</b>	<b>17,764</b>	<b>19,418</b>

### Use of Fees

The BLM Annual Maintenance program maintains assets on recreation sites. In fiscal year 2014, the BLM maintained 92 percent of buildings and 89 percent of non-building assets in fair condition. In FY 2014, \$5.3 million of recreation fee revenue was used for annual maintenance and operations at recreation sites.

Projects that have been completed or started are quite varied in nature, and include the following accomplishments:

*Repair and Maintenance* - Recreation fee revenues have been used for maintaining existing facilities; repairing roofs; paving and grading roads and bridges; trail maintenance; repairing equipment and vehicles; adding communication systems; repairing gates, fences and flood damage; and repairing, replacing, installing, and expanding water systems.

*Improving Visitor Services* - Recreation fee revenues have been used for retrofitting restrooms and providing access to picnic areas for persons with disabilities; repairing existing restrooms or constructing new ones; landscaping recreation sites; expanding campgrounds; adding new grills and tables; constructing trails and additional tent pads; creating and adding directional signs; repairing, replacing, and constructing boat ramps; replacing and constructing boat and fishing docks; developing maps; brochures; exhibits and other outreach materials; and designing and creating interpretive displays.

*Providing for Fee Collection* - Recreation fee revenues have been used for constructing fee collection facilities, purchasing and installing lighting for exhibits and kiosks, adding seasonal positions, and expanding partnerships.

**Forest Ecosystem Health and Recovery Fund (FEHRF)** - Funds in this account are derived from the Federal share of receipts (defined as the portion of receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181-1 et seq., and P.L. 106-393, as amended) from all BLM timber salvage sales, and from BLM forest health restoration treatments funded from this account. Funds from this account are available for planning, preparing, implementing, monitoring, and reforestation of salvage timber sales and forest health restoration treatments, including those designed to release trees from competing vegetation, control tree densities, and treat hazardous fuels. Most of these treatments are implemented through service contracts or commercial timber sales. BLM projects may occur on Oregon and California Grant Lands, Coos Bay Wagon Road Grant Lands in Oregon, and on the public domain lands throughout the BLM.

The initial purpose of this fund was to allow quick response to fire and for reforestation of forests damaged by insects, disease, and fire. Expanded authorization in the 1998 Interior and Related Agencies Appropriations Act allows activities designed to promote forest health, including reducing the risk of catastrophic damage to forests in addition to responding to damage events. The Federal share of receipts in 2014 was \$4.5 million. The expected receipts for 2015 and 2016 are estimated to be \$3.6 million and \$6.4 million respectively.

The volume of salvage timber harvested and associated revenues in any given year may vary depending upon the severity of wildland fires, weather events such as drought and windstorms, and insect and disease mortality. The volume and value of harvest is also influenced by the demand for wood products.

In 2014, the BLM harvested approximately 60 million board feet of timber worth \$6.1 million dollars from 7,000 acres and inventoried 9,237 acres, from salvage and forest restoration activities with FEHRF funds. In addition, in 2014 the BLM offered approximately 83.3 million board feet of FEHRF new timber sales from 5,665 acres worth \$16.3 million dollars.

In 2015, the BLM intends to treat 10,124 acres, inventory 5,130 acres, and offer 63.2 million board feet of timber from salvage and forest restoration activities with these funds. In 2016, the BLM plans to treat 10,000 acres, inventory 5,000 acres and offer 60 million board feet of timber from salvage and forest restoration activities with these funds. Under current law, the fund expires at the end of 2020.

**Timber Sale Pipeline Restoration Fund** – The Pipeline Fund was established under Section 327 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996. The Act established separate funds for the U.S. Forest Service (USFS) and the BLM using revenues generated by timber sales released under Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act. This Act directs that 75 percent of the Pipeline Fund be used to fill each agency’s timber sale “pipeline”; and, that 25 percent of the Pipeline Fund be used to address the maintenance backlog for recreation projects on BLM and USFS lands. Funds are deposited into the fund after statutory payments are made to State and local governments.

Receipts deposited in 2014 were \$3.0 million. In 2015, receipts are estimated to be \$2.2 million and in 2016 \$2.2 million. In 2015 and 2016, 100 percent of timber sale pipeline receipts from O&C Grant Lands will be deposited to the Timber Sales Pipeline Restoration Fund due to the proposed reauthorization of Secure Rural Schools payments. That law exempts deposits to permanent operating funds such as to the Timber Sales Pipeline Restoration Fund from being available for use to make Secure Rural Schools payments to western Oregon counties.

Deposits and Expenditures, Timber Sale Pipeline Restoration Fund (\$000)				
Year	Annual Deposit	Cumulative Deposit	Annual Expenditure	Cumulative Expenditure
1998	31,803	31,803	4,474	4,474
1999	3,122	38,192	10,239	14,713
2000	0	38,192	8,454	23,167
2001	6,590	41,868	7,489	30,656
2002	563	42,431	5,615	36,271
2003	2,879	45,502	5,339	41,610
2004	6,993	53,421	2,904	44,514
2005	8,843	62,301	2,887	47,401
2006	12,339	74,756	5,059	52,460
2007	10,922	85,718	8,381	60,841
2008	10,396	96,093	10,340	71,181
2009	5,162	101,274	16,768	87,949
2010	4,078	105,352	10,587	98,536
2011	4,048	109,400	4,718	103,254
2012	4,023	113,423	4,514	107,768
2013	2,889	116,313	2,106	109,874
2014	2,991	119,304	3,172	113,046
2015 Est.	2,218	121,522	5,000	118,046
2016 Est.	2,180	123,702	4,000	122,046

At the end of 2014, the unobligated balance in the Fund was \$8.6 million. The BLM estimates the Fund balance will be \$4 million at the end of fiscal year 2016.

Recreation Projects Funded Through the Pipeline Fund – Significant progress has been made in western Oregon to address recreation projects using funds from the Timber Sale Pipeline Restoration Fund. Through the end of 2014, western Oregon BLM has completed approximately \$26.0 million dollars in deferred maintenance work at approximately 45 to 50 recreation sites. The principal focus of recreation spending is maintaining existing facilities, resolving critical safety needs, and meeting the requirements of the Americans with Disabilities Act. The BLM has made considerable investment in projects such as renovation of water and sewer systems, upgrading restroom facilities, improving parking areas, and adapting existing recreation sites for handicapped visitors. In 2016, the BLM level of expenditures for recreation projects is estimated to be between \$800,000 and \$900,000.

Timber Sales Prepared by Use of the Pipeline Fund – Approximately 75 percent of the Timber Sale Pipeline Fund is specifically used by a multiple resource team of specialists to prepare timber sales, including all necessary NEPA, environmental inventories and analyses; timber sale layout; timber cruising and appraising; and contract preparation costs. Upon completion of these requirements, a timber sale is officially prepared and placed “on-the-shelf” in anticipation of being offered for sale in future years.

Since 2001, the BLM has harvested approximately 594 million board feet of timber valued at approximately \$83.0 million dollars from the Pipeline Fund timber sales. In 2014, the BLM expended \$3.2 million from the Timber Sale Pipeline Fund and offered approximately 23 million board feet of timber for sale valued at approximately \$6.2 million. The BLM expects to deposit \$2.2 million in 2015 and \$2.2 million in 2016 from associated timber sales into the Pipeline Fund.

**Expenses, Road Maintenance Deposits** – This activity provides for the permanent appropriation of money collected from commercial road users in lieu of user maintenance. The receipts are permanently appropriated to the BLM for road maintenance. Users of certain roads under BLM jurisdiction make deposits for maintenance purposes. Moneys collected are available for needed road maintenance. Moneys collected on Oregon and California Grant Lands are available only for those lands (43 U.S.C. 1762(c), 43 U.S.C. 1735(b)). The BLM has authority to collect money for road maintenance from commercial users of the public lands and the public domain lands transportation system. Most of the funds generated for this account come from Oregon and California Grant Lands and are available for those lands only, excluding \$229,000 that is made available for administrative expenses.

**Southern Nevada Public Land Sales** – This receipt account allows the BLM to record transactions authorized by the Southern Nevada Public Land Management Act (SNPLMA) (P.L. 105-263). The purpose of the Act is to provide for the orderly disposal of certain Federal lands in Clark County, Nevada, to meet the demands for community expansion and economic development, and to use the proceeds from these sales to address critical environmental and educational needs in Clark County and other areas of Nevada. Receipts are generated primarily through sale to the public of lands in the Las Vegas valley. Approximately 50,000 acres of public land are within the disposal boundary area.

Currently, funds collected from the land sales are distributed as follows:

- Five percent to the State General Education Fund.
- 10 percent to the Southern Nevada Water Authority to fund the infrastructure needed to support the development resulting from land sales under the Act.
- 85 percent is deposited into a special account and available to be spent by the Secretary of the Interior.

To date, SNPLMA has generated more than \$2.9 billion in deposits to the special fund, including earnings on investments, from land sales since its enactment in 1998. When SNPLMA was originally passed, proceeds from land sales under the bill were estimated at roughly \$70 million per year. Collections in 2013 and 2014 were \$12,963,000 and \$61,430,000 respectively. Sales in 2015 are projected to produce \$97,058,000. The increase is due to an increase in estimates of acres sold offsetting a lower price per acre. Estimated collections for 2016 are expected to be \$125,347,000 mainly coming from final payments received from 2015 sales and a planned fall auction of 600 acres. Collections are reported when payments are received regardless of when sales are held and the estimates make allowance for the normal lag of 180 days between sales and collections. For more information on SNPLMA, see the 2008 report to Congress, at <http://www.blm.gov/nv/st/en/snplma.html>. See the Collections chapter for more information on anticipated land sales in 2015 and 2016.

**Lincoln County Sales** – This receipt account allows the BLM to record transactions authorized by the *Lincoln County Land Sales Act (P.L. 106-298)*, which was enacted by Congress in 2000. The purpose of the Act is to provide for the disposal of certain Federal lands in Lincoln County, Nevada. Funds accumulated in the special account may be used to:

- Preserve archaeological resources, conserve habitat, and reimburse the BLM Nevada State Office for land sale costs related to this act;
- Process public land use authorizations and rights-of-way stemming from conveyed land; and
- Purchase environmentally sensitive land or interests in land in the State of Nevada, with priority given to land outside Clark County.

In 2014, \$1,016,000 was deposited from land sales. In 2015 and 2016, deposits from land sales are estimated to be \$2,332,000 and \$667,000. Those estimates exclude interest deposited to the fund and payments to the State and County.

**Southern Nevada Public Land Management and Lincoln County – Earnings on Investments** – SNPLMA authorizes the Secretary to manage the collections account for the purposes set out above, and is also authorized to use interest generated from the above-mentioned funds. The BLM is authorized to invest the unspent balance of collections from SNPLMA and Lincoln County Lands Act land sale receipts. Earnings on investments for 2013 and 2014 were \$997,000 and \$369,000 respectively. Interest estimated to be earned in 2015 and 2016 is \$1,100,000 and \$5,900,000 respectively. Projected investment earnings take into account revenue from land sales, earnings on investments, and projected interest rates and outlays. Funds in the special account earn interest at a rate determined by the Secretary of the Treasury and are available for expenditure without further appropriation under the provisions of the Act.

**Stewardship "End Results" Contracting Fund** –The 2003 Omnibus Appropriations Act (P.L. 108-7), Section 323, amended Section 347 of the 1999 Appropriation Omnibus (P.L. 105-277, Oct. 21, 1998) that originally granted the USFS pilot stewardship contracting authority. Until September 30, 2013, the USFS and the BLM, via agreement or contract as appropriate, may

enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forest and the public lands that meet local and rural community needs.

The Act granted the BLM the ability to utilize stewardship contracting as a tool for forest and rangeland restoration. The BLM may apply the value of timber or other forest products removed as an offset against the cost of services received, and monies from a contract under subsection (a) may be retained by the USFS and the BLM and shall be available for expenditure without further appropriation at the project site from which the monies are collected or at another project site. In 2014, the BLM deposited \$162,000 into the fund and expects to deposit \$32,000 and \$21,000 in 2015 and 2016 respectively.

The Agriculture Act of 2014 (P.L. 113-79) provides permanent stewardship contracting authority.

**Federal Land Disposal Account** – The Federal Land Transaction Facilitation Act (FLTFA), provides authority for the use of receipts from disposal actions by the BLM to purchase inholdings and lands adjacent to federally designated areas containing exceptional resources, as defined in FLTFA, from willing sellers with acceptable titles, at fair market value, to “promote consolidation of the ownership of public and private lands in a manner that would allow for better overall resource management administrative efficiency, or resource allocation.

The Act expired on July 25, 2010. On July 29, 2010, Congress passed PL 111-212, which included a one-year extension of FLTFA. Because of the break in FLTFA authority, the funds in the account on July 25, 2010 were deposited into the Land and Water Conservation Fund. This included \$37.0 million designated for land purchase and \$13.0 million designated to administer the BLM’s land sale program, for a total of approximately \$50.0 million. When the one year extension expired, the unobligated balance of \$2.2 million was transferred to the Land and Water Conservation Fund.

The Budget includes a proposal to reauthorize FLTFA and allow lands identified as suitable for disposal in recent land use plans to be sold using the FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally sensitive lands and the administrative costs associated with conducting sales.

**Owyhee Land Acquisition Account** – The Owyhee Land Acquisition Account was established under Section 1505 of the Omnibus Public Land Management Act of 2009. This account provides a process for orderly sale of certain public lands in Boise District of the BLM that, as of July 25, 2000, had been identified for disposal in an appropriate resource management plan. Estimated deposits in 2015 and 2016 are \$712,000 and \$56,000; none is reported for 2014.

**Washington County, Utah Land Acquisition Account** – This account was established under Section 1778 of the Omnibus Public Land Management Act of 2009. This account provides a process for the orderly sale of certain public lands in Washington County, Utah, that, as of July 25, 2000, had been identified for disposal in appropriate resource management plans. Proceeds from the sale of public land are deposited into the “Washington County, Utah Land Acquisitions Account”. Amounts in the account are available to the Secretary to purchase, from willing sellers, inholdings of lands or interest in land within the wilderness areas and National Conservation Area established by the Omnibus Public Land Management Act. Estimated deposits in 2015 and 2016 are \$732,000 and \$58,000; none is reported for 2014.

■

▪ **Silver Saddle Endowment Account** – This account was established by the Omnibus Public Land Management Act of 2009, and authorizes, under certain conditions, the sale of a 62-acre parcel to Carson City, Nevada. Proceeds of the sale are to be used by the BLM for the oversight and enforcement of a perpetual conservation easement to the land to protect, preserve, and enhance the conservation values of the land. No deposits were made in 2014; \$49,000 is estimated in 2015 and \$4,000 is estimated in 2016.

▪ **Carson City Special Account** – This account was established by the Omnibus Public Land Management Act of 2009, and authorizes the sale of approximately 158 acres described in the law. Five percent of the proceeds will be paid directly to the State for use in the general education program of the State. The remainder is deposited in this account to reimburse the BLM and the Forest Service for the costs of the sale and appraisals, and to acquire environmentally sensitive land or an interest in environmentally sensitive land in the city. In 2011, 2012 and 2013 there were no receipts. In 2014, the BLM deposited \$75,000 into the fund; \$6,000 is estimated in 2015; none is estimated for 2016.

**NPR-2 Lease Revenue Account** – Section 331 of the Energy Policy Act of 2005, P.L.109–58 transferred Naval Petroleum Reserve Numbered 2 from the Department of Energy to the Department of the Interior and appropriates a portion of revenues from mineral leases on the site to remove environmental contamination. The appropriations end when the cleanup is completed. In 2014, the BLM deposited \$5,000 into the fund. Estimated deposits in 2015 and 2016 are \$5,000 and \$5,000.

**Geothermal Steam Act Implementation Fund** – Section 224 of the Energy Policy Act of 2005, P.L.109–58, amended the Geothermal Steam Act of 1970. The amendment provides that fifty percent of geothermal bonuses, rents, and royalties will be paid to the State and twenty-five percent will be paid to the County within the boundaries of which the leased lands or geothermal resources are or were located. Section 234 provided that twenty-five percent be deposited to the BLM Geothermal Steam Act Implementation Fund from 2006 through 2010 for the purpose of expediting the development of geothermal steam as an energy source. That authority was repealed by Congress a year early.<sup>9</sup> A deposit of \$2.7 million was made in 2010 from revenues collected in 2009 before the authority expired. No additional deposits will be made under current law. More information about this fund can be found in the Oil and Gas and Renewable Energy Management sections of the Management of Lands and Resources chapter.

**Permit Processing Improvement Fund** –Section 365 of the Energy Policy Act of 2005, P.L.109–58, permanently directed that fifty percent of rents from onshore mineral leases for oil and gas, coal, and oil shale on Federal lands were to be deposited into the Permit Processing Improvement Fund (PPIF), and authorized BLM access to the PPIF from 2006 through 2015 for the purpose of identifying and implementing improvements and cost efficiencies in processing applications for permits to drill (APDs) and related work.

Section 3021 of the National Defense Authorization Act (NDAA), P.L. 113-291 permanently extends BLM's access to the rent receipts in the PPIF. Section 3021 of the NDAA also added fees for APDs as a source of receipts to the PPIF. Specifically, Section 3021 authorizes the Secretary in fiscal years 2016 through 2026 to charge and collect a \$9,500 APD processing fee, as indexed for inflation. The NDAA-authorized APD fee obviates the need for the \$6,500 APD processing fee that has been authorized in annual appropriations acts the last several years.

<sup>9</sup> Section 423, P.L. 111-88, (123 STAT. 2961). Department of the Interior, environment, and related agencies appropriations for the fiscal year ending September 30, 2010

The NDAA created two sub-accounts within the PPIF to accommodate these two sources of receipts:

- The Rental Account is comprised of rents from oil, gas, and coal leases not paid to States.
- The Fee Account is comprised of fees paid with applications for permits to drill.

The law requires that the rental account is used for coordination and processing of leasing activity by BLM project offices.

The law requires that the fee account is used for the same purposes but is not limited to the activities of project offices.

Estimated APD fees are \$47,500,000 in 2016. Pursuant to the NDAA, from 2016 through 2019, 15 percent of APD collections is subject to appropriation while 85 percent is permanently appropriated. For more information on the use of this Fund, please see the Oil and Gas Management section in the Management of Lands and Resources Chapter.

***Ojito Land Acquisition*** – The Ojito Wilderness Act authorized the sale of land to the Pueblo of Zia Indian Tribe and the purchase of land from willing sellers within the State of New Mexico. The sale to the Tribe has been completed; the BLM is planning a land purchase using the proceeds of that sale. Deposits in 2014 were \$735,000; none are estimated for 2015 and 2016.

## Budget Schedules – Current Law

Account Symbol and Title 14X9926 Permanent Operating Funds	Line	2014 Act	2015 CY	2016 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Forest ecosystem health and recovery fund	0001	5	6	6
Recreation fee demonstration	0002	17	18	19
Expenses, road maintenance deposits	0003	3	3	2
Timber sale pipeline restoration fund	0004	3	3	2
Southern Nevada public land sales (85)	0005	63	60	75
Lincoln County Lands Act	0008	2	2	3
Operation and maintenance of quarters	0013	1	1	1
Permit Processing Improvement Fund	0014	15	18	49
Geothermal Steam Act Fund	0015	1	0	0
NPR-2 Cleanup Fund	0018	0	1	1
Total new obligations	0900	110	112	158
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	561	578	592
Recoveries of prior year unpaid obligations	1021	30	0	0
Unobligated balance (total)	1050	591	578	592
Budget authority:				
Appropriations, mandatory:				
Recreation fee demonstration program	1201	19	19	19
Forest ecosystem health and recovery fund	1201	5	4	4
Timber sales pipeline restoration fund	1201	3	2	1
Expenses, road maintenance deposits	1201	3	3	3
S. Nevada public land management	1201	54	82	107
S. Nevada public land management-interest	1201	0	1	4
earned				
Permit processing improvement fund	1201	14	16	55
Operation and maintenance of quarters	1201	1	1	1
Owyhee Land Acquisition	1201	0	1	0
Lincoln Cty. land sales	1201	1	3	2
Appropriation (Ojito Land Acquisition)	1201	1	0	0
Appropriation (previously unavailable)	1203	3	4	0
Appropriations and/or unobligated balance of	1232	-7	-10	0
appropriations temporarily reduced				
Appropriations, mandatory (total)	1260	97	126	196
Appropriations, mandatory - Computed Totals	1260-20	97	126	196
Appropriation [SNPLMA]	1260-40	54	77	111
Baseline Civilian Pay	1260-50		4	4
Baseline Non-Pay	1260-50		73	107
Appropriation [Recreation Fees]	1260-40	19	18	19

Account Symbol and Title 14X9926 Permanent Operating Funds	Line	2014 Act	2015 CY	2016 BY
Baseline Civilian Pay	1260-50		8	8
Baseline Non-Pay	1260-50		10	11
Appropriation [Other Perm Operating]	1260-40	28	31	66
Baseline Civilian Pay	1260-50		14	15
Baseline Non-Pay	1260-50		17	51
Appropriation [Sequestration]	1260-40	3	0	0
Baseline Civilian Pay	1260-50		0	0
Effects of 2014 sequester	1260-40	-7	0	0
Baseline Non-Pay	1260-50		0	0
Appropriation [Text]	1260-40	0	0	0
Baseline Civilian Pay	1260-50		0	0
Total budgetary resources available	1930	688	704	788
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	578	592	630
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	332	201	115
Obligations incurred, unexpired accounts	3010	110	112	158
Outlays (gross)	3020	-211	-198	-236
Recoveries of prior year unpaid obligations, unexpired	3040	-30	0	0
Unpaid obligations, end of year	3050	201	115	37
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	332	201	115
Obligated balance, end of year	3200	201	115	37
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	97	126	196
Outlays, gross:				
Outlays from new mandatory authority	4100	18	59	96
Outlays from mandatory balances	4101	193	139	140
Outlays, gross (total)	4110	211	198	236
Budget authority, net (mandatory)	4160	97	126	196
Outlays, net (mandatory)	4170	211	198	236
Budget authority, net (total)	4180	97	126	196
Outlays, net (total)	4190	211	198	236
Memorandum (non-add) entries:				
Total investments, SOY: Federal securities: Par value	5000	693	609	535
Total investments, EOY: Federal securities: Par value	5001	609	535	470

Account Symbol and Title 14X9926 Permanent Operating Funds	Line	2014 Act	2015 CY	2016 BY
Direct Federal programs:				
Budget Authority	2004-01	97	126	196
Outlays	2004-02	211	198	236
<b>Object Classification (O) (\$ in Millions)</b>				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	21	21	41
Other than full-time permanent	11.3	2	2	3
Other personnel compensation	11.5	2	2	3
Total personnel compensation	11.9	25	25	47
Civilian personnel benefits	12.1	8	9	16
Communications, utilities, and miscellaneous charges	23.3	1	1	2
Other services from non-Federal sources	25.2	6	9	10
Other goods and services from Federal sources	25.3	6	7	10
Operation and maintenance of facilities	25.4	0	1	1
Operation and maintenance of equipment	25.7	1	2	2
Supplies and materials	26.0	2	3	3
Equipment	31.0	1	2	2
Land and structures	32.0	10	5	8
Grants, subsidies, and contributions	41.0	5	8	8
Subtotal, obligations, Direct obligations	99.0	65	72	109
Allocation Account - direct:				
Personnel compensation:				
Full-time permanent	11.1	6	7	7
Other than full-time permanent	11.3	2	2	2
Other personnel compensation	11.5	1	0	0
Total personnel compensation	11.9	9	9	9
Civilian personnel benefits	12.1	3	3	3
Other services from non-Federal sources	25.2	5	5	6
Other goods and services from Federal sources	25.3	1	1	5
Operation and maintenance of facilities	25.4	1	1	2
Operation and maintenance of equipment	25.7	24	19	22
Land and structures	32.0	1	1	1
Grants, subsidies, and contributions	41.0	1	1	1
Subtotal, obligations, Allocation Account - direct	99.0	45	40	49
Total new obligations	99.9	110	112	158
<b>Employment Summary (Q)</b>				
Direct civilian full-time equivalent employment	1001	422	421	696
<b>Appropriations Requests in Thousands of Dollars (T)</b>				
Budget year budgetary resources [014-9926]	1000			0

## Budget Schedules - Proposal

Account Symbol and Title 14X9926 Permanent Operating Funds	Line	2014 Act	2015 CY	2016 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Forest ecosystem health and recovery fund	0001	0	2	5
Timber sale pipeline restoration fund	0004	0	2	2
Federal land disposal fund	0005	0	0	1
Total new obligations	0900	0	4	8
Budgetary resources:				
Budget authority:				
Appropriations, mandatory:				
Forest ecosystem health and recovery fund	1201	0	2	2
Timber sales pipeline restoration fund	1201	0	2	1
Federal land disposal fund	1201	0	0	5
Appropriations, mandatory (total)	1260	0	4	8
Appropriations, mandatory - Computed Totals	1260-20	0	4	8
Appropriation [Timber sales]	1260-40	0	4	3
Appropriation [FLTFA]	1260-40	0	0	5
Total budgetary resources available	1930	0	4	8
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	0	0	1
Obligations incurred, unexpired accounts	3010	0	4	8
Outlays (gross)	3020	0	-3	-3
Unpaid obligations, end of year	3050	0	1	6
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	0	0	1
Obligated balance, end of year	3200	0	1	6
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	0	4	8
Outlays, gross:				
Outlays from new mandatory authority	4100	0	3	2
Outlays from mandatory balances	4101	0	0	1
Outlays, gross (total)	4110	0	3	3
Budget authority, net (mandatory)	4160	0	4	8
Outlays, net (mandatory)	4170	0	3	3
Budget authority, net (total)	4180	0	4	8
Outlays, net (total)	4190	0	3	3

Account Symbol and Title 14X9926 Permanent Operating Funds	Line	2014 Act	2015 CY	2016 BY
Direct Federal programs:				
Budget Authority	2004-01	0	4	8
Outlays	2004-02	0	3	3
Object Classification (O) (\$ in Millions)				
Direct obligations:				
Other services from non-Federal sources	25.2	0	2	5
Supplies and materials	26.0	0	2	2
Land and structures	32.0	0	0	1
Total new obligations	99.9	0	4	8

# Miscellaneous Trust Funds



# Miscellaneous Trust Funds

## Appropriations Language

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended. (*Division F—Department of the Interior, Environment and Related Agencies Appropriations Act, 2015*)

## Appropriations Language Citations

**1. In addition to amounts authorized to be expended under existing laws,**

In addition to the amounts provided under other statutes for BLM operations and activities.

**2. there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737),**

This appropriation consists of both current and permanent funds. The current appropriations are the contributions authorized by the Federal Land Policy Management Act (FLPMA) section 307 (c), which allows parties to contribute funds to the BLM for resource development, protection, and management activities; for acquisition and conveyance of public lands; and for cadastral surveys on Federally controlled or intermingled lands.

**3. and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)),**

The permanent appropriation allows the BLM to spend funds contributed under the authority of the Taylor Grazing Act and under authority of various land survey acts.

**4. to remain available until expended.**

The language makes the funds available without fiscal year limitation. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, agreements and purchases.

## Authorizations

Statutes that authorize permanent mandatory trust funds

***The Taylor Grazing Act of 1934, as amended (43 U.S.C. 315h, 315j)***

Provides for the Secretary of the Interior to accept contributions for the administration, protection, and improvement of grazing lands, and for these funds to be deposited into the Treasury in a trust fund; the Act also permanently appropriates them for use by the Secretary.

***The Act of March 3, 1891, Section 11 (43 U.S.C. 355)***

Provides for the sale of town lots to non-Native Alaskans. This Act was repealed by FLPMA in 1976. However, the Comptroller General Opinion of November 18, 1935, and 31 U.S.C. 1321 authorize the use of trust funds to provide for survey and deed recordation of town lots occupied prior to passage of FLPMA.

***43 U.S.C. 759***

Provides for accomplishment of public surveys of whole townships through a trust fund; deposits for expenses deemed appropriated. 43 U.S.C. 761 provides for refunds from trust funds established in 43 U.S.C. 759 of costs in excess of expenses.

***31 U.S.C. 1321(a)(47) and (48)***

Classifies the activities of "Expenses, public survey work, general" and "Expenses, public survey work, Alaska" as trust funds.

***48 Stat. 1224-36***

Provides for payments in advance for public surveys.

Statutes that authorize current mandatory appropriations of trust funds.

***43 U.S.C. 1721(a) and (b) (FLPMA Section 211(a) and (b))***

Provides for the donation of funds for surveys of omitted lands.

***The Comptroller General Opinion of November 18, 1935, and 31 U.S.C. 1321***

Authorizes the use of trust funds to provide for survey and deed recordation of town lots occupied prior to passage of FLPMA.

***The Sikes Act of 1974, as amended (16 U.S.C. 670 et seq.)***

Provides for the conservation, restoration, and management of species and their habitats in cooperation with State wildlife agencies.

***Omnibus Appropriations Act, 2009, Division E— Department of the Interior, Environment, and Related Agencies Appropriations Act, 2009, P.L. 111-8, March 10, 2009***

Provides that projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis.

## Summary of Requirements

(Dollars in Thousands)

Comparison by Activity/ Subactivity	2014 Actual		2015 Enacted*		2016				Change from 2015 Enacted (+/-)	
					Program Changes (+/-)		Budget Request			
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Miscellaneous Trust Funds	93	26,005	93	28,149	0	-2,999	0	25,150	93	-2,999
<b>CURRENT:</b>	<b>86</b>	<b>24,617</b>	<b>86</b>	<b>25,759</b>	<b>0</b>	<b>-2,829</b>	<b>0</b>	<b>22,930</b>	<b>86</b>	<b>-2,829</b>
Conveyance of Omitted Lands	0	0	0	0	0	0	0	0	0	0
Resource Development Protection & Management - FLPMA	55	19,427	55	20,332	0	-2,233	0	18,099	55	-2,233
Resource Development Protection & Management - California Off-Highway	29	4,843	29	5,064	0	-556	0	4,508	29	-556
Wildlife & Fish Conservation & Rehabilitation - Sikes Act	2	347	2	363	0	-40	0	323	2	-40
Rights-Of-Way	0	0	0	0	0	0	0	0	0	0
<b>PERMANENT:</b>	<b>7</b>	<b>1,388</b>	<b>7</b>	<b>2,390</b>	<b>0</b>	<b>-170</b>	<b>0</b>	<b>2,220</b>	<b>7</b>	<b>-170</b>
Resource Development Protection & Management - Taylor Grazing Act	3	1,075	3	1,844	0	-131	0	1,713	3	-131
Public Survey	4	313	4	546	0	-39	0	507	4	-39

\* The 2015 amount is updated from the amount included in the Appendix, Budget of the United States Government, Fiscal Year 2016. The 2015 amount reflects previously unavailable amounts as provided in the Balanced Budget and Emergency Deficit Control Act, as amended.

## Appropriation: Miscellaneous Trust Funds (Current and Permanent)

### Activity Description

The Land and Resource Management Trust Fund provides for resource development, protection, and management improvement of the public lands using money and services that are contributed to the BLM from non-Federal sources.

Contributions and donations of money from private individuals, companies, user organizations, State government agencies, and other non-Federal entities provide for the performance of certain conservation practices. Any money remaining after the project is completed is returned to the contributor if they desire.

#### Current Appropriations:

Funds are routinely received for the following purposes:

- **Conveyance of Omitted Lands** - This activity accounts for contributed funds for land and realty actions from non-Federal sources or applicants as agreed to through an established contribution agreement.
- **Resource Development, Protection, and Management--FLMPA** - According to FLPMA, the BLM can accept contributed money or services for resource development, protection, and management; conveyance or acquisition of public lands; and conducting cadastral surveys.
- **Resource Development, Protection and Management of California Off-Highway Vehicles** - Includes contributions from the State of California Off-Highway Vehicle license ("Green Sticker") fund. The BLM uses this fund for the development, maintenance, and operation of benefiting projects on BLM-administered public lands in California. The BLM requests these funds from the State of California each year through a competitive process. The amount awarded to the BLM varies each year.
- **Wildlife & Fish Conservation & Rehabilitation--Sikes Act** - The Sikes Act authorizes State game and fish departments to charge fees for activities such as hunting, fishing, and trapping on Federal lands. These funds are shared with the BLM and used by the BLM for the conservation, restoration, management and improvement of wildlife species and their habitat.
- **Rights-of-Way** - This activity accounts for funds contributed by private entities to pay the casework costs of processing Rights-of-Way grants requested by them.

#### Permanent Appropriations:

The following funds are permanently available as Permanent Miscellaneous Trust Funds to the Secretary of the Interior for efforts as specified by the authorizing Act:

- ***Taylor Grazing Act Contributions*** - These contributions are permanently appropriated as trust funds to the Secretary for rangeland improvement.
- ***Public Survey Contributions*** - These funds are contributions from individuals, companies or other users of the public lands, for cadastral survey services provided by the BLM.
- ***Trustee Funds, Alaska Townsites*** - These contributions are provided for the sale of town lots to non-Native Alaskans. These trust funds provide for the survey and deed transfer of town lots. Purchasers pay the cost of survey and deed transfer plus \$25. (Native Alaskans are exempt from payment.) Only lots occupied before the passage of FLPMA may be deeded to the occupants; all other lots are the property of the municipality.

## Budget Schedules

Account Symbol and Title 14X9971 Miscellaneous Trust Funds	Line	2014 Act	2015 CY	2016 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Resource development FLPMA	0001	14	14	14
Resource development CA OHV	0002	4	4	4
Resource development Taylor Grazing	0003	1	1	1
Public Survey	0004	0	1	0
Sikes Act	0005	0	0	1
Total new obligations	0900	19	20	20
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	46	53	59
Budget authority:				
Appropriations, mandatory:				
Appropriation (special or trust fund)	1201	27	24	25
Appropriation (previously unavailable)	1203	1	2	0
Appropriations and/or unobligated balance of appropriations temporarily reduced	1232	-2	0	0
Appropriations, mandatory (total)	1260	26	26	25
Appropriations, mandatory - Computed Totals	1260-20	26	26	25
Appropriation [Text]	1260-40	28	24	25
Baseline Civilian Pay	1260-50		8	8
Baseline Non-Pay	1260-50		16	17
Effects of 2014 sequester	1260-40	-2	2	0
Baseline Non-Pay	1260-50		2	0
Total budgetary resources available	1930	72	79	84
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	53	59	64
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	10	9	4
Obligations incurred, unexpired accounts	3010	19	20	20
Outlays (gross)	3020	-20	-25	-24
Unpaid obligations, end of year	3050	9	4	0
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	10	9	4
Obligated balance, end of year	3200	9	4	0

Account Symbol and Title 14X9971 Miscellaneous Trust Funds	Line	2014 Act	2015 CY	2016 BY
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	26	26	25
Outlays, gross:				
Outlays from new mandatory authority	4100	6	16	16
Outlays from mandatory balances	4101	14	9	8
Outlays, gross (total)	4110	20	25	24
Budget authority, net (mandatory)	4160	26	26	25
Outlays, net (mandatory)	4170	20	25	24
Budget authority, net (total)	4180	26	26	25
Outlays, net (total)	4190	20	25	24
Direct Federal programs:				
Budget Authority	2004-01	26	26	25
Outlays	2004-02	20	25	24
<b>Object Classification (O) (\$ in Millions)</b>				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	4	4	4
Other than full-time permanent	11.3	1	1	1
Other personnel compensation	11.5	1	1	1
Total personnel compensation	11.9	6	6	6
Civilian personnel benefits	12.1	2	2	2
Other services from non-Federal sources	25.2	3	4	3
Other goods and services from Federal sources	25.3	2	2	3
Supplies and materials	26.0	1	1	1
Land and structures	32.0	2	2	2
Grants, subsidies, and contributions	41.0	3	3	3
Total new obligations	99.9	19	20	20
<b>Employment Summary (Q)</b>				
Direct civilian full-time equivalent employment	1001	93	93	93
<b>Appropriations Requests in Thousands of Dollars (T)</b>				
Budget year budgetary resources [014-9971]	1000			22,930

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# Helium Fund and Operations



# Helium Fund and Operations

## Appropriations Language

No Appropriations Language

## Explanation

No appropriations language is necessary. The Helium Stewardship Act of 2013, Public Law No. 113-40, provides the authority and funding for operation of the program.

## Summary of Requirements (\$000)

Comparison by Activity/ Subactivity	2014		2015		2016				Change from 2015 (+/-)	
	Actual		Enacted		Program Changes (+/-)		Budget Request		FTE	Amount
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Helium Fund</b>	<b>49</b>	<b>242,111<sup>1</sup></b>	<b>49</b>	<b>22,512</b>	<b>0</b>	<b>0</b>	<b>49</b>	<b>24,541</b>	0	+2,029
Helium Fund	49	242,111	49	22,512	0	0	49	24,541	0	+2,029
Offsetting Collections	0	-242,111	0	-22,512	0	0	0	-24,541	0	-2,029
<b>Operating Programs:</b>	<b>49</b>	<b>242,111<sup>1</sup></b>	<b>49</b>	<b>22,512</b>	<b>0</b>	<b>0</b>	<b>49</b>	<b>24,541</b>	<b>0</b>	<b>+2,029</b>
Production & Sales	16	236,997	16	20,479	0	0	16	20,523	0	+44
Transmission & Storage Operations	16	3,000	16	52	0	0	16	1,750	0	+1,698
Administrative & Other Expenses	17	2,114	17	1,981	0	0	17	2,268	0	+287

<sup>1</sup>Note: The 2014 collections includes a \$3.0 million transfer to the General Fund.

## Activity: Helium Fund and Operations

### Justification of 2016 Program Changes

The 2016 budget request for the Helium Fund and Operations program is \$24,541,000 and 49 FTE, a program increase of \$2,029,000 from the 2015 estimate. The amount of the 2016 budget request is based on estimated costs of natural gas and liquid gas sales operations of the Crude Helium Enrichment Unit, and oversight of helium production on Federal lands. Revenues from helium sales for 2015 are projected to be lower than the 2014 level. The Helium Stewardship Act of 2013 required the BLM to hold sales in 2014 for helium that will be delivered in 2015 and for a portion of the helium that will be delivered in 2016. In 2014, the BLM held three sales and one auction. The BLM received payment in 2014 for helium to be delivered in 2015 and for 250 million cubic feet (MMcf) to be delivered in 2016.

### Program Overview

The Helium Act Amendments of 1960, Public Law 86–777 (50 U.S.C. 167), authorized activities necessary to provide sufficient helium to meet the current and foreseeable future needs of essential government activities. The Helium Privatization Act of 1996 (HPA), Public Law 104–273, provided for the eventual privatization of the program and its functions, specifying that once the helium debt is retired, the Helium Production Fund would be dissolved. The debt was repaid at the beginning of fiscal year 2014. The Helium Stewardship Act of 2013, (P.L. 113-40) provided for continued operation of the Helium program while facilitating a gradual exit from the helium market.

The Helium Stewardship Act established the following goals of the BLM's Helium program are:

- Continued storage and transmission of crude helium;
- Oversight of the production of helium on Federal lands; and
- Administration of in-kind and open market crude helium gas sale programs.

To minimize impacts to the helium market, the Helium Stewardship Act provides a "glide path" from the sales mandated under the HPA, increasing the sales price of helium through an auction mechanism and reducing the total volume of helium sold each year, until the amount in storage reaches 3.0 billion cubic feet. At that point, the remaining helium will be reserved for Federal users. Additionally, the Helium Stewardship Act provides for a hard deadline to sunset the program and sell off the program assets by 2021. The Helium Stewardship Act required at least one sale to be held in 2014 for helium to be delivered in 2014, 2015 and 2016, resulting in a one-time increase in collections in 2014. A sale was conducted in January and May of 2014 for a total volume of 610 MMcf, resulting in revenue of \$57,950,095 for FY 2014 receipts. An auction was conducted in July 2014 for a total volume of 92 MMcf resulting in revenue of \$14,972,568 for FY 2015 receipts. A sale conducted in August, 2014 for a total of 835 MMcf resulted in revenue of \$88,543,390 for FY 2015 receipts. An advanced sale, conducted in August 2014 for 250 MMcf resulted in revenue of \$26,500,000 for FY 2016 receipts. Revenue will decrease in subsequent years as the Act does not require any more advanced sales.

The table below shows actual and estimated revenues for 2014 through 2016. The revenues include funds from the sale of crude helium (through sales and auctions, as described above) and revenue from in-kind crude helium sales, sales of natural gas and natural gas liquids, and royalties from the extraction of helium from Federal lands. Collections in excess of operating costs were deposited to a receipt account and are not shown in the Summary of Requirements table as revenue.

Helium Program	\$ in thousands		
	2014 Actual	2015 Estimate	2016 Estimate
Revenues	242,111	132,575	148,751

The BLM Helium Program is currently responsible for the following operational activities:

- Storing and transmitting of Federal and private crude helium via the helium storage system;
- Administering helium fee and royalty contracts for helium extracted from gas produced on Federal lands;
- Administering the in-kind and open market crude helium gas sale program; and
- Conducting helium resource evaluation and reserve tracking to determine the extent of helium resources.

The helium storage system ensures that excess helium produced from natural gas processing plants connected to the pipeline network is conserved for future use. Federally-owned natural gas containing marketable helium reserves will be identified and contracted for sale or royalty to enhance conservation of crude helium already in storage.

### Funding History

All the income derived from crude helium sales, private helium storage, and fee sales/royalty payments for helium extracted from Federal lands pays the full cost of the Helium Program, pursuant to the Helium Stewardship Act of 2013.

Funds generated from the sale of helium were used to repay the Helium Debt. The Helium Debt was retired at the beginning of fiscal year 2014.

### 2016 Program Performance

The amount of the budget request is based on estimated costs of natural gas and liquid gas sales operations of the Crude Helium Enrichment Unit, and oversight of helium production on Federal lands. The income derived from crude helium sales, from private helium storage, and from fee sales/royalty payments for helium extracted from Federal lands will continue to pay for the full costs of the program.

**Helium Fund-** Revenues from the sale or auction of helium, as well as royalties from helium extraction on Federal lands and sales of natural gas and natural liquids byproducts from helium enrichment are deposited in the Helium Fund. In 2014, approximately \$242.1 million in revenues was deposited in the Helium Fund.

## Budget Schedules

Account Symbol and Title 14X4053 Helium Fund	Line	2014 Act	2015 CY	2016 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Production and sales	0801	19	20	23
Transmission and storage	0802	2	1	0
Administration and other expenses	0803	3	2	2
Total new obligations	0900	24	23	25
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	214	215	26
Capital transfer of unobligated balances to general fund	1022	-170	-190	0
Unobligated balances applied to repay debt	1023	-44	0	0
Unobligated balance (total)	1050	0	25	26
Budget authority:				
Spending authority from offsetting collections, mandatory:				
Collected	1800	242	26	25
Capital transfer of spending authority from offsetting collections to general fund	1820	-3	0	0
New and/or unobligated balance of spending authority from offsetting collections temporarily reduced	1823	0	-2	0
Spending auth from offsetting collections, mand (total)	1850	239	24	25
Spending auth from offsetting collections, mand - Computed Totals	1850-20	239	24	25
Spending authority from offsetting collections [Text]	1850-40	239	24	25
Baseline Program [Text]	1850-50		24	25
Total budgetary resources available	1930	239	49	51
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	215	26	26
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	13	15	3
Obligations incurred, unexpired accounts	3010	24	23	25
Outlays (gross)	3020	-22	-35	-27
Unpaid obligations, end of year	3050	15	3	1
Memorandum (non-add) entries:				

Account Symbol and Title 14X4053 Helium Fund	Line	2014 Act	2015 CY	2016 BY
Obligated balance, start of year	3100	13	15	3
Obligated balance, end of year	3200	15	3	1
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	239	24	25
Outlays, gross:				
Outlays from new mandatory authority	4100	2	4	4
Outlays from mandatory balances	4101	20	31	23
Outlays, gross (total)	4110	22	35	27
Offsets against gross budget authority and outlays:				
Offsetting collections (collected) from:				
Policy Program [Text]	4123-41	-242	-26	-25
Baseline Program [Text]	4123-71		-26	-25
Budget authority, net (mandatory)	4160	-3	-2	0
Outlays, net (mandatory)	4170	-220	9	2
Budget authority, net (total)	4180	-3	-2	0
Outlays, net (total)	4190	-220	9	2
Memorandum (non-add) entries:				
Unexpired unavailable balance, SOY: Offsetting collections	5090	1	1	3
Unexpired unavailable balance, EOY: Offsetting collections	5092	1	3	3
Physical assets:				
Major equipment:				
Other physical assets:				
Direct Federal programs:				
Budget Authority	1352-01	-3	-2	0
Outlays	1352-02	-220	9	2
<b>Balance Sheet (F) (\$ in Millions)</b>				
<b>ASSETS:</b>				
Federal assets:				
Fund balances with Treasury	1101	230		
Other Federal assets:				
Inventories and related properties	1802	95		
Property, plant and equipment, net	1803	9		
Other assets	1901	179		
Total assets	1999	513		
<b>LIABILITIES:</b>				
Federal liabilities:				
Debt	2103	0		
Other	2105	289		
Total liabilities	2999	289		

Account Symbol and Title 14X4053 Helium Fund	Line	2014 Act	2015 CY	2016 BY
NET POSITION:				
Cumulative results of operations	3300	224		
Total liabilities and net position	4999	513		
Object Classification (O) (\$ in Millions)				
Reimbursable obligations:				
Personnel compensation:				
Full-time permanent	11.1	4	4	4
Civilian personnel benefits	12.1	1	1	1
Communications, utilities, and miscellaneous charges	23.3	2	2	2
Other services from non-Federal sources	25.2	7	5	8
Supplies and materials	26.0	1	1	1
Equipment	31.0	0	3	0
Grants, subsidies, and contributions	41.0	9	7	9
Total new obligations	99.9	24	23	25
Employment Summary (Q)				
Reimbursable civilian full-time equivalent employment	2001	49	49	49

# Abandoned Wells Remediation Fund



# Abandoned Wells Remediation Fund

## Appropriations Language

(b) ABANDONED WELL REMEDIATION.—Section 349 of the Energy Policy Act of 2005 (42 U.S.C. 15907) is amended by adding at the end the following:

“(i) FEDERALLY DRILLED WELLS.—Out of any amounts in the Treasury not otherwise appropriated, \$10,000,000 for fiscal year 2014, \$36,000,000 for fiscal year 2015, and \$4,000,000 for fiscal year 2019 shall be made available to the Secretary, without further appropriation and to remain available until expended, to remediate, reclaim, and close abandoned oil and gas wells on current or former National Petroleum Reserve land.”.

## Appropriations Language Citations and Authorizations

**Public Law 113-40, Helium Stewardship Act of 2013** Provides funding to remediate, reclaim and close abandoned oil and gas wells on current and former National Petroleum Reserve Land.

## \Summary of Requirements

*(Dollars in Thousands)*

	2014 Actual	2015 <sup>a/</sup> Enacted	Program Changes (+/-)	2016 Pres. Budget	Change from 2014 Enacted(+/-)
<b>Abandoned Well Remediation Fund</b>	<b>10,000</b>	<b>33,372</b>	<b>0</b>	<b>0</b>	<b>-33,372</b>

a/ The 2015 amount is updated from the amount included in the Appendix, Budget of the United States Government, Fiscal Year 2016. The 2015 amount reflects sequestration required under the Balanced Budget and Emergency Deficit Control Act, as amended.

## Program Overview

This permanent appropriation was enacted in the Helium Stewardship Act of 2013.

### Program Components

The BLM is responsible for managing 136 wells within the 22.8 million acre National Petroleum Reserve in Alaska (NPR-A). All well sites have been thoroughly reviewed and grouped into three categories:

Wells Requiring No Additional BLM Action	68
Wells Currently In Use By USGS	18
Wells Currently Requiring BLM Action	50

The wells requiring no additional action include those wells that have previously been remediated by the BLM or other Federal agencies, those conveyed to the North Slope Borough under the Barrow Gas Field Transfer Act of 1984 (P.L. 98-366), and shallow test boreholes that present no subsurface or surface risks. The wells currently being used by the U.S. Geological Survey (USGS) are part of climate change monitoring studies, and the BLM will work with the USGS to establish a plan for the eventual disposition and remediation of these wells when they are no longer necessary for research.

The remaining 50 wells were analyzed based on details from the 2013 Legacy Wells Summary Report (released May 2013) and put into an action plan within the 2013 Legacy Wells Strategic Plan (released September 2013). The 50 wells accounted for the potential surface and subsurface risks posed to human health, safety, and the environment. The plan presents a near-term strategy for addressing the highest priority wells. The strategy is dynamic and flexible, meaning that the order of remediation work will be adjusted as site conditions change and additional information becomes available.

### Critical Factors

- The BLM will use an adaptive management approach and adjust to the dynamic situation on the ground in the NPR-A by continuing to conduct risk evaluations, monitor changing site conditions, evaluate strategic plan effectiveness, and develop new or updated actions if necessary to remediate legacy well sites.
- The BLM will continue to work with stakeholders, such as the North Slope Borough (NSB) and the Arctic Slope Regional Corporation, to coordinate well plugging and clean-up activities, determine future prioritization, and assure cost effective closure of legacy well sites. The BLM will coordinate with Barrow Gas Field staff and the Alaska Oil and Gas Conservation Commission (AOGCC) on technical concerns for each well, and with the NSB to identify research opportunities in the Simpson Peninsula. The BLM will coordinate any contaminant investigation of a potential release with the Alaska Department of Environmental Conservation (ADEC) and appropriate stakeholders.

## 2016 Program Performance

The BLM anticipates following the path outlined in the 2013 Legacy Wells Strategic Plan for the duration of available funding from this Abandoned Well Remediation Fund. The BLM plans to work in three separate geographic areas; Umiat, Barrow and the Simpson Peninsula.

In 2015, the BLM has an interagency agreement (IA) with the Army Corps of Engineers related to Umiat #3 and is working to expand that IA to include Umiat #1 and #11. The Corps is undergoing a permitting process to complete a plugging operation for the Umiat #3 well during the 2014-2015 winter with opportunities for plugging Umiat #1 and #11. The BLM has been coordinating with the State of Alaska (Alaska Oil and Gas Conservation Commission and State Historic Preservation Office) and collaboratively identified four remaining wellheads from previously plugged and abandoned wells in the Umiat area that could be removed. The wellhead removal is necessary to eliminate a potential surface hazard.

In October 2014, soil sampling occurred at three wells on the Simpson Peninsula (Simpson Core Test #26, #30, and #30A). This soil sampling was intentionally split out of the clean-up process and occurred prior to plug and abandonment work so that the appropriate site clean-up could be identified and occur in conjunction with solid waste clean-up efforts in 2015. Vendors from that contract will conduct surface cleanup at those sites. These wells were drilled in an oil seep and still contain unsightly solid wastes that have garnered negative attention by BLM stakeholders.

In 2015 and 2016, the BLM plans to continue any work not completed in the Umiat area. An Industry Day was held in Anchorage on January 7 and 8, 2015, in which the BLM received valuable market research from industry representatives on considerations for future work in the Barrow and Simpson areas. The Barrow and Simpson area work is scheduled to begin the winter of 2015-2016 and address a total of 14 wells and work will be prioritized based on feedback received from Industry Day process. The work at Barrow and Simpson is expected to take two to three years to complete.

## Budget Schedules

Account Symbol and Title 14X2640 Abandoned Well Remediation Fund	Line	2014 Act	2015 CY	2016 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Abandoned Well Remediation Fund (Direct)	0001	0	5	7
Total new obligations (object class 25.2)	0900	0	5	7
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	0	10	41
Budget authority:				
Appropriations, mandatory:				
Appropriation	1200	10	36	0
Appropriations, mandatory (total)	1260	10	36	0
Appropriations, mandatory - Computed Totals	1260-20	10	36	0
Appropriation [Abandoned well remediation fund]	1260-40	10	36	0
Baseline Civilian Pay	1260-50		0	0
Baseline Non-Pay	1260-50		36	0
Total budgetary resources available	1930	10	46	41
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	10	41	34
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	0	0	5
Obligations incurred, unexpired accounts	3010	0	5	7
Outlays (gross)	3020	0	0	-11
Unpaid obligations, end of year	3050	0	5	1
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	0	0	5
Obligated balance, end of year	3200	0	5	1
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	10	36	0
Outlays, gross:				
Outlays from mandatory balances	4101	0	0	11
Budget authority, net (mandatory)	4160	10	36	0
Outlays, net (mandatory)	4170	0	0	11
Budget authority, net (total)	4180	10	36	0

Account Symbol and Title 14X2640 Abandoned Well Remediation Fund	Line	2014 Act	2015 CY	2016 BY
Outlays, net (total)	4190	0	0	11
Physical assets:				
Construction and rehabilitation:				
Research and development facilities:				
Direct Federal Programs:				
Budget Authority	1312-01	10	36	0
Outlays	1312-02	0	0	11
<b>Object Classification (O) (\$ in Millions)</b>				
Direct obligations:				
Other services from non-Federal sources	25.2	0	5	7

# Administrative Provisions



# Administrative Provisions

## Appropriations Language

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$10,000: Provided, That notwithstanding Public Law 90-620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: Provided further, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products. (Department of the Interior, Environment, and Related Agencies Appropriations Act, 2015)

## Appropriation Language Citations

**44 U.S.C. 501** provides that all executive, congressional, and judicial printing must be done at the GPO, except for printing in field plants operated by executive departments or independent offices if approved by the Joint Committee on Printing.

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# Appendices



## Employee Count by Grade

<b>Total Employment*</b>			
<b>Grade</b>	<b>2014 Actual</b>	<b>2015 Estimate</b>	<b>2016 Estimate</b>
Executive Level V	1	1	1
<b>Subtotal</b>			
Senior Level	1	1	1
<b>Subtotal</b>			
SES	20	20	20
<b>Subtotal</b>			
GS - 15	93	99	99
GS - 14	350	353	353
GS - 13	899	905	905
GS -12	1,527	1,537	1,537
GS -11	2,583	2,586	2,586
GS -10	60	60	60
GS - 9	1,102	1,103	1,103
GS - 8	266	267	267
GS - 7	1,090	1,090	1,090
GS - 6	535	535	535
GS - 5	597	597	597
GS - 4	519	519	519
GS - 3	297	297	297
GS - 2	44	44	44
GS - 1	4	4	4
<b>Subtotal</b>	<b>9,988</b>	<b>10,018</b>	<b>10,018</b>
Other Pay Schedule Systems			
<b>Total Employment* (actual/projected) at end of FY</b>			

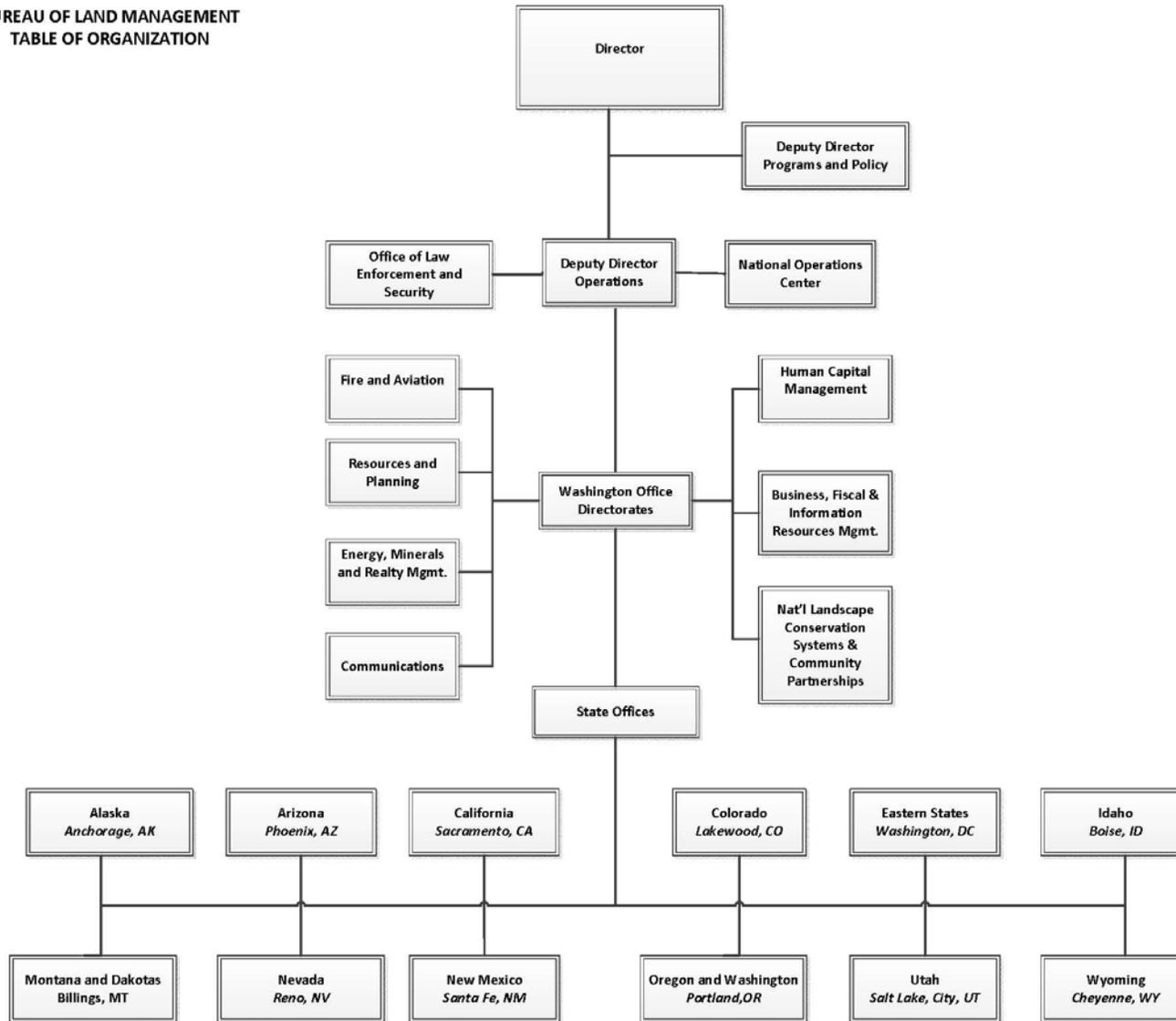
\* Number of actual employees, whether employees are full or part-time.

### **Total FTE Usage\*\* (actual/projected)**

\*\* FTE (Full-Time Equivalent) means the total number of regular straight-time hours (i.e., not including overtime or holiday hours) worked by employees divided by the number of compensable days in a fiscal year.

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BUREAU OF LAND MANAGEMENT  
TABLE OF ORGANIZATION



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**From:** Ripchensky, Darla (Energy)  
**To:** [Lara Douglas \(ledouglas@blm.gov\)](mailto:Lara.Douglas@blm.gov)  
**Cc:** [Patrick Wilkinson \(p2wilkin@blm.gov\)](mailto:Patrick.Wilkinson@blm.gov)  
**Subject:** RE: Questions for the Record from the Senate ENR Committee" Subcmte on Public Lands, Forests, and Mining on April 30, 2015  
**Date:** Monday, September 21, 2015 11:10:00 AM

---

Good morning, can you please provide me with status of Director Kornze's responses to QFRs from the April 30<sup>th</sup> hearing?

Sincerely,  
Darla Ripchensky

---

**From:** Ripchensky, Darla (Energy)  
**Sent:** Monday, August 03, 2015 12:47 PM  
**To:** Lara Douglas (ledouglas@blm.gov)  
**Cc:** Patrick Wilkinson (p2wilkin@blm.gov)  
**Subject:** FW: Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

---

**From:** Ripchensky, Darla (Energy)  
**Sent:** Thursday, May 07, 2015 1:07 PM  
**To:** 'director@blm.gov'  
**Cc:** Murfitt, Lucy (Energy); Gray, Spencer (Energy); Hansen, Heidi (Energy)  
**Subject:** Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

Good afternoon, Director Kornze. Attached are Questions for the Record which have been submitted to you by various Members of the ENR Committee from the subcommittee hearing which was held last Thursday regarding "The BLM's Final Rule on Hydraulic Fracturing." We respectfully request that you provide your responses to these questions by **Thursday, May 21, 2015** for inclusion in the official hearing record.

Please provide the responses directly to me, and feel free to contact me if you have any questions. Thank you for your assistance with this request.

Sincerely,

Darla Ripchensky, PMP  
Administrative Director  
U.S. Senate Committee on Energy and Natural Resources  
304 Dirksen Senate Office Building  
Washington, DC 20510  
202.224.3607

**From:** Wilkinson, Patrick  
**To:** [Ripchensky, Darla \(Energy\)](#)  
**Cc:** [Lara Douglas \(ledouglas@blm.gov\)](mailto:ledouglas@blm.gov)  
**Subject:** Re: Questions for the Record from the Senate ENR Committee" Subcmte on Public Lands, Forests, and Mining on April 30, 2015  
**Date:** Monday, September 21, 2015 8:01:49 PM

---

hi darla,  
thanks for checking. we are still working to get them to you.  
very sorry for the delay - we appreciate your patience.  
patrick

On Mon, Sep 21, 2015 at 11:09 AM, Ripchensky, Darla (Energy)  
<[Darla\\_Ripchensky@energy.senate.gov](mailto:Darla_Ripchensky@energy.senate.gov)> wrote:

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Administrative Director

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304 Dirksen Senate Office Building

Washington, DC 20510

202.224.3607

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Patrick Wilkinson  
U.S. Department of the Interior  
Bureau of Land Management  
Legislative Affairs Division (WO 620)  
Phone: (202) 912-7429  
Fax: (202) 245-0050

**From:** Ripchensky, Darla (Energy)  
**To:** [Wilkinson, Patrick](#)  
**Cc:** [Lara Douglas \(ledouglas@blm.gov\)](mailto:Lara.Douglas@blm.gov)  
**Subject:** RE: Questions for the Record from the Senate ENR Committee" Subcmte on Public Lands, Forests, and Mining on April 30, 2015  
**Date:** Monday, September 21, 2015 8:03:14 PM

---

Thanks for your response, Patrick! We look forward to receiving them in the near future.

Sincerely,  
Darla Ripchensky

**From:** Wilkinson, Patrick [mailto:p2wilkin@blm.gov]  
**Sent:** Monday, September 21, 2015 8:01 PM  
**To:** Ripchensky, Darla (Energy)  
**Cc:** Lara Douglas (ledouglas@blm.gov)  
**Subject:** Re: Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

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**Sent:** Thursday, May 07, 2015 1:07 PM  
**To:** '[director@blm.gov](mailto:director@blm.gov)'  
**Cc:** Murfitt, Lucy (Energy); Gray, Spencer (Energy); Hansen, Heidi (Energy)  
**Subject:** Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

Good afternoon, Director Kornze. Attached are Questions for the Record which have been submitted to you by various Members of the ENR Committee from the subcommittee hearing which was held last Thursday regarding "The BLM's Final Rule on Hydraulic Fracturing." We respectfully request that you provide your responses to these questions by **Thursday, May 21, 2015** for inclusion in the official hearing record.

Please provide the responses directly to me, and feel free to contact me if you have any questions. Thank you for your assistance with this request.

Sincerely,

Darla Ripchensky, PMP  
Administrative Director  
U.S. Senate Committee on Energy and Natural Resources  
304 Dirksen Senate Office Building  
Washington, DC 20510  
202.224.3607

--

Patrick Wilkinson  
U.S. Department of the Interior  
Bureau of Land Management  
Legislative Affairs Division (WO 620)  
Phone: (202) 912-7429  
Fax: (202) 245-0050

**From:** Ripchensky, Darla (Energy)  
**To:** [Lara Douglas \(ledouglas@blm.gov\)](mailto:Lara.Douglas@blm.gov); [Patrick Wilkinson \(p2wilkin@blm.gov\)](mailto:Patrick.Wilkinson@blm.gov)  
**Cc:** [Murfitt, Lucy \(Energy\)](#); [Gray, Spencer \(Energy\)](#); [Hansen, Heidi \(Energy\)](#)  
**Subject:** RQST ACTION: Responses from Dir. Kornze to Questions for the Record from the Senate ENR Committee"  
Subcmte on Public Lands, Forests, and Mining on April 30, 2015  
**Date:** Monday, September 28, 2015 11:06:41 AM

---

Good morning, Patrick and Lara. Can you please advise when we can expect to receive Director Kornze's responses to QFRs for the April 30<sup>th</sup> hearing? We have received requests from Members and it has now been over 5 months since the hearing on April 30. I would be most appreciative of an update or, even better, receiving the responses for the official hearing record. Many thanks for your help with this request.

Sincerely,  
Darla Ripchensky

---

**From:** Ripchensky, Darla (Energy)  
**Sent:** Monday, September 21, 2015 11:10 AM  
**To:** Lara Douglas ([ledouglas@blm.gov](mailto:ledouglas@blm.gov))  
**Cc:** Patrick Wilkinson ([p2wilkin@blm.gov](mailto:p2wilkin@blm.gov))  
**Subject:** RE: Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

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Sincerely,  
Darla Ripchensky

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**From:** Ripchensky, Darla (Energy)  
**Sent:** Monday, August 03, 2015 12:47 PM  
**To:** Lara Douglas ([ledouglas@blm.gov](mailto:ledouglas@blm.gov))  
**Cc:** Patrick Wilkinson ([p2wilkin@blm.gov](mailto:p2wilkin@blm.gov))  
**Subject:** FW: Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

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**From:** Ripchensky, Darla (Energy)  
**Sent:** Thursday, May 07, 2015 1:07 PM  
**To:** 'director@blm.gov'  
**Cc:** Murfitt, Lucy (Energy); Gray, Spencer (Energy); Hansen, Heidi (Energy)  
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Administrative Director  
U.S. Senate Committee on Energy and Natural Resources  
304 Dirksen Senate Office Building  
Washington, DC 20510  
202.224.3607

**From:** Wilkinson, Patrick  
**To:** [Ripchensky, Darla \(Energy\)](#)  
**Cc:** [Lara Douglas \(ledouglas@blm.gov\)](#); [Murfitt, Lucy \(Energy\)](#); [Gray, Spencer \(Energy\)](#); [Hansen, Heidi \(Energy\)](#)  
**Subject:** Re: ROST ACTION: Rersponses from Dir. Kornze to Questions for the Record from the Senate ENR Committee" Subcmte on Public Lands, Forests, and Mining on April 30, 2015  
**Date:** Tuesday, September 29, 2015 3:34:35 PM

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Darla - Lara or I will give you a call.  
Patrick

On Mon, Sep 28, 2015 at 11:06 AM, Ripchensky, Darla (Energy)  
<[Darla\\_Ripchensky@energy.senate.gov](mailto:Darla_Ripchensky@energy.senate.gov)> wrote:

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Administrative Director

U.S. Senate Committee on Energy and Natural Resources

304 Dirksen Senate Office Building

Washington, DC 20510

202.224.3607

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Patrick Wilkinson  
U.S. Department of the Interior  
Bureau of Land Management  
Legislative Affairs Division (WO 620)  
Phone: (202) 912-7429  
Fax: (202) 245-0050

**From:** Feldgus, Steve  
**To:** [Lance, Linda](#)  
**Subject:** FW: Judge halts fracking rules until legal challenge decided  
**Date:** Wednesday, September 30, 2015 2:40:49 PM

---

Incredible. Partway into the ruling right now, and it reads as if the judge copied and pasted from the opponent's briefs.

---

**From:** POLITICO Pro Energy Whiteboard [mailto:politicoemail@politicopro.com]  
**Sent:** Wednesday, September 30, 2015 2:31 PM  
**To:** Feldgus, Steve  
**Subject:** Judge halts fracking rules until legal challenge decided

By Elana Schor

09/30/2015 02:27PM EDT

A federal judge in Wyoming today issued a preliminary injunction against the Interior Department's landmark fracking regulations that prevents them from taking effect until a lawsuit brought by states and industry groups runs its course.

The ruling from District Judge Scott Skavdahl came in response to a challenge filed by the Independent Petroleum Association of America and the Western Energy Alliance, two industry groups, and backed by the states of Wyoming, Utah, North Dakota and Colorado. Interior's Bureau of Land Management finalized the fracking rules in March.

"This ruling confirms the reservations Judge Skavdahl expressed at the preliminary injunction hearing about the viability of BLM's rule," BakerHostetler attorney Mark Barron, who represented the industry groups, said in a statement. "The Court recognized that both substantive infirmities with the rule itself and procedural inadequacies in BLM's rulemaking process compromise the validity of BLM's hydraulic fracturing rule."

The rule aims to set the first national standards for well construction, chemical disclosure, and other elements of the fracking process conducted on federal lands.

*To view online:*

<https://www.politicopro.com/energy/whiteboard/2015/09/judge-halts-fracking-rules-until-lawsuit-decided-061317>

**To change your alert settings, please go to <https://www.politicopro.com/member/alerts>**

---

This email was sent to steve.feldgus@mail.house.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

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||

||

**From:** Linda Lance  
**To:** [Feldgus, Steve](mailto:Feldgus, Steve)  
**Subject:** Re: Judge halts fracking rules until legal challenge decided  
**Date:** Wednesday, September 30, 2015 2:41:56 PM

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ughhh. havent wanted to start reading.....

Sent from my iPhone

On Sep 30, 2015, at 2:40 PM, Feldgus, Steve <[Steve.Feldgus@mail.house.gov](mailto:Steve.Feldgus@mail.house.gov)> wrote:

Incredible. Partway into the ruling right now, and it reads as if the judge copied and pasted from the opponent's briefs.

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**From:** POLITICO Pro Energy Whiteboard [<mailto:politicoemail@politicopro.com>]  
**Sent:** Wednesday, September 30, 2015 2:31 PM  
**To:** Feldgus, Steve  
**Subject:** Judge halts fracking rules until legal challenge decided

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<https://www.politicopro.com/member/alerts>

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This email was sent to [steve.feldgus@mail.house.gov](mailto:steve.feldgus@mail.house.gov) by: POLITICO, LLC 1000

Wilson Blvd. Arlington, VA, 22209, USA



**From:** Feldgus, Steve  
**To:** "[Linda Lance](#)"  
**Subject:** RE: Judge halts fracking rules until legal challenge decided  
**Date:** Wednesday, September 30, 2015 2:44:13 PM

---

It's pretty awful.

---

**From:** Linda Lance [mailto:llance@blm.gov]  
**Sent:** Wednesday, September 30, 2015 2:42 PM  
**To:** Feldgus, Steve  
**Subject:** Re: Judge halts fracking rules until legal challenge decided

ughhh. havent wanted to start reading.....

Sent from my iPhone

On Sep 30, 2015, at 2:40 PM, Feldgus, Steve <[Steve.Feldgus@mail.house.gov](mailto:Steve.Feldgus@mail.house.gov)> wrote:

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**To change your alert settings, please go to**  
**<https://www.politicopro.com/member/alerts>**

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This email was sent to [steve.feldgus@mail.house.gov](mailto:steve.feldgus@mail.house.gov) by: POLITICO, LLC 1000  
Wilson Blvd. Arlington, VA, 22209, USA

<image001.jpg>

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<image001.jpg>

**From:** Democratic Whip  
**To:** [andrea\\_nelson@blm.gov](mailto:andrea_nelson@blm.gov)  
**Subject:** THE DAILY WHIP: THURSDAY, OCTOBER 8, 2015  
**Date:** Thursday, October 08, 2015 10:02:52 AM

Office of the Democratic Whip Steny H. Hoyer



DemocraticWhip.gov - (202) 225-3130

**FLOOR SCHEDULE FOR THURSDAY, OCTOBER 8, 2015**



HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
10:00 a.m.: Morning Hour 12:00 p.m.: Legislative	???	???

Business		
Fifteen "One Minutes"		

**\*\*Members are advised that the House will meet at 12:00 p.m. and recess immediately to allow for the Republican Conference Meeting. One minutes will occur after the House reconvenes.**

**[H.Res. 462](#) – Rule providing for consideration of both [H.R. 538](#) – Native American Energy Act (Rep. Young (AK) – Natural Resources) and [H.R. 702](#) – To Adapt to Changing Crude Oil Market Conditions (Rep. Barton – Energy and Commerce) (One hour of debate).**

For H.R. 538, the Rules Committee has recommended a structured Rule that provides for one hour of general debate equally divided and controlled by the Chair and Ranking Member of the Committee on Natural Resources. The Rule allows for 2 amendments, debatable for 10 minutes equally divided between the offeror and an opponent. The Rule allows one motion to recommit, with or without instructions, and waives all points of order against the legislation.

For H.R. 702, the Rules Committee has recommended a structured Rule that provides for one hour of general debate equally divided and controlled by the Chair and Ranking Member of the Committee on Energy and Commerce. The Rule allows for 10 amendments, debatable for 10 minutes equally divided between the offeror and an opponent. The Rule allows one motion to recommit, with or without instructions, and waives all points of order against the legislation.

The Rules Committee rejected a motion by Mr. McGovern of Massachusetts to consider H.R. 538 and H.R. 702 under open Rules. **Members are urged to VOTE NO.**

**[H.R. 538](#) – Native American Energy Act (Rep. Young (AK) – Natural Resources).** H.R. 538 seeks to foster energy development on Native American tribal lands by authorizing expedited review and consideration of energy projects or appraisals, which in turn will lead to less environmental protection, public involvement, and regulatory oversight. H.R. 538 would deem an appraisal approved if the Department of the Interior fails to respond within sixty days.

H.R. 538 will also amend the National Environmental Policy Act (NEPA) to limit review of an environmental impact statement for projects on Native American tribal lands to only tribal members and individuals residing within an undefined "affected area." The language in H.R. 538 is so broadly written that there are no specifics on what an affected area would include and this provision could potentially apply to additional projects such as mining contracts, proposed water development projects, construction of solid waste facilities, construction of tribal casinos, and non-tribal partner projects that are located on Indian lands.

H.R. 538 weakens environmental justice protections by making it extremely difficult for members of the public to challenge energy projects by preventing the recovery of attorney's fees for their claims and potentially making the plaintiff responsible for the defendant's attorney fees and costs.

Lastly, H.R. 538 contains a provision that would exempt tribal land from the Department of the Interior's regulations on hydraulic fracturing or "fracking."

The Rule provides for no further general debate and makes in order 10 amendments, debatable for 10 minutes, equally divided between the offeror and an opponent. The amendments are:

**Young (AK) Manager's Amendment.** Clarifies that a state, tribes, and local governments in an affected area of a proposed federal action on Indian lands may continue, as provided under current law, to comment on an environmental impact statement required under the National Environmental Policy Act, and that Section 4 shall not limit any public comment on a federal action concerning gaming on Indian lands under the Indian Gaming Regulatory Act.

**Lujan Grisham Amendment.** Allows the Forest Service to create a pilot program that would execute contracts with tribes to perform administrative, management, and other functions of programs of the Tribal Forest Protection Act of 2004.

***Bill Text for H.R. 538:***

[PDF Version](#)

***Background for H.R. 538:***

[House Report \(HTML Version\)](#)

[House Report \(PDF Version\)](#)

**TOMORROW'S OUTLOOK**

The GOP Leadership has announced the following schedule for Friday, October 9: The House will meet at 9:00 a.m. for legislative business. The House is expected to consider H.R. 702 – To Adapt to Changing Crude Oil Market Conditions (Rep. Barton – Energy and Commerce) (Subject to a Rule).

**THE DAILY QUOTE**

"This is getting ridiculous. A clear majority of Congress wants to reauthorize the [Export-Import] bank... So let's just do it already."

- Rep. Stephen Fincher (R-TN), The Hill, 10/7/2015

[Permalink](#)

[Change subscription settings](#)

**From:** Democratic Whip  
**To:** [kathy\\_radigan@blm.gov](mailto:kathy_radigan@blm.gov)  
**Subject:** THE DAILY WHIP: THURSDAY, OCTOBER 8, 2015  
**Date:** Thursday, October 08, 2015 10:08:12 AM

Office of the Democratic Whip Steny H. Hoyer



DemocraticWhip.gov - (202) 225-3130

**FLOOR SCHEDULE FOR THURSDAY, OCTOBER 8, 2015**



HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
10:00 a.m.: Morning Hour 12:00 p.m.: Legislative	???	???

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[Permalink](#)

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**From:** Democratic Whip  
**To:** [mspangle@blm.gov](mailto:mspangle@blm.gov)  
**Subject:** THE DAILY WHIP: THURSDAY, OCTOBER 8, 2015  
**Date:** Thursday, October 08, 2015 10:09:51 AM

Office of the Democratic Whip Steny H. Hoyer



DemocraticWhip.gov - (202) 225-3130

**FLOOR SCHEDULE FOR THURSDAY, OCTOBER 8, 2015**



HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
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[Permalink](#)

[Change subscription settings](#)

**From:** Ripchensky, Darla (Energy)  
**To:** [Wilkinson, Patrick](#)  
**Cc:** [Lara Douglas \(ledouglas@blm.gov\)](#); [Murfitt, Lucy \(Energy\)](#); [Gray, Spencer \(Energy\)](#); [Hansen, Heidi \(Energy\)](#); [McCormick, Patrick \(Energy\)](#)  
**Subject:** ROST ACTION: Rersponses from Dir. Kornze to Questions for the Record from the Senate ENR Committee" Subcmte on Public Lands, Forests, and Mining on April 30, 2015  
**Date:** Wednesday, October 28, 2015 9:37:13 AM

---

Good morning Patrick and Lara. Please advise status of Director Kornze's responses to QFRs from the Apr 30<sup>th</sup> PLFM subcmte hearing.

Sincerely,

**Darla Ripchensky, PMP**  
**Chief Clerk**  
**U.S. Senate Committee on Energy and Natural Resources**  
**304 Dirksen Senate Office Building**  
**Washington, DC 20510**  
**202.224.3607**

**From:** Wilkinson, Patrick [mailto:p2wilkin@blm.gov]  
**Sent:** Tuesday, September 29, 2015 3:33 PM  
**To:** Ripchensky, Darla (Energy)  
**Cc:** Lara Douglas (ledouglas@blm.gov); Murfitt, Lucy (Energy); Gray, Spencer (Energy); Hansen, Heidi (Energy)  
**Subject:** Re: ROST ACTION: Rersponses from Dir. Kornze to Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

Darla - Lara or I will give you a call.  
Patrick

On Mon, Sep 28, 2015 at 11:06 AM, Ripchensky, Darla (Energy)  
<[Darla\\_Ripchensky@energy.senate.gov](mailto:Darla_Ripchensky@energy.senate.gov)> wrote:

Good morning, Patrick and Lara. Can you please advise when we can expect to receive Director Kornze's responses to QFRs for the April 30<sup>th</sup> hearing? We have received requests from Members and it has now been over 5 months since the hearing on April 30. I would be most appreciative of an update or, even better, receiving the responses for the official hearing record. Many thanks for your help with this request.

Sincerely,

[Darla Ripchensky](#)

---

**From:** Ripchensky, Darla (Energy)  
**Sent:** Monday, September 21, 2015 11:10 AM  
**To:** Lara Douglas ([ledouglas@blm.gov](mailto:ledouglas@blm.gov))  
**Cc:** Patrick Wilkinson ([p2wilkin@blm.gov](mailto:p2wilkin@blm.gov))  
**Subject:** RE: Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

Good morning, can you please provide me with status of Director Kornze's responses to QFRs from the April 30<sup>th</sup> hearing?

Sincerely,

[Darla Ripchensky](#)

---

**From:** Ripchensky, Darla (Energy)

**Sent:** Monday, August 03, 2015 12:47 PM  
**To:** Lara Douglas ([ledouglas@blm.gov](mailto:ledouglas@blm.gov))  
**Cc:** Patrick Wilkinson ([p2wilkin@blm.gov](mailto:p2wilkin@blm.gov))  
**Subject:** FW: Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

---

**From:** Ripchensky, Darla (Energy)  
**Sent:** Thursday, May 07, 2015 1:07 PM  
**To:** '[director@blm.gov](mailto:director@blm.gov)'  
**Cc:** Murfitt, Lucy (Energy); Gray, Spencer (Energy); Hansen, Heidi (Energy)  
**Subject:** Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

Good afternoon, Director Kornze. Attached are Questions for the Record which have been submitted to you by various Members of the ENR Committee from the subcommittee hearing which was held last Thursday regarding "The BLM's Final Rule on Hydraulic Fracturing." We respectfully request that you provide your responses to these questions by **Thursday, May 21, 2015** for inclusion in the official hearing record.

Please provide the responses directly to me, and feel free to contact me if you have any questions. Thank you for your assistance with this request.

Sincerely,

Darla Ripchensky, PMP  
Administrative Director  
U.S. Senate Committee on Energy and Natural Resources  
304 Dirksen Senate Office Building  
Washington, DC 20510  
202.224.3607

--

Patrick Wilkinson  
U.S. Department of the Interior  
Bureau of Land Management  
Legislative Affairs Division (WO 620)  
Phone: (202) 912-7429  
Fax: (202) 245-0050

**From:** Patrick Wilkinson  
**To:** [Ripchensky, Darla \(Energy\)](#)  
**Cc:** [Lara Douglas \(ledouglas@blm.gov\)](#); [Murfitt, Lucy \(Energy\)](#); [Gray, Spencer \(Energy\)](#); [Hansen, Heidi \(Energy\)](#); [McCormick, Patrick \(Energy\)](#); [Jill Moran](#)  
**Subject:** Re: RQST ACTION: Rersponses from Dir. Kornze to Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015  
**Date:** Thursday, October 29, 2015 11:33:30 AM

---

Daria - I will give you a call next week when I'm back from a work trip. Unfortunately the message remains the same.

Sent from my iPhone

On Oct 28, 2015, at 6:37 AM, Ripchensky, Darla (Energy)  
<[Darla\\_Ripchensky@energy.senate.gov](mailto:Darla_Ripchensky@energy.senate.gov)> wrote:

Good morning Patrick and Lara. Please advise status of Director Kornze's responses to QFRs from the Apr 30<sup>th</sup> PLFM subcmte hearing.

Sincerely,

**Darla Ripchensky, PMP**  
**Chief Clerk**  
**U.S. Senate Committee on Energy and Natural Resources**  
**304 Dirksen Senate Office Building**  
**Washington, DC 20510**  
**202.224.3607**

**From:** Wilkinson, Patrick [<mailto:p2wilkin@blm.gov>]  
**Sent:** Tuesday, September 29, 2015 3:33 PM  
**To:** Ripchensky, Darla (Energy)  
**Cc:** Lara Douglas ([ledouglas@blm.gov](mailto:ledouglas@blm.gov)); Murfitt, Lucy (Energy); Gray, Spencer (Energy); Hansen, Heidi (Energy)  
**Subject:** Re: RQST ACTION: Rersponses from Dir. Kornze to Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

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**Subject:** FW: Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

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**Cc:** Murfitt, Lucy (Energy); Gray, Spencer (Energy); Hansen, Heidi (Energy)  
**Subject:** Questions for the Record from the Senate ENR Committee' Subcmte on Public Lands, Forests, and Mining on April 30, 2015

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Please provide the responses directly to me, and feel free to contact me if you have any questions. Thank you for your assistance with this request.

Sincerely,

Darla Ripchensky, PMP  
Administrative Director  
U.S. Senate Committee on Energy and Natural Resources  
304 Dirksen Senate Office Building  
Washington, DC 20510  
202.224.3607

--

Patrick Wilkinson  
U.S. Department of the Interior  
Bureau of Land Management  
Legislative Affairs Division (WO 620)  
Phone: (202) 912-7429

Fax: (202) 245-0050

On Mon, Dec 7, 2015 at 9:36 AM, Pearce, Sarah (Portman)  
<[Sarah\\_Pearce@portman.senate.gov](mailto:Sarah_Pearce@portman.senate.gov)> wrote:

Hi Jill,

I had a few meetings confirm for tomorrow at lunchtime. Would 2pm tomorrow work?

Thanks,

Sarah

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Monday, December 07, 2015 7:32 AM  
**To:** Pearce, Sarah (Portman) <[Sarah\\_Pearce@portman.senate.gov](mailto:Sarah_Pearce@portman.senate.gov)>  
**Subject:** Re: BLM and Wayne National Forest Announce Public Meetings in Marietta, Athens, and Ironton

Hi Sarah,

Does tomorrow at 12:30 pm work for you?

Thanks,

Jill

On Fri, Dec 4, 2015 at 10:52 AM, Pearce, Sarah (Portman)  
<[Sarah\\_Pearce@portman.senate.gov](mailto:Sarah_Pearce@portman.senate.gov)> wrote:

That's great, thanks!

I am free on Monday 12/7 before 3pm, Tuesday 12/8 after 12pm, and Wednesday after 12pm. Let me know if any of these work with your schedule.

Best,

Sarah

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]

**Sent:** Friday, December 04, 2015 10:50 AM

**To:** Pearce, Sarah (Portman) <[Sarah\\_Pearce@portman.senate.gov](mailto:Sarah_Pearce@portman.senate.gov)>

**Subject:** Re: BLM and Wayne National Forest Announce Public Meetings in Marietta, Athens, and Ironton

Hi Sarah,

I'm so sorry for just getting back to you. Let me check with the Eastern States Office on their availability to participate. I would at least like to have their public affairs chief (Bob Gillcash) join me as he participated in the public scoping meetings.

Thanks!

Jill

On Tue, Dec 1, 2015 at 10:44 AM, Pearce, Sarah (Portman) <[Sarah\\_Pearce@portman.senate.gov](mailto:Sarah_Pearce@portman.senate.gov)> wrote:

Hi Jill,

I wanted to circle back with you to schedule a time to discuss the public meetings and the leasing process at Wayne National Forest.

I am free any time before 2 on Thursday 12/3, after 3pm on Friday 12/4, before 2:30pm on Monday 12/7, and any time on Tuesday 12/8. Please let me know if one of these dates/times works for you.

Thanks!  
Sarah

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Friday, November 13, 2015 4:11 PM  
**To:** Pearce, Sarah (Portman) <[Sarah\\_Pearce@portman.senate.gov](mailto:Sarah_Pearce@portman.senate.gov)>  
**Subject:** Re: BLM and Wayne National Forest Announce Public Meetings in Marietta, Athens, and Ironton

Hi Sarah,

Absolutely, just contact me when you are ready and we will get something set up.

Thanks,

Jill

On Fri, Nov 13, 2015 at 2:33 PM, Pearce, Sarah (Portman) <[Sarah\\_Pearce@portman.senate.gov](mailto:Sarah_Pearce@portman.senate.gov)> wrote:

Hi Jill,

Thanks for sending this along. We plan to have a staffer from our state office attend the scoping meeting in Marietta.

Following the meetings, could we schedule a call to review the timelines and process?

Thanks,

Sarah

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Friday, November 13, 2015 2:31 PM  
**To:** Pearce, Sarah (Portman) <[Sarah\\_Pearce@portman.senate.gov](mailto:Sarah_Pearce@portman.senate.gov)>  
**Subject:** FYI: BLM and Wayne National Forest Announce Public Meetings in Marietta, Athens, and Ironton

Sarah,

I just wanted to make sure you are aware that the scoping meetings for the Wayne National Forest will be held next week. Please see the attached press release.

Thanks!

Jill

On Thu, Aug 6, 2015 at 9:52 AM, Pearce, Sarah (Portman)  
<[Sarah\\_Pearce@portman.senate.gov](mailto:Sarah_Pearce@portman.senate.gov)> wrote:

Hi Jill,

Could we call you at 10am? Steve is going to join the call with me so we will call off of his phone.

Is 202-912-7411 a good number to reach you?

Thanks,  
Sarah

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Wednesday, August 05, 2015 10:35 AM  
**To:** Pearce, Sarah (Portman) <[Sarah\\_Pearce@portman.senate.gov](mailto:Sarah_Pearce@portman.senate.gov)>  
**Subject:** Re: Wayne National Forest EOIs

Absolutely - I can call you on your direct line tomorrow at 10.

On Wed, Aug 5, 2015 at 10:33 AM, Pearce, Sarah (Portman)  
<[Sarah\\_Pearce@portman.senate.gov](mailto:Sarah_Pearce@portman.senate.gov)> wrote:

Hi Jill,

Apologies for the call transferring to voicemail, our front office has been slammed with calls this week. In the future (which I should have already given you) my direct line is 202-224-7523.

Would you be available tomorrow morning at 10AM for a call?

Thanks,

Sarah

**From:** Moran, Jill [mailto:[jcmoran@blm.gov](mailto:jcmoran@blm.gov)]  
**Sent:** Wednesday, August 05, 2015 10:29 AM  
**To:** Pearce, Sarah (Portman) <[Sarah\\_Pearce@portman.senate.gov](mailto:Sarah_Pearce@portman.senate.gov)>  
**Subject:** Wayne National Forest EOIs

Hi Sarah,

My apologies for not getting to you yesterday, but I have some updates to share with you when you have a few moments. I just called your office but it went to voicemail. I'm in today and tomorrow, but off on Friday.

Talk to you soon.

Thanks!

Jill

--

Jill Moran  
Bureau of Land Management  
Legislative Affairs Specialist  
202.912.7411

--

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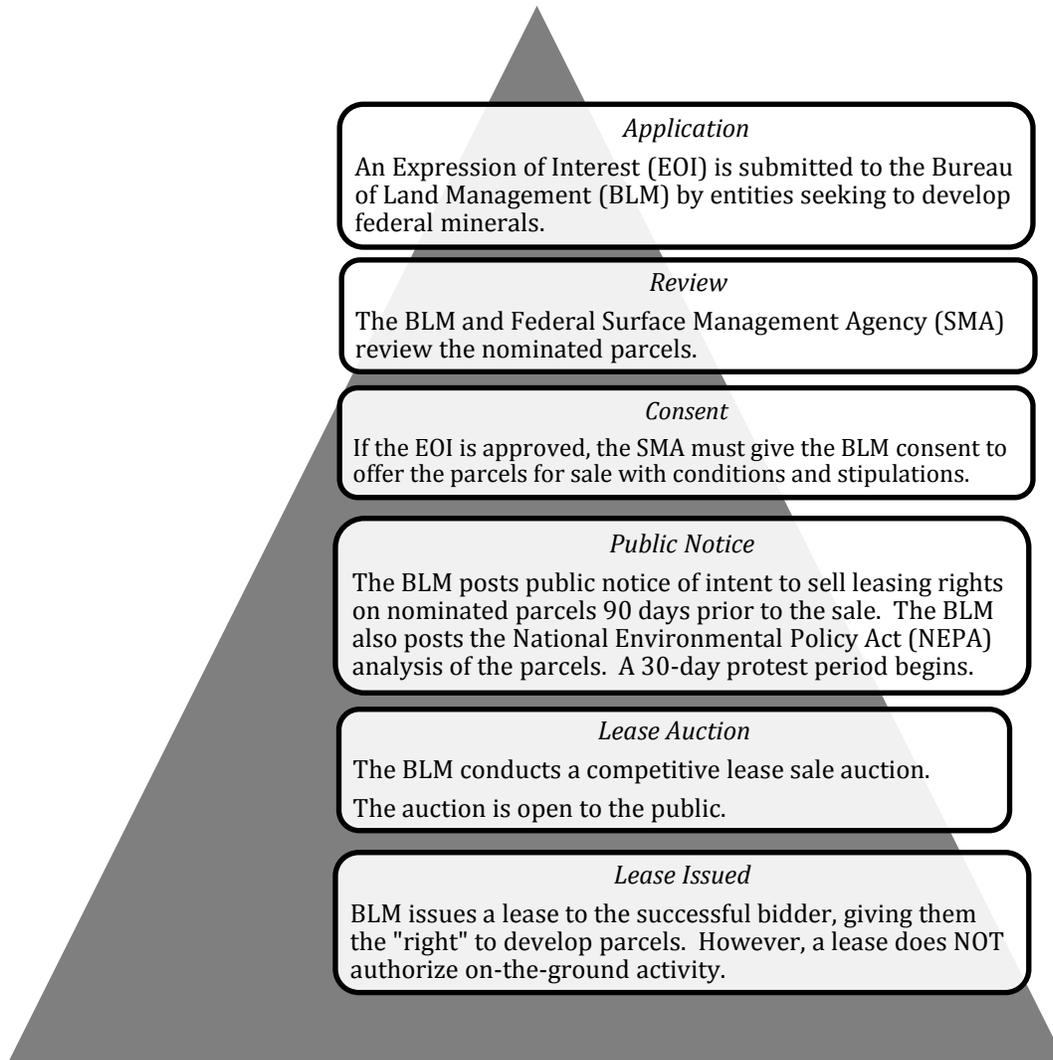
Jill Moran

Bureau of Land Management

Legislative Affairs Specialist  
202.912.7411

# Oil And Gas Leasing of Federal Minerals

FEDERAL MINERALS = FEDERAL LEASES  
STATE MINERALS = STATE LEASES  
PRIVATE MINERALS = PRIVATE LEASES



## Frequently Asked Questions about the BLM Oil and Gas Program

### How may I bid for a competitive oil and gas lease?

BLM State Offices conduct oral auctions for oil and gas leases not less than quarterly when lands are available. Each State Office publishes a Notice of Competitive Lease Sale, which lists lease parcels to be offered at the auction, at least 90 days before the auction is held. This Sale Notice is posted in the State Office where the sale will be held. The Sale Notice specifies lease stipulations applicable to each parcel. Lands offered in the Sale Notice come from three sources:

- (1) Parcels of lands identified by informal expressions of interest from the public; or
- (2) Lands included in offers filed for noncompetitive leases; or
- (3) BLM Motion.

### What are the lease terms and conditions?

As lessee, you may explore and drill for, extract, remove, and dispose of oil and gas deposits, except helium, that you may find on your lease.

Before conducting any surface-disturbing activities, you must obtain BLM approval. Drilling proposals are subject to the lease terms and stipulations that are attached to the lease and necessary mitigation measures that are consistent with the lease rights.

### What bonding is required?

Before you conduct any surface-disturbing activities related to drilling, you must provide the BLM a bond of at least \$10,000 to ensure your compliance with all the lease terms, including environmental protection. If you are an operator on the lease, you may use the bond of another party, such as the lessee, if the surety and the bond holder agree. When a new person or company becomes the operator on a lease, that new person or company must notify the BLM of the change in operator. The new operator must specify to the BLM what bond will cover its operations. The BLM may require an increase in the bond amount whenever conditions warrant.

### What royalties are paid on production?

In general, Federal Onshore Oil and Gas Rates are 12.5%. However, there are a few exceptions, e.g., sliding scale on older leases, reduced royalty rates on certain oil leases with declining production, reinstated leases, etc.

### When will my lease expire?

Your lease will expire at the end of its primary term, which is usually 10 years. However, the BLM may extend your lease, or your lease may continue under its own terms, if:

- (1) Qualifying drilling operations are in progress;
- (2) The lease contains a well capable of producing in paying quantities; or
- (3) The lease is entitled to receive an allocation of production from an off-lease well.

If your lease does not have a producible well, or a producible well attributed to it, it will automatically terminate if you do not pay annual rental in full and on time.

The BLM may cancel a non-producing lease if you fail to comply with lease terms.

### When will the final hydraulic fracturing rule be released?

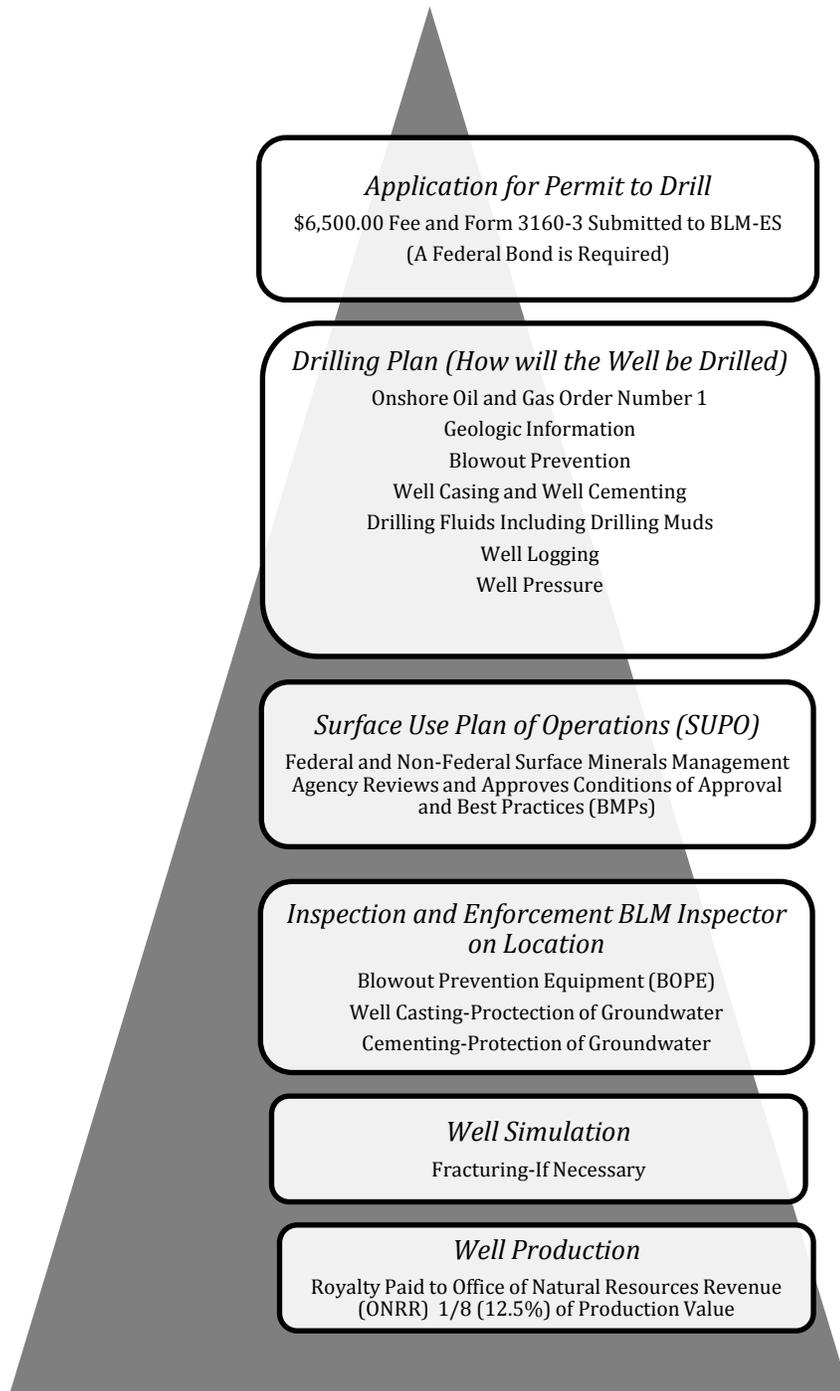
The U.S. Department of the Interior released the final rule to support safe, responsible hydraulic fracturing activities on public lands on March 20, 2015. The new standards will improve safety and help protect groundwater by updating requirements for well-bore integrity, wastewater disposal and public disclosure of chemicals. More information on the final rule can be accessed here:

[http://www.blm.gov/style/medialib/blm/co/programs/oil\\_and\\_gas/leasing.Par.59519.File.dat/HF%20implementation.CO.pdf](http://www.blm.gov/style/medialib/blm/co/programs/oil_and_gas/leasing.Par.59519.File.dat/HF%20implementation.CO.pdf)



# Developing a Federal Oil and Gas Lease

SITE SPECIFIC ENVIRONMENTAL ANALYSIS REQUIRED NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)



**From:** Whitney, John (Bennet)  
**To:** [Welch, Ruth](#)  
**Subject:** Dominguez Bill  
**Date:** Thursday, January 07, 2016 7:16:53 PM  
**Attachments:** [PLAW-111publ11 Omnibus Public Land Management Act of 2009.pdf](#)

---



Ruth

Thanks for your time today. Here is the final text of the Dominguez NCA bill, in the Omnibus, section 2401.

John Whitney  
Southwest Regional Director  
Senator Michael Bennet  
970-259-1710 work  
970-903-4467 mobile  
970-259-9789 fax  
835 E 2<sup>nd</sup> Ave Suite 206  
Durango, CO 81301  
<http://bennet.senate.gov/>

**From:** Congressman Kevin Cramer  
**To:** [cflom@blm.gov](mailto:cflom@blm.gov)  
**Subject:** Congressman Cramer's Weekly Newsletter  
**Date:** Monday, January 11, 2016 3:17:42 PM

---

A Message From Rep. Cramer

[Click here to open this e-mail in its own browser window](#)

[Click here to open a plain text version of this email](#)



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**January 11, 2016**

## ***Message From Congressman Cramer***

We begin a new year with Congress moving ahead on several issues of concern to North Dakota and the nation. For the first time in five years, the House and Senate passed legislation repealing Obamacare and diverting funding from Planned Parenthood to other women's health centers that provide exceptional care across North Dakota. Last week I spoke in the House Chambers objecting to the Department of Health and Human Services investigating the use of the Grand Forks Air Force Base as temporary lodging for unaccompanied minor aliens. I also made public statements on President Obama's executive order on gun control and the lawsuit filed against the United States by Canada regarding the Keystone XL Pipeline. And, on Saturday every North Dakotan was part of the Thundering Herd, cheering on the NDSU Bison as they won an unprecedented fifth straight national football championship. They are the only college in the history of the NCAA to accomplish this and we could not be more proud! Keep reading for more information about this past week.

---

**Go Bison!!**

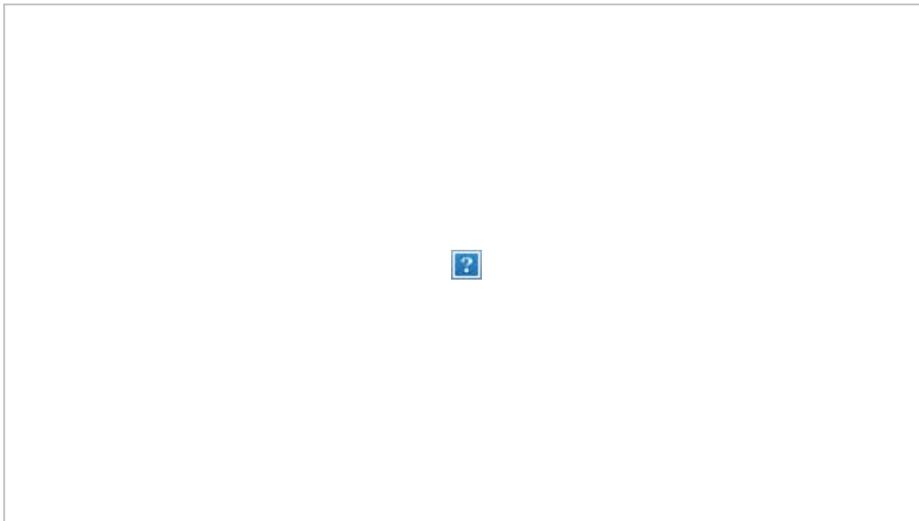


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## **House Votes to Repeal Obamacare and Defund Planned Parenthood**

The U.S. House of Representatives agreed to the Senate amendment to [H.R. 3762, Restoring Americans' Healthcare Freedom Reconciliation Act of 2015](#) on Wednesday. The bill repeals the health exchange subsidies and the Medicaid expansion included in the Affordable Care Act (ACA), repeals the “Obamacare slush fund,” eliminates federal funding for Planned Parenthood, repeals the individual and employer mandate penalties, repeals the medical device and “Cadillac” tax, and enhances Medicare solvency. The legislation went directly to the President for his signature or veto. He vetoed the bill late Friday afternoon.

“Obamacare has been an absolute failure,” said Cramer. “It has driven up the cost of health care and insurance premiums for millions of Americans and their families. The fact is for the first time in many years both the House and Senate were able to pass a budget which provides us with the unique opportunity to use the budget reconciliation process to approve legislation repealing Obamacare. It is now on the President to admit Obamacare has failed and set aside partisan politics, sign this bill, and commit to working with Congress to create solutions which will actually make our healthcare system best respond to the needs of all Americans.”



In addition to dismantling Obamacare, the bill diverts funds from abortion providers such as Planned Parenthood to a broader network of healthcare providers throughout the country. “The federal government’s funding of Planned Parenthood prevents resources from reaching many Federally Qualified Health Centers (FQHC) who serve low income women in rural and urban communities throughout the nation. North Dakota has 71 FQHC facilities which would by now have the funding to treat thousands of women. This process would be replicated in every state in the country.”

[Click here to read more.](#)

---

## **Cramer Addresses Housing Proposal for Undocumented Minor Aliens at Grand Forks Air Force Base**

Congressman Kevin Cramer gave a speech on the floor of the U.S House of Representatives Wednesday outlining his opposition to President Obama's proposal to possibly house undocumented minor aliens at military installations across the country including the Grand Forks Air Force Base. View the speech by clicking on the image below.



On December 31, Cramer sent a letter to Robert Carey, the Director of Refugee Resettlement at the U.S Department of Health and Human Services, stating his opposition to the administration's proposal and urging Grand Forks Air Force Base be removed from the list of military installations under consideration. View the letter [here](#).

Cramer first brought the issue to the public's attention during his weekly Talk Radio Town Hall with Scott Hennen on December 30. It was the subject of a news story by the Grand Forks Herald as well on December 30. View the article [here](#). On January 5, Breitbart News published an exclusive interview with Cramer. View the full article [here](#).

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## **Statement on President Obama's Executive Orders for Additional Gun Control Regulations**

Congressman Kevin Cramer released the following statement Tuesday after President Obama's press conference at the White House outlining the administration's new proposals for additional gun control rules and regulations.

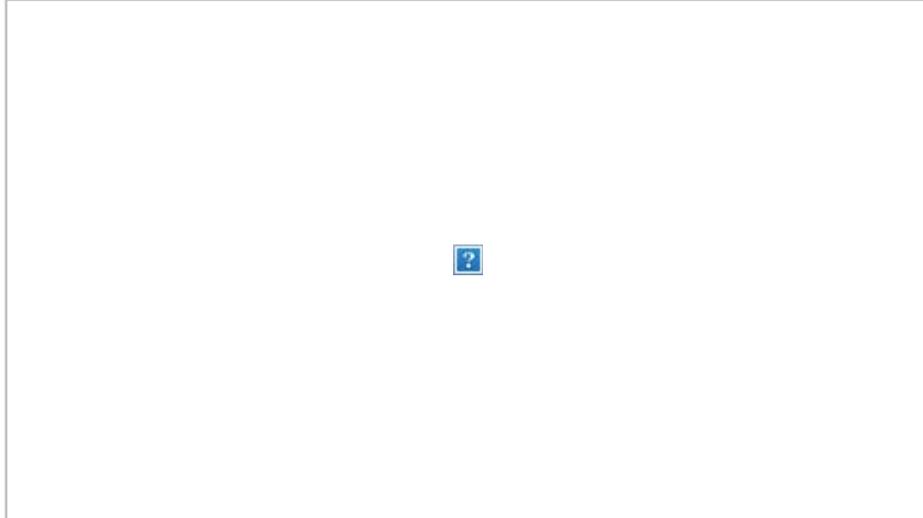


*What the President ought to do is commit himself and his administration to enforcing existing laws rather than burdening law-abiding citizens with further regulation. This is not helpful. It is an overreach. Frankly, I'm concerned about the type of reaction he's going to get to it.*

---

## **Statement on TransCanada's Decision to Sue the United States Over KeystoneXL Pipeline**

Congressman Kevin Cramer released the following statement Wednesday after TransCanada Corporation announced its intention to sue the United States in Federal Court over President Obama's decision to reject the building of the Keystone XL pipeline. In addition, the company announced it would contest the President's decision under the North American Free Trade Agreement (NAFTA). They intend to seek \$15 billion in damages from the U.S. under NAFTA.



*"The President's short-sighted decision to reject construction of the KeystoneXL Pipeline cost us a vital energy infrastructure project which would have created thousands of jobs and billions of dollars in economic benefits throughout the country. Unfortunately, given Canada's recent track record in suing the United States, I am afraid the American taxpayer will be left holding the bag for billions in penalties because of President Obama's extreme environmental agenda."*

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## **Medal of Honor Recipient Clinton Romesha to Attend State of the Union Address With Congressman Cramer**

Medal of Honor Recipient Staff Sergeant Clinton Romesha will be the guest of Congressman Kevin Cramer at the State of the Union Address on Tuesday, January 12, in Washington D.C., as part of the "We the People in the Balcony Program."

In 1982, Lenny Sputnik dove into the Potomac River to help save victims of an Air Florida plane crash. Thus began a tradition of "heroes in the balcony" at the State of the Union address, led by then-President Ronald Reagan.

Romesha moved to Minot, N.D., after leaving the Army and serves as a member of Cramer's Veterans' Advisory Board.

"I am deeply honored Clint accepted my invitation to attend the State of the Union Address," said Cramer. "He is a valued member of my veterans' advisory board and helps inspire and support thousands of veterans in North Dakota and across the country with his commitment to speaking out on veterans' health care and employment issues."



*Congressman Cramer, Staff Sergeant Romesha and Romesha's wife, Tammy*

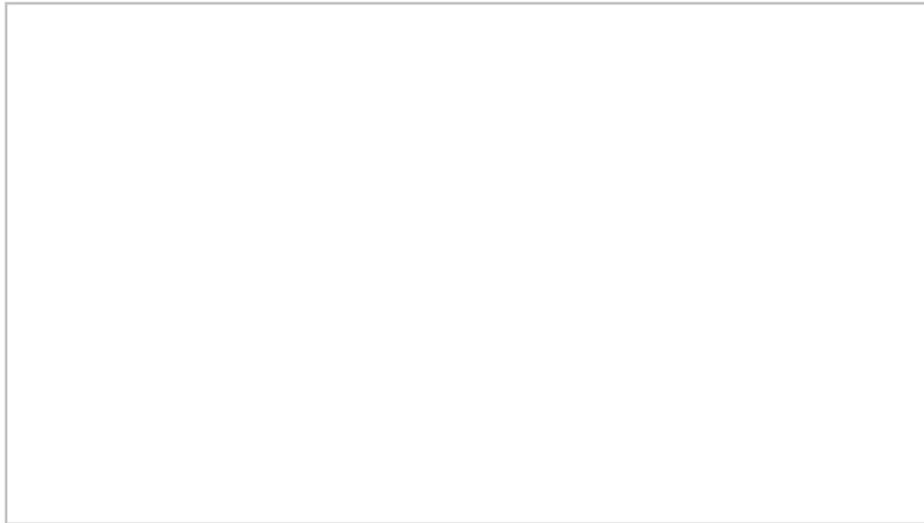
This will be the first time Romesha will be in the House Chamber to view the State of the Union, but his second official invitation. He received an invitation from President and First Lady Michelle Obama in 2013 after receiving the Medal of Honor, but chose to spend the evening with members of his unit and friends.

[Click here for more information about Romesha and the Congressional Medal of Honor.](#)

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## **House Legislation Eliminates Needless and Burdensome Federal Rules and Regulations**

Congressman Kevin Cramer announced Thursday the U.S. House of Representatives passed a series of bills designed to reduce and eliminate many outdated and needless federal regulations and frivolous lawsuits which hamper the American economy. Federal rulemaking is a mechanism through which the federal government implements policy, as Federal agencies issue regulations pursuant to statutory authority granted by Congress. According to the Office of Federal Register, between 2,500 and 4,500 final rules are published each year. According to some estimates, the total Federal regulatory burden has reached at least as high as \$1.86 trillion per year, or approximately \$15,000 annually per U.S. household. In 2015 alone, the U.S. government created 79,230 pages of new regulations in the federal register, with a total cost of \$98.9 billion in regulatory costs.



“Overregulation and frivolous lawsuits are destroying the American economy.” said Cramer. “For decades, unelected bureaucrats in our federal government have taken advantage of their authority by writing sweeping regulations based on growing interpretations of legislation passed in Congress. Instead of passing new job-killing regulations, we need to see what rules are already on the books and ask the simple question, ‘Are they needed anymore?’ If they are duplicative and burdensome they should be repealed.

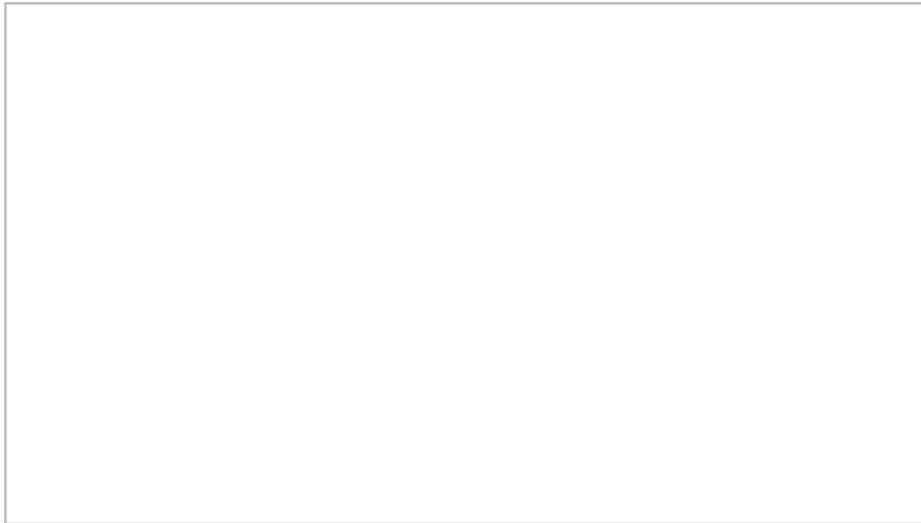
In 2014, federal agencies produced 3,554 final rules. In contrast, Congress passed and the President signed only 224 laws. “From Waters of the United States, Obamacare and Dodd-Frank, American businesses are drowning under the weight of new regulations,” said Cramer. By 2014, the new regulations issued under President Obama filled [486,500](#) pages of the Federal Register. The Congressional Budget Office estimates over the last five years, the Obama Administration has issued [82 “major rules”](#) each year.

[Click here to read more.](#)

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## **[Cramer Statement on the Release of USDA, HHS 2015 Dietary Guidelines](#)**

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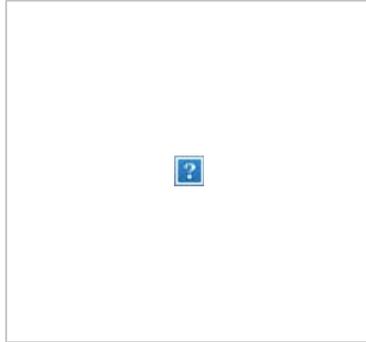
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North Dakota, like Alaska and other big oil producer states, has taken a hit from falling oil prices; Cramer acknowledged his state is “feeling the pinch of what’s happening in general.”

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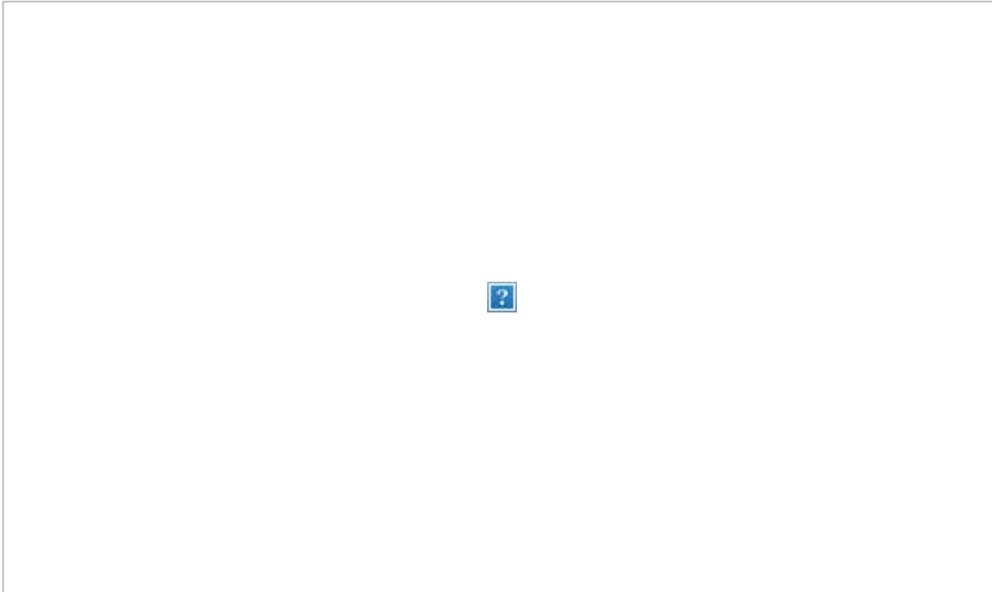
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A Message From Rep. Cramer

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**January 11, 2016**

## ***Message From Congressman Cramer***

We begin a new year with Congress moving ahead on several issues of concern to North Dakota and the nation. For the first time in five years, the House and Senate passed legislation repealing Obamacare and diverting funding from Planned Parenthood to other women's health centers that provide exceptional care across North Dakota. Last week I spoke in the House Chambers objecting to the Department of Health and Human Services investigating the use of the Grand Forks Air Force Base as temporary lodging for unaccompanied minor aliens. I also made public statements on President Obama's executive order on gun control and the lawsuit filed against the United States by Canada regarding the Keystone XL Pipeline. And, on Saturday every North Dakotan was part of the Thundering Herd, cheering on the NDSU Bison as they won an unprecedented fifth straight national football championship. They are the only college in the history of the NCAA to accomplish this and we could not be more proud! Keep reading for more information about this past week.

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**Go Bison!!**

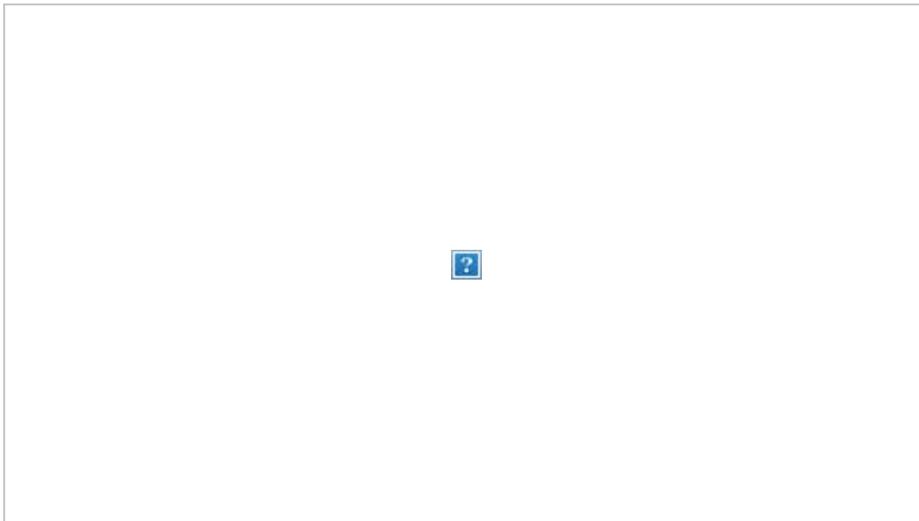


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## **House Votes to Repeal Obamacare and Defund Planned Parenthood**

The U.S. House of Representatives agreed to the Senate amendment to [H.R. 3762, Restoring Americans' Healthcare Freedom Reconciliation Act of 2015](#) on Wednesday. The bill repeals the health exchange subsidies and the Medicaid expansion included in the Affordable Care Act (ACA), repeals the “Obamacare slush fund,” eliminates federal funding for Planned Parenthood, repeals the individual and employer mandate penalties, repeals the medical device and “Cadillac” tax, and enhances Medicare solvency. The legislation went directly to the President for his signature or veto. He vetoed the bill late Friday afternoon.

“Obamacare has been an absolute failure,” said Cramer. “It has driven up the cost of health care and insurance premiums for millions of Americans and their families. The fact is for the first time in many years both the House and Senate were able to pass a budget which provides us with the unique opportunity to use the budget reconciliation process to approve legislation repealing Obamacare. It is now on the President to admit Obamacare has failed and set aside partisan politics, sign this bill, and commit to working with Congress to create solutions which will actually make our healthcare system best respond to the needs of all Americans.”



In addition to dismantling Obamacare, the bill diverts funds from abortion providers such as Planned Parenthood to a broader network of healthcare providers throughout the country. “The federal government’s funding of Planned Parenthood prevents resources from reaching many Federally Qualified Health Centers (FQHC) who serve low income women in rural and urban communities throughout the nation. North Dakota has 71 FQHC facilities which would by now have the funding to treat thousands of women. This process would be replicated in every state in the country.”

[Click here to read more.](#)

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## **Cramer Addresses Housing Proposal for Undocumented Minor Aliens at Grand Forks Air Force Base**

Congressman Kevin Cramer gave a speech on the floor of the U.S House of Representatives Wednesday outlining his opposition to President Obama's proposal to possibly house undocumented minor aliens at military installations across the country including the Grand Forks Air Force Base. View the speech by clicking on the image below.



On December 31, Cramer sent a letter to Robert Carey, the Director of Refugee Resettlement at the U.S Department of Health and Human Services, stating his opposition to the administration's proposal and urging Grand Forks Air Force Base be removed from the list of military installations under consideration. View the letter [here](#).

Cramer first brought the issue to the public's attention during his weekly Talk Radio Town Hall with Scott Hennen on December 30. It was the subject of a news story by the Grand Forks Herald as well on December 30. View the article [here](#). On January 5, Breitbart News published an exclusive interview with Cramer. View the full article [here](#).

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## **Statement on President Obama's Executive Orders for Additional Gun Control Regulations**

Congressman Kevin Cramer released the following statement Tuesday after President Obama's press conference at the White House outlining the administration's new proposals for additional gun control rules and regulations.

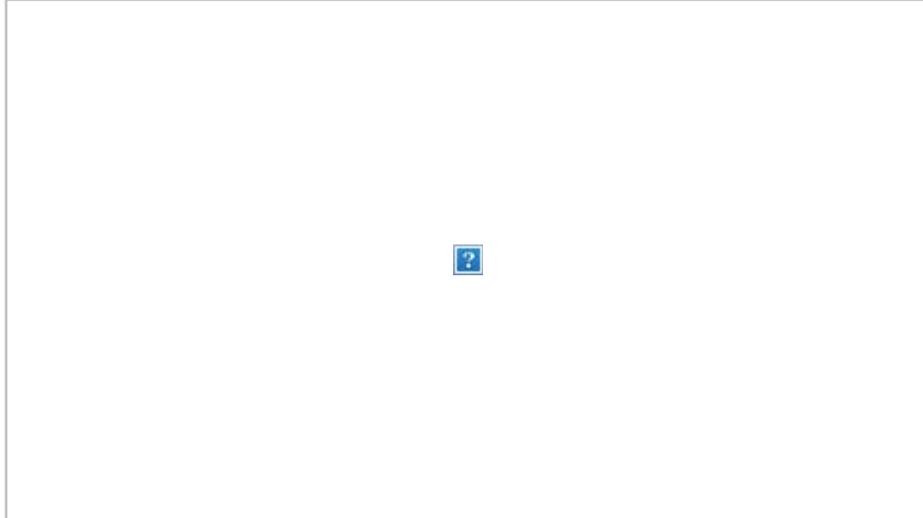


*What the President ought to do is commit himself and his administration to enforcing existing laws rather than burdening law-abiding citizens with further regulation. This is not helpful. It is an overreach. Frankly, I'm concerned about the type of reaction he's going to get to it.*

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## **Statement on TransCanada's Decision to Sue the United States Over KeystoneXL Pipeline**

Congressman Kevin Cramer released the following statement Wednesday after TransCanada Corporation announced its intention to sue the United States in Federal Court over President Obama's decision to reject the building of the Keystone XL pipeline. In addition, the company announced it would contest the President's decision under the North American Free Trade Agreement (NAFTA). They intend to seek \$15 billion in damages from the U.S. under NAFTA.



*“The President’s short-sighted decision to reject construction of the KeystoneXL Pipeline cost us a vital energy infrastructure project which would have created thousands of jobs and billions of dollars in economic benefits throughout the country. Unfortunately, given Canada’s recent track record in suing the United States, I am afraid the American taxpayer will be left holding the bag for billions in penalties because of President Obama’s extreme environmental agenda.”*

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## **Medal of Honor Recipient Clinton Romesha to Attend State of the Union Address With Congressman Cramer**

Medal of Honor Recipient Staff Sergeant Clinton Romesha will be the guest of Congressman Kevin Cramer at the State of the Union Address on Tuesday, January 12, in Washington D.C., as part of the “We the People in the Balcony Program.”

In 1982, Lenny Sputnik dove into the Potomac River to help save victims of an Air Florida plane crash. Thus began a tradition of "heroes in the balcony" at the State of the Union address, led by then-President Ronald Reagan.

Romesha moved to Minot, N.D., after leaving the Army and serves as a member of Cramer's Veterans' Advisory Board.

“I am deeply honored Clint accepted my invitation to attend the State of the Union Address,” said Cramer. “He is a valued member of my veterans’ advisory board and helps inspire and support thousands of veterans in North Dakota and across the country with his commitment to speaking out on veterans’ health care and employment issues.”



*Congressman Cramer, Staff Sergeant Romesha and Romesha's wife, Tammy*

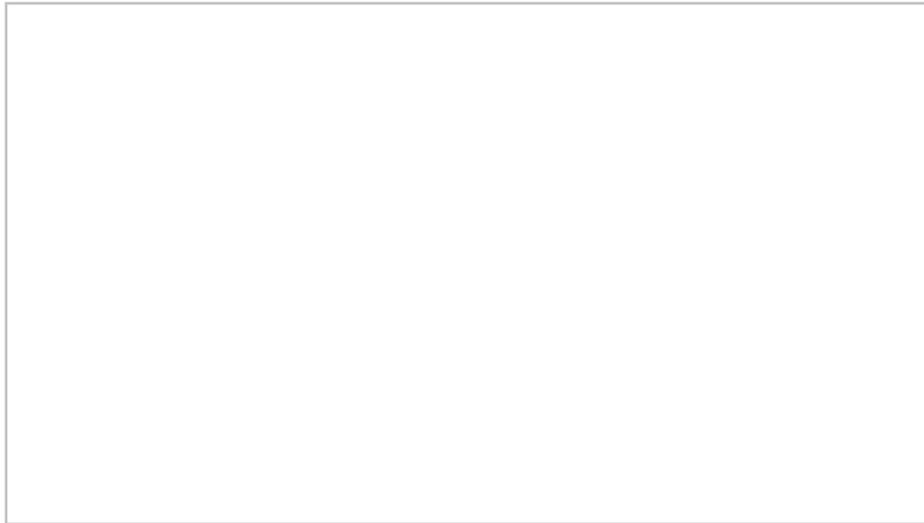
This will be the first time Romesha will be in the House Chamber to view the State of the Union, but his second official invitation. He received an invitation from President and First Lady Michelle Obama in 2013 after receiving the Medal of Honor, but chose to spend the evening with members of his unit and friends.

[Click here for more information about Romesha and the Congressional Medal of Honor.](#)

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## **House Legislation Eliminates Needless and Burdensome Federal Rules and Regulations**

Congressman Kevin Cramer announced Thursday the U.S. House of Representatives passed a series of bills designed to reduce and eliminate many outdated and needless federal regulations and frivolous lawsuits which hamper the American economy. Federal rulemaking is a mechanism through which the federal government implements policy, as Federal agencies issue regulations pursuant to statutory authority granted by Congress. According to the Office of Federal Register, between 2,500 and 4,500 final rules are published each year. According to some estimates, the total Federal regulatory burden has reached at least as high as \$1.86 trillion per year, or approximately \$15,000 annually per U.S. household. In 2015 alone, the U.S. government created 79,230 pages of new regulations in the federal register, with a total cost of \$98.9 billion in regulatory costs.



“Overregulation and frivolous lawsuits are destroying the American economy.” said Cramer. “For decades, unelected bureaucrats in our federal government have taken advantage of their authority by writing sweeping regulations based on growing interpretations of legislation passed in Congress. Instead of passing new job-killing regulations, we need to see what rules are already on the books and ask the simple question, ‘Are they needed anymore?’ If they are duplicative and burdensome they should be repealed.

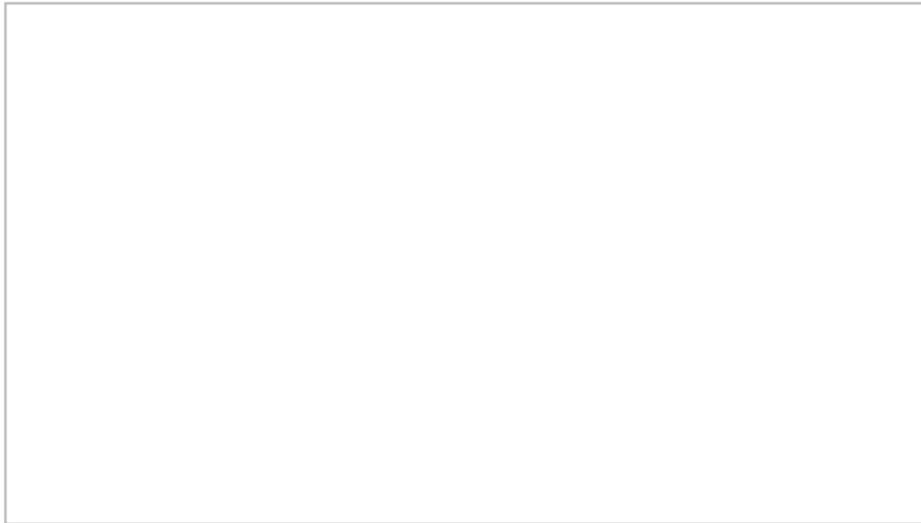
In 2014, federal agencies produced 3,554 final rules. In contrast, Congress passed and the President signed only 224 laws. “From Waters of the United States, Obamacare and Dodd-Frank, American businesses are drowning under the weight of new regulations,” said Cramer. By 2014, the new regulations issued under President Obama filled [486,500](#) pages of the Federal Register. The Congressional Budget Office estimates over the last five years, the Obama Administration has issued [82 “major rules”](#) each year.

[Click here to read more.](#)

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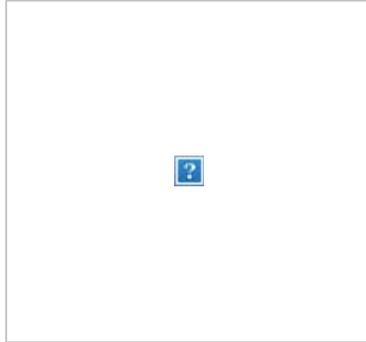
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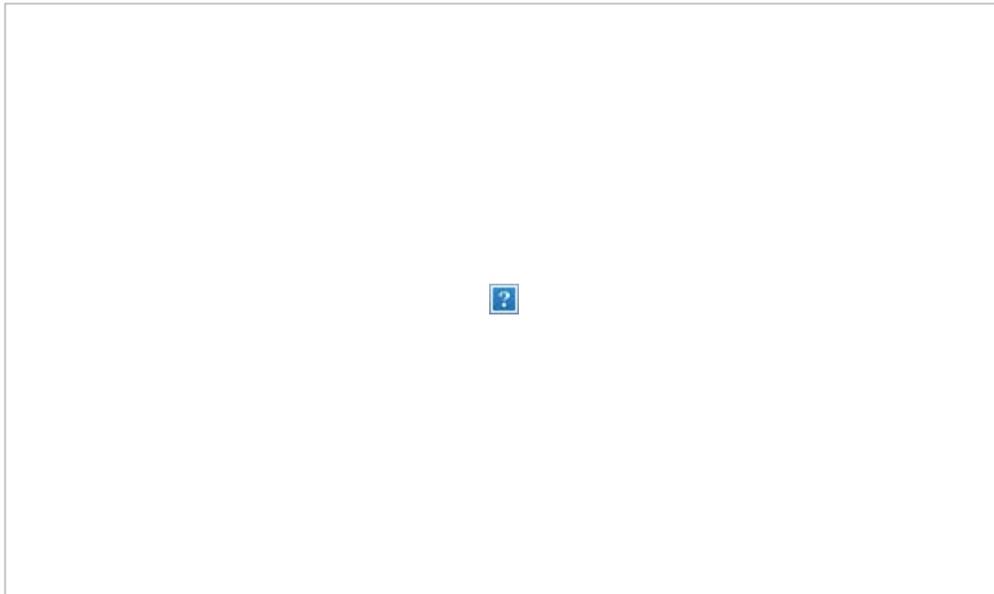
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Starting on pg 14

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**Statement for the Record  
United States Department of the Interior**

**Senate Committee on Energy and Natural Resources**

**S. 15, Protecting States' Rights to Promote American Energy Security Act,  
S. 1218, Nexus of Energy and Water for Sustainability Act of 2015,  
S. 1230, Memoranda of Understanding with State Oil & Gas Programs,  
S.1310, Deficit Reduction Through Fair Oil Royalties Act  
S. 1311, The Oil Spill Deterrent Act,  
S. 1340, Coal Oversight and Leasing Reform Act of 2015,  
S. 1407, Public Land Renewable Energy Development Act of 2015**

**June 9, 2015**

**Introduction**

The following is the Department of the Interior's Statement for the Record on seven bills pertaining to energy accountability and reform: S. 15, the Protecting States' Rights to Promote American Energy Security Act; S. 1218, the Nexus of Energy and Water for Sustainability Act of 2015; S. 1230, a bill to require Memoranda of Understanding with State Oil & Gas Programs; S. 1310 the Deficit Reduction Through Fair Oil Royalties Act; S. 1311, the Oil Spill Deterrent Act; S. 1340, the Coal Oversight and Leasing Reform Act of 2015; and S. 1407, the Public Land Renewable Energy Development Act of 2015.

This statement is being submitted in response to the third hearing convened by the Committee, with very short notice, that addressed a large number of significant bills. The following statement represents an initial review and analysis of the legislation; however, the Administration may identify additional concerns with the bills.

**Background**

The Department's mission affects the lives of all Americans. Interior stewards 20 percent of the Nation's lands, oversees the responsible development of 21 percent of U.S. energy supplies, is the largest supplier and manager of water in the 17 western States, maintains relationships with 566 federally recognized Tribes, and provides services to more than two million American Indian and Alaska Native peoples. In 2013, Interior's programs contributed an estimated \$360 billion to the U.S. economy and supported more than two million jobs in activities including outdoor recreation and tourism, energy development, grazing, and timber harvesting.

The Department protects and enables development of America's shared natural resources to supply the energy that powers the Nation's future. The Department's efforts are critical to ensure all development – energy, timber, forage, and non-energy minerals – is managed safely, smartly, and in compliance with the highest scientific and environmental standards. As a steward of lands, water, wildlife, and cultural heritage, Interior strives to ensure the sustainability of these assets to support the American economy, communities, and the wellbeing of the planet.

To encourage these resource stewardship and development objectives, Interior is shifting from a reactive, project-by-project resource planning approach to a more predictable and effective management of its lands and resources. The goal is to provide greater certainty for project developers when it comes to permitting and better outcomes for conservation through more effective and efficient project planning. This approach to smart development is being incorporated into all of Interior's energy and natural resource planning and is an important part of the plan to accomplish President Obama's all-of-the-above energy strategy. Interior's focus on powering America's energy future supports an all-inclusive approach – one that responsibly balances the development of conventional and renewable resources on the Nation's public lands.

**Oil & Gas** – Secretary Jewell has made it clear that as we expand and diversify our nation's energy portfolio, the development of conventional energy resources from BLM-managed lands will continue to play a critical role in meeting our energy needs and fueling our economy. Facilitating the safe and efficient development of these resources is one of the BLM's many responsibilities and part of the Administration's broad energy strategy, outlined in the President's *Blueprint for a Secure Energy Future*. Environmentally responsible development of these resources will improve economic conditions by increasing supplies for consumers and reducing our nation's reliance on oil imports, while also protecting our federal lands and the environment. As part of this effort, the Department is working with various agencies in support of Executive Order 13604 to improve the performance of Federal permitting and review of infrastructure projects by increasing transparency and predictability of infrastructure permitting and reviews.

In recent years, the BLM has overseen a significant increase in oil production, while also supporting continued natural gas production. Oil production from the Federal and Indian lands for which the BLM has permitting and oversight responsibility rose twelve percent in 2014 from the previous year and is now up 81 percent since 2008 – from 113 million barrels in 2008 to 205 million barrels today. By comparison, nationwide oil production over the same period increased 73 percent. The BLM is proud to be a leader in this area and of its efforts to make public lands available for oil and gas development in excess of industry demand.

**Coal** – The BLM is responsible for coal leasing on approximately 570 million acres of the 700 million acres of mineral estate that is managed by the BLM for the American people. Although only a fraction of these acres are actually leased for coal development, they comprise an outsized portion of domestic coal production, with roughly 40 percent of the coal produced in the United States in recent years coming from Federal lease tracts. The BLM works to ensure that the development of coal resources is done in an environmentally sound manner and that American taxpayers receive fair market value (FMV) for those resources. The BLM's coal program manages approximately 310 active leases covering 475,692 acres.

During the last decade, Federal coal leases produced 4.56 billion tons of coal with an approximate market value of \$55.4 billion, generating \$6 billion in royalty payments that were split between the states and the U.S. Treasury. During the same period, 46 Federal coal lease sales were held, covering 71,165 acres and containing 5.3 billion tons of recoverable coal. Approximately \$4.5 billion in bonus bids were collected for these 46 leases.

The Department is focused on addressing concerns about the Federal coal program raised by the Government Accountability Office (GAO) in a December 2013 report, the Department's Office of Inspector General (OIG) in a June 2013 report, Members of Congress, and others. The BLM recently published new guidance based on recommendations from the GAO and OIG regarding procedures for coal lease sale valuations and the inspection and enforcement of coal leases, permits, and licenses. Given the significant revenues at stake within the Federal coal program, we appreciate the Congressional focus on these critical issues and look forward to a continued and robust dialogue.

**Renewable Energy** –Facilitating the responsible development of renewable energy resources on public lands is a cornerstone of the Administration's broad energy strategy. Due in large part to effective collaboration among the Federal agencies, the BLM successfully accomplished the Energy Policy Act of 2005's (EPAct) goal of authorizing over 10,000 megawatts (MWs) of renewable energy on public lands – three years ahead of schedule.

Since 2009, The BLM has approved significant utility-scale renewable energy generation and transmission projects, including 32 utility-scale solar facilities, 11 wind farms, and 12 geothermal plants, with associated transmission corridors and infrastructure to connect with established power grids. If fully built, these projects will provide more than 14,000 megawatts of power, or enough electricity to power nearly 5 million homes, and will provide over 20,000 construction and operations jobs. Further, in support of the President's Climate Action Plan to ensure America's continued leadership in clean energy, the BLM is continuing to work to reach 20,000 MWs of permitted renewable energy capacity on public lands by 2020.

Renewable energy projects authorized by the BLM constitute a major contribution not only to the nation's energy grid, but also to the national economy. Projects on public lands have already garnered an estimated \$8.6 billion in total capital investments, and the potential for approved projects pending construction is estimated at \$28 billion. Through efficient and environmentally-responsible permitting, the BLM is helping to bring tens of billions of dollars in investments to the United States economy.

The BLM is furthering these contributions by moving from an application-by-application approach for solar energy projects to a competitive leasing process in designated development areas called Solar Energy Zones (SEZs). In October 2012, the Department finalized the Western Solar Plan, a Solar Energy Programmatic Environmental Impact Statement that identified 17 SEZs and established a blueprint for fast track utility-scale solar energy permitting with access to existing or planned transmission infrastructure. On June 1, 2015, three projects within the Dry Lake SEZ in Nevada were approved and were the first to benefit from this streamlined permitting process. Using the expedited review process made available by the Western Solar Plan, reviews of these three projects were completed in less than 10 months; this is less than half the amount of time it took to review and approve projects under the previous system. The Western Solar Plan also provides the foundation for the BLM's current rulemaking process to implement competitive solar and wind energy leasing within designated areas.

In authorizing existing projects, reviewing proposed projects, and developing a competitive leasing rule, the BLM has focused on managing renewable energy development in an accelerated but environmentally sound and responsible manner to ensure the protection of landscapes, wildlife habitats, and other natural and cultural resources. This “smart from the start” approach is consistent with the Administration’s goal of authorizing environmentally sound and sustainable geothermal, wind, and solar energy projects on public lands. The BLM achieves these goals through close working relationships with local communities, state regulators, private industry, key stakeholders, and other Federal agencies.

**Energy Revenue** – The Department of the Interior manages the public lands and federal waters that provide resources critical to the Nation’s energy security; is responsible for collecting and distributing revenue from energy development; and ensures that the American taxpayer receives a fair return for development of those federal resources. Authorities to assess and collect penalties for violation of lease terms, permit conditions, regulations and orders are principally provided, for onshore production in the Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA), and for offshore production in the Outer Continental Shelf Lands Act of 1953 (OCSLA). FOGRMA and OCSLA cover a broad array of violations, including oil spills.

**Energy and Water** – The Department recognizes the importance of the energy-water nexus and supports a closer level of communication and coordination between the Department of the Interior, Department of Energy and the broader federal community. The Department of the Interior appreciates the Committee’s leadership on the energy-water nexus issue. Energy and water issues intersect across a range of Interior activities, including hydropower generation, energy development, electricity generation, and water treatment, distribution, and conservation. Interior has a variety of programs that address the energy-water nexus, including USGS monitoring systems and research programs (including the National Water Census), Reclamation Basin Studies, and WaterSMART Grants. Understanding the value of interagency coordination, Interior has partnered with the Department of Energy and the Department of the Army (working with the U.S. Army Corps of Engineers) to recently renew the 2010 Memorandum of Understanding (MOU) to collaboratively address a host of energy-water nexus issues related to hydropower. By coordinating efforts, the signatory agencies have completed a number of projects that promote sustainable hydropower development, including hydropower resource assessments, unit-dispatch optimization systems, climate change studies, integrated basin-scale opportunity assessments, and funding opportunities to demonstrate new small hydropower technologies.

The Department is committed to integrating energy and water policies to promote the sustainable use of all resources, including incorporating water conservation criteria and the water/energy nexus into the Department’s planning efforts. On May 20, 2015, the Department announced that Reclamation will make \$24 million in WaterSMART Water and Energy Efficiency Grants available to 50 new and ongoing projects in the Western United States for activities such as conserving and using water more efficiently, increasing the use of renewable energy, improving energy efficiency, encouraging water markets, and carrying out activities to address climate-related impacts on water. Reclamation also announced that it will make \$23 million for seven water reclamation and reuse projects in California, and nearly \$2 million for seven water reclamation and reuse feasibility studies in California and Texas. These announcements support

the President's Climate Action Plan by providing tools for states and water users to create water supply resilience to meet future water and energy demands in the face of a changing climate.

Water and Energy Efficiency Grants and Basin Studies are part of the Department's WaterSMART Program. WaterSMART Grants provide cost-shared funding to States, tribes, and other entities with water or power delivery authority for water efficiency improvements, with additional consideration given to proposals that include energy savings as a part of planned water efficiency improvements. Water management improvements that incorporate renewable energy sources are also prioritized for WaterSMART Grant funding. These grants directly address the energy-water nexus and provide a concrete means of implementing on-the-ground solutions to energy-water issues. The FY 2014 Water and Energy Efficiency Grant projects are expected to conserve more than 67,000 acre-feet of water annually and 22.9 million kilowatt-hours of electricity — enough water for more than 250,000 people and enough electricity for more than 2,000 households.

In addition to long-standing USGS efforts in water supply and availability and in energy resource assessments and research, several of which are highlighted in the recently published USGS Circular 1407, “The Water-Energy Nexus—An Earth Science Perspective,” and which provide an essential foundation for understanding issues related to the energy-water nexus, the USGS participates in a number of interagency efforts. The USGS has been working with the Energy Information Administration (EIA) since 2010 to improve estimates of water withdrawals and consumptive use associated with cooling water at thermoelectric generating plants across the Nation. Cooling water for such plants is the largest sector of water withdrawals in the United States, at 49% of all water withdrawals nationwide, according to USGS Circular 1344, Estimated Use of Water in the United States in 2005. A recent USGS report, Methods for Estimating Water Consumption for Thermoelectric Power Plants in the United States (Scientific Investigations Report 2013-5188), documents the model that the USGS developed with the assistance of the EIA for estimating electric generating plant water withdrawals and consumptive use, which are currently not consistently reported. This ground-breaking model, which incorporates the heat budget of each of the approximately 1,300 thermoelectric generating plants that rely on water for cooling, can be used both to estimate current and historical water use and to forecast future water use with different plant configurations and cooling water technologies.

In addition to the efforts above, the FY 2016 President's Budget requests an additional \$1.5 million for the USGS to provide water use grants to States that will increase availability and quality of water use data – including data related to water used for energy. These grants would provide financial resources, through State water resources agencies, to improve the availability and quality of water use data that they collect and would integrate those data with the USGS Water Census. Funding provided to States through these grants would be targeted at improvements to water use data collection and integration that will be of the greatest benefit to a national assessment of water availability and use. As the energy sector is a primary user of water, increased availability of water use information related to energy will be an important part of this effort.

In mid-April 2014, the USGS released an expanded and updated version of the USGS oil, gas, and geothermal Produced Waters Database and Map Viewer; the revised database contains

nearly 100,000 new samples from conventional and unconventional well types, including geothermal. The availability of more samples and more types of analyses will help farmers determine the quality of local produced water available for possible remediation and reuse, will enable local and national resource managers to track the composition of trace elements, and will help industry plan for waste-water injection and recycling.

Although industry interest in coalbed natural gas development has declined in recent years as development of shale gas resources elsewhere has grown, the Powder River Basin in northern Wyoming and southern Montana experienced a rapid expansion in the development of coalbed natural gas between 2002 and 2011. During this period, about 90 billion liters of water were produced annually in the Wyoming portion of the Basin as part of the extraction process. Produced waters from this development are moderately saline and have high proportions of sodium relative to calcium and magnesium, thus rendering the waters unsuitable for irrigation without treatment. USGS studies have examined the environmental impacts of different disposal options. Results indicated that infiltration impoundments had the potential to contaminate underlying fresh groundwater supplies, but that with specific treatment the produced waters could be used in subsurface drip irrigation operations that minimized potential for groundwater contamination and provided beneficial use of the waters to enhance agricultural production in this semiarid region.

Other Departmental programs and activities relate directly to the energy-water nexus, including hydropower development, water treatment and desalination, pumping and water delivery, BLM energy permitting, and USGS research on energy resources and induced seismicity. We are happy to provide the Committee with additional information on these programs as needed.

### **S. 15, Protecting States' Rights to Promote American Energy Security Act**

S. 15 amends the Mineral Leasing Act to prohibit the Department of the Interior from enforcing Federal regulations regarding hydraulic fracturing activities on any land in any state that has existing regulations on hydraulic fracturing. This deferral to state authority would occur regardless of the quality or comprehensiveness of the state rules, even if the rules are less protective or otherwise in conflict with Federal guidelines.

#### Analysis

The Department strongly opposes S. 15 as it would prevent the BLM from ensuring that hydraulic fracturing activities on public lands operate under consistent standards that provide an appropriate level of environmental protection. The increasing use of hydraulic fracturing on BLM lands, and the deployment of new drilling technologies, has necessitated that the BLM update its framework for managing the extraction of fluid minerals from the Federal and Indian mineral estate. The BLM's recently issued hydraulic fracturing rule – which becomes effective on June 24, 2015 – is the culmination of four years of work by the BLM that began in November 2010 when it held its first public forum on this topic. Since that time, the BLM has published two proposed rules and held numerous meetings with the public and state officials, as well as many tribal consultations and meetings. Informed by the experience of its experts and the technical expertise and concerns of state regulators, tribes, industry, and the public, the BLM's

hydraulic fracturing rule strengthens existing oversight procedures for hydraulic fracturing on lands where the BLM has permitting responsibilities and provides all stakeholders with additional assurance that operations are being carried out safely and responsibly.

The BLM has established and maintained regulations governing oil and gas operations on public lands for decades, and has worked successfully with operators, tribes and state governments to avoid duplication and delay in the enforcement and monitoring of these regulations. The implementation of the hydraulic fracturing rule will continue this longstanding practice while also ensuring the BLM satisfies its obligations to ensure federal standards are met. The BLM remains committed to working with states to ensure safe, responsible, and environmentally sound domestic oil and gas production, and recognizes the efforts of states that currently have hydraulic fracturing regulations.

Included in the final rule is a variance process that allows for the application of state and tribal standards on public lands where those standards meet or exceed those proposed by the rule. In addition, the BLM continues to reach out to states to establish new or build upon existing formal agreements regarding implementation of federal and state oil and gas rules. These agreements will leverage the strengths of existing partnerships, reduce duplication of efforts for agencies and operators, and implement the final rule as consistently as possible with state regulations, while fulfilling the Secretary's responsibilities mandated by statute as steward for the public lands and trustee for Indian lands. The BLM State Offices are meeting regularly with their state counterparts and have undertaken state-by-state comparisons of regulatory requirements in order to identify opportunities for variances and to establish Memorandums of Understanding (MOUs) that will realize efficiencies and allow for successful implementation of the rule. The BLM is in active discussions with: the North Dakota Industrial Commission; the Wyoming Oil and Gas Commission; and the states of Alaska, California, Colorado, New Mexico, Nevada, and Utah. The BLM also recently discussed the rule with state representatives at the Interstate Oil and Gas Compact Commission's meeting in Salt Lake City the week of May 18, 2015.

### **S. 1218, Nexus of Energy and Water for Sustainability Act of 2015**

S. 1218, Nexus of Energy and Water for Sustainability Act of 2015 would create a Committee or Subcommittee on Energy-Water Nexus for Sustainability under the National Science and Technology Council (NSTC), co-chaired by the Secretary of Energy and Secretary of the Interior and require the Office of Management and Budget to submit a crosscut budget report on research, development and demonstration activities to advance energy-water nexus related science and technologies. The Department of the Interior shares the Committee's goals to promote coordination between Federal agencies as it relates to the energy-water nexus. We note that the Department is already working on the energy-water nexus through several interagency bodies and federal processes- for example through the Natural Drought Resilience Partnership and the Build America Initiative. The Department also has a number of existing programs that address many of these energy-water nexus issues, and that many of the activities called for in S. 1218 are within the scope of existing authorities available to the Department of the Interior, and the Administration as a whole. Some of the existing programs are summarized below.

Section 3 of S. 1218 requires the Director of the Office of Science and Technology Policy to establish either a Committee or Subcommittee on the Nexus of Energy and Water for

Sustainability under the NSTC, co-chaired by the Secretary of Energy and Secretary of the Interior. The Committee or Subcommittee is directed to: (1) serve as a forum for developing common federal goals and plans on energy-water nexus research, development, and demonstration activities; (2) issue a strategic plan on energy-water nexus research, development, and demonstration activities priorities and objectives, (3) promote coordination of the activities of federal departments and agencies on energy-water nexus research, development, and demonstration activities; (4) coordinate and develop capabilities and methodologies for data collection, management, and dissemination of information related to energy-water nexus research, development, and demonstration activities from and to other federal departments and agencies; and (5) promote information exchange between federal departments and agencies. Reclamation, USGS, and the Army Corps of Engineers recently identified common research priorities in water resources infrastructure resilience, threatened and endangered species, and measuring and monitoring for knowledge extraction.

Section 4 of S. 1218 requires the Director of the Office of Management and Budget to submit to Congress a report that includes an interagency budget crosscut that displays at the program, project, and activity level for each of the Federal agencies that carry out or support basic and applied research, development, and demonstration activities to advance the energy-water nexus related science and technologies in the President's budget request, expenditures and obligations for the prior fiscal year, and estimated expenditures and obligations for the current fiscal year.

The Department appreciates the Committee's leadership and the opportunity to strengthen capabilities to address the energy-water nexus. Given the breadth and many facets of this issue, we support close collaboration with the DOE and other Federal agencies. Moving forward, we would like to continue working with the Committee to ensure sufficient interagency collaboration and information sharing to support sound decision-making, leverage resources, and reduce duplication. The Administration believes this can be done through more effective and efficient collaboration and program management utilizing existing authorities.

If enacted, it is the Department's view that the committee or subcommittee created under S. 1218 should focus its attention on key vulnerabilities where there is an appropriate federal role and capability to have a positive impact. It is the Department's view that that focus should be on data gaps associated with water use and availability. We appreciate that the Committee narrowed the focus of S. 1218 to focus on energy-water nexus research, development and demonstration activities, and we look forward to working with you to ensure adequate coordination.

Water availability, severe drought, and long-term climate trends have always posed a significant risk to energy development and electric generation. This is one of the broad, systemic risks at the core of the energy-water nexus. Decreased water availability, prolonged drought, and more pronounced climate trends could increase that risk and require the use of accelerated adaptation strategies.

The Department supports the type of coordination and data exchange encouraged under S. 1218 and is already undertaking a number of steps to do so as discussed in the testimony above. Such

efforts could help close existing gaps, increasing our understanding of water supply availability to benefit water and energy decision makers.

While S. 1218 allows for the coordination of federal activities, the Department would like to stress the importance of providing the scientific community with autonomy to design and execute studies. Finally, States play the key role in allocating and administering water, and they must be a partner in energy-water efforts. S. 1218 does not address the important relationships with states and the private sector, where significant work on energy-water nexus projects is accomplished.

The Department shares the Committee's goals to promote coordination between Federal agencies as it relates to the energy-water nexus. We appreciate the leadership of this Committee in engaging Federal agencies. The Department has numerous programs in place that encourage coordination not only within the Federal Government, but as public-private partnerships. These and other existing authorities can provide more effective and efficient collaboration and program management related to energy-water nexus challenges and opportunities. The Federal Government has a role in providing leadership and tools to address the challenges of imbalance between supply and demand. Sustainable water supplies and energy use are important parts of a stable economic base, employment continuity, and smart growth.

### **S. 1230, Memoranda of Understanding with State Oil & Gas Programs**

S. 1230 directs the Secretary of the Interior to establish a program in which the BLM Director, at the request of a State Governor, would establish a Memorandum of Understanding (MOU) with that state to develop rules and processes for certain oil and gas inspection activities on Federal lands. These activities would include the measurement of oil and gas production, inspection of meters or other measurement methodologies, and other operational activities deemed appropriate by the Secretary. To be eligible for such an MOU with the BLM, the Secretary must determine the state's oil and gas program is sufficient to fulfill the oversight and enforcement responsibilities of the BLM.

#### Analysis

The BLM has a longstanding practice of working in partnership with state governments and other partners to enhance public lands and carry out its multiple-use mission. In the oil and gas context, we have memorialized this practice in MOUs with state governments, including CA, CO, MT and WY, which date back as far as 1990. These MOUs recognize the interests, expertise, and jurisdictional responsibilities of both the BLM and our state partners and typically outline respective authorities, roles, and responsibilities. The existing MOUs address issues such as well spacing, surface operations, and data sharing.

In recent years, we have been actively engaged in discussions with State Governors and their respective oil and gas officials to seek ways to further increase efficiencies by developing updates to or establishing new MOUs that will facilitate the efficient oversight of oil and gas operations in those states. The goal of these MOUs is to provide for an effective and coordinated oil and gas application and permitting/approval process. We are in active discussions and have

been meeting regularly with: the North Dakota Industrial Commission; the Wyoming Oil and Gas Commission; and the states of Alaska, California, Colorado, New Mexico, Nevada, and Utah. With respect to the recent hydraulic fracturing rule, these discussions have involved state-by-state comparisons of regulatory requirements in order to identify opportunities for variances and to establish MOUs that will realize efficiencies and allow for the successful implementation of the rule.

That said, the BLM cannot support S. 1230's proposed delegation of the BLM's stewardship responsibilities to state officials. While it is common practice for the BLM to enter into an MOU with states to help achieve better coordination among their respective oil and gas programs, such agreements do not revoke or modify the BLM's obligation to make certain final decisions concerning oil and gas operations on Federal and Indian lands. The BLM regulates oil and gas operations on Federal lands, and on Indian lands held in trust by the Federal government, pursuant to the requirements of several statutes, including the Mineral Leasing Act, the Mineral Leasing Act for Acquired Lands, the Federal Land Policy and Management Act, the Indian Mineral Leasing Act, and the Indian Mineral Development Act.

To ensure the various BLM obligations established by these statutes are met the state-run program envisioned by the bill would still require Federal oversight to ensure Federal responsibilities, including the Secretary's trust responsibilities to the tribes, are being met consistently from state-to-state. The necessary oversight could, instead of creating efficiencies, create an additional layer in the administration of oil and gas operations on public lands. This would result in potential duplication of efforts and additional costs to the taxpayer. S. 123 is silent in regards to how such a state program would be funded.

The highest priority of the BLM oil and gas program is ensuring that the operations it authorizes on public and tribal lands are safe and environmentally responsible. We have established and maintained regulations governing oil and gas operations on public lands for decades, and have worked successfully with operators and in partnership with tribes and state governments to avoid duplication and delay in the enforcement and monitoring of these regulations. The BLM continues to advocate for further coordination with its state partners to maximize efficiency in oil and gas operations on public lands, but does not agree that a legislative remedy is necessary to accomplish our common goals. Instead, the agency believes the best and most efficient results can be achieved by BLM state and field offices working directly with their partners at the state government level to ensure the applicable Federal standards and statutory requirements are met. Ideally the state and Federal partners enter into agreements as appropriate to address the operational activities in the field to ensure that BLM and state oversight responsibilities are met as efficiently as possible.

With respect to the bill's direction that consistent rules be established, it should be noted that the BLM's existing regulatory framework governing oil and gas operations on the lands and mineral resources it manages is robust and longstanding. The BLM's rules were developed consistent with the applicable statutes and have been periodically updated based on BLM's extensive experience in this area. These rules govern operations in over 30 states and were designed to support responsible development using a consistent set of standards across all of the lands managed by the BLM. S. 1230 would create a significant administrative burden as both state and

federal regulations would likely require an extensive overhaul and revisions to achieve that objective; a process that would take a substantial amount of time.

### **1310, Deficit Reduction Through Fair Oil Royalties Act**

In the previous decade, the Minerals Management Service (MMS), the bureau in the Department then charged with managing energy development on the Outer Continental Shelf, discovered that leases issued in the four offshore lease sales held in 1998 and 1999 did not include price thresholds to cut off royalty relief mandated by section 304 of the 1995 Deepwater Royalty Relief Act (DWRRA). (Consistent with the MMS interpretation of the DWRRA, price thresholds were included in the leases issued in the lease sales held in 1996, 1997, and 2000.) The Department subsequently entered into negotiations with the holders of the 1998 and 1999 leases to amend their leases to include price thresholds on royalty relief and successfully came to agreements with several companies. In the meantime, however, several lessees sued to challenge the legality of the royalty relief price thresholds included in the 1996, 1997, and 2000-issued leases, arguing that the price thresholds did not apply to the mandated royalty relief volumes in the DWRRA. Both the prior Administration and the current Administration disagreed with this interpretation of the DWRRA. Unfortunately, the lessees prevailed in district court, and the price thresholds included in the leases were declared legally invalid. The district court opinion was upheld by the 5<sup>th</sup> Circuit Court of Appeals, and in 2009, this Administration appealed that decision to the Supreme Court, which declined to hear the case.

As a result of the court's decision, successfully negotiated agreements were voided and ongoing administrative attempts to negotiate to amend those leases that did not include prices thresholds have been precluded.

S. 1310 would prohibit the acquisition of new oil or natural gas leases or any interest in existing leases in the Gulf of Mexico by certain persons unless they meet certain conditions. Specifically, it would disallow acquisition by parties that did not agree to renegotiation of existing leases issued between 1996 and 2000 subject to congressionally mandated royalty relief under the 1995 DWRRA. The bill seeks to encourage holders of DWRRA leases to renegotiate their leases to incorporate the price thresholds that the courts had found invalid.

The Administration continues to pursue actions to ensure a better return to taxpayers from oil and gas development both onshore and offshore in a way that ensures a level playing field in the sale and development of public resources. We note that the FY 2016 President's Budget contains a package of administrative and legislative oil and gas management reforms that would encourage diligent development of Federal energy resources as well as provide a fair return to the taxpayer. These royalty and other reforms are estimated to generate \$2.5 billion in savings to the Treasury over 10 years. The Administration is working to implement the administrative components of this package where it has the flexibility to do so. We would like to work with the sponsor and the Committee on the legislative components of this package.

### **S. 1311, the Oil Spill Deterrent Act**

S. 1311 amends the Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA) and the Outer Continental Shelf Lands Act of 1953 (OCSLA), providing increased penalty authority

intended to deter oil spills. The Department supports the goal of deterring oil spills, and would like to work with the Committee in furtherance of this goal.

### Analysis

#### *Penalties Authorized by the Federal Oil and Gas Royalty Management Act*

Section 109 of FOGRMA authorizes the Department of the Interior to issue civil penalties when companies fail to comply with applicable rules, regulations and lease terms. Codified in 30 U.S.C. 1719, the authority includes escalated civil penalties for companies that fail to take corrective action, and those that knowingly or willfully violate applicable regulations or laws.

As drafted, the maximum penalty increases provided in Section 2 of S. 1311 would apply to the entire range of violations covered by 30 U.S.C. 1719, the majority of which have no association with drilling or oil spills. While the Department supports to increased administrative flexibility to issue tougher penalties for violations, it is worth noting that the legislation as drafted could have unintended outcomes. For example, the Department notes that increasing the civil penalty amount for failure to take corrective action from \$5,000 to \$100,000, would leave FOGRMA, as amended, with a penalty scheme that authorizes smaller maximum civil penalties (\$10,000 and \$25,000 respectively) for more egregious knowing or willful violations.

The Department supports increasing the maximum civil penalties for all violations in order to provide more realistic deterrent benefits while maintaining the Secretary's discretion to levy civil penalties below the maximum, if appropriate.

#### *Penalties Authorized by the Outer Continental Shelf Lands Act*

The Outer Continental Shelf Lands Act of 1953 (OCSLA) authorizes the Department of the Interior to issue civil penalties of up to \$20,000 per day when companies fail to comply with applicable regulations or laws or with any term of a lease or permit issued pursuant to OCSLA. OCSLA also directs the Secretary of the Interior to adjust the maximum civil penalty amount at least once every three years to reflect any increase in the Consumer Price Index prepared by the U.S. Department of Labor. Through these periodic adjustments, the current maximum civil penalty is \$40,000 per day. Section 3 of S. 1311 substantially increases the maximum penalty from \$20,000 per day to \$250,000 per day for violations and authorizes the Secretary to increase the maximum, after notice and an opportunity for public comment.

While the proposed changes to OCSLA may be broader than necessary to address oil spills, the new authority would authorize increased civil penalties for the entire range of violations covered by 43 U.S.C. 1350. The Department supports increasing the maximum civil penalties for all violations in order to provide more realistic deterrent benefits while maintaining the Secretary's discretion to levy civil penalties below the maximum, if appropriate.

### **S. 1340, Coal Oversight and Leasing Reform Act of 2015**

S. 1340 would amend the Mineral Leasing Act to establish a new Federal coal leasing program and make various changes to current coal leasing practices. These changes include new requirements to be used in the determination of fair market value for coal leases, increased

royalty and rental rates, and shorter lease terms. The bill also imposes a moratorium on new leases until the new program has been fully implemented.

The Department appreciates the work of the sponsor on these issues. We have recently undertaken a major effort to strengthen the management of coal production on public lands by issuing updates to our Coal Evaluation Manual and Handbook. Additionally, the BLM will be further engaging with stakeholders and the public to discuss how the BLM can best carry out its responsibility to manage coal production on public lands, and help to ensure that taxpayers receive a fair return from the development of these public land resources. Consistent with these efforts, we would like to continue discussions with the sponsor and the Committee on how best to continue these program improvements.

#### *Federal Coal Leasing Program*

S. 1340 (Sec. 10) establishes a new Federal coal leasing program. As currently written, the leasing program would require the Secretary to establish and approve a 5-year leasing plan. The leasing program would have to ensure FMV and maximize both competition for leases and a fair return to the U.S. taxpayer. S. 1340 directs the Secretary to solicit comments from Federal and state agencies and the public, and establishes a timeframe for government officials to review and comment before publication of the leasing plan. The bill provides that the Secretary can only lease those parcels that are included in an approved 5-year leasing plan. The bill also would require the Department to issue regulations to implement the new lease program within 180 days of enactment, and to publish the first leasing plan within 270 days of enactment.

The Department supports the goal of improving the BLM's management of the Federal coal program, but notes that it is important to assess fully the effects of the proposals included in Section 10 on the program's efficiency and ultimately the return to the U.S. taxpayer. We are committed to working closely with the sponsor and the Committee on any legislative changes that are needed to strengthen the management of coal production on public lands.

#### *Lease Terms & Lease Modifications*

S. 1340 (Sec. 12) reduces the primary term of a lease from 20 years to 10 years; the diligent development period from 10 years to five years; the renewal terms of a lease from 10 years to five years, and the period for advanced royalty payments from 20 years to 10 years. S. 1340 (Sec. 9) reduces the maximum size of a lease modification from 960 acres to 160 acres, requires a FMV determination for lease modifications (Sec. 7), and specifies that lease modifications cannot result in a decrease in revenue (Sec. 8). Lease modifications were limited to 160 acres prior to the Energy Policy Act of 2005, and S. 1340 would reinstate that limit. We are open to further discussion and analysis of these issues.

#### *Revenues*

S. 1340 raises the minimum royalty rate for coal and onshore oil and gas production from 12.5 percent to 18.75 percent (Sec. 13), and the rental rate for coal leases from \$3 per acre per year to no less than \$100 per acre per year (Sec. 11). S. 1340 (Sec. 2) also repeals the option for five equal deferred bonus payments. With respect to oil and gas, the Department notes that it has issued an Advanced BLM Notice of Proposed Rulemaking asking the public for input on potential changes to the BLM's royalty rate regulations. The comment period on that notice closes on

June 19, 2015. The Department is interested in working with the sponsor and the Committee to determine the appropriate royalty, rental rates, and other related revenues, and plans to engage stakeholders further on this topic in the very near future.

#### *Fair Market Value*

S. 1340 (Sec. 5) includes new requirements to determine FMV. The bill requires that the export potential of coal be considered in the FMV determination, and that the Secretary is not to accept any bids for a lease that is less than FMV. Finally, S. 1340 requires the GAO to complete an audit two years after enactment to determine whether the Secretary has complied with the FMV determination requirements.

The Department shares the goal of S. 1340 to capture FMV of leased coal, and the BLM has recently made improvements to its presale estimate process. In December 2014, the BLM published a new Coal Evaluation Manual and a new Coal Evaluation Handbook following the recommendations of GAO and OIG audits. The Coal Manual and Handbook enhance the evaluation process, while ensuring there is adequate and appropriate accounting for coal exports, with a consistent application throughout the BLM. There is also greater transparency, including an independent third-party review of each coal evaluation by the Department's Office of Valuation Services. Taken together, these enhancements will result in more thorough and better-documented coal evaluations for the benefit of the taxpayer. Finally, existing BLM rules provide that the BLM will reject bids that are less than the presale estimated FMV.

#### *Inspection & Enforcement*

S. 1340 (Sec. 14) requires the development of new regulations to ensure consistent and effective inspection and enforcement by providing additional national oversight of state inspections; standardizing the BLM inspection and enforcement practices; requiring that inspections and enforcement data be stored in a central database; and requiring periodic unannounced inspections. S. 1340 (Sec. 15) also provides the BLM with the authority to assess civil penalties of up to \$100,000 per incident per day. The Department supports establishing the authority to assess civil penalties per incident per day which would provide a useful tool to encourage compliance with applicable coal statutes and regulations. We are interested in working with the sponsor and the Committee to further develop potential improvements to the BLM's inspection and enforcement program.

#### *Additional Provisions*

Other proposals in S. 1340, include: a confidentiality requirement for consultants (Sec. 3); the requirement for licensees to provide an assertion of accuracy for data developed for exploration licenses (Sec. 4); and the requirement to make coal lease data publicly available (Sec. 6). In each instance, these issues have been addressed by existing BLM or Office of Natural Resources Revenue (ONRR) rules, policies, and guidance, including the recently updated Evaluation Handbook and Manual. While the BLM and ONRR have already addressed these issues administratively, BLM is interested in working with the sponsor and the Committee to provide greater transparency regarding its management of the Federal coal program.

### **S. 1407, Public Land Renewable Energy Development Act**

S. 1407 seeks to expedite the development of geothermal, wind, and solar energy projects on Federal lands managed by the Departments of the Interior and Agriculture by designating priority and other variance development areas in Bureau of Land Management (BLM) Resource Management Plans (RMPs), and establishing interagency coordination procedures. The bill also reestablishes a special account for processing geothermal energy authorizations, establishes a royalty system for wind and solar energy authorizations, and creates a conservation fund to address impacts of wind and solar energy development on public lands. The bill's provisions are directed toward public lands that have not been excluded from geothermal, solar or wind energy development through BLM RMPs or Federal law. This statement addresses the provisions relevant to the Department.

The Department and the BLM are committed to responsibly mobilizing the tremendous renewable energy resources available on public lands, and share the Committee's interest in identifying efficiencies in the development of those resources that are consistent with our multiple use and sustained yield mandate under the Federal Lands Policy and Management Act, environmental protection, and public involvement in agency decision-making. The Department supports the goals of S. 1407, and is already utilizing administrative authorities to implement the Western Solar Plan and to expand wind and geothermal development opportunities on public lands where appropriate. We are pleased to continue to work with the Committee and the sponsor to further harness the vast renewable resources on public lands while continuing to ensure a fair return to U.S. taxpayers.

### Analysis

#### *Land Use Planning, Environmental Review, & Permit Coordination*

S. 1407 (Title II, Sec. 202) requires that within five years BLM update existing land use plans to establish priority and other "variance" areas for geothermal and wind energy development. The bill acknowledges that the BLM completed a wind energy programmatic EIS and land use planning effort in 2005, completed a geothermal programmatic EIS and land use planning effort in 2008, and completed a solar energy programmatic EIS and land use planning in 2012. The BLM's wind energy land use plan identified exclusion areas but did not identify priority or variance areas for wind development. The geothermal planning effort involved both BLM public lands and National Forest System lands that were available and open for geothermal leasing, however, did not designate priority or variance areas for geothermal development. Finally, the BLM's solar energy planning effort designated exclusion lands as well as priority and variance areas for development.

The Department shares goals similar to those advanced by Section 202 and, through its existing authorities, is currently developing a competitive leasing program for solar and wind energy projects on public lands. As part of the Western Solar Plan, the BLM recently completed a successful competitive leasing auction in the Dry Lake SEZ in Nevada, which resulted in \$5.8 million in high bids. Building on the success of the Dry Lake auction, the BLM published a Proposed Rule for a competitive leasing program for wind and solar in September 2014 and expects to publish a Final Rule before the end of the year. This rule will give additional detail to the competitive leasing program for the solar and wind energy programs. The land use planning

requirements as outlined by S. 1407 would require significant time and resources and substantial public involvement if applicable to all BLM lands throughout the West. We would like to work with the sponsor and the Committee on coordinating the Department's existing efforts with those identified in the bill.

S. 1407 (Title II, Sec. 203) directs that in some cases additional review under the National Environmental Policy Act (NEPA) may not be required for renewable energy projects. It is the BLM's responsibility to complete an appropriate analysis of these types of activities before they are undertaken. The BLM believes analysis under NEPA allows for the reasoned consideration of the environmental effects of renewable energy projects and provides opportunity to consider alternatives with less adverse impacts on communities and the environment. Failure to complete an adequate NEPA review reduces transparency in agency decision-making and would impact our ability to identify relevant and useful information for consideration by the public and by the BLM as a decision-maker.

S. 1407 (Title II, Sec. 204) establishes a program to improve renewable energy permit coordination that is similar to the process BLM used to establish oil and gas permitting offices under the provisions of the EAct of 2005. Combined with increased overall funding, this process has helped to focus and coordinate resources to improve permitting for oil and gas development. Following this model, the BLM has already established renewable energy coordination offices in several state and field offices that have a significant renewable energy workload. While we support the general concept to expedite interagency coordination, it may be more advantageous to utilize existing renewable energy coordination offices and establish an interagency renewable energy team in those additional states with the highest expected renewable energy workload. The BLM should have the flexibility to adjust these offices in the future to adapt to emerging renewable energy workloads across the West. The BLM would like to work with the sponsor and Committee to discuss how best to achieve these goals.

### *Revenue & Enforcement*

The Department also shares the goal of S. 1407 to capture the fair market value of leased projects as part of its commitment to ensure an appropriate return to U.S. taxpayers. While the BLM currently ensures a fair return to the public from solar and wind energy authorizations through an annual acreage rent and MW capacity fee, the agency is also supportive of efforts which could improve and simplify how that return is captured.

S. 1407 (Title I, Sec 101) amends the EAct of 2005 to reestablish the geothermal special account, which expired in 2010, through Fiscal Year 2020 to provide funds for the processing of geothermal leases and use authorizations. Under current law, 50 percent of geothermal revenues are directed to the state in which the project is located, with the remaining funds divided evenly between the county in which the project is located and the Treasury. Under S. 1407, the states would continue to receive 50 percent of geothermal revenues; while the BLM would receive an amount subject to appropriation and without fiscal year limitation from the total directed to the Treasury. The BLM estimates the proposed special account would shift approximately \$4 million per year from the general Treasury to supplement discretionary appropriations that currently total roughly \$7 million annually. The Department has generally proposed funding geothermal program operations through a combination of cost recovery fees and the regular appropriations

process. We have concerns about the redirection of Federal receipts traditionally deposited in the Treasury toward this special-purpose account. We look forward to working with this Committee and the Interior appropriations committees in evaluating appropriate funding options for the geothermal leasing program.

S. 1407 (Title II, Section 212) provides for the allocation of all revenues from solar and wind energy authorizations to states (25 percent), counties (25 percent), a new Renewable Energy Resource Conservation Fund (35 percent and increasing after 15 years), and the U.S. Treasury (15 percent and decreasing after 15 years). Under the bill, funds deposited in the U.S. Treasury are to be directed to the BLM or other Federal or state agencies to assist in the processing of renewable energy permits for 15 years, after which the 15 percent is decreased incrementally each year and redirected to the new Conservation Fund. Currently all such revenues from solar and wind energy authorizations on public lands go to the U.S. Treasury. As written, the bill would limit expenditure of funds from the Renewable Energy Conservation Fund to fish and wildlife habitat issues, and access related to fishing, hunting and other forms of outdoor recreation.

The S. 1407 (Title II, Section 213) directs the Secretary of the Interior, in consultation with the Secretary of Agriculture, to establish royalties based on a percentage of the gross proceeds from the sale of MW production. The Department is concerned, however, that the royalty system would not provide a fair return from projects during periods without electric generation. We recommend the Committee consider additional language that would provide for a revenue collection system covering all phases of project development and operation, and also provide some guidelines on the appropriate range of royalty. The Department also wants to note that the current fee structure encourages a limited footprint; by implementing a similar structure for royalties, this key benefit could be reflected in the royalty system. The Department is glad to work with the sponsor and the Committee on exploring appropriate measures to ensure fair return to taxpayers from solar and wind projects' use of public lands.

S. 1407 (Title II, Section 214) would require the development of a comprehensive inspection, collection, fiscal, and production accounting and auditing system by the BLM and Department's Office of Natural Resources Revenue. Replacing the existing annual acreage and MW capacity fee with the system necessary to accurately determine royalties would require the Department to collect, track, and audit significantly different types of information from what is currently collected. The Department would need additional time and resources to develop a robust royalty auditing system capable of ensuring a fair return. The Department looks forward to working with the sponsor and the Committee to determine the best way to meet the revenue capturing objectives of the legislation without creating significant new administrative costs and burdens for the Department.

S. 1407 (Title II, Section 217) would require the Department to carry out a study of mitigation banking on Federal lands. Under Secretary's Order 3330, the Department has been working to update its policies and program direction with regard to landscape-level mitigation. While we believe that mitigation banking is an important tool for offsetting the unavoidable impacts of certain developments on the natural and cultural resources on public lands, we believe a separate study on mitigation banking would be duplicative of ongoing efforts to improve and expand

opportunities for mitigation at this time, including mitigation banking, the establishment of credit exchanges, and other tools being developed by states, private partners, and the Federal agencies. We would prefer to incorporate this review into our ongoing mitigation efforts.

Finally, S. 1407 (Title II, Section 218) of the bill would revoke the rental fee exemptions provided under the Rural Electrification Act (REA) for solar and wind projects with a capacity of 20 MWs or more. While the BLM has not yet approved any eligible projects under the REA, future projects may qualify for rental exemptions under existing authorities. The BLM supports the removal of the rental fee exemption as provided under S. 1407.

### **Conclusion**

Thank you for inviting the Department to submit its views on S. 15, S. 1218, S. 1230, S. 1310, S. 1311, S. 1340, and S. 1407. The Department of the Interior is committed to supporting the responsible supply of energy for our nation.

**From:** Robert Cowan  
**To:** [nicholas.maestas@mail.house.gov](mailto:nicholas.maestas@mail.house.gov)  
**Subject:** Fwd: HTML\_Format: Federal Register Table of Contents  
**Date:** Tuesday, February 09, 2016 12:53:31 PM  
**Attachments:** [ATT00001.htm](#)  
[81 FR 6616: 2-8-16 - Proposed Rules on Natural Gas Waste.pdf](#)

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U.S. Department of the Interior  
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Begin forwarded message:

**From:** Shannon Tokos <[stokos@blm.gov](mailto:stokos@blm.gov)>  
**Date:** February 8, 2016 at 8:16:32 AM MST  
**To:** Ted Jones <[tbjones@blm.gov](mailto:tbjones@blm.gov)>, [crieman@blm.gov](mailto:crieman@blm.gov), Robert Cowan <[rcowan@blm.gov](mailto:rcowan@blm.gov)>  
**Subject:** FW: HTML\_Format: Federal Register Table of Contents





# FEDERAL REGISTER

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Part II

## Department of the Interior

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Bureau of Land Management

43 CFR Parts 3100, 3160, and 3170

Waste Prevention, Production Subject to Royalties, and Resource  
Conservation; Proposed Rule

**DEPARTMENT OF THE INTERIOR****Bureau of Land Management****43 CFR Parts 3100, 3160, and 3170**

[15X.LLWO300000.L13100000.NB0000]

RIN 1004-AE14

**Waste Prevention, Production Subject to Royalties, and Resource Conservation****AGENCY:** Bureau of Land Management, Interior.**ACTION:** Proposed rule.

**SUMMARY:** The Bureau of Land Management (BLM) is proposing new regulations to reduce waste of natural gas from venting, flaring, and leaks during oil and natural gas production activities on onshore Federal and Indian leases. The regulations would also clarify when produced gas lost through venting, flaring, or leaks is subject to royalties, and when oil and gas production used on site would be royalty-free. These proposed regulations would be codified at new 43 CFR subparts 3178 and 3179. They would replace the existing provisions related to venting, flaring, and royalty-free use of gas contained in the 1979 Notice to Lessees and Operators of Onshore Federal and Indian Oil and Gas Leases, Royalty or Compensation for Oil and Gas Lost (NTL-4A), which are over 3 decades old.

**DATES:** Send your comments on this proposed rule to the BLM on or before April 8, 2016. The BLM is not obligated to consider any comments received after this date in making its decision on the final rule.

As explained later, the proposed rule would establish new information collection requirements that must be approved by the Office of Management and Budget (OMB). If you wish to comment on the information collection requirements in this proposed rule, please note that the OMB is required to make a decision concerning the collection of information contained in this proposed rule between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment to the OMB on the proposed information collection requirements is best assured of having its full effect if the OMB receives it by March 9, 2016.

**ADDRESSES:** *Mail:* U.S. Department of the Interior, Director (630), Bureau of Land Management, Mail Stop 2134 LM, 1849 C St. NW., Washington, DC 20240, Attention: 1004-AE14. *Personal or messenger delivery:* 20 M Street SE., Room 2134LM, Washington, DC 20003.

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions at this Web site.

Comments on the information collection burdens: *Fax:* Office of Management and Budget (OMB), Office of Information and Regulatory Affairs, Desk Officer for the Department of the Interior, fax 202-395-5806. *Electronic mail:* [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov). Please indicate "Attention: OMB Control Number 1004-XXXX," regardless of the method used to submit comments on the information collection burdens. If you submit comments on the information collection burdens, you should provide the BLM with a copy, at one of the addresses shown earlier in this section, so that we can summarize all written comments and address them in the final rule preamble.

**FOR FURTHER INFORMATION CONTACT:** Eric Jones at the BLM Moab Field Office, 82 East Dogwood Ave., Moab, UT 84532, or by telephone at 435-259-2117; or Timothy Spisak at the BLM Washington Office, 20 M Street SE., Room 2134LM, Washington, DC 20003, or by telephone at 202-912-7311. For questions relating to regulatory process issues, contact Faith Bremner at 202-912-7441.

Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact these individuals during normal business hours. FIRS is available 24 hours a day, 7 days a week to leave a message or question with these individuals. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:****I. Executive Summary****A. Background**

This proposed regulation aims to reduce the waste of natural gas from mineral leases administered by the BLM. This gas is lost during oil and gas production activities through flaring or venting of the gas, and equipment leaks. While oil and gas production technology has advanced dramatically in recent years, the BLM's requirements to minimize waste of gas have not been updated in over 30 years. The Mineral Leasing Act of 1920 (MLA) requires the BLM to ensure that lessees "use all reasonable precautions to prevent waste of oil or gas developed in the land . . . ." 30 U.S.C. 225. The BLM believes there are economical, cost-effective, and reasonable measures that operators should take to minimize waste, which will enhance our nation's natural gas supplies, boost royalty receipts for American taxpayers, tribes,

and States, and reduce environmental damage from venting and flaring.

The BLM's onshore oil and gas management program is a major contributor to our nation's oil and gas production. The BLM manages more than 245 million acres of land and 700 million acres of subsurface estate, making up nearly a third of the nation's mineral estate. Domestic production from over 100,000 Federal onshore oil and gas wells accounts for 11 percent of the Nation's natural gas supply and 5 percent of its oil. In Fiscal Year (FY) 2014, operators produced 204.6 million barrels (bbl) of oil, 2 trillion cubic feet (Tcf) of natural gas, and 3.1 billion gallons of natural gas liquids (NGLs) from onshore Federal and Indian oil and gas leases. The production value of this oil and gas exceeded \$27.2 billion and generated approximately \$3.1 billion in royalties.<sup>1</sup>

Over the past decade, the United States has experienced a dramatic increase in oil and natural gas production due to technological advances, such as hydraulic fracturing combined with directional and/or horizontal drilling. This boost in production has brought many benefits in the form of expanded and more secure domestic oil and gas supplies, lower oil and gas prices, increased economic activity, and greater royalty revenues for Federal, State and tribal governments. At the same time, the American public has not benefited from the full potential of this increased production, due to the flaring, venting, and leakage of significant quantities of gas during the production process. According to data reported to the Office of Natural Resources Revenue (ONRR), Federal and Indian onshore lessees and operators lost 375 billion cubic feet (Bcf) of natural gas between 2009 and 2014—enough gas to serve about 5.1 million households for a year, assuming 2009 usage levels.<sup>2</sup>

Flaring, venting, and leaks waste a valuable resource that could be put to productive use, and deprive American taxpayers, tribes, and States of royalty revenues. In addition, the wasted gas may harm local communities and

<sup>1</sup> Office of Natural Resources Revenue (ONRR), Statistical Information, <http://statistics.onrr.gov/ReportTool.aspx> using Sales Year—FY2014—Federal Onshore—All States Sales Value and Revenue for Oil, NGL, and Gas products as of December 2, 2015.

<sup>2</sup> The Energy Information Administration (EIA), *Trends in U.S. Residential Natural Gas Consumption*, [http://www.eia.gov/pub/oil\\_gas/natural\\_gas/feature\\_articles/2010/ngtren/residcon/ngtrenresidcon.pdf](http://www.eia.gov/pub/oil_gas/natural_gas/feature_articles/2010/ngtren/residcon/ngtrenresidcon.pdf) (reporting that in 2009, U.S. residential consumption was approximately 74 Mcf per household with natural gas service).

surrounding areas through visual and noise impacts from flaring, and regional and global air pollution problems of smog, particulate matter, toxic air pollution (such as benzene, a carcinogen) and climate change. The primary constituent of natural gas is methane, and increases in gas wasted through venting, flaring or leaks contribute to increases in atmospheric methane levels. Methane is an especially powerful greenhouse gas (GHG), with climate impacts roughly 25 times those of CO<sub>2</sub>, if measured over a 100-year period, or 86 times those of CO<sub>2</sub>, if measured over a 20-year period.<sup>3</sup> Thus, measures to conserve gas and avoid waste may significantly benefit local communities, public health, and the environment.

The BLM oversees oil and gas activities under the authority of a variety of laws, including the MLA, the Mineral Leasing Act for Acquired Lands of 1947 (MLAAL), the Federal Oil and Gas Royalty Management Act (FOGRMA), the Federal Land Policy and Management Act of 1976 (FLPMA), the Indian Mineral Leasing Act of 1938 (IMLA), the Indian Mineral Development Act of 1982 (IMDA), and the Act of March 3, 1909.<sup>4</sup> In particular, the MLA requires the BLM to ensure that lessees “use all reasonable precautions to prevent waste of oil or gas developed in the land . . . .”<sup>5</sup> This proposal would replace current requirements related to flaring, venting, and royalty-free use of production, which are contained in NTL-4A; amend the BLM’s oil and gas regulations at 43 CFR part 3160; and add new subparts 3178 and 3179. It would apply to all Federal and Indian (other than Osage Tribe) onshore oil and gas leases as well as leases and business agreements entered into by tribes (including IMDA agreements), as consistent with those agreements and with principles of Federal Indian law.<sup>6</sup>

<sup>3</sup> See Intergovernmental Panel on Climate Change, *Climate Change 2013: The Physical Science Basis*, Chapter 8, *Anthropogenic and Natural Radiative Forcing*, at 714 (Table 8.7), available at [https://www.ipcc.ch/pdf/assessment-report/ar5/wg1/WG1AR5\\_Chapter08\\_FINAL.pdf](https://www.ipcc.ch/pdf/assessment-report/ar5/wg1/WG1AR5_Chapter08_FINAL.pdf).

<sup>4</sup> Mineral Leasing Act, 30 U.S.C. 188–287; Mineral Leasing Act for Acquired Lands, 30 U.S.C. 351–360; Federal Oil and Gas Royalty Management Act, 30 U.S.C. 1701–1758; Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701–1785; Indian Mineral Leasing Act of 1938, 25 U.S.C. 396a–g; Indian Mineral Development Act of 1982, 25 U.S.C. 2101–2108; Act of March 3, 1909, 25 U.S.C. 396.

<sup>5</sup> 30 U.S.C. 225.

<sup>6</sup> Key statutes underpinning this proposed regulation contain exceptions for the Osage Tribe. Specifically, the Osage Tribe is exempted from the application of both the Indian Mineral Leasing Act and the Federal Oil and Gas Royalty Management

Several oversight reviews, including reviews by the Inspector General of the Department of the Interior and the Government Accountability Office (GAO), have raised concerns about waste of gas, found that the BLM’s existing requirements regarding venting and flaring are insufficient, expressed concerns about the “lack of price flexibility in royalty rates,”<sup>7</sup> and identified concerns about royalty-free use of gas. These reports recommended that the BLM update its regulations to address waste prevention, afford flexibility in rate setting, and clarify policies regarding royalty-free, on-site use of oil and gas. With respect to waste, the GAO found that “around 40 percent of natural gas estimated to be vented and flared on onshore Federal leases could be economically captured with currently available control technologies.”<sup>8</sup> The GAO recommended that the BLM reduce venting and flaring of gas by revising its regulations “to make it clear that technologies should be used where they can economically capture sources of vented and flared gas, including gas from liquid unloading, well completions, pneumatic valves, and glycol dehydrators.”<sup>9</sup> The GAO further recommended that the BLM consider expanded use of infrared cameras to identify opportunities to minimize lost gas.<sup>10</sup>

This proposed rule would align the BLM’s royalty rate for new competitive Federal oil and gas leases with the regime envisioned by the MLA, which specifies “a rate of *not less than* 12.5 percent in amount or value of the production removed or sold from the lease.”<sup>11</sup> In addition, the proposed rule would update the BLM’s existing NTL-4A requirements related to venting, flaring, and royalty-free use of natural gas from onshore Federal and Indian leases. Under NTL-4A, operators must apply to the BLM on a case-by-case basis for approval to flare royalty-free, based on economic criteria. We propose to reduce the need for case-by-case applications by clarifying when flared

Act, 25 U.S.C. 396f; 43 U.S.C. 1702(3), 1702(4). The leasing of Osage Reservation lands for oil and gas mining is subject to special Bureau of Indian Affairs regulations contained in 43 CFR part 226.

<sup>7</sup> GAO, *Oil and Gas Royalties: The Federal System for Collecting Oil and Gas Revenues Needs Comprehensive Reassessment*, GAO-08-691, September 2008, 6.

<sup>8</sup> GAO, *Federal Oil and Gas Leases: Opportunities Exist to Capture Vented and Flared Natural Gas, Which Would Increase Royalty Payments and Reduce Greenhouse Gases*, GAO-11-34, (Oct. 2010), 2.

<sup>9</sup> *Ibid.* at 34.

<sup>10</sup> *Ibid.* at 34.

<sup>11</sup> 30 U.S.C. 226(b)(1)(A) (emphasis added); *see also* 30 U.S.C. 352 (applying the MLA’s leasing provisions to leases on acquired land).

or vented natural gas is subject to royalties. Further, with respect to venting and flaring of natural gas, we propose to: Prohibit venting, except in certain limited circumstances; limit the rate of routine flaring at development oil wells;<sup>12</sup> require operators to detect and repair leaks; and mandate reductions in venting from: Pneumatic controllers and pneumatic pumps that operate by releasing natural gas; storage vessels; activities to unload liquids from a well; and well drilling, completion, and testing activities. Finally, the proposed rule would require operators to submit gas capture plans with their Applications for Permits to Drill new wells.

The BLM has engaged in substantial stakeholder outreach in the course of developing this proposal. In 2014, the BLM conducted a series of forums to consult with tribal governments and solicit stakeholder views to inform the development of this proposed rule, with public meetings (some of which were livestreamed) in Colorado, New Mexico, North Dakota, and Washington, DC.<sup>13</sup> For each forum, we held a tribal outreach session in the morning and a public outreach session in the afternoon. We also accepted informal comments generated as a result of the public/tribal outreach sessions. Since those meetings, we have continued to consult with stakeholders throughout the rule development process, including numerous meetings and calls with State representatives, individual companies, trade associations, and non-governmental organizations (NGOs). We have also received and considered many reports, peer-reviewed studies, and letters from stakeholders providing information and views on what the BLM should propose.

The BLM conducted additional outreach with States where there is extensive oil and gas production from BLM-administered leases. We have carefully reviewed State regulations and guidance and consulted with State regulatory bodies that oversee aspects of oil and gas production to discuss their requirements and practices. The BLM intends to continue close interaction with State and tribal regulators.

The BLM is not the only entity to recognize the need to reduce flaring and

<sup>12</sup> “*Development oil well*” or “*development gas well*” means a well drilled to produce oil or gas, respectively, from an established field in which hydrocarbons have been discovered and from which they are being produced at a profit or expected profit.

<sup>13</sup> Further information can be found at the BLM oil and gas program’s outreach-events page: [http://www.blm.gov/wo/st/en/prog/energy/public\\_events\\_on\\_oil.html](http://www.blm.gov/wo/st/en/prog/energy/public_events_on_oil.html).

venting from oil and gas production activities. Domestically, the Environmental Protection Agency (EPA) and a few individual States have been active in this area, as have some oil and gas producers. In 2012, for example, the EPA adopted Clean Air Act new source performance standards (NSPS) for certain activities in the oil and gas production sector. These regulations target reductions of volatile organic compounds (VOCs) and have the effect of reducing venting and leaks. The EPA recently proposed regulations to amend the 2012 NSPS for the oil and natural gas source category by setting standards for both methane and VOCs for certain equipment, processes and activities across this source category (40 CFR part 60 subpart OOOOa rulemaking).<sup>14</sup> This EPA proposal would have the effect of further reducing gas losses through venting and leaks.

In addition, several States with BLM-administered lands and mineral interests have acted in this area. Colorado has adopted comprehensive statewide regulations to limit emissions of VOCs from venting and leaks from oil and gas production activities.<sup>15</sup> The Colorado regulations require operators to implement leak detection and repair (LDAR) programs, replace high-bleed pneumatic controllers with low-bleed pneumatic controllers, and control emissions from storage vessels, among other things. Wyoming has adopted similar comprehensive regulations that apply in the Upper Green River Basin, a “nonattainment area” where air quality does not meet national ozone standards adopted by the EPA under the Clean Air Act.<sup>16</sup> North Dakota has also adopted an innovative program to phase down flaring by operators across the State, requiring 91 percent gas capture by 2020.<sup>17</sup> Pennsylvania has issued guidance that exempts oil and gas facilities from certain air quality permitting requirements if they implement changes to reduce gas loss, such as developing an LDAR program,

reducing VOC emissions from storage vessels, and limiting flaring activity.<sup>18</sup>

The oil and gas industry has also taken voluntary actions to reduce flaring and venting. Many of these efforts have been initiated by companies participating in Natural Gas STAR, a voluntary EPA-industry partnership program that encourages oil and natural gas companies to adopt cost-effective technologies and practices that improve operational efficiency and reduce methane emissions. Twenty-six companies in the production sector currently participate in Natural Gas STAR, and they reported that they achieved about 50 Bcf of methane emissions reductions in 2013.<sup>19</sup> To further encourage emissions reductions from the oil and gas sector, the EPA announced, in July 2015, a voluntary program called the Natural Gas STAR Methane Challenge, in which companies would make ambitious commitments to reduce methane emissions and would track their progress in achieving those reductions.<sup>20</sup> In addition, six oil and gas companies have joined together to form the One Future Coalition, which aims to “(e)nhance the energy delivery efficiency of the natural gas supply chain by limiting energy waste and by achieving a methane ‘leak/loss rate’ of no more than one percent.”<sup>21</sup>

Given these activities, it is important to ensure that updated BLM requirements do not subject operators to conflicting or redundant requirements. Thus, in addition to our outreach to States, we are coordinating closely with the EPA as it works to finalize its 40 CFR part 60 subpart OOOOa rulemaking.

The ongoing EPA and State regulatory activities do not, however, obviate the need for the BLM, in its role as a public land manager, to update its

requirements governing flaring, venting, and leaks to ensure that the public’s resources and assets are not wasted and are developed in a manner that provides for long term productivity and sustainability. First, the BLM has an independent legal responsibility, and a proprietary interest as a land manager, to oversee oil and gas production activities on Federal and Indian leases. The BLM has requirements in place, but as independent reviews have pointed out, the existing requirements pre-date, and thus do not account for, significant technological developments. Updating and clarifying the regulations will make them more effective, more transparent, and easier to understand and administer, and will reduce operators’ compliance burdens in some respects. The BLM must ensure that it has modern, effective requirements to govern oil and gas operations on BLM-administered leases. Second, as a practical matter, neither the EPA nor State regulations adequately address the issue of waste of gas from BLM-administered leases. The EPA regulations are directed at air pollution reduction, not waste prevention; they focus largely on new sources; and they do not address all avenues for reducing waste (for example, they do not impose flaring limits for associated gas).

Similarly, no State has established a comprehensive set of requirements addressing all three avenues for waste—flaring, venting, and leaks—and only a few States have significant requirements in even one of these areas. It is wholly within the BLM’s statutory authority to address flaring, venting, and leaks in its capacity as a land manager with a responsibility to ensure the longevity and long term productivity of public lands and resources, including gas resources. Part I.B. of this preamble, below, offers a summary of the proposed rule’s provisions, benefits, and costs, and parts V and VI of this preamble provide more detail about those provisions (part V) and impacts (part VI). Overall, the BLM estimates that the benefits of this rule would outweigh its costs by a significant margin. Under certain assumptions, for example, the rule is expected to produce net benefits ranging from \$115 million to \$188 million per year (assuming the EPA finalizes 40 CFR part 60 subpart OOOOa and calculating costs and cost savings using a 7 percent discount rate) or from \$138 million to \$232 million per year (assuming the EPA finalizes 40 CFR part 60 subpart OOOOa and calculating costs

<sup>14</sup> EPA, Oil and Natural Gas Sector: Emission Standards for New and Modified Sources, Proposed Rule, 80 FR 56593 (Sept. 18, 2015). For further information about EPA’s existing and proposed NSPS standards for this source category, see Section IV.I.3 of this preamble below.

<sup>15</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9, Sections XII, XVII, XVIII, available at [https://www.colorado.gov/pacific/sites/default/files/5-CCR-1001-9\\_0.pdf](https://www.colorado.gov/pacific/sites/default/files/5-CCR-1001-9_0.pdf).

<sup>16</sup> Wyoming, Nonattainment Area Regulations Ch. 8 (June 2015), available at <http://sos.wy.state.wy.us/Rules/RULES/9868.pdf>.

<sup>17</sup> North Dakota Industrial Commission Order 24665 Policy Guidance Version 102215, available at <https://www.dmr.nd.gov/oilgas/GuidancePolicyNorthDakotaIndustrialCommissionorder24665.pdf>.

<sup>18</sup> Pennsylvania Department of Environmental Protection, Air Quality Permit Exemptions (Aug. 10, 2013), available at <http://www.elibrary.dep.state.pa.us/dsweb/Get/Document-96215/275-2101-003.pdf>, at 8–11.

<sup>19</sup> EPA Natural Gas STAR Accomplishments, available at <http://www3.epa.gov/gasstar/accomplishments/index.html>.

<sup>20</sup> EPA Natural Gas Star Methane Challenge, Program Proposal, available at <http://www3.epa.gov/gasstar/methanechallenge/index.html>.

<sup>21</sup> Maria Galluci, *Six Major Oil & Gas Firms Agree To Cut Potent Methane Emissions Ahead Of UN Climate Change Summit*, International Business Times, Sept. 23, 2014, <http://www.ibtimes.com/six-major-oil-gas-firms-agree-cut-potent-methane-emissions-ahead-un-climate-change-summit-1693517>; <http://www.gastechnology.org/CH4/Documents/Fiji-George-CH4-presentation-Sep2014.pdf>; One Future: Our Nation’s Energy, 1, 6 (Sept. 2014), <http://www.gastechnology.org/CH4/Documents/Fiji-George-CH4-presentation-Sep2014.pdf>.

and cost savings using a 3 percent discount rate).<sup>22</sup>

### B. Summary of Proposal

The proposed rule would require operators to take various actions to reduce waste of gas, establish clear criteria for when flared gas would qualify as waste and therefore be subject to royalties, and clarify the on-site uses of gas that are exempt from royalties. The BLM has identified several key points in the oil and gas production process where waste-prevention actions would be most effective and least costly. Specifically, we propose to focus on reducing waste from the following aspects of the production process: Flaring of associated gas from development oil wells; gas leaks from equipment and facilities located at the well site, as well as from compressors located on the lease; operation of high-bleed pneumatic controllers and certain pneumatic pumps; gas emissions from vessels; downhole well maintenance and liquids unloading; and well drilling and completions. The following discussion summarizes the proposed requirements applicable to each of these aspects of the production process.

These requirements would impose annual costs and yield annual benefits, but both costs and benefits are expected to vary over time. Over the first few years, compliance activity (and associated costs and gas savings) would likely be highest. During this time, some operators would have to add or improve gas-capture capability, and some would have to replace existing equipment. After these transitional years, we expect that both compliance activities and gas savings from this rule would be significantly reduced.

#### 1. Venting and Flaring

In 2013, operators vented about 22 Bcf and flared at least 76 Bcf of natural gas from BLM-administered leases.<sup>23</sup> The 2013 flaring estimate, a 109 percent increase from 2009 levels,<sup>24</sup> represents 2.6 percent of the total production from BLM-administered leases in that year (2,901 Bcf)<sup>25</sup> and sufficient gas to supply over 1 million households.<sup>26</sup> Of this, roughly 71 Bcf came from oil wells.<sup>27</sup> Analysis of data supplied by the ONRR suggests that most of this was routine flaring of associated gas from

development oil wells (as opposed to flaring during exploration, well testing, and emergencies). Over 90 percent of this flaring occurred in North Dakota, South Dakota, and New Mexico.<sup>28</sup>

The BLM is proposing to prohibit venting of natural gas, except under certain conditions, including in emergencies, as would be defined in the regulations.<sup>29</sup> With respect to flaring, the BLM proposes to limit the rate of routine flaring of associated gas from development oil wells and retain the current exemptions from gas capture requirements and royalties for gas flared in other situations, as long as the operator has complied with the proposed requirements to minimize such losses. These exemptions include gas lost in the normal course of well drilling and well completion; well tests; emergencies, as would be defined in the regulations;<sup>30</sup> and gas flared from exploration or wildcat wells, or delineation wells (wells drilled to define the boundaries of a mineral deposit).

The primary alternative to flaring associated gas from oil wells is to capture, transport, and process that gas for sale, using the same technologies that are used for natural gas production. The capture and sale of associated gas is viable where there is sufficient gas production to offset the costs of connecting to or expanding existing pipeline infrastructure. In addition, technologies for capturing and using gas without a pipeline are becoming increasingly available. This capture infrastructure may include: Separating out NGLs or liquefying the natural gas (LNG), allowing the resulting liquids to be trucked off location; converting the gas into compressed natural gas (CNG) for use on-site or to be trucked off location; and using the gas to run micro-turbines to generate power for use on-site or for sale back to the grid.

Gas is flared under a variety of circumstances. Some circumstances, such as emergencies, can occur unplanned in the course of oil and gas production. Further, in a new field, operators and the midstream processing companies that commonly build and operate gas gathering and processing infrastructure may not have sufficient information about how much gas will be produced to invest in building gathering lines and processing plants. In other instances, however, operators may decide to focus on near-term oil production rather than investing in the gas capture and transmission

infrastructure that would be necessary to realize a profit from the associated gas.

On BLM-administered leases, two situations result in substantial flaring of associated gas. In some areas, there is capture infrastructure, but the rate of new well construction is outpacing the infrastructure capacity. This accounts for the majority of flaring on BLM-administered leases. In other areas, capture and processing infrastructure has not yet been built out.

Currently, under NTL-4A, operators must seek BLM approval to flare on a case-by-case basis, with limited exceptions. Operators must provide economic data with each request, demonstrating that requiring the gas to be captured would "lead to the premature abandonment of recoverable oil reserves and ultimately to a greater loss of equivalent energy than would be recovered" if the flaring were approved. This approach results in a substantial amount of paper-work, but does not significantly limit flaring, as BLM has commonly, although not always, approved these requests.

The BLM proposes to simplify, clarify, and strengthen its approach to reducing flaring by establishing clear parameters for when routine flaring from development wells is allowed, and by setting a limit on the rate of flaring from individual wells. As a general matter, operators would no longer have to obtain permission for flaring on a case-by-case basis, provided they stay within the proposed prescribed limit.

Specifically, we propose to limit routine flaring of associated gas from development wells to 1,800 thousand cubic feet (Mcf) per month per well, averaged across all of the producing wells on a lease. This limit is similar to requirements in Wyoming and Utah, which limit flaring to 60 Mcf/day and 1,800 Mcf/month, respectively, unless the operator obtains State approval of a higher limit.<sup>31</sup> The BLM estimates that this limit would reduce flaring by up to 74 percent, although there is substantial uncertainty regarding this estimate. The BLM proposes to retain the authority to allow higher rates of flaring in specific circumstances, where adhering to the proposed flaring limit would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease. In making this

<sup>22</sup> BLM, Economic Impact and Regulatory Threshold Analysis for 43 CFR 3178 (Royalty Free Use of Production) and 43 CFR 3179 (Venting and Flaring Requirements) (2015) (hereinafter RIA) at 7.

<sup>23</sup> RIA at 119–120.

<sup>24</sup> RIA 119.

<sup>25</sup> RIA at 111 (Appendix A–2).

<sup>26</sup> See footnote 2 (assuming 2009 usage levels).

<sup>27</sup> RIA at 33.

<sup>28</sup> RIA at 122 (Appendix A–8, Table 4).

<sup>29</sup> See proposed 43 CFR 3179.105.

<sup>30</sup> *Ibid.*

<sup>31</sup> Wyoming Operational Rules, Drilling Rules Section Ch. 3, Section 39(b), available at <http://sos.wy.state.wy.us/Rules/RULES/9584.pdf> (60 Mcf/day); Utah R649–3–20, Gas Flaring or Venting Section 1.1, available at (<http://www.rules.utah.gov/publicat/code/r649/r649-003.htm#T20>) (1,800 Mcf/mo.).

determination, the BLM would consider the costs of capture, and the costs and revenues of all oil and gas production on the lease. Further, the BLM proposes to create a 2-year renewable exemption from the flaring limit, available only for certain existing leases that are located a significant distance from gas processing facilities and flaring at a rate well above the proposed flaring limit. Holders of these leases have, until now, had no prior notice of the proposed flaring limit. Given the significant distance from these leases to the nearest gas capture facilities, and the leases' high rates of gas flaring, operators at these sites might have few options to meet the proposed flaring limit other than shutting in the wells. The BLM anticipates the number of leases eligible for this 2-year exemption would decline over time, as production of oil and associated gas from existing leases naturally declines.

The BLM proposes to phase in the flaring limit over the first 2 years after the rule becomes effective, in recognition of the fact that some wells are flaring at rates considerably higher than 1,800 Mcf/month, not all wells will be able to use on-site capture technologies, and connecting to gas pipeline infrastructure may take some time. We propose that in the first year after the effective date of the rule, the flaring limit per well, averaged across all of the producing wells on a lease, would be 7,200 Mcf/month. In the second year, it would be 3,600 Mcf/month. The 1,800 Mcf/month limit would apply beginning in the third year of the rule.

The BLM is also proposing that prior to drilling a new development oil well, an operator would have to evaluate the opportunities and prepare a plan to minimize waste of associated gas from that well, and the operator would need to submit this plan along with the Application for Permit to Drill or Reenter (APD). The BLM proposes to require submission of a plan with specific content, to ensure that operators have carefully considered and planned for gas capture prior to drilling.

In addition to these requirements to reduce flaring, the BLM proposes to update existing royalty provisions by more specifically defining when a loss of gas would be considered "unavoidable" and royalty-free, and when it would be considered "avoidable" and subject to royalties. A loss of gas would be deemed unavoidable when an operator has complied with all applicable requirements and taken prudent and reasonable steps to avoid waste, and the gas is lost from any of the following

specified operations or sources, subject to limits specified in the proposed regulations: Emergencies; well drilling, well completion and related operations; initial production tests and subsequent well tests; exploratory coalbed methane well dewatering; leaks; venting from pneumatic devices in the normal course of operation; evaporation from storage vessels; and downhole well maintenance and liquids unloading. A loss of gas would also be deemed unavoidable when gas is flared (or, in limited circumstances, vented) from a well that is not connected to gas capture infrastructure, provided the BLM has not otherwise determined that the loss of gas is avoidable, pursuant to the provisions of the 1,800 Mcf/month limit in § 3179.6. All losses of gas not specifically found to be unavoidable would be considered avoidable and subject to royalties. Thus, royalties would apply to associated gas flared from a development well that is already connected to capture infrastructure. Under these circumstances, operators have made an economic choice to flare, and that flaring should not be considered an unavoidable consequence of oil production.

Currently, there is a backlog of requests for approval to flare royalty-free pending with the BLM. By establishing clear categories for avoidable and unavoidable losses, and thus clarifying when gas may be flared without payment of royalties, the BLM aims to reduce the number of applications for approval to flare royalty-free and thereby reduce the burden on both operators and the BLM. The BLM could then use these administrative resources to process applications for permit to drill and right-of-way applications, and to conduct inspections, among other activities.

The costs and benefits of the flaring provisions are as follows. First, the rule proposes to require the metering of flared volumes when gas flaring meets or exceeds 50 Mcf/day for a flare stack or manifold. We estimate compliance costs ranging from \$1.0–1.8 million per year when the capital costs of equipment are annualized with a 7 percent discount rate, or \$0.9–1.6 million per year when the capital costs of equipment are annualized with a 3 percent discount rate.<sup>32</sup>

<sup>32</sup> RIA at 69.

For purposes of this analysis, we present costs and benefits using discount rates of 7% and 3% to annualize the costs of capital investments. OMB Circular A-94 (Revised) "Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs," [https://www.whitehouse.gov/omb/circulars\\_a094/](https://www.whitehouse.gov/omb/circulars_a094/), directs agencies to conduct

We estimate that the proposed flaring limits, including the 3-year phase-in period would affect an estimated 435–885 leases in any given year. These requirements could pose total costs of about \$32–68 million per year (7 percent discount rate) or \$26–43 million per year (3 percent discount rate). Because these requirements would drive additional capture of gas, the flaring limits are also projected to pose total cost savings (from the value of the captured gas) of about \$40–58 million per year (7 percent discount rate) or \$40–64 million per year (3 percent discount rate). We also estimate that they would increase natural gas production by 2.5–5.0 Bcf per year, and increase NGL production by 36–51 million gallons per year. The net benefits of these requirements are estimated to range from negative \$10 to positive \$8 million per year (7 percent discount rate) or \$13–30 million per year (3 percent discount rate).<sup>33</sup>

## 2. Leaks

One significant source of the 22 Bcf of gas vented from Federal and Indian leases in 2013 is leakage. The BLM estimates that up to 4.35 Bcf of natural gas was lost in 2013 as a result of leaks or other fugitive emissions at operations on BLM-administered leases.<sup>34</sup> Multiple studies have found that once leaks are detected, the vast majority can be repaired with a positive return to the operator. In addition, both Colorado and Wyoming (for part of the State) have recently adopted LDAR requirements for oil and gas production,<sup>35</sup> and EPA has adopted and proposed additional LDAR requirements for certain new and modified oil and gas production sources.<sup>36</sup>

The BLM believes that LDAR programs are a cost-effective means of

baseline analyses using a discount rate of 7%, which "approximates the marginal pretax rate of return on an average investment in the private sector in recent years." It also recommends that agencies show sensitivity of the discounted net present value and other outcomes using additional discount rates. The BLM chose to use a second discount rate of 3%, because the literature suggests that there is a divergence between private discount rates (considered by firms or industry) and social discount rates (considered by society), with private rates exceeding social rates. Further, it is common for regulatory impact analyses to analyze outcomes using a 3% discount rate, particularly for the environmental benefits of proposed regulations.

<sup>33</sup> RIA at 60.

<sup>34</sup> RIA at 3.

<sup>35</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9, Section XVII.F; Wyoming, Nonattainment Area Regulations Ch. 8, Section 6(g) (June 2015), available at <http://sos.wy.state.wy.us/Rules/RULES/9868.pdf>.

<sup>36</sup> Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution, 60 CFR subpart OOOO; 80 CFR 56593, 56660–56698.

reducing waste in oil and gas production. We are proposing to require operators to use an instrument-based approach to leak detection. Operators would be required initially to conduct semi-annual inspections at their well sites and compressor locations. If an operator finds no more than 2 leaks at a facility for two consecutive inspections, the operator may change to annual inspections at that facility. If the operator finds more than 2 leaks at a facility for two consecutive inspections, the operator must inspect for leaks quarterly. If an operator that is required to inspect for leaks quarterly finds no more than 2 leaks at a given facility in two sequential inspections, the operator could then change back to semi-annual inspections, and so forth. Once a leak is identified, the BLM proposes that the operator would be required to repair the leak as soon as practicable, but no later than 15 calendar days after discovery, absent good cause. Operators would have to verify the effectiveness of a repair within 15 calendar days of the repair, using the same method used to detect the leak. Operators would also be required to keep records documenting the dates and results of leak inspections, repairs, and follow-up inspections.

The costs and benefits of the BLM's proposed LDAR requirements depend on the rest of the regulatory landscape. Assuming that the EPA finalizes its 40 CFR part 60 subpart OOOOa rulemaking for new and modified sources,<sup>37</sup> then the BLM expects that its proposed requirements would impact up to 36,700 existing wellsites, and pose total costs of about \$69–70 million per year (using 7 percent and 3 percent discount rates). These requirements are also projected to result in cost savings of about \$12–15 million per year (7 percent discount rate) or \$15–17 million per year (3 percent discount rate), increase gas production by 3.9 Bcf per year, and reduce VOC emissions by 18,600 tons per year (tpy). We estimate they would reduce methane emissions by 67,000 tpy, producing monetized benefits of \$73 million per year in 2017–2019, \$87 million per year in 2020–2024, and \$100 million in 2025 and 2026. Thus, we estimate that these provisions would result in net benefits of \$19–21 million per year in 2017–

2019, \$31–35 million per year in 2020–2024, and \$43–48 million in 2025 and 2026.<sup>38</sup>

If, for analytical purposes we assume a baseline in which EPA does not finalize its proposed LDAR requirements, we estimate the following impacts. We project that the proposed LDAR requirements would affect up to about 37,000–38,000 wellsites per year, and pose total costs of about \$70–71 million per year (using 7 percent and 3 percent discount rates). These requirements are also projected to result in cost savings of about \$12–18 million per year (using 7 percent and 3 percent discount rates), increase gas production by 3.9–4.0 Bcf per year, and reduce VOC emissions by 19,000 tpy. We estimate these proposed requirements would also reduce methane emissions by 68,000 tpy, producing monetized benefits of \$75 million per year in 2017–2019, \$88 million per year in 2020–2024, and \$102 million in 2025 and 2026. Thus, we estimate that these proposed provisions would result in net benefits of \$19–21 million per year in 2017–2019, \$30–35 million per year in 2020–2024, and \$43–48 million in 2025 and 2026.<sup>39</sup>

These estimates represent the maximum likely impact. As noted previously, some operators currently have LDAR programs. This analysis accounts for existing State requirements in Colorado, Utah, and Wyoming, but it does not account for existing (voluntary or required) LDAR activities conducted by operators outside of those States. If we accounted for these existing activities, then the costs, emissions reductions, incremental production, and royalty estimates resulting from this proposed rule would be less than those shown.

### 3. Pneumatic Controllers and Pneumatic Pumps

Pneumatic controllers and pneumatic pumps are operated by gas pressure and emit gas as part of their normal operations. We estimate that on BLM-administered leases in 2013, about 5.4 Bcf of natural gas was lost from pneumatic controllers, and about 2.5 Bcf was lost from all pneumatic pumps.<sup>40</sup> Further, we estimate that the proposed rule would impact up to 15,600 high bleed pneumatic controllers (pneumatic controllers with bleed rates of more than 6 standard cubic feet per hour (scf/hour)) on BLM-administered leases.<sup>41</sup> A recent study by the consulting firm ICF International (ICF) identified

replacement of high-bleed pneumatic controllers with low-bleed pneumatic controllers (pneumatic controllers with bleed rates of 6 scf/hour or less) as one of the most inexpensive options for reducing methane, estimating that it would actually save industry \$2.65 per Mcf of avoided methane emissions.<sup>42</sup>

EPA generally prohibits the use of new high-bleed pneumatic controllers,<sup>43</sup> and Colorado and Wyoming (in part of the State) have required replacement of existing high-bleed pneumatic controllers with low-bleed pneumatic controllers.<sup>44</sup> The State of Wyoming has regulations that require pneumatic pumps used in the Upper Green River Basin to destroy or capture emissions or be replaced by zero-emission solar-, electric-, or air-driven pumps by January 1, 2017.<sup>45</sup>

The BLM is proposing to require operators to replace high-bleed pneumatic controllers with low-bleed or no-bleed pneumatic controllers within 1 year of the effective date of the final rule. This requirement would apply only to pneumatic controllers that are not subject to EPA regulations. The BLM also proposes exceptions to this requirement, including where the operator demonstrates, and the BLM concurs, that replacing the controller(s) would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease. In making this determination, the BLM would consider the costs of capture, and the costs and revenues of all oil and gas production on the lease.

We estimate that the proposed pneumatic controller requirements would impact up to about 15,600 existing low-bleed pneumatic devices, and pose total costs of about \$6 million per year (capital costs annualized using a 7 percent discount rate) or \$5 million per year (capital costs annualized using a 3 percent discount rate). Because the sale of recovered gas is expected to offset the engineering costs of new controllers, the BLM expects that

<sup>42</sup> ICF International, Economic Analysis of Methane Emission Reduction Opportunities in the U.S. in the Onshore Oil and Natural Gas Industries, 4–4 (Mar. 2014), available at [https://www.edf.org/sites/default/files/methane\\_cost\\_curve\\_report.pdf](https://www.edf.org/sites/default/files/methane_cost_curve_report.pdf) (ICF 2014 Study) (base case assumed \$4/Mcf price for recovered gas and a 10 percent discount rate/cost of capital).

<sup>43</sup> 40 CFR 60.5390.

<sup>44</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9, Section XVIII; Wyoming, Nonattainment Area Regulations Ch. 8, Section 6(f) (June 2015), available at <http://soswy.state.wy.us/Rules/RULES/9868.pdf>.

<sup>45</sup> Wyoming, Nonattainment Area Regulations Ch. 8, Section 6(e) (June 2015), available at <http://soswy.state.wy.us/Rules/RULES/9868.pdf>.

<sup>37</sup> The RIA includes a broader discussion of the estimates of the costs and benefits of this proposed rule if the EPA does not finalize its 40 CFR part 60 subpart OOOOa rulemaking, but the preamble omits some of those estimates to simplify the discussion. EPA's proposed requirements would apply to wells that are new, "modified," or "reconstructed" after September 18, 2015. See 40 CFR 60.14 and 60.15 for EPA's definitions of "modification" and "reconstruction."

<sup>38</sup> RIA at 109.

<sup>39</sup> RIA at 108–109.

<sup>40</sup> RIA at 3.

<sup>41</sup> RIA at 78.

compliance with the pneumatic controller requirements would increase gas production by 2.9 Bcf per year, result in cost savings to the industry of about \$9–11 million per year (using a 7 percent discount rate) or \$11–12 million per year (using a 3 percent discount rate). On net, we project that the industry would save \$3–5 million per year (using a 7 percent discount rate) or \$6–7 million per year (using a 3 percent discount rate) under these requirements. These requirements are also projected to reduce methane emissions by 43,000 tpy, producing monetized benefits of \$48 million per year in 2017–2019, \$56 million per year in 2020–2024, and \$65 million in 2025 and 2026. The resulting net benefits of \$53–68 million per year (using a 7 percent discount rate for costs and cost savings) or net benefits of \$54–73 million per year (using a 3 percent discount rate for costs and cost savings), along with a reduction in VOC emissions of about 200,000 tpy.<sup>46</sup>

For pneumatic pumps, the BLM is proposing to require the operator to either: (1) Replace a pneumatic chemical injection or diaphragm pump with a zero-emissions pump; or (2) Route the pneumatic chemical injection or diaphragm pump to a flare. This requirement would apply only to pneumatic pumps that are not subject to EPA regulations. In addition, an operator would be exempt from this requirement if it demonstrates, and the BLM concurs, that: (1) There is no flare already available on-site or routing to a flare device is technically infeasible; and (2) A zero-emission pneumatic pump is not a viable alternative to perform the required function. An operator would also be exempt if the operator demonstrates and the BLM concurs that replacing the pneumatic pump(s) would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease. In making this determination, the BLM would consider the costs of capture, and the costs and revenues of all oil and gas production on the lease.

If the EPA finalizes its concurrent 40 CFR part 60 subpart OOOOa rulemaking, the BLM estimates that these requirements would impact up to 8,775 existing pumps, posing total costs of about \$2.5 million per year. They would also increase gas production by 0.46 Bcf per year and result in cost savings of about result in cost savings of \$1.5–1.9 million per year (7 percent discount rate) or \$1.75–2.15 million per year (3 percent discount rate). In addition, they are projected to reduce

methane emissions by about 16,000 tpy, producing monetized benefits of \$18 million per year in 2017–2019, \$21 million per year in 2020–2024, and \$24 million in 2025 and 2026. This would result in net benefits of \$17 million per year in 2017–2019, \$20 million per year in 2020–2024, and \$23 million in 2025 and 2026, as well as reducing VOC emissions by about 4,000 tpy.<sup>47</sup>

Assuming, for purposes of analysis, that EPA does not finalize the 40 CFR part 60 subpart OOOOa rulemaking, the BLM estimates that the pneumatic pump requirements would affect up to about 8,775 existing pumps and about 75 new pumps per year, posing total costs of about \$2.5–2.7 million per year (using 7 percent and 3 percent discount rates). They would also increase gas production by 0.5 Bcf per year and result in cost savings of about \$1.5–2.2 million per year (using 7 percent and 3 percent discount rates). In addition, they are projected to reduce methane emissions by about 16,000–17,000 tpy, producing monetized benefits of \$18 million per year in 2017–2019, \$22 million per year in 2020–2024, and \$26 million in 2025 and 2026. This would result in net benefits of \$17 million per year in 2017–2019, \$21–22 million per year in 2020–2024, and \$25 million in 2025 and 2026, as well as reducing VOC emissions by about 4,000 tpy.<sup>48</sup>

#### 4. Storage Vessels

Vapors released from storage vessels are a lost source of energy and revenue, present safety concerns, and contribute to local air pollution and climate change. We estimate that 2.77 Bcf of natural gas was lost in 2013 from storage tank venting on Federal and Indian lands.<sup>49</sup> Of that volume, we estimate that 1.82 Bcf was lost from storage vessels used in natural gas production and 0.95 Bcf of gas was lost from storage vessels used in oil production.<sup>50</sup>

Tank vapors can be controlled by routing them to a flare or combustor, or by installing a vapor recovery unit (VRU). New and modified vessels used in oil and gas production are already subject to EPA emissions limits, which require that individual storage vessels with VOC emissions equal to or greater than 6 tpy achieve at least a 95 percent reduction in VOC emissions from baseline levels. Colorado and part of Wyoming have similar, somewhat more

stringent, requirements for storage vessels.<sup>51</sup>

The BLM proposes to address gas losses from existing storage vessels, which are not covered by the EPA standards. The BLM believes that reducing venting from existing storage vessels, which have higher rates of venting, is a reasonably cost-effective means of reducing gas losses. Rather than establishing new and separate standards for venting from existing vessels, we have been informed by operators that it would be easier to comply if we simply require existing vessels on BLM-administered leases to meet standards that are the same as the EPA standards that already apply to new and modified vessels on those leases. Additionally, there does not appear to be a uniform conversion factor that we could use to translate the VOC standards established by EPA, Colorado, and Wyoming to a whole gas standard. Depending on the content of a vessel, the same quantity of gas released from the vessel may contain different quantities of VOCs. Thus, even though the BLM is concerned about loss of *all* hydrocarbons from vessels, not just loss of VOCs, we propose to use VOCs as a proxy for whole gas, and thus to apply the control requirement to existing vessels with at least 6 tpy of VOCs, using the same applicability threshold as EPA and Colorado.<sup>52</sup> (Wyoming also uses VOC emissions to determine applicability, but has a lower threshold.<sup>53</sup>)

The BLM proposes to require that operators route VOC emissions from existing storage vessels subject to these requirements to combustion devices, continuous flares, or sales lines within 6 months after the effective date of the rule. The BLM would grant an exception to this requirement if the operator submits an economic analysis demonstrating—and the BLM agrees—that compliance would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease. In making this determination, the BLM would consider the costs of capture, and the costs and revenues of all oil and gas production on the lease. Consistent with the EPA requirements for new vessels,

<sup>51</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9, Sections XII.D–F; XVII.C; Wyoming, Nonattainment Area Regulations Ch. 8, Section 6(c) (June 2015), available at <http://soswy.state.wy.us/Rules/RULES/9868.pdf>.

<sup>52</sup> 40 CFR 60.5395; Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9, Section XVII.C.

<sup>53</sup> Wyoming, Nonattainment Area Regulations Ch. 8, Section 6(c)(i)(a) (June 2015), available at <http://soswy.state.wy.us/Rules/RULES/9868.pdf>.

<sup>47</sup> RIA at 82.

<sup>48</sup> RIA at 81.

<sup>49</sup> RIA at 3.

<sup>50</sup> RIA at 19.

<sup>46</sup> Regulatory Impact Analysis (RIA) at 78.

these requirements would no longer apply if the uncontrolled VOC emissions fall below 4 tpy for 12 months.

The BLM estimates that the proposed requirements would affect about 300 existing storage vessels on BLM-administered leases, and pose total costs of about \$6 million per year (using 7 percent and 3 percent discount rates).<sup>54</sup> We project that these requirements would increase gas production by 0.04 Bcf per year, resulting in cost savings of about \$0.1–0.2 million per year (using 7 percent and 3 percent discount rates). They would also reduce methane emissions by 7,000 tpy, producing monetized benefits of \$8 million per year in 2017–2019, \$9 million per year in 2020–2024, and \$11 million in 2025 and 2026. Overall, we estimate that these provisions would result in net benefits of \$2 million per year in 2017–2019, \$3–4 million per year in 2020–2024, and \$5 million in 2025 and 2026, and reduce VOC emissions by 32,500 tpy.

##### 5. Well Maintenance and Liquids Unloading

Over time, as pressure in a natural gas well drops, liquids often start accumulating at the bottom of the well, impeding gas production. Operators often remove or “unload” the liquids, but depending on the method, this process can release substantial quantities of natural gas into the environment. In particular, operators may allow the bottom-hole pressure to increase and then vent or “blow down” or “purge” the well. We estimate that 3.26 Bcf of natural gas was lost in 2013 during liquids unloading operations on Federal and Indian lands.<sup>55</sup>

There are a wide variety of methods for liquids unloading, and technological developments, such as automated plunger lifts, now allow liquids to be unloaded with minimal loss of gas. The BLM believes that it is reasonable to expect operators to use these available technologies to minimize gas losses, and we believe that failure to minimize losses of gas from liquids unloading now constitutes waste.

For wells drilled after the effective date of the rule, the BLM is proposing to prohibit unloading liquids by simply purging the well (except in specified circumstances). The BLM believes that it is less costly to avoid purging altogether at new wells than at existing wells. In addition, the BLM is proposing to require specified best management practices to minimize venting from

liquids unloading at both new and existing wells. Specifically, the operator would be required to be on-site during well purging events, unless the well has an automatic control system, and the operator would also be required to document liquids unloading events. This would allow the BLM to verify compliance, and it would provide additional information on the amounts of gas lost through these activities on Federal and Indian lands.

We estimate that the proposed liquids unloading requirements would affect up to about 1,550 existing wells and about 25 new wells per year, posing total costs of about \$6 million per year (capital costs annualized using a 7 percent discount rate) or \$5–6 million per year (capital costs annualized using a 3 percent discount rate). We project that they would increase gas production by roughly 2 Bcf per year, resulting in cost savings of about \$7–8 million per year (using a 7 percent discount rate) or \$7–10 million per year (using a 3 percent discount rate). In addition, these requirements are projected to reduce methane emissions by 30,000 to 34,000 tpy, producing monetized benefits of \$33–34 million per year in 2017–2019, \$41–43 million per year in 2020–2024, and \$50–51 million in 2025 and 2026. Overall, we estimate that these provisions would produce net benefits of \$35–52 million per year (using a 7 percent discount rate for costs and cost savings) or \$35–55 million per year (using a 3 percent discount rate for costs and cost savings), and reduce VOC emissions by about 136,000 to 156,000 tpy.<sup>56</sup>

##### 6. Reduction of Waste From Drilling, Completion, and Related Operations

Substantial quantities of gas can be lost during drilling, completion, and refracturing (sometimes referred to by the broader term “workover”) operations, and we estimate that in 2013, 2.1 Bcf of natural gas was lost during these operations on BLM-administered leases.<sup>57</sup> Of this, we estimate that completion emissions from hydraulically fractured (and refractured) oil wells accounted for 1.4 Bcf of the loss, emissions from hydraulically fractured gas wells accounted for about 0.7 Bcf of the loss, and all other completions accounted for a de minimis amount.<sup>58</sup>

The EPA currently requires new hydraulically fractured and refractured gas wells to capture or flare gas that otherwise would be released during

drilling and completion operations, and EPA has announced that it plans to extend these requirements to new hydraulically fractured and refractured oil wells. Nonetheless, the BLM believes that it is appropriate for the BLM to adopt its own requirements to minimize the waste of gas during well drilling and well completion and post-completion operations at hydraulically fractured or refractured wells and wells that are not fractured. The BLM has an independent statutory obligation to minimize waste of oil and gas resources on BLM-administered leases. As proposed, the BLM waste requirements for well drilling and completions would extend to both conventional and hydraulically fractured wells, and therefore would apply to a broader set of wells than the EPA regulations propose to cover. Also, the BLM anticipates that to the extent both sets of requirements applied, the BLM believes that an operator would satisfy both sets of requirements by either capturing or flaring the gas that would otherwise be released. Thus, the BLM is also proposing to allow an operator to demonstrate that it is in compliance with EPA requirements for control of gas from well completions in lieu of compliance with the BLM requirements. The BLM is coordinating closely with the EPA on the agencies’ proposals, and the BLM expects to ensure that our final requirements would not impose additional burdens on an operator that complies with any EPA requirements on new well completions.

The proposed rule would require operators to: Flare gas generated during drilling operations, capture and sell that gas, use it in operations on the lease, or inject it into the well. We estimate that the rule would apply to about 3,000 wells per year. Based on our experience in the field, however, the BLM believes that operators are already controlling gas from drilling operations as a matter of safety and operating practice. Thus, we do not estimate costs associated with this requirement. Similarly, based on our professional experience in the field, we believe that operators are already controlling gas from workover operations on conventional wells as a matter of safety and operating practice, and there should be no compliance costs for this requirement.

The proposed rule would also require operators to reduce the emissions associated with well completions by capturing and selling associated gas, flaring it, using it in operations on the lease, or injecting it. This proposal would only impact well completions and workovers/refractures on conventional oil and gas wells and

<sup>54</sup> RIA at 95.

<sup>55</sup> RIA at 3.

<sup>56</sup> RIA at 87.

<sup>57</sup> RIA at 3.

<sup>58</sup> RIA at 18 (Table 6).

hydraulically fractured oil wells, as EPA already covers hydraulically fractured gas wells.

If the EPA finalizes its 40 CFR part 60 subpart OOOOa rulemaking, as we expect, then as a practical matter, this rule's completion requirements will only impact conventional well completions, because the EPA will regulate completions of new and modified hydraulically fractured oil and gas wells. We estimate that the BLM rule would impact between 115–150 completions per year and pose costs to the industry of less than \$430,000 per year. There would be only *de minimis* anticipated incremental production, incremental royalty, and emissions reductions.<sup>59</sup>

If, for purposes of analysis, we assume that EPA does not finalize its 40 CFR part 60 subpart OOOOa rulemaking, the BLM estimates that these provisions would affect about 1,250 to 1,575 completions per year and pose total costs of about \$8–12 million per year (using a 7 percent discount rate) or \$12 million per year (using a 3 percent discount rate). We further estimate that these provisions would increase gas production by 0.5 to 0.6 Bcf per year, resulting in cost savings of about \$2–3 million per year (using 7 percent and 3 percent discount rates). This would also reduce methane emissions by 11,500 to 14,500 tpy, producing monetized benefits of \$13 million per year in 2017–2019, \$16–18 million per year in 2020–2024, and \$21–22 million in 2025 and 2026. Overall, under this scenario, these provisions are estimated to produce net benefits of \$3–15 million per year (considering the present value of costs and cost savings using a 7 percent discount rate) or net benefits of \$3–13 million per year (considering the present value of costs and cost savings using a 3 percent discount rate), and reduce VOC emissions by 9,600 to 12,200 tpy.<sup>60</sup>

## 7. Royalty Provisions Governing New Competitive Leases

Finally, the BLM proposes to revise the regulations at 43 CFR 3103.3–1, which govern royalty rates applicable to onshore oil and gas leases, to make the rule text parallel to the statutory text, respond to findings and recommendations in audits from the GAO, and eliminate unnecessary provisions in the existing regulations.

The proposed revisions would do three principal things: (1) Make clear that the royalty rate on all existing leases would remain at the rate

prescribed in the lease or in regulations applicable at the time of lease issuance; (2) Specify the fixed, statutory rate of 12.5 percent<sup>61</sup> for all noncompetitive leases issued after the effective date of the rule; and (3) Make the rule text parallel to the corresponding MLA text for competitive leases issued after the effective date of the rule.<sup>62</sup> The MLA text provides the BLM the flexibility to set royalty rates for these competitive leases at *or above* 12.5 percent. By contrast, the BLM's existing royalty regulation sets a flat rate of 12.5 percent for all new competitive leases.<sup>63</sup> Although the BLM does not currently propose to raise royalty rates, the proposed rule would allow the BLM to set a royalty rate for oil and gas produced from competitive oil and gas leases issued after the effective date of this rule of “not less than” 12.5 percent. The BLM is not proposing any further changes to the royalty provisions governing new competitive oil and gas wells,<sup>64</sup> but we are requesting comment on the use of a fluctuating royalty rate to incentivize reductions in flaring from new competitive leases. Further information about this possible approach is provided below in Section V.C. of this preamble.

## C. Summary of Costs and Benefits

### 1. Costs

Overall, assuming that the EPA finalizes its concurrent 40 CFR part 60 subpart OOOOa rulemaking, the BLM estimates that this proposed rule will pose costs ranging from \$125–161 million per year (using a 7 percent discount rate) or \$117–\$134 million per year (using a 3 percent discount rate) over the next 10 years.<sup>65</sup> These costs would include engineering compliance costs and the social cost of minor additions of carbon dioxide to the atmosphere, resulting from the on-site or downstream use of gas that is newly captured as a result of this proposed rule.<sup>66</sup> The engineering compliance

<sup>61</sup> 30 U.S.C. 226(c)(1).

<sup>62</sup> 30 U.S.C. 226(b)(1)(A).

<sup>63</sup> 43 CFR 3103.3–1(a)(1).

<sup>64</sup> Note that the proposed rule would renumber current 43 CFR 3103.3–1 (a)(2) and (3) but would not otherwise change the content of those provisions. Further, the proposed rule would not alter 43 CFR 3103.3–1(b), (c), or (d). Those five provisions are reprinted in this proposed rule solely to clarify the proposed numbering of the revised § 3103.3–1, and for ease of reference. The BLM does not intend to revise those provisions, nor to invite comment on their content.

<sup>65</sup> RIA at 127.

<sup>66</sup> Some gas that would have otherwise been vented would now be combusted on-site or presumably downstream to generate electricity. As described in the RIA, the estimated value of these carbon additions would not exceed \$30,000 in any given year.

costs presented do not include potential cost savings from the recovery and sale of natural gas (those savings are shown in the summary of benefits).

If, for analytical purposes, we assume that EPA does not finalize its concurrent 40 CFR part 60 subpart OOOOa rulemaking, these requirements would affect more sources and the costs would be somewhat higher. Under that scenario, the BLM estimates that this rule will pose costs ranging from \$139–174 million per year (using a 7 percent discount rate) or \$131–147 million per year (using a 3 percent discount rate) over the next 10 years.<sup>67</sup>

In some areas, operators have already undertaken, or plan to undertake, voluntary actions to address gas losses. To the extent that operators are already in compliance with the requirements of this proposed rule, the above estimates overstate the likely impacts of the rule.

We expect that cost impacts on individual operators would be small, even for businesses with less than 500 employees. In the RIA, we estimate that average costs for a representative small operator would increase by about \$31,300–37,500, which would result in an average reduction in profit margin of 0.087–0.104 percentage points in 2020.<sup>68</sup>

### 2. Benefits

We measure the benefits of the rule as the cost savings that the industry would receive from the recovery and sale of natural gas and the environmental benefits of reducing the amount of methane (a potent GHG) and other air pollutants released into the atmosphere. As with the estimated costs, we expect benefits on an annual basis. The estimated benefits of the rule also depend on whether the EPA finalizes its 40 CFR part 60 subpart OOOOa rulemaking. Assuming that rule is in effect, the BLM estimates that this rule would result in monetized benefits of \$255–329 million per year (using a 7 percent discount rate to calculate the present value of future annual cost savings, and using model averages of the social cost of methane with a 3 percent discount rate) or \$255–357 million per year (using a 3 percent discount rate to calculate the present value of future annual cost savings, and using model averages of the social cost of methane with a 3 percent discount rate).<sup>69</sup> We estimate that the proposed rule would reduce methane emissions by 164,000–

<sup>67</sup> RIA at 127.

<sup>68</sup> RIA at 159. These estimates rely on 2014 company data, use a 7% discount rate, and assume the finalization of EPA's 40 CFR part 60 subpart OOOOa rulemaking.

<sup>69</sup> RIA at 130.

<sup>59</sup> RIA at 74.

<sup>60</sup> RIA at 74.

169,000 tpy, which we estimate to be worth \$180–253 million per year (this social benefit is included in the monetized benefit above). We estimate that the proposed rule would reduce VOC emissions by 391,000–411,000 tpy (this benefit is not monetized in our calculations).<sup>70</sup>

If, for purposes of analysis, we assume that EPA does not finalize its 40 CFR part 60 subpart OOOOa rulemaking, we estimate that this proposed rule would result in monetized benefits of \$270–354 million per year (using a 7 percent discount rate to calculate the present value of future annual cost savings and using model averages of the social cost of methane with a 3 percent discount rate) or \$270–384 million per year (using a 3 percent discount rate to calculate the present value of future annual cost savings and using model averages of the social cost of methane with a 3 percent discount rate).<sup>71</sup> We estimate that the proposed rule would reduce methane emissions by 176,000–185,000 tpy, which we estimate to be worth \$193–277 million per year (this social benefit is included in the monetized benefit above). We estimate that the proposed rule would reduce VOC emissions by 400,000–423,000 tpy (this benefit is not monetized in our calculations).<sup>72</sup>

Adoption of the proposed rule would also have numerous ancillary benefits. These include improved quality of life for nearby residents, who note that flares are noisy and unsightly at night; reduced release of VOCs, including benzene and other hazardous air pollutants; and reduced production of nitrogen oxides (NO<sub>x</sub>) and particulate matter, which can cause respiratory and heart problems.

### 3. Net Benefits

Overall, the BLM estimates that the benefits of this rule outweigh its costs by a significant margin. The BLM expects net benefits ranging from \$115–188 million per year (using a 7 percent discount rate) or \$138–232 million per year (using a 3 percent discount rate). Specifically, assuming a 7 percent discount rate, we estimate the following annual net benefits:

- \$115–130 million per year from 2017–2019;
- \$155–156 million per year from 2020–2024; and
- \$187–188 million per year from 2025–2026.

Assuming a 3 percent discount rate, we estimate the annual net benefits would be:

- \$138–151 million per year from 2017–2019;
- \$192–196 million per year from 2020–2024; and
- \$231–232 million per year from 2025–2026.<sup>73</sup>

If, for purposes of analysis, we assume that the EPA does not finalize the 40 CFR part 60 subpart OOOOa rulemaking, we estimate the net benefits of this proposed rule would be somewhat higher, ranging from \$119–203 million per year (costs and costs savings calculated using a 7 percent discount rate) or \$139–245 million per year (costs and costs savings calculated using a 3 percent discount rate).

### 4. Influence on Production

The proposed rule has a number of requirements that are expected to influence the production of natural gas, NGLs, and crude oil from onshore Federal and Indian oil and gas leases.

If 40 CFR part 60 subpart OOOOa is finalized, we estimate the following incremental changes in production, noting the representative share of the total U.S. production in 2014 for context. We estimate additional natural gas production, ranging from 11.7–14.5 Bcf per year (representing 0.04–0.05 percent of the total U.S. production in 2014), the productive use of an additional 29–41 Bcf of natural gas, which we estimate would be used to generate 36–51 million gallons of NGL per year (representing 0.08–0.11 percent of the total U.S. production), and a reduction in crude oil production ranging from 0.6–3.2 million bbl per year (representing 0.02–0.10 percent of the total U.S. production). We also expect 0.5 Bcf of gas to be combusted on-site that would have otherwise been vented. Combined, the capture or combustion of gas represents 44–46 percent of the volume vented in 2013 and the capture and/or productive use of the gas 41–60 percent of the volume flared in 2013.<sup>74</sup>

If 40 CFR part 60 subpart OOOOa is not finalized, we estimate additional natural gas production ranging from 12–15 Bcf per year (representing 0.04–0.06 percent of the total U.S. production), the productive use of an additional 29–41 Bcf of natural gas, which we estimate would be used to generate 36–51 million gallons of NGL per year (representing 0.08–0.11 percent of the total U.S. production), and a reduction in crude oil production ranging from

0.6–3.2 million bbl per year (representing 0.02–0.10 percent of the total U.S. production). Separate from the volumes listed above, we also expect 1 Bcf of gas to be combusted on-site that would have otherwise been vented. Combined, the capture or combustion of gas represents 49–52 percent of the volume vented in 2013 and the capture and/or productive use of gas represents 41–60 percent of the volume flared in 2013.<sup>75</sup>

Since the relative changes in production are expected to be small, we do not expect that the proposed rule would significantly impact the price, supply, or distribution of energy.

### 5. Royalties

Assuming the EPA 40 CFR part 60 subpart OOOOa rulemaking is finalized, we estimate that this proposed rule would produce additional royalties of \$9–11 million per year (discounted at 7 percent) or \$10–16 million per year (discounted at 3 percent).<sup>76</sup> If, for purposes of analysis, we assume that the EPA does not finalize the 40 CFR part 60 subpart OOOOa rulemaking, we estimate that this proposed rule would result in annual incremental royalties of \$9–11 million per year (discounted at 7 percent) or \$11–17 million per year (discounted at 3 percent).

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<sup>70</sup> RIA at 133–135.

<sup>71</sup> RIA at 130.

<sup>72</sup> RIA at 133–135.

<sup>73</sup> RIA at 7.

<sup>74</sup> RIA at 140.

<sup>75</sup> RIA at 140.

<sup>76</sup> RIA at 143.

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### III. Public Comment Procedures

If you wish to comment on the proposed rule, you may submit your comments by any one of several methods specified (see **ADDRESSES**). If you wish to comment on the information collection requirements, you should send those comments directly to the OMB as outlined (see **ADDRESSES**); however, we ask that you also provide a copy of those comments to the BLM.

Please make your comments as specific as possible by confining them to issues for which comments are sought in this notice, and explain the basis for your comments. The comments and recommendations that will be most useful and likely to influence agency decisions are:

1. Those that are supported by quantitative information or studies; and
2. Those that include citations to, and analyses of, the applicable laws and regulations.

The BLM is not obligated to consider or include in the Administrative Record for the rule comments received after the close of the comment period (see **DATES**) or comments delivered to an address other than those listed (see **ADDRESSES**).

Comments, including names and street addresses of respondents, will be available for public review at the address listed under **ADDRESSES** during regular hours (7:45 a.m. to 4:15 p.m.), Monday through Friday, except holidays. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

### IV. Background

#### A. Overview

The BLM's onshore oil and gas management program is a major contributor to our nation's oil and gas production. The BLM manages more than 245 million acres of land and 700

million acres of subsurface estate, comprising nearly a third of the nation's mineral estate. Domestic production from over 100,000 Federal onshore oil and gas wells accounts for 11 percent of the Nation's natural gas supply and 5 percent of its oil. In FY 2014, the ONRR reported that operators produced 204.6 MMbbl of oil, 2 Tcf of natural gas, and 3.1 billion gallons of NGLs from onshore Federal and Indian oil and gas leases. The production value of this oil and gas exceeded \$27.2 billion and generated approximately \$3.1 billion in royalties.<sup>77</sup>

Over the past decade, the United States has experienced a dramatic increase in natural gas and oil production due to technological advances, such as hydraulic fracturing combined with directional drilling. This boost in production has brought many benefits in the form of expanded and more secure domestic supplies, lower prices, increased economic activity, and greater royalty revenues for Federal, State, and tribal governments.

At the same time, the American public has not benefited from the full potential of this increased production, as it has been accompanied by significant and growing quantities of wasted natural gas. Between 2009 and 2014, operators on BLM-administered leases wasted enough natural gas to serve 5.1 million homes for 1 year, according to data reported to ONRR.<sup>78</sup>

A sizeable quantity of natural gas is flared or vented in the course of exploration, development, and production activities. Commonly used well pad production equipment, such as pneumatic controllers, are designed to function by venting natural gas. Leaks and other unintentional releases across oil and gas operations account for additional waste. As discussed in the RIA, we estimate that in 2013, about 98 Bcf of natural gas was vented, flared, or leaked from oil and gas production on BLM-administered leases.<sup>79</sup> This represents about 3.4 percent of the total production from BLM-administered leases in that year (2,901 Bcf).<sup>80</sup>

This proposed rule aims to reduce wasteful venting, flaring, and leaks of natural gas from oil and natural gas production activities on onshore Federal and Indian leases. The rule would update the BLM's existing requirements

<sup>77</sup> ONRR, Statistical Information, <http://statistics.onrr.gov/ReportTool.aspx> using Sales Year—FY2014—Federal Onshore—All States Sales Value and Revenue for Oil, NGL, and Gas products as of December 2, 2015.

<sup>78</sup> Based on an estimate of 74 Mcf of gas used per household per year. See footnote 2.

<sup>79</sup> RIA at 3.

<sup>80</sup> RIA at 111 (Appendix A–2).

related to venting, flaring, and royalty-free use of natural gas, which are over 3 decades old. The BLM proposes to clarify the circumstances under which operators may flare, or in very limited circumstances vent, natural gas produced in the course of exploration, development, and production activities, and we propose to expand the circumstances under which flared or vented natural gas would be subject to royalties. The BLM also proposes other reasonable measures to reduce wasteful venting, flaring, and leaks of natural gas from oil and gas operations on Federal and Indian leases.

The BLM expects that these regulations would benefit the public by reducing waste of a public resource, improving production accountability, increasing natural gas supplies, and increasing royalties received by Federal, State, and tribal governments. In addition, reducing venting and flaring would reduce impacts on local communities and the environment by reducing emissions of air pollutants that contribute to smog, particulate pollution, and climate change.

#### *B. Impacts of Waste and Loss of Gas*

Natural gas is a valuable resource that plays a significant role in the U.S. economy and is critical to our energy and national security. Gas that is flared, vented, or leaked into the atmosphere from production on BLM-administered leases is a lost public or tribal resource that is not available for productive use.

In addition, most of the lost gas is not currently subject to royalties, which compensate the public for the removal of publicly owned resources and help fund activities of States, localities, tribes and the Federal Government. State governments receive roughly half of the 12.5 percent royalty that the Federal Government typically collects from onshore oil and gas lessees. The BLM estimates that if captured, the gas presently lost from BLM-administered leases would provide an additional \$49 million in royalties each year to the Federal Government, States, and tribes.<sup>81</sup>

This waste of gas through flaring can affect the quality of life for nearby residents, who note that flares are noisy and unsightly at night. Venting, flaring, and leaks of gas also contribute to local, regional, and global air pollution. VOCs and hazardous air pollutants (components of the gas, such as benzene, toluene, ethylbenzene, and xylene) are released into the atmosphere when natural gas is released through venting, flaring, or incomplete

combustion at a flare. VOCs combine with sunlight and NO<sub>x</sub>, which are created by burning fossil fuels, to form ground-level ozone, or smog, which causes a wide range of health effects. Benzene and other components of natural gas are also classified as hazardous air pollutants, which are known or suspected to cause cancer or reproductive effects.<sup>82</sup> Flaring of gas produces NO<sub>x</sub> and particulate matter, both of which can cause respiratory and heart problems.<sup>83</sup>

Venting and leaks of natural gas in the oil and gas production process also contribute to climate change. Natural gas is primarily composed of methane, which is a potent GHG. Measured over a 100-year time-frame, methane results in more than 20 times more warming than CO<sub>2</sub>, on a ton-per-ton basis. Over a 20-year time-frame, methane is 86 times more potent than CO<sub>2</sub>, according to the most recent report of the Intergovernmental Panel on Climate Change.<sup>84</sup> Venting, flaring, and leaks also produce CO<sub>2</sub>. As the President's Climate Action Plan recognizes, reducing methane emissions can make an important contribution to addressing climate change.<sup>85</sup>

#### *C. Purpose of This Proposed Rule*

The purpose of this proposed rule is to establish a comprehensive framework to give operators on Federal and tribal leases clear direction to minimize waste and losses of natural gas. This proposed rule is necessary because the BLM's existing requirements on venting and flaring are more than 3 decades old, do not reflect technological advances and current scientific understanding, have failed to deter rising losses of gas, fail in some respects to provide clear guidance to BLM staff and oil and gas operators, and do not address leaks from existing and new infrastructure.

This proposed rule would implement statutory directives to avoid waste of oil and gas resources. It would supplement

the BLM's regulations contained in 43 CFR 3162.5 and 3162.7, to address prevention of waste of produced natural gas, use of produced oil and gas on a royalty-free basis, and record keeping requirements. It would also update and replace NTL-4A,<sup>86</sup> pertaining to venting and flaring, unavoidably and avoidably lost gas, and waste prevention. The proposed rule would ensure that operators use best practices that minimize waste from new and existing operations.

The BLM recognizes the importance of ensuring that our requirements do not subject operators to conflicting or redundant requirements. In 2012, the EPA adopted air pollution regulations for certain activities in the oil and gas production sector, and the EPA has recently proposed further regulations in that area, which would have the effect of reducing loss of gas. In addition, in response to growing concerns about venting, flaring, and leakage of gas, several States have adopted or are considering regulations to address these issues. The EPA regulations focus largely on new sources, however, and they are directed at pollution reduction, not waste prevention, so they do not address all opportunities to reduce waste. Similarly, none of the States has established a comprehensive set of requirements addressing all of the sources of lost gas that we are considering here, and many States have minimal requirements in this area. We are committed to working closely with State and tribal governments to ensure that the BLM requirements are coordinated with State and tribal requirements to the extent possible. The BLM requirements would not supersede equally effective or more stringent State and tribal requirements. We are also working closely with the EPA to coordinate our requirements, so that operators are not faced with conflicting or duplicative Federal mandates.

#### *D. Stakeholder Outreach*

Over several months of last year, the BLM conducted a series of forums to consult with tribal governments and solicit stakeholder views to inform the development of this proposed rule. We held public meetings in Denver, Colorado (March 19, 2014), Albuquerque, New Mexico (May 7,

<sup>82</sup> The EPA has classified benzene as a known human carcinogen and reproductive effects have been reported at high exposures and observed in animal studies. U.S. EPA, *Benzene Hazard Summary* (online at: <http://www3.epa.gov/airtoxics/hlthef/benzene.html>).

<sup>83</sup> U.S. EPA, *Nitrogen Dioxide; Health* (online at: <http://www3.epa.gov/airquality/nitrogenoxides/health.html>); U.S. EPA, *Particulate Matter; Health* (online at: <http://www3.epa.gov/pm/health.html>).

<sup>84</sup> See Intergovernmental Panel on Climate Change, *Climate Change 2013: The Physical Science Basis*, Chapter 8, *Anthropogenic and Natural Radiative Forcing*, at 714 (Table 8.7), available at [https://www.ipcc.ch/pdf/assessment-report/ar5/wg1/WG1AR5\\_Chapter08\\_FINAL.pdf](https://www.ipcc.ch/pdf/assessment-report/ar5/wg1/WG1AR5_Chapter08_FINAL.pdf).

<sup>85</sup> The President's Climate Action Plan, <https://www.whitehouse.gov/sites/default/files/image/president27climateactionplan.pdf>, at 10–11 (June 2013)

<sup>86</sup> 44 FR 76600 (1979). The U.S. Geological Survey (USGS) issued regulations on these subjects in NTL-4A. In the early 1980's, the responsibility for Federal onshore oil and gas operations was transferred from the USGS to the Minerals Management Service (MMS). In 1983, the Secretary transferred the responsibility to the BLM. NTL-4A has remained in force through the changes in agency responsibility.

<sup>81</sup> RIA at 3.

2014), Dickinson, North Dakota (May 9, 2014), and Washington, DC (May 14, 2014).<sup>87</sup> Each day, we held a tribal outreach session in the morning and a public outreach session in the afternoon. At the Denver, Colorado, and Washington, DC sessions, the tribal and public meetings were live streamed to allow for the greatest possible participation by interested parties. The tribal outreach sessions also served as initial consultation with Indian tribes to comply with Executive Order 13175, Consultation and Coordination with Indian tribal governments.

As part of our outreach efforts, the BLM accepted informal comments generated as a result of the public/tribal outreach sessions through May 30, 2014. A total of 29 unique comments were received: 12 from the oil and gas industry and trade associations, 6 from NGOs representing 37 organizations, 2 from government officials or elected representatives and 9 from private citizens. Two hundred and sixty comments from private citizens were part of an email campaign.

In addition, the BLM has conducted outreach to States with extensive oil and gas production on BLM-administered leases. We have carefully reviewed State regulations and guidance, and we have contacted State regulatory bodies that oversee aspects of oil and gas production to discuss their requirements and practices. We look forward to continued close interaction with State and tribal regulators.

The proposed rule reflects input gathered from the public meetings, comments, and discussions with States and tribes.

#### *E. Existing BLM Regulations and Requirements for Preventing Natural-Gas Waste*

Venting, flaring, and royalty-free uses of oil and natural gas on BLM-administered leases are currently governed by NTL-4A, which was issued by the U.S. Geological Survey on December 27, 1979, before the BLM assumed oversight responsibility for onshore oil and gas development and production. NTL-4A prohibits venting or flaring of gas well gas, and it prohibits venting or flaring of oil well gas unless approved in writing by the "Supervisor."<sup>88</sup> Both prohibitions are subject to specified exemptions for emergencies, certain equipment malfunctions, certain well tests, and vapors from storage vessels. With

respect to venting or flaring of oil well gas, NTL-4A IV.B states:

The Supervisor may approve an application for the venting or flaring of oil well gas if justified either by the submittal of (1) an evaluation report supported by engineering, geologic, and economic data which demonstrates to the satisfaction of the Supervisor that the expenditures necessary to market or beneficially use such gas are not economically justified and that conservation of the gas, if required, would lead to the premature abandonment of recoverable oil reserves and ultimately to a greater loss of equivalent energy than would be recovered if the venting or flaring were permitted to continue or (2) an action plan that will eliminate venting or flaring of the gas within 1 year from the date of application.<sup>89</sup>

Thus, the key criteria under this provision in NTL-4A for approving venting or flaring (and rendering it royalty-free) are: (1) That the expenditures for capture are "not economically justified," and they would "lead to the premature abandonment of recoverable oil reserves"; or (2) The venting or flaring will be eliminated within 1 year.<sup>90</sup> NTL-4A IV.C also provides that "(w)hen evaluating the feasibility of requiring conservation of the gas, the total leasehold production, including both oil and gas, as well as the economics of a field wide plan shall be considered . . . in determining whether the lease can be operated successfully if it is required that the gas be conserved."<sup>91</sup>

In addition, NTL-4A specifies the circumstances under which an operator owes royalties on oil and gas that is lost from a lease. It provides that gas which is "avoidably lost" is subject to royalties. It defines "avoidably lost" production as produced gas that is vented or flared without the "prior authorization, approval, ratification, or acceptance of the Supervisor," or lost due to: (1) Negligence; (2) Failure to comply with lease terms, the operating plan, orders or regulations; or (3) "(T)he failure of the lessee or operator to take all reasonable measures to prevent and/or to control the loss."<sup>92</sup> NTL-4A I further provides that no royalty is due for gas that is: (1) Used on the lease for "beneficial purposes"; (2) Vented or flared with the Supervisor's prior authorization or approval; (3) Vented or flared pursuant to State rules or orders, when such rules have been ratified or accepted by the Supervisor; or (4) Otherwise unavoidably lost, as determined by the Supervisor.<sup>93</sup>

NTL-4A III. authorizes royalty-free venting or flaring of gas "on a short-term basis" without the need for approval under specified circumstances, including during: (1) Emergencies; (2) Well purging and evaluation tests; and (3) Initial production tests.<sup>94</sup> Venting or flaring is authorized during emergency situations, such as equipment failures, for up to 24 hours per incident and up to 144 cumulative hours per lease per month.<sup>95</sup> NTL-4A III.B. authorizes venting or flaring "(d)uring the unloading or cleaning up of a well during drillstem, producing, routine purging, or evaluation tests, not exceeding a period of 24 hours."<sup>96</sup> In addition, NTL-4A III.C. authorizes venting or flaring during initial well evaluation tests, for up to 30 days or up to 50 million cubic feet (MMcf) of gas, whichever occurs first.<sup>97</sup> Finally, NTL-4A II.C. provides that gas vapors that are released from storage tanks or other low-pressure vessels are considered to be unavoidably lost, and not subject to royalties, unless the Supervisor determines that their recovery is warranted.<sup>98</sup>

Over the past 36 years since NTL-4A was issued, technologies and practices for oil and gas production have advanced considerably. The development of modern hydraulic fracturing and horizontal drilling techniques has been especially significant. We also now have better technologies for capturing and using gas on-site, detecting leaks, powering equipment, controlling vapors from storage vessels, removing liquids from gas wells, and many other aspects of production. Not surprisingly, NTL-4A neither reflects today's best practices and advanced technologies, nor is particularly effective in requiring their use to avoid waste. In addition, much of NTL-4A relies on broad, generalized directives. As these have been implemented in the decades since NTL-4A was issued, there has been ambiguity and variation regarding the circumstances under which venting or flaring requires prior approval, the circumstances under which venting or flaring is approved, and the circumstances under which royalties are paid on vented and flared gas. There is also some ambiguity regarding what properly constitutes royalty-free on-site use. All of these factors indicate the need to update NTL-4A.

<sup>87</sup> See the BLM oil and gas program's outreach events page: [http://www.blm.gov/wo/st/en/prog/energy/public\\_events\\_on\\_oil](http://www.blm.gov/wo/st/en/prog/energy/public_events_on_oil).

<sup>88</sup> 44 FR 76600. (Dec. 27, 1979).

<sup>89</sup> *Ibid.*

<sup>90</sup> *Ibid.*

<sup>91</sup> *Ibid.*

<sup>92</sup> 44 FR at 76600. (Dec. 27, 1979).

<sup>93</sup> *Ibid.*

<sup>94</sup> *Ibid.*

<sup>95</sup> *Ibid.*

<sup>96</sup> *Ibid.*

<sup>97</sup> *Ibid.*

<sup>98</sup> *Ibid.*

NTL-4A also includes a provision for assessing the full value of avoidably lost gas and gas that is vented or flared without required approval.<sup>99</sup> This provision was subsequently overridden, however, by the later-enacted FOGRMA.<sup>100</sup> Section 308 of FOGRMA states, “Any lessee is liable for royalty payments on oil or gas lost or wasted from a lease site when such loss or waste is due to negligence on the part of the operator of the lease, or due to the failure to comply with any rule or regulation, order or citation issued under this Act or any mineral leasing law.”<sup>101</sup>

NTL-4A’s “full value” policy has not been enforced since FOGRMA’s enactment. The proposed rule would comply with FOGRMA Section 308 and require payment of royalty, rather than full value, on all oil and gas that is avoidably lost.

#### F. Legal Authority

With this proposed rule, the BLM aims to update the NTL-4A requirements for venting, flaring, and royalty-free uses of oil and natural gas on BLM-administered leases. The BLM’s general authority to issue this proposed regulation derives from various statutes applicable to onshore Federal lands and minerals and Indian tribal and allotted lands, principally the MLA, MLAAL, FOGRMA, FLPMA, IMDA, IMLA, and the Act of March 3, 1909.<sup>102</sup>

The MLA rests on the fundamental principle that the public should benefit from mineral production on public lands.<sup>103</sup> A primary instrument for public benefit is the requirement that a lessee return a portion of the proceeds from production to the public through the payment of royalties to Federal, State, and tribal governments. For all competitively issued leases on Federal lands, the MLA requires a royalty “at a rate of not less than 12.5 percent in amount or value of the production removed or sold from the lease.”<sup>104</sup> The

BLM is responsible for setting royalty rates and determining the quantity of produced oil and gas that is subject to royalties under the terms and conditions of a Federal lease. The MLA also requires the BLM to: Ensure that lessees “use all reasonable precautions to prevent waste of oil or gas developed in the land”;<sup>105</sup> regulate “all surface-disturbing activities conducted pursuant to any lease issued under (the MLA)”;<sup>106</sup> and “determine reclamation and other actions as required in the interest of conservation of surface resources.”<sup>107</sup>

In FLPMA, Congress declared it to be the policy of the United States that the BLM should manage the public lands “in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resources, and archeological values; . . . preserve and protect certain public lands in their natural condition; . . . provide food and habitat for fish and wildlife; and . . . provide for outdoor recreation and human occupancy and use.”<sup>108</sup> In addition, the BLM is required to manage public lands under principles of multiple use and sustained yield under FLPMA, which include management of the lands without permanent impairment of the quality of the environment.<sup>109</sup> The definition of “multiple use” explicitly includes the consideration of environmental resources; “multiple use” means a “combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific, and historical values.”<sup>110</sup> Further, the statutory definition of “multiple use” constitutes management in a “harmonious and coordinated” manner “without permanent impairment to the productivity of the land and the quality of the environment.”<sup>111</sup> Significantly, FLPMA admonishes the Secretary to consider “the relative values of the resources and not necessarily . . . the combination of uses that will give the greatest economic return of the greatest unit output.”<sup>112</sup> FLPMA also mandates

that the Secretary, “(i)n managing the public lands . . . shall, by regulation or otherwise, take any action necessary to prevent unnecessary or undue degradation of the lands.”<sup>113</sup>

The proposed rule would supplement BLM onshore lease operations regulations found at part 3160 of Title 43 of the Code of Federal Regulations (CFR). The rule would apply to all BLM-managed leases. The proposed rule would also apply to business agreements entered into by tribes (other than Osage Tribe) and agreements under the IMDA, as consistent with those agreements and with principles of Federal Indian law. Oil and gas agreements entered into under the IMDA may or may not provide for a royalty; if they do, that royalty may or may not be expressed as a percentage of the production “removed or sold from the lease.”

The BLM’s authority to require royalty payments derives from the above-quoted provision in the MLA: “A lease shall be conditioned upon the payment of a royalty at a rate of not less than 12.5 percent in amount or value of the *production removed or sold from the lease*.”<sup>114</sup> As established in several judicial decisions, the phrase “production removed or sold from the lease” exempts from royalty payments production that is used on the lease for lease operations.<sup>115</sup> Thus, operators may use oil or gas on the lease royalty-free to support the productivity of the lease. For example, a lessee may use produced gas to power the production infrastructure.

The proposed rule does not use the terms “beneficial purpose” and “beneficial use,” which are used in NTL-4A. Over the years, those terms appear to have been applied inconsistently within the BLM, creating confusion for some in the industry regarding when production may be used royalty-free. Instead of referencing beneficial purposes or use, the proposed rule would directly address the royalty-free treatment of various uses of lease production, and would identify the situations in which prior written BLM approval would be required for royalty-free treatment.

The BLM, through NTL-4A, has long read the MLA to exempt from royalty payments production that is “unavoidably lost” in the course of production.<sup>116</sup> Under NTL-4A, in

<sup>113</sup> Ibid. 1732(b).

<sup>114</sup> 30 U.S.C. 226(b)(1)(A) (emphasis added).

<sup>115</sup> See *Marathon Oil Co. v. Andrus*, 452 F. Supp. 548, 522–23 (D. Wyo. 1978); *Gulf Oil Corp. v. Andrus*, 460 F. Supp. 15, 18 (C.D. Cal. 1978).

<sup>116</sup> 44 FR 76600.

<sup>99</sup> Ibid.

<sup>100</sup> 30 U.S.C. 1701 *et seq.*

<sup>101</sup> 30 U.S.C. 1756.

<sup>102</sup> See footnote 4.

<sup>103</sup> See, e.g., *California Co. v. Udall*, 296 F.2d 384, 388 (D.C. Cir. 1961) (noting that the MLA was “intended to promote wise development of . . . natural resources and to obtain for the public a reasonable financial return on assets that ‘belong’ to the public”). The Indian Mineral Leasing Act also had the similar purpose of securing for Indian tribes “the greatest return on their property.” *Kerr-McGee v. Navajo Tribe of Indians*, 731 F.2d 597, 601 n.3 (internal quotation mark omitted).

<sup>104</sup> 30 U.S.C. 226(b)(1)(A) and (c)(1); 30 U.S.C. 352 (applying that requirement to leases on acquired land). The same royalty provision is included in the lease instruments for leases of Indian tribal and allotted lands under applicable regulations, although that rate is set at no less than 16–2/3%,

absent approval of the Secretary. 25 CFR 211.41, 212.41.

<sup>105</sup> 30 U.S.C. 225.

<sup>106</sup> 30 U.S.C. 226(g).

<sup>107</sup> Ibid.

<sup>108</sup> Ibid. 1701(a)(8).

<sup>109</sup> 43 U.S.C. 1702(c), 1732(a).

<sup>110</sup> Ibid. (emphasis added).

<sup>111</sup> Ibid. (emphasis added).

<sup>112</sup> Ibid.

determining when production is unavoidably versus avoidably lost, the BLM has generally considered the technical and economic feasibility of preventing the loss of gas. Under NTL–4A, the BLM deems a loss of gas “avoidable”—and charges associated royalties—if it determines that such loss occurred as a result of: (1) Negligence on the part of the lessee or operator; (2) The failure of the lessee or operator to take all reasonable measures to prevent and/or to control the loss; and/or (3) The failure of the lessee or operator to comply fully with the applicable lease terms and regulations, appropriate provisions of the approved operating plan, or the prior written orders of the BLM.<sup>117</sup> If, on the other hand, the loss of gas is not the result of operator negligence and results from certain specified circumstances, such as emergencies, well tests, and production tests, or if the BLM determines that venting from storage tanks is “warranted,” the BLM deems the loss “unavoidable” and does not charge associated royalties.<sup>118</sup> As discussed below, however, the BLM has not always been consistent in applying this distinction between “unavoidably” and “avoidably” lost gas, creating significant confusion for both operators and regulators. The proposed rule seeks to clarify the distinction, and thereby limit the need for operators to submit, and BLM to process, applications for approval of royalty-free use of gas.

#### G. Concerns About Loss of Gas Identified Through Oversight

Several oversight reviews have raised concerns about waste of gas, found that the BLM’s existing requirements regarding venting and flaring are insufficient, and have identified concerns about royalty-free use of gas. They recommended that the BLM update its regulations and guidance on royalty-free use and waste prevention. These include reviews by the Subcommittee on Royalty Management of the Royalty Policy Committee (RPC), which is a Federal advisory committee to the Department of the Interior; the Inspector General of the Department of the Interior; and the GAO.

The RPC’s December 2007 report entitled, *Mineral Revenue Collection from Federal and Indian Lands and the Outer Continental Shelf*, includes specific recommendations to the BLM and the former Minerals Management Service (MMS (which was subsequently divided into ONRR, the Bureau of Ocean Energy Management (BOEM),

and the Bureau of Safety and Environmental Enforcement.)) The report emphasized the need for enhanced verification of production accountability, and it recommended that the BLM update relevant pre-1983 (remnant U.S. Geological Survey and MMS) rules. In recognition of those needs, the BLM began a process to implement the recommendations to improve production accountability oversight. This proposed rule—along with other separately proposed rules dealing with site security and oil and gas measurement—responds to recommendations in the RPC’s report. A March 2010 report by the Department of the Interior Inspector General also recommended that the BLM clarify its requirements for royalty-free use of gas.<sup>119</sup>

In October 2010, the GAO issued a report entitled, *Federal Oil and Gas Leases—Opportunities Exist to Capture Vented and Flared Gas, Which Would Increase Royalty Payments and Reduce Greenhouse Gases*. For this audit, the GAO examined the amounts of natural gas being vented and flared on Federal oil and gas leases, and evaluated the potential for additional capture of natural gas using available technologies. The GAO also evaluated what the associated potential increases in royalty payments and decreases in GHG emissions would be from any additional gas capture.

The GAO found that “around 40 percent of natural gas estimated to be vented and flared on onshore Federal leases could be economically captured with currently available control technologies.”<sup>120</sup> The GAO further found that “Interior’s oversight efforts to minimize these losses have several limitations, including that its regulations and guidance do not address” new capture technologies and some significant sources of lost gas.<sup>121</sup> As the GAO noted, BLM guidance is over 30 years old and does not address venting and flaring reduction technologies that have advanced since it was issued, such as automated plunger lift technologies that reduce the amount of gas vented during liquid unloading operations or low-bleed pneumatic devices that can replace the functions of high-bleed pneumatic devices.<sup>122</sup>

The GAO recommended that “to help reduce venting and flaring of gas by addressing limitations” in the

regulations, the “BLM should revise its guidance to operators to make it clear that technologies should be used where they can economically capture sources of vented and flared gas, including gas from liquid unloading, well completions, pneumatic valves, and glycol dehydrators.”<sup>123</sup> The GAO further recommended that the BLM should “assess the potential use of venting and flaring reduction technologies to minimize the waste of natural gas” before production occurs, and that the BLM should consider expanded use of infrared cameras to improve reporting and identify opportunities to minimize lost gas.<sup>124</sup> This proposed regulation responds to these recommendations as well.

In addition, multiple public advocacy organizations have recently raised concerns about the waste of gas in oil and gas production operations, and recent State regulatory actions to reduce venting and flaring indicate that some States share these concerns as well.<sup>125</sup>

#### H. Volumes of Lost Natural Gas

##### 1. Data Sources on Lost Gas

While concerns have been growing over rising quantities of lost gas, there is no single definitive estimate on the volume of these losses from Federal and Indian leases. One relevant source of information for estimating the volumes of waste is the Oil and Gas Operations Report Part B (OGOR–B) that producers from BLM-administered leases file each month with ONRR to report quantities of gas removed from their leases. Another key source of information is the EPA Inventory of Greenhouse Gas Emissions and Sinks (2015) (“EPA GHG Inventory”), which is an annual report that estimates the total national GHG emissions and removals associated with human activities across the United States. Additional information is drawn from the EPA Greenhouse Gas Reporting Program (GHGRP), which collects GHG data from large emitting facilities, suppliers of fossil fuels and industrial gases that result in GHG emissions when used. Additional emissions quantification data was presented by ICF in a publication entitled, *Onshore Petroleum and Natural Gas Operations on Federal and Tribal Lands in the United States*.<sup>126</sup> With respect to oil and gas production, some of these sources estimate releases of natural gas, while

<sup>119</sup> Department of the Interior, Inspector General, *BLM and MMS Beneficial Use Deductions* (March 2010), <https://www.doi.gov/sites/doi.gov/files/2010-1-00171.pdf>.

<sup>120</sup> GAO–11–34, Oct. 2010, 2.

<sup>121</sup> Ibid. at 34.

<sup>122</sup> Ibid. at 27.

<sup>123</sup> Ibid. at 34.

<sup>124</sup> Ibid. at 34.

<sup>125</sup> See discussion in Section I.1 of this preamble.

<sup>126</sup> ICF, *Onshore Petroleum and Natural Gas Operations on Federal and Tribal Lands in the United States* (June 2015) (SHORT FORM—ICF 2015).

<sup>117</sup> Ibid.

<sup>118</sup> Ibid. at 76,601.

others estimate methane emissions. Natural gas is primarily composed of methane, however, and translating back and forth between the two types of estimates is a relatively straightforward calculation.

The data collected by ONRR includes operators' estimates of gas vented and flared-during production from each Federal and Indian lease. These data do not include any estimates of natural gas lost through leaks, or from routine operation of pneumatic devices, storage vessels, compressors, or glycol dehydrators (equipment that circulates the chemical glycol in gas to absorb moisture). In addition, the GAO found that there is variation across BLM offices as to whether operators must report certain other types of natural gas losses on their OGOR-Bs. Specifically, operators varied in whether they included quantities of vented or flared gas where the BLM had authorized the venting or flaring or where the quantities were under the BLM's permissible limits. Operators are also not always required to meter the quantities of vented or flared gas reported on their OGOR-Bs. Instead they may use BLM-approved methods to estimate the quantities to be reported. So while the ONRR data are highly relevant, they provide information about a subset of gas wasted and there is some uncertainty regarding the accuracy of the estimates the data do include. In reviewing these data, the GAO found that they "likely underestimate venting and flaring because they do not account for all sources of lost gas."<sup>127</sup>

For purposes of this proposed rule, ONRR provided the BLM with 6 years of vented and flared volumes reported on the OGOR-Bs. The data analyzed included gas flared and vented from both oil wells and gas wells from 2009 through 2014. During this period, operators reported that they vented or flared a total of 375 Bcf of natural gas, or about 2.6 percent of the 14.6 Tcf of natural gas that was produced from BLM-administered leases from 2009 through 2014. This is enough natural gas to supply about 5 million households—or every household in the States of Colorado, Montana, New Mexico, Utah, and Wyoming—for 1 year.<sup>128</sup> These data are reported by operators on BLM-administered leases, but the production is actually derived from lands with various ownership patterns. Of the vented and flared gas reported to ONRR, 15.2 percent came from wells extracting only Federal

minerals; 9.0 percent from Indian ownership, and 75.8 percent from mixed ownership (some combination of Federal, Indian, fee (private) and State land). While all of the natural gas flared or vented from the Federal and Indian lands categories originates from the Federal and Indian mineral estates, only a portion of the natural gas flared or vented from the mixed ownership category originates from the Federal and Indian mineral estates.

Data in the EPA GHG Inventory can be used to calculate a more complete estimate of gas losses from venting and leaks from BLM-administered leases, which is discussed in more detail in the Regulatory Impact Analysis (RIA) for this rule. Using data from the GHG Inventory, we estimate that about 167 Bcf of natural gas was released or vented to the atmosphere from all U.S. onshore oil and gas leases in 2013, the most recent year for which estimates are currently available. In that year, production from Federal and Indian leases accounted for 12.7 percent of the U.S. natural gas production and 7.43 percent of the U.S. crude oil production.<sup>129</sup> Because we expect the national emissions level to be generally representative of what we would expect on Federal and Indian lands, we derived emissions estimates largely by applying the Federal and Indian share of production to the national emissions estimate.<sup>130</sup> The analysis of these data sources indicates that roughly 22 Bcf of natural gas was lost from BLM-administered leases through venting and leaks in 2013.

In addition, the ONRR data indicate that operators reported flaring 76 Bcf of natural gas from BLM-administered leases in 2013 (the most recent year for which data are available). Of this, ONRR estimates that about 44 Bcf was gas from the Federal and Indian mineral estate (as opposed to gas from State or private mineral estates that is being extracted through a well that is producing from a mix of Federal, Indian, State or private mineral estates).<sup>131</sup>

Thus, for purposes of this proposal, our best estimate is that 98 Bcf of natural gas was vented, leaked, or flared from BLM-administered leases in 2013,<sup>132</sup> of which 66 Bcf originated from the Federal and Indian mineral estates.<sup>133</sup> The 66 Bcf of vented or flared gas represents about 2.3 percent of total

Federal and Indian production from these leases in 2013, and is enough gas to supply almost 900,000 homes each year.<sup>134</sup> This is consistent with ICF's estimate that fugitive sources, vented emissions and flared emissions from Federal and Indian onshore leases amounted to 66 Bcf of natural gas in 2013.

Based on available data, the problem of natural gas loss on BLM-administered leases is also growing. The total amounts of annual reported flaring from Federal and Indian leases increased by 109 percent from 2009 through 2013.<sup>135</sup> During this period, reported volumes of flared oil-well gas increased by 292 percent, while reported volumes of flared gas-well gas decreased by 75 percent.<sup>136</sup> The reduction in flaring at gas wells coincides with the adoption of EPA air pollution requirements limiting emissions from gas wells hydraulically fractured after August 2011.

Another indicator of the increase of flaring on Federal and Indian lands is the increase of applications to vent or flare received by the BLM. In 2005, the BLM received just 50 applications to vent or flare gas. In 2011, the BLM received 622 applications, and this doubled again within 3 years to 1,248 applications in 2014. BLM field offices indicate that most of the additional applications were for flaring in New Mexico, Montana, the Dakotas, and, to a lesser extent, Wyoming.<sup>137</sup>

In addition to considering the quantity of gas that is lost now, it is also important to consider the potential future quantities of lost gas, and to evaluate the future sources of such losses. One source of information on this question is a study by ICF entitled, *Economic Analysis of Methane Emission Reduction Opportunities in the U.S. Onshore Oil and Natural Gas Industries*, issued in March 2014. The ICF Study estimated methane emissions from onshore oil and gas production in 2018 based on a 2011 baseline. It found that absent regulation, emissions are projected to grow 4.5 percent from 2011 through 2018, and almost 90 percent of emissions in 2018 would come from sources that were already operating prior to 2012.<sup>138</sup> Based on this information, the BLM believes that it is important for the proposal to address waste from both new sources and

<sup>129</sup> Based on updated EIA production crossed against ONRR Federal production data.

<sup>130</sup> For additional detail on these calculations, see RIA App. 7.

<sup>131</sup> RIA at 19.

<sup>132</sup> That is, 22 Bcf vented or leaked (per EPA GHG Inventory data), and 76 Bcf flared (per ONRR data).

<sup>133</sup> RIA at 3.

<sup>134</sup> Based on an estimate of 74 Mcf of gas used per household per year. See footnote 2.

<sup>135</sup> RIA at 201.

<sup>136</sup> *Ibid.*

<sup>137</sup> BLM data extracted from AFMSS in response to media inquiry, October 2014.

<sup>138</sup> ICF 2014 Study.

<sup>127</sup> GAO-11-34, Oct. 2010.

<sup>128</sup> Using U.S. Census Bureau Total Households as of 2013 (latest data available).

sources that already exist at the time of the final rule.

## 2. Additional Information on Loss Estimates

The BLM developed the emissions estimates discussed in the preamble and RIA using the best data available at the time. Some of the data produced by EPA and ONRR, such as the EPA estimates of the quantities of gas lost through leaks, and emergency releases reported to ONRR by the operators, rely on emissions factors, which have been developed by the EPA. These emissions factors are usually based on representative measured data and are applied to activity data to calculate estimated emissions. The ONRR relies primarily on self-reporting by industry, subject to agency audits.

Annually, EPA reviews new information as it becomes available, and the GHG Inventory continues to be refined to reflect new information available. For example, EPA notes the availability of new data in its GHG Inventory, including data and information that are becoming available through EPA's GHGRP and external studies, allowing EPA to re-evaluate and make updates to GHG Inventory data, as applicable.

Several recently completed academic studies aim to improve our understanding of the quantity of natural gas and petroleum system emissions, and more such studies are underway. In general, there are two major types of studies related to oil and gas GHG data: So-called "bottom up" studies that focus on measurement or quantification of emissions from specific activities, processes, and equipment (e.g., EPA's Greenhouse Gas Reporting Program data and many of the series of studies being conducted by the Environmental Defense Fund, academic researchers, and industry, discussed below), and "top down" studies that focus on verification of estimates at the regional scale through methods such as airborne mass balance, atmospheric transport models, and enhancement ratios with well-constrained pollutants, along with approaches such as inverse modeling (e.g., National Oceanic and Atmospheric Administration (NOAA) verification studies), which measure atmospheric levels of emissions and attempt to allocate contribution among potential sources. The first type of study can lead to direct improvements to or verification of inventory estimates. The second type of study can provide general indications of potential over- and under-estimates in existing data. Several of these recent studies are discussed below.

An article published last year in the peer-reviewed journal *Science* reviewed 20 years of technical literature on natural gas emissions in the U.S. and Canada and compared various emissions estimates from top down (e.g., aircraft) and bottom up (e.g., inventory) studies. The authors found that inventories consistently underestimate actual methane emissions.<sup>139</sup> Similarly, a study published in May 2014 by researchers from NOAA and the University of Colorado, Boulder, estimated methane emissions from oil and gas production areas using atmospheric hydrocarbons gathered while flying over the Denver-Julesburg Basin. This study estimated that hourly methane emissions from oil and gas sources in that basin are three times higher than would be expected based on estimates derived from data reported under the EPA GHGRP.<sup>140</sup>

Beginning in 2012, the Environmental Defense Fund began working with about 100 universities, research institutions and companies on a multi-pronged scientific research effort to develop a clearer picture of methane losses across the U.S. natural gas supply chain. Several studies from this effort, in addition to the NOAA and *Science* studies discussed above, are particularly relevant to this rulemaking.

For example, researchers at the University of Texas, Austin, in Phase 1 of their production studies, published in September 2013, found that methane emissions from equipment leaks and pneumatic devices were larger than previously thought.<sup>141</sup> The study focused on methane emissions at 190 sites (focusing on ongoing production activity and well completion emissions) operated by nine natural gas companies. It also found that emissions from well completions were smaller than previously thought (apparently due to the EPA's requirement for reduced emission completions, which can reduce venting from well completions by 99 percent).<sup>142</sup> Phase II of the study, which looked at wells operated by 10

<sup>139</sup> A. R. Brandt et al., *Methane Leaks from North American Natural Gas Systems*, *Science*, 733 (Feb. 14, 2014), <http://www.sciencemag.org/content/343/6172/733.full>.

<sup>140</sup> Gabrielle Pétron et al., A new look at methane and nonmethane hydrocarbon emissions from oil and natural gas operations in the Colorado Denver-Julesburg Basin, *Journal of Geophysical Research: Atmospheres*, 6836 (June 3, 2014), <http://onlinelibrary.wiley.com/doi/10.1002/2013JD021272/pdf>.

<sup>141</sup> David T. Allen et al., *Measurements of Methane Emissions at Natural Gas Production Sites in the United States*, 17768 (Oct. 2013), The Proceedings of the National Academy of Sciences of the United States of America, 17768 (Oct. 2013), <http://www.pnas.org/content/110/44/17768.full.pdf>.

<sup>142</sup> *Ibid.*, 17769–70.

companies, found that for emissions from liquids unloading and pneumatic devices, a small percentage of sources account for the majority of the emissions from these categories.<sup>143</sup> Nineteen percent of pneumatic devices produced 95 percent of the emissions that were attributable to the devices, while 20 percent of wells that vented during liquids unloading produced 65 to 83 percent of the emissions from those sources.<sup>144</sup> The study further found that average emissions from pneumatic controllers are higher than EPA's previous estimates, which are the basis for the emissions factors used in calculating gas waste.<sup>145</sup>

A February 2015 study from Colorado State University, entitled *Measurements of Methane Emissions from Natural Gas Gathering Facilities and Processing Plants: Measurement Results*,<sup>146</sup> found wide variations in the amount of methane leaking at gathering and processing facilities. Another study, *Analyzing Methane Emissions from Upstream Oil and Gas Production Operations*,<sup>147</sup> conducted by researchers at the Houston Advanced Research Center and the EPA, analyzed fence line data on methane emissions at well production sites. It found that unpredictable events, such as malfunctions and leaks, likely have a strong influence on emissions rates.<sup>148</sup> In addition, a recent study questions the accuracy of the sampler used in the University of Texas and other studies. The new study, published in the journal *Energy Science & Engineering*, asserts that the University of Texas researchers used a sampler that can fail under certain conditions, leading to "severe" underreporting of natural gas emissions.<sup>149</sup> Other sources of information also reinforce concerns about the volumes of lost gas. In October 2014, an analysis of satellite measurements from 2002–2012 by

<sup>143</sup> David T. Allen et al., *Methane Emissions from Process Equipment at Natural Gas Production Sites in the United States: Pneumatic Controllers*, 636 (Dec. 9, 2014), *Environmental Science and Technology*, available at <http://pubs.acs.org/doi/abs/10.1021/es5040156>.

<sup>144</sup> *Ibid.*

<sup>145</sup> *Ibid.* at 638.

<sup>146</sup> Austin L. Mitchell et al., *Measurements of Methane Emissions from Natural Gas Gathering Facilities and Processing Plants: Measurement Results*, 3219 (Feb. 2015), *Environmental Science and Technology*, available at <http://pubs.acs.org/doi/abs/10.1021/es5052809>.

<sup>147</sup> Birmur Guven et al., *Analyzing Methane Emissions from Upstream Oil and Gas Production Operations*, (Nov. 2014).

<sup>148</sup> *Ibid.*

<sup>149</sup> Howard, Touché, University of Texas study underestimates national methane emissions at natural gas production sites due to instrument sensor failure, *Energy Science & Engineering* (Aug. 4, 2015).

scientists from the National Aeronautics and Space Administration (NASA) and the University of Michigan identified a 2,500-square-mile (about half the size of the State of Connecticut) concentration of methane located over the Four Corners area in Arizona, Colorado, New Mexico, and Utah.<sup>150</sup> The study's lead author indicated that the emissions likely come from natural gas production and processing equipment (although not from hydraulic fracturing, as much of the data predates its upsurge) in the San Juan Basin in New Mexico, which produces natural gas from conventional gas production, oil production, and coalbed methane.<sup>151</sup>

On the other hand, another recent study found that methane measurements taken by aircraft in some natural gas production basins track well with the EPA's GHG Inventory estimates.<sup>152</sup> Data indicate that emissions from gas production activities vary from basin to basin. This variation may be due to characteristics of the natural gas, the amount of natural gas processing that is necessary, and the condition of the natural gas gathering, compression and transportation system. Also, some of the older studies may tend to overestimate current losses in some respects, as recent EPA and State regulations, as well as voluntary actions by industry, have substantially reduced the volumes of gas lost from some sources, such as gas well completions.

Most recently, a new study by Zavala et al., published in the *Proceedings of the National Academy of Sciences*, developed new techniques to reconcile bottom up and top down estimates of methane emissions from oil and gas production in the Barnett Shale region in Texas.<sup>153</sup> This study found that in this region, methane emissions from oil and gas production and processing are almost twice as high as would be estimated based on the EPA GHG Inventory, and are 3.5 times higher than would be estimated based on EPA GHGRP data.<sup>154</sup> It further found that the emissions from these sources in this

<sup>150</sup> NASA news release, Oct. 9, 2014 available at <http://www.nasa.gov/press/2014/october/satellite-data-shows-us-methane-hot-spot-bigger-than-expected/#.VLbQ0PnF9sE>.

<sup>151</sup> *Ibid.*

<sup>152</sup> Jeff Peischl, T. B. Ryerson, K. C. Aikin, J. A. de Gouw, J. B. Gilman, J. S. Holloway, B. M. Lerner, R. Nadkarni, J. A. Neuman, J. B. Nowak, M. Trainer, C. Warneke, D. D. Parrish, Quantifying atmospheric methane emissions from the Haynesville, Fayetteville, and northeastern Marcellus shale gas production regions, *Journal of Geophysical Research: Atmospheres*, 120 (5), pp. 2119–2139.

<sup>153</sup> Zavala-Araiza et al., *Reconciling divergent estimates of oil and gas methane emissions*, *Proceedings of the National Academy of Sciences*, vol. 112, no. 51, 15597–15602 (Dec. 22, 2015).

<sup>154</sup> *Ibid.* at 15599.

region are dominated by a relatively small number of high emitters, with, at any given time, 2 percent of the facilities contributing half of the emissions, and 10 percent contributing 90 percent of the emissions.<sup>155</sup>

The BLM expects that additional studies will use bottom-up and top-down data comparisons to continue to refine emissions estimates for these sources. The presence, distribution, and effect of super-emitters, which are often defined as sources with exceptionally high emissions as compared to similar sources (essentially malfunctioning equipment), is also being further studied. Overall, these studies and alternative sources of data suggest that the BLM's estimates of lost gas likely underestimate, and potentially substantially underestimate, the extent of the problem.

#### *I. Examples of and Gaps in Existing Waste-Reduction and Related Efforts*

##### 1. State Activities

In developing the proposed rule, we have consulted with State regulators and reviewed State requirements related to waste of oil and gas resources. Like the MLA, most State laws and regulations prohibit or encourage prevention of waste of these resources. But specific State requirements, and the outcomes they produce, vary widely. This variability reinforces the need for this rule to update standards for oil and gas operations on Federal and Indian lands. In developing the proposed rule, we also looked to some of the most effective State approaches as models. In particular, we have drawn on new requirements recently adopted by Colorado and North Dakota to address rising rates of flaring, resource losses, and other impacts. Below we summarize how several States have approached these issues.

##### (a) Alaska

The State of Alaska adopted regulations in the 1970s to address high rates of flaring.<sup>156</sup> Since then, the State has prohibited venting or flaring of gas except in narrowly defined circumstances: Testing a well before regular production; fuel that maintains a continuous flare; de minimis venting of gas incidental to normal oil field operations; and flaring or venting gas for no more than 1 hour during an emergency or operational upset.<sup>157</sup> The practical effect of this prohibition has

<sup>155</sup> *Ibid.* at 15600.

<sup>156</sup> Alaska Administrative Code Title 20—Chapter 25 235, Gas Disposition, available at <http://doa.alaska.gov/ogc/Regulations/RegIndex.html>.

<sup>157</sup> *Ibid.*

been widespread reinjection of associated gas into the field for conservation and oil recovery purposes.<sup>158</sup> Alaska estimates that roughly 0.4 percent of gas production is flared, which is far lower than in most other States.<sup>159</sup>

##### (b) Colorado

The State of Colorado has reduced venting and flaring through air quality regulations directed at emissions of hydrocarbons and VOCs from the oil and natural gas industry.<sup>160</sup> The Colorado Department of Public Health and Environment, Air Quality Control Commission has instituted regulations similar in many ways to the EPA's existing NSPS for new and modified hydraulically fractured gas wells and gas processing facilities.<sup>161</sup> The Colorado regulation includes some aspects of EPA's NSPS, and expands on the EPA standards in other areas. For example, the Colorado rule requires reduced emissions completions for most oil and gas well completions and recompletions, whereas EPA's NSPS currently applies only to hydraulically fractured or refractured gas well completions in developed gas fields. Colorado has also adopted some requirements that are independent of the EPA NSPS. For instance, under the reduced emissions completion process, operators must minimize venting "to the maximum extent practicable."<sup>162</sup>

In addition to requiring green completions, Colorado's rules: Establish requirements for pneumatic controllers;<sup>163</sup> require a comprehensive LDAR program;<sup>164</sup> set standards for liquids unloading;<sup>165</sup> establish emission standards for storage vessels;<sup>166</sup> and require storage tank emissions management (STEM) plans, which would identify strategies to minimize emissions from storage vessels during normal operations.<sup>167</sup> BLM has several memoranda of understanding with the Colorado Oil and Gas Conservation

<sup>158</sup> Telephone call with BLM staff and State of Alaska, Oil and Gas Conservation Commission (April 30, 2015).

<sup>159</sup> *Ibid.*

<sup>160</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, Control of Ozone via Ozone Precursors and Control of Hydrocarbons via Oil and Gas Emissions (Emissions of Volatile Organic Compounds and Nitrogen Oxides).

<sup>161</sup> For further information about EPA's NSPS standards for this source category, see Section IV.I.3 of this preamble below.

<sup>162</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9, Sections XII, XVIII.

<sup>163</sup> *Ibid.* at Section XVIII.

<sup>164</sup> *Ibid.* at Section XVII.F.

<sup>165</sup> *Ibid.* at Section XVII.H.

<sup>166</sup> *Ibid.* at Sections XII.D–F; XVII.C.

<sup>167</sup> *Ibid.* at Section XVII.C.2.

Commission regarding permitting, inspection, and enforcement relating to oil and gas activities on BLM lands.<sup>168</sup>

(c) Montana

The State of Montana has had limits on venting and flaring in place since the 1970s. Produced gas vented to the atmosphere at a rate exceeding 20 Mcf per day that continues for more than 72 hours must be burned.<sup>169</sup> After completion of a gas well, no gas may be permitted to escape, except gas required for periodic testing or cleaning of the well bore.<sup>170</sup> If, after well completion, the operator intends to flare gas production in excess of 100 Mcf per day, the operator must obtain a variance from the oil and gas board.<sup>171</sup> The operator must submit a production test and a statement justifying the need for a variance, including information such as potential human exposure; relative isolation of location; measures to restrict public access to the location; low gas volume; and low BTU content.<sup>172</sup> The board may elect to restrict production until the gas is marketed or otherwise beneficially used.<sup>173</sup>

(d) North Dakota

North Dakota has experienced a rapid increase in oil production in recent years. A byproduct of this development is more natural gas being produced than can be processed and transported to market through existing pipeline infrastructure. Without access to a market, much of the associated natural gas continues to be flared.

In March 2013, the North Dakota Industrial Commission adopted a policy to reduce flaring, and it followed this with an enforceable order adopted in July 2014 and modified in September 2015.<sup>174</sup> The policy and order require well operators to meet flaring reduction targets according to a prescribed time line.<sup>175</sup> The gas capture requirements for each operator include a target of capturing at least 74 percent of production by October 2014.<sup>176</sup> The target then rises over time to a target of

capturing at least 91 percent of production by October 2020.<sup>177</sup> The operator may show compliance with the target at each well, or on a field, county, or statewide basis.<sup>178</sup>

North Dakota's policy includes additional requirements intended to help operators reach the targets.<sup>179</sup> One component of the policy requires that all applications for permits to drill be accompanied by gas capture plans.<sup>180</sup> The State's goal is to ensure that options for capturing any natural gas discovered are fully evaluated before a well is drilled. North Dakota also requires the gas capture plan to be provided to midstream processing companies so they can plan accordingly.<sup>181</sup>

The policy provides for oil production to be restricted from wells where the operator does not meet the flaring reduction targets.<sup>182</sup> Production is restricted to no more than 200 bbl of oil per day for those wells capturing more than 60 percent of the gas production, but less than the applicable target percentage.<sup>183</sup> Production is restricted to no more than 100 bbl of oil per day from those wells capturing less than 60 percent of produced gas.

(e) Pennsylvania

In August 2013, the Pennsylvania Department of Environmental Protection issued guidance that exempted from certain air quality permitting requirements oil and gas exploration, development, and production facilities and associated equipment and operations that implemented the following: An LDAR program consistent with relevant EPA regulations; VOC emission controls on all storage tanks; a 2.7 tpy limit on VOC emissions from all facility sources; certain limitations on flaring activities; and hourly, daily, seasonal, and annual limits on NOx emissions.<sup>184</sup>

(f) Utah

The Utah Department of Environmental Quality issued a General Approval Order on June 5, 2014, that applies to new and modified oil and gas well sites and tank batteries. Among other provisions, this order requires pneumatic controllers to be low bleed or

route the emissions to a flare or capture device; pneumatic pumps route emissions to a flare or capture device; and requires operators to inspect for leaks at least annually, and more frequently for sources with greater throughput levels.<sup>185</sup>

(g) Wyoming

The Wyoming Department of Environmental Quality adopted regulations in June 2015, to reduce emissions of VOCs from storage vessels, pneumatic controllers, pneumatic pumps, glycol dehydrators, and leaks in the Upper Green River Basin nonattainment area.<sup>186</sup> Among other things, the rule requires emissions from vessels with uncontrolled VOC emissions from flashing of 4 tpy or more to be controlled by 98 percent,<sup>187</sup> emissions from pneumatic pumps to be controlled by 98 percent,<sup>188</sup> high-bleed pneumatic controllers to be replaced with low-bleed controllers,<sup>189</sup> and operators to establish LDAR programs with at least quarterly inspections.<sup>190</sup>

2. Voluntary Industry Efforts

The oil and gas industry has also recognized concerns about the rising quantities of flared and vented gas, and has begun to take voluntary steps to reduce gas losses. For example, oil and gas companies developed the technologies for green completions.<sup>191</sup> Individual companies voluntarily use some of the approaches proposed here to reduce their natural gas losses through venting, flaring, and leaks and boost profitability.

Many of these efforts have been initiated by companies participating in Natural Gas STAR, a voluntary EPA-industry partnership program that encourages oil and natural gas companies to adopt cost-effective technologies and practices that improve operational efficiency and reduce methane emissions. Twenty-six companies in the production sector currently participate in Natural Gas STAR. Partners in this program have

<sup>168</sup> The MOUs are available at <http://cogcc.state.co.us/gov.html#federal>.

<sup>169</sup> Administrative Rules of Montana, Section 36.22.1221(1).

<sup>170</sup> *Ibid.* at 36.22.1219.

<sup>171</sup> *Ibid.* at 36.22.1220(1–2).

<sup>172</sup> *Ibid.* at 36.22.1221(2).

<sup>173</sup> *Ibid.* at 36.22.1221(3).

<sup>174</sup> North Dakota Industrial Commission Order No. 24665 (July 1, 2014), available at <https://www.dmr.nd.gov/oilgas/or24665.pdf>; North Dakota Industrial Commission Order No. 24665 Policy/Guidance Version 102215, available at <https://www.dmr.nd.gov/oilgas/GuidancePolicy/NorthDakotaIndustrialCommissionorder24665.pdf>.

<sup>175</sup> *Ibid.*

<sup>176</sup> *Ibid.*

<sup>177</sup> *Ibid.*

<sup>178</sup> *Ibid.*

<sup>179</sup> *Ibid.*

<sup>180</sup> *Ibid.*

<sup>181</sup> *Ibid.*

<sup>182</sup> *Ibid.*

<sup>183</sup> *Ibid.*

<sup>184</sup> Pennsylvania Department of Environmental Protection, Air Quality, *Air Quality Permit Exemptions*, <http://www.elibrary.dep.state.pa.us/dsweb/Get/Document/96215/275-2101-003.pdf> (August 10, 2013) at 8–11.

<sup>185</sup> State of Utah, Department of Environmental Quality, Division of Air Quality, *Approval Order: General Approval Order for a Crude Oil and Natural Gas Well Site and/or Tank Battery*, DAQE-AN1492500001–14 (June, 5, 2014).

<sup>186</sup> Wyoming, Nonattainment Area Regulations Ch. 8 (June 2015), available at <http://soswy.state.wy.us/Rules/RULES/9868.pdf>.

<sup>187</sup> *Ibid.* at Section 6(c)(i)(A).

<sup>188</sup> *Ibid.* at Section 6(e).

<sup>189</sup> *Ibid.* at Section 6(f).

<sup>190</sup> *Ibid.* at Section 6(g).

<sup>191</sup> See, e.g., EPA, Lessons Learned from Natural Gas STAR Partners, *Reduced Emissions Completions for Hydraulically Fractured Natural Gas Wells*, available at [http://www3.epa.gov/gasstar/documents/reduced\\_emissions\\_completions.pdf](http://www3.epa.gov/gasstar/documents/reduced_emissions_completions.pdf).

pioneered some of what are now the most widely-used, innovative technologies and practices to reduce methane emissions. These include green completions for hydraulically fractured wells, artificial lift systems for well maintenance, pneumatic controllers and pumps with no or low gas releases, and infrared cameras for leak detection. Natural Gas STAR partners from the oil and gas production sector reported that they achieved about 50 Bcf of methane emissions reductions in 2013.<sup>192</sup>

To further encourage emissions reductions from the oil and gas sector, the EPA announced, in July 2015, a voluntary program called the Natural Gas STAR Methane Challenge, in which companies would make ambitious commitments to reduce methane emissions and would track their progress in achieving those reductions.<sup>193</sup>

In addition, six oil and gas companies have joined together to form the One Future Coalition, which aims to “(e)nhance the energy delivery efficiency of the natural gas supply chain by limiting energy waste and by achieving a methane ‘leak/loss rate’ of no more than one percent.”<sup>194</sup> These companies aim “to develop yearly, sliding-scale emission intensity goals for the entire value chain and each sector within the value chain,” and use a flexible approach to achieve reductions.<sup>195</sup>

### 3. EPA Air Quality Requirements

While EPA does not regulate waste of oil and gas resources, certain air pollution regulations applicable to the oil and gas production sector have the co-benefit of also reducing waste of natural gas. Because the air pollutants regulated by EPA are contained in natural gas, many of the control options for reducing emissions operate by limiting the release (and hence loss) of natural gas. To the extent that EPA rules under the Clean Air Act address some aspects of the waste issue, the BLM intends to coordinate its requirements with the EPA as far as possible, to

ensure that industry is not burdened by duplicative or conflicting requirements. The EPA rules will include both standards that EPA adopted in 2012, which are largely focused on natural gas wells and infrastructure, and the 40 CFR part 60 subpart OOOOa rulemaking, which addresses additional categories of new and modified sources in the oil and gas production sector.

In 2012, EPA adopted NSPS to limit the release of VOCs from new and modified hydraulically-fractured natural gas wells, certain new or modified sources located at well sites, natural gas processing plants, or natural gas gathering and boosting stations.<sup>196</sup> These standards require new hydraulically fractured gas wells to use a process termed a “reduced emission completion” or “green completion” to capture natural gas that would otherwise be released in the well-completion process.<sup>197</sup> EPA estimated that this requirement reduces VOC emissions from the hydraulic fracturing process by 95 percent.<sup>198</sup> EPA allows for flaring instead of green completions for new exploratory or delineation wells, on the assumption that these types of wells are generally not near pipeline infrastructure to transport captured gas. EPA also does not require green completions for wells where there is not sufficient pressure to route the gas to a gathering line, instead allowing operators to flare the gas that would otherwise be released.

The 2012 standards also require operators to use certain types of new and modified equipment at natural gas processing plants and gathering and boosting stations. The standards limit VOC emissions from centrifugal compressors and establish maintenance requirements for reciprocating compressors.<sup>199</sup> The standards also apply to new and modified high-bleed pneumatic controllers powered by natural gas, which are defined as pneumatic controllers that emit more than 6 scf/hour.<sup>200</sup> The standards limit the bleed rate for pneumatic controllers at well sites and gathering and boosting stations to 6 scf/hour, and they require zero VOC emissions from pneumatic controllers located at processing

plants.<sup>201</sup> In practice, this standard requires operators to replace high-bleed pneumatic controllers with low-bleed or no-bleed devices. New, modified, and reconstructed storage vessels at these locations (including well sites) are also covered by the 2012 requirements.<sup>202</sup> They require new storage vessels with VOC emissions of at least 6 tpy to reduce those emissions by at least 95 percent.<sup>203</sup> In addition, the 2012 standards strengthened existing leak detection standards for natural gas processing plants.<sup>204</sup>

On September 18, 2015, EPA published a notice of proposed rulemaking that proposes NSPS standards to be codified as 40 CFR part 60 subpart OOOOa.<sup>205</sup> The EPA proposes to establish both methane and VOC standards for several emission sources not covered by the 2012 NSPS, including hydraulically fractured oil well completions, pneumatic pumps, and fugitive emissions from well sites and compressor stations. In addition, the EPA proposed methane standards for certain emission sources that are currently regulated for VOCs but not for methane, and proposed to extend VOC standards and create methane standards for equipment used widely in the industry.<sup>206</sup>

In addition, the EPA proposed to issue Control Technique Guidelines (CTGs), which States could adopt in nonattainment areas to reduce methane emissions from *existing* sources in the oil and gas production sector.<sup>207</sup>

### 4. Need for BLM Requirements

While the proposed EPA standards are expected to reduce methane emissions from certain new and modified oil and gas production facilities, they would not be sufficient to meet the goals of BLM’s proposed rule for several reasons. First, the proposed EPA regulations do not include any provisions to reduce flaring of associated gas during normal production operations. Second, even with respect to the natural gas waste from venting, the EPA regulations would apply only to new and modified sources, whereas this proposal would reach existing sources as well. In States that choose to adopt the CTGs, those guidelines would apply to existing sources, but the guidelines are designed to reduce emissions in nonattainment

<sup>192</sup> EPA Natural Gas STAR, *Accomplishments*, <http://www3.epa.gov/gasstar/accomplishments/index.html>.

<sup>193</sup> EPA Natural Gas Star Methane Challenge, *Program Proposal*, <http://www3.epa.gov/gasstar/methanechallenge/index.html>.

<sup>194</sup> International Business Times, “Six Major Oil and Gas Firms Agree to Cut Potent Methane Emissions Ahead of UN Climate Change Summit,” (Sept. 23, 2014), <http://www.ibtimes.com/six-major-oil-gas-firms-agree-cut-potent-methane-emissions-ahead-un-climate-change-summit-1693517>; <http://www.gastechnology.org/CH4/Documents/Fiji-George-CH4-presentation-Sep2014.pdf>.

<sup>195</sup> Our Nation’s Energy (ONE) Future Coalition, <http://www.gastechnology.org/CH4/Documents/fiji-George-CH4-presentation-Sep2014.pdf>.

<sup>196</sup> U.S. EPA, *Oil and Natural Gas Sector: New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants Reviews; Final Rule*, 77 FR 49490 (Aug. 16, 2012).

<sup>197</sup> 40 CFR 60.5375.

<sup>198</sup> U.S. EPA, *Overview of Final Amendments to Air Regulations for the Oil and Natural Gas Sector*, Fact Sheet, available at <http://www3.epa.gov/airquality/oilandgas/pdfs/20120417fs.pdf>.

<sup>199</sup> 40 CFR 60.5380; 40 CFR 60.5385.

<sup>200</sup> 40 CFR 60.5390.

<sup>201</sup> *Ibid.*

<sup>202</sup> 40 CFR 60.5395.

<sup>203</sup> *Ibid.*

<sup>204</sup> 40 CFR 60.5400.

<sup>205</sup> 80 FR 56593, Sept. 18, 2015.

<sup>206</sup> *Ibid.*

<sup>207</sup> *Ibid.*

areas, and very little oil and gas is produced from BLM-administered leases in such areas. Third, because the EPA's legal authorities differ from those of the BLM, the proposed EPA regulations do not cover all BLM-regulated activities, such as well maintenance and liquids unloading.

Similarly, of the States with extensive oil and gas operations on BLM-administered leases, only one has comprehensive requirements to reduce flaring, and only one has comprehensive statewide requirements to control losses from venting and leaks. Moreover, State regulations do not apply to BLM-administered oil and gas leases on Indian lands, and States do not have a statutory mandate to reduce waste of Federal oil and gas.

In addition, the BLM has regulated oil and gas operations on Federal and Indian leases for decades to prevent waste, conserve resources, and protect public lands. The BLM has the responsibility and experience to ensure that these valuable public resources are extracted in a safe manner, while minimizing harm to local communities and the environment and ensuring fair returns to Federal taxpayers and tribes. We have existing requirements that are intended to serve these purposes, but NTL-4A is over 3 decades old and is no longer adequate in meeting these goals. Thus, the proposed rule would update NTL-4A, and would do so in coordination with the concurrent EPA rulemaking. In addition, the proposed rule would make provision for State and tribal programs that address flaring or venting.

## V. Discussion of the Proposed Rule

The proposed rule would require operators to limit waste of gas through flaring and venting, clarify the situations in which flared gas would be subject to royalties, conform the royalty terms applicable to competitive leases with the corresponding statutory language, and clarify the on-site uses of gas that are exempt from royalties. In addition, the BLM is proposing to require operators to record and report information related to venting and flaring of gas, and is taking comment on how best to make this information more available to the public. This section of the preamble also includes a discussion of how today's proposal relates to the planning process for lands subject to BLM administration, although this rule would not make any regulatory changes to the planning process itself.

### A. Measures To Reduce Waste

The BLM has identified several key points in the production process where

waste-prevention actions would be most effective and least costly. Specifically, we propose to focus on reducing waste from the following: Flaring of associated gas from producing oil wells; gas leaks from equipment and facilities located at the well site, as well as from compressors located on the lease; operation of high-bleed pneumatic controllers and certain pneumatic pumps; gas emissions from storage vessels; well maintenance and liquids unloading; and well drilling and completions. Based on the available data regarding methane emissions and the numbers and types of sources of gas losses from Federal and Indian leases, we believe that these aspects of the production process offer the best opportunities for reducing waste.

To the extent that EPA completes regulations that would have the effect of reducing waste from these sources, the BLM proposes to take EPA's requirements into account in finalizing this proposed rule to avoid conflict or burdensome duplication.

In addition, the BLM requests public comments on the scope of this proposed rule, including whether there are other aspects of the production process that might provide sufficient opportunities for economical and cost-effective waste reduction to warrant inclusion in this regulation. We also request comment on whether we could achieve additional economical and cost-effective waste reduction from any of the sources of waste that we are addressing here. In addition, we request comment on the cost-effectiveness of the changes we are proposing to each aspect of the production process, taking into account the full range of private and public benefits achieved through waste reduction. We also request comment on how we could lower costs of the measures that we are proposing here.

#### 1. Venting or Flaring of Associated Gas From Producing Oil Wells.

As discussed earlier in Section II.H. of this preamble, operators currently vent gas under some circumstances, and they also flare large quantities of natural gas that is produced at oil wells (commonly called "associated gas" or "casinghead gas"). Operators have an economic incentive to capture and sell the flared gas, or to use it on-site. Nonetheless, substantial flaring occurs under a variety of circumstances.

##### (a) Quantities of Gas Vented or Flared

BLM analysis of ONRR data shows that operators reported venting about 22 Bcf and flaring at least 76 Bcf of natural gas from BLM-administered leases in 2013 (with about 44 Bcf estimated to be

Federal and Indian minerals).<sup>208</sup> Of that total volume of flared gas, 71 Bcf was flared oil-well gas while about 5 Bcf was flared gas-well gas. Most of the flared oil-well gas volume appears to be associated gas flaring, with the balance coming from other sources such as well testing and emergency flaring. Flared gas represents 2.6 percent of the total gas production from BLM-administered leases in 2013, enough to supply over 1 million households.<sup>209</sup>

According to ONRR data, 91 percent of flared oil-well gas from BLM-administered leases occurred in three States: North Dakota, South Dakota, and New Mexico. In 2013, the volumes of flared oil-well gas from BLM-administered leases in these States were about 42 Bcf, 15 Bcf, and 8 Bcf, respectively.<sup>210</sup> The data also show that these volumes have increased dramatically since 2009, while oil production increased in North Dakota and either remained relatively constant or declined in New Mexico and South Dakota. For example, between 2009 and 2013, flared oil-well gas in New Mexico increased by 2.3 percent, even as oil production decreased by 3 percent, and in South Dakota flaring increased by 1.3 percent even as oil production fell by 45 percent.<sup>211</sup> Meanwhile, the increase in oil-well gas flaring in North Dakota appears to have tracked closely with the increase in oil production (each increased by roughly 350 percent over that period).<sup>212</sup>

##### (b) Technologies To Address Flaring

The primary means to avoid flaring of associated gas from oil wells is to capture, transport, and process that gas for sale, using the same technologies that are used for natural gas wells. While industry continues to reduce the cost and improve the reliability of this technology, it is long-established and well understood. The capture and sale of associated gas can pay for itself where there is sufficient gas production relative to costs of connecting to or expanding existing infrastructure. The costs of installing equipment and pipelines for capture and transport can range from \$400,000 to \$1 million per mile for a 4-inch natural gas pipeline.<sup>213</sup> In some cases, line capacity can be

<sup>208</sup> RIA at 3.

<sup>209</sup> Based on an estimate of 74 Mcf of gas used per household per year. See footnote 2.

<sup>210</sup> RIA at 203.

<sup>211</sup> *Ibid.*

<sup>212</sup> *Ibid.*

<sup>213</sup> Pipeline and Gas Journal, *Billions Needed to Meet Long-Term Natural Gas Infrastructure Supply, Demands* (April 2009) <http://pipelineandgasjournal.com/billions-needed-meet-long-term-natural-gas-infrastructure-supply-demands?page=4>.

increased by adding more compressors to boost pressure. Similarly, industry has long used some of this gas on-site to pneumatically control equipment or fuel various types of equipment, including such items as drilling rigs, artificial lift equipment or heater/treater equipment.

In addition, the recent increase in flaring has encouraged entrepreneurs to develop new technologies and applications designed to capture smaller amounts of gas and put them to productive uses where building a pipeline to connect to the market is impractical. Companies are beginning to experiment with and deploy several technologies as potential alternatives to the traditional pipeline systems that capture associated gas. These include: Separating out NGLs, which are often quite valuable, and trucking them off location; using the gas to run micro-turbines to generate power; and using small integrated gas compressors to convert the gas into CNG that can be used on-site or trucked off location for use as transportation fuel or conversion to chemicals. In addition, there are other promising and innovative approaches that are either in development or in the earlier stages of deployment.<sup>214</sup>

Natural gas contains hydrocarbons that can exist in liquid phase without being in a high pressure or low temperature environment. These are referred to as NGLs. Higher NGL concentrations in a gas stream reflect higher heating (Btu) value and a higher combined commodity value when the NGLs are separated from the remaining gas stream. Although NGLs are typically stripped and fractionated into their various components (e.g., propane, butane, etc.) at a gas processing plant, well-site equipment capable of stripping NGLs into a mixed liquid is available. This technology is particularly applicable in situations where high Btu associated natural gas is being flared due to lack of gas capture infrastructure. The NGLs can be stripped from the gas stream in the field and stored in tanks at the well site. Trucks would transport the stored NGLs to a gas processing plant for sale. The remaining lower Btu gas would continue to be flared, but typically with a higher combustion efficiency than mixed gas. Conservation of the NGLs from a gas stream would reduce waste, add energy to the domestic supply, and increase royalty payments to the Federal Government and tribal governments.

Facilities to condense natural gas into LNG are more cost-effective at locations with large amounts of flaring, as relatively larger quantities of gas are needed to offset the cost of the LNG equipment. The surface area of well sites may need to be expanded to accommodate truck traffic and product storage needs. Also, because associated gas production drops off quickly at hydraulically fractured oil wells, LNG recovery is more likely to be cost-effective if it is implemented when production starts.

Micro-turbines that generate electricity typically require preprocessing of the associated gas to minimize equipment maintenance issues. Generating electricity can work well if it is paired with NGL recovery, as the NGL residue gas stream is well suited as fuel for the generators. However, scaling the generators to the electricity demand that could be used locally on the well pad complicates their use. The generators may produce more electricity than is needed on site, but it may be too costly to connect to the electric grid from a remote location, as would be necessary to put the excess electricity to productive use. The cost of connecting to the electric grid depends, among other things, on the distance of the operation from the nearest electrical distribution lines. Moreover, the electricity produced for use on site would be viewed as beneficial use, and therefore the gas used to generate the electricity would be royalty free. If the electricity produced by a micro-turbine is sold to the grid, however, it would not be beneficial use and the gas used to generate the electricity would not be royalty free.

The CNG alternative technologies show considerable promise in effectively transporting associated gas to a centrally located processing plant while removing the higher value NGLs for other productive uses. Well sites may need to be expanded to accommodate truck traffic and storage needs, but not to the extent needed under the LNG option. The on-site equipment for CNG is smaller than for LNG, and the size of the CNG operation can also be more easily adjusted to meet the associated gas decline over the life of the well. However, limitations on the amount and rate of natural gas capture/compression on-site can limit applicability of this technology. Breakthroughs in compression technology are increasing the range of viable sites where CNG would be the preferred alternative technology. This technology could become sufficiently attractive to reduce flaring to near zero rates, according to companies offering

these services. While these newer on-site technologies may not be suitable in all situations, in many cases they could provide a profitable alternative to using traditional pipelines for capture and sale as a way to reduce waste, and operators should consider these approaches in assessing the opportunities to reduce waste from venting and flaring.

In addition, there are a number of technologies that can improve the efficiency of flares and ensure that a flare combusts as large a proportion of the gas as possible. In particular, automatic igniters can be used to ensure that the flare is relit if the gas flow stops intermittently.

#### (c) Factors Driving Flaring

In considering how to reduce flaring, it is important to recognize that gas is flared under a variety of circumstances, some of which are unplanned or unavoidable in the course of normal oil and gas production. Emergencies can occur through an unforeseen event, such as a weather-related incident or an accident that damages equipment resulting in the loss of gas.

In other cases, operators flare gas because they, and the midstream processing companies that commonly build and operate gas gathering and processing infrastructure, do not yet know whether there will be a sufficient quantity of gas available to capture. Thus, companies have not yet invested in building gathering lines and processing plants to capture and sell gas for commercial use. For example, the well may be an exploration or wildcat well in a new field, far from existing capture infrastructure, and it is not yet known whether the field will produce much gas. Similarly, in some fields, the overall quantity of gas produced across multiple wells is sufficiently small that, even cumulatively, the wells do not produce enough natural gas to offset the costs of building pipeline infrastructure. While flaring in these situations has generally been considered unavoidable, the BLM believes this assumption is challenged by the development of the alternative capture technologies described above, which calls into question whether it remains reasonable to assume that there are no alternatives to flaring when a field produces only a small quantity of natural gas. The BLM requests comment on this point. In many instances, however, the decision to flare large quantities of associated gas is driven by an operator's economic calculation that the value of immediately producing the oil outweighs the value of the natural gas that could be captured. In addition,

<sup>214</sup> See Carbon Limits (providing detailed evaluation of new and emerging gas utilization technologies).

inadequate maintenance or oversight can result in avoidable waste of gas.

Two circumstances that result in substantial ongoing or intermittent flaring of associated gas on BLM-administered leases are: (1) Flaring in areas with existing capture infrastructure, but where the rate of new-well construction is outpacing the infrastructure capacity; and (2) Flaring in areas where capture and processing infrastructure has not yet been built out. While the majority of associated gas flaring on BLM-administered leases occurs in the first situation, our proposed approach to reducing flaring addresses both circumstances.

The first situation occurs in areas that have extensive natural-gas gathering lines, which are connected to pipelines leading to processing plants. However, in many areas in recent years the rate of oil development and the rapid rise in quantities of associated gas have overwhelmed the capacity of the gathering lines and/or processing plants. New wells (especially in shale formations) often start out producing a relatively large amount of oil and/or gas at relatively high pressures, which then declines rapidly over time. Thus, each time a new oil well with associated gas connected to the gathering system starts production, it may increase the pressures on the system above the pressures generated by existing producing wells, pushing those wells off the gathering system. Operators of these existing wells then must choose between shutting in or throttling the well, employing other technologies to use the gas, reinjecting the gas, or flaring. This is the situation in the Permian basin in New Mexico, where almost all of the producing wells are connected to gas-gathering infrastructure, but substantial flaring still occurs due to inadequate capacity or pressure restrictions in the pipelines and/or processing plants. Much of the flaring in the Bakken basin is also driven by capacity constraints. In reviewing applications to vent or flare in North Dakota, the BLM found that out of 1,292 applications to vent or flare received between September 2012 and August 2014, 887, or about 70 percent, were from wells that were already connected to a gas pipeline, but had pipeline capacity or pressure restrictions.<sup>215</sup>

Flaring also occurs in the second situation identified above, when gas capture infrastructure has not yet been built out to a particular field or well,

even though the well is expected to produce substantial quantities of gas. In many instances, operators or midstream processing companies plan to construct gathering lines, but the rate of oil well development outpaces the rate of development of capture infrastructure.

In both situations, lack of adequate planning and communication can result in flaring. North Dakota's recognition of this cause of flaring led the State to require an operator to provide an affidavit at the well permitting stage stating that the operator met with gathering companies and informed them of the operator's expected well development timing and production levels.<sup>216</sup>

The BLM recognizes that in the aggregate, operators do not want to waste gas. It is a valuable commodity that operators can sell for a profit. But when the economic return on oil production is substantially higher than the economic return on gas production, as it has been in recent years, there is an economic incentive for individual operators to focus on oil development at the expense of gas-capture infrastructure. Thus, operators may not adequately plan and coordinate with midstream companies, schedule oil well development with gas capture capacity in mind, build infrastructure, or otherwise ensure adequate capacity. As the GAO noted, even though it would be profitable in many instances for a company to make investments to reduce venting and flaring, the operator may choose to invest instead in a new well that would be even more profitable.<sup>217</sup> The GAO also identified a lack of operator awareness of the available cost savings, limited capital availability for small companies, and institutional inertia as reasons that companies fail to capture the economic benefits of investing in waste reduction measures.<sup>218</sup> In addition, operators typically consider only the costs and revenues of gas capture with respect to their individual operation. But in many instances, when costs and revenues are evaluated across a larger area, such as a group of wells that would share access to a gas transmission line and processing plant, gas capture that may appear less economically attractive to an individual operator may be more economical if all of the wells in that area were capturing and selling their gas. This concept is recognized in the existing requirements under NTL-4A,

which directs the Supervisor to consider "the economics of a field wide plan" in evaluating the feasibility of requiring capture.<sup>219</sup>

#### (d) Proposals To Reduce Waste From Venting and Flaring

A focus on oil development rather than gas capture may be a rational decision for an individual operator, but it does not account for the broader impacts of venting and flaring, including the costs to the public of losing gas that would otherwise be available for productive use, the loss of royalties that would otherwise be paid to States, tribes, and the Federal Government on the lost gas, and the air pollution and other impacts of gas wasted through venting or flaring. A single operator's focus on its own operations can also produce a skewed assessment of the returns on investment in capture infrastructure across an entire area, where shared infrastructure may lower costs relative to the returns from the sale of gas.

Thus, a decision to vent or flare that may make sense to the individual operator may constitute an avoidable loss of gas and unreasonable waste when considered from a broader perspective and across an entire field. Further, as capture technologies improve, the economics of capture are improving for individual operators.

The BLM's proposed approach would reduce venting and flaring through a combination of measures: Prohibiting venting except in a narrow range of circumstances; reducing flaring by limiting the per-lease per-month rate of flaring; requiring operators to submit gas capture plans with their Applications for Permits to Drill new wells; requiring royalties on flared gas where appropriate; and simplifying both compliance with and administration of the venting and flaring requirements. The proposed rule would streamline the current regulatory regime by establishing thresholds and presumptions that initially apply across the board, but would maintain the BLM's ability to address individual situations through case-by-case determinations and exemptions where warranted.

#### (i) Phasing Out Routine Venting

With respect to venting, the proposal specifies that an operator must flare rather than vent gas, except in four specified circumstances: (1) When flaring the gas is technically infeasible (for example, because there is insufficient volume of gas); (2) When

<sup>215</sup> Phone conversation with BLM, Planning and Environmental Coordinator, Miles City, MT, September 2014.

<sup>216</sup> Letter from North Dakota Oil and Gas Division to Operators, Re: Gas Capture Plans Required on All APD's (May 8, 2014).

<sup>217</sup> GAO-11-34 (Oct. 2010) at 24.

<sup>218</sup> *Ibid.*

<sup>219</sup> 44 FR 76600 (Dec. 27, 1979).

the loss of gas is uncontrollable or venting is necessary for the safety of workers and others on the site; (3) When the gas is leaking from a storage vessel under circumstances that do not trigger the flaring requirements of proposed § 3179.203; or (4) When the gas is vented through operation of a natural gas-activated pneumatic controller or pneumatic pump that complies with the equipment requirements of proposed § 3179.201. As a practical matter, the BLM believes that the great majority of associated gas routinely lost from oil production wells is flared, rather than vented, and the proposed prohibition on venting would further reduce losses through venting. Thus, the discussion that follows generally references flaring, which is the main focus of these provisions.

The BLM is aware that venting may occur at gas gathering lines due to maintenance activities. We request comment on whether the proposed venting prohibition will sufficiently address these maintenance emissions.

#### (ii) Limits on Rates of Flaring

The proposed requirements to reduce flaring focus on the routine flaring of associated gas from development oil wells. Associated gas represents the bulk of the current flared gas, and is easier to capture than other flared gas. To address this waste of gas, the BLM proposes to establish a limit on the average rate at which gas may be flared of 1,800 Mcf per month per producing well on a lease.

The BLM is proposing to retain the current exemptions from royalties and gas capture requirements for gas flared in other specified situations, as long as the operator has complied with the proposed requirements to minimize these losses. These exemptions include gas lost in the normal course of well drilling and well completion; well tests; emergencies, as defined in the regulations; and gas flared from exploration or wildcat wells, or from delineation wells (wells drilled to define the boundaries of a mineral deposit). As described in more detail below, these exemptions represent situations in which: (1) A well is least likely to be connected to a pipeline, and on-site capture technologies are least likely to be economical; or (2) Flaring is likely to be unavoidable or necessary for safety.

#### (a) Proposed Per-Well Flaring Limit

As noted, the primary means by which the BLM proposes to reduce flaring is by limiting the average rate at which gas may be flared to 1,800 Mcf/month, per producing well on a lease.

In essence, the BLM is proposing that, subject to limited exceptions, very high rates of flaring from a lease—that is, rates above the proposed 1,800 Mcf/month threshold—constitute unreasonable waste under the MLA. As discussed above, operators have multiple avenues to reduce high levels of flaring. One is to speed up connection to pipelines, and another is to boost compression to access existing pipelines with capacity issues. BLM believes there are also other options available to avoid this waste. The economics of alternative on-site capture technologies improve as quantities of gas increase. Imposing a limit on the overall rate of flaring on a lease would provide operators an incentive to implement these technologies, where net costs are not prohibitive, to allow the wells to produce oil at the maximum rate. Alternatively, an operator could slow production sufficiently to stay below a flaring limit. Slowing the rate of flaring is likely to conserve gas overall because less gas is lost before capture infrastructure comes on line (or is upgraded, in the case of a field with insufficient capacity).

To select an appropriate numeric limit for flaring, the BLM analyzed data indicating the average flaring rates across wells. The BLM used venting and flaring data reported to ONRR by operators of oil and gas leases on Federal and Indian lands. For the analysis, the BLM used the most recent full fiscal year of available data—records covering the time period from October 1, 2013, through September 30, 2014. The BLM extracted from the ONRR data 15,530 records that document more than 76 Bcf of natural gas flared from oil wells during the time period. These records represent monthly flared volumes on a lease or unit basis from over 2,000 unique leases or units that flared natural gas from Federal or Indian mineral estates. As the number of wells on a lease or unit that might contribute to the monthly flaring volume can affect the cost to capture, the BLM further reviewed the BLM Automated Fluid Minerals Support System database for the number of total active wells associated with the lease or unit. With the number of active wells linked to the lease or unit, the records were sorted in order of increasing average flare volume per month per well.

These data indicate that in 2014:

- A 1,200 Mcf/month/well threshold would have impacted about 20 percent of the oil wells flaring associated gas, which accounted for 91 percent of the gas flared;

- A 1,800 Mcf/month/well threshold would have impacted about 16 percent of the oil wells flaring associated gas, which accounted for 87 percent of the gas flared;

- An 2,400 Mcf/month/well threshold would have impacted about 13 percent of the oil wells flaring associated gas, which accounted for 84 percent of the gas flared;

- A 3,000 Mcf/month/well threshold would have impacted about 11 percent of the oil wells flaring associated gas, which accounted for 81 percent of the gas flared.<sup>220</sup>

While these are average flaring volumes spread across all active wells, they represent an approximation of how oil well flaring is distributed across the spectrum of activity.<sup>221</sup> Operators have full discretion in how they choose to meet a rate-based flaring limit, with the result that compliance strategies may vary. For example, operators with wells that are only slightly over the flaring limit may choose to comply by slowing the rate of production until either: (1) The well is connected to pipeline infrastructure; or (2) Well decline brings the rate of gas production under the flaring limit. In the first instance, the over-the-limit quantity of gas would ultimately be conserved—in fact, even more gas might be conserved because the operator is likely to capture *all* of the gas that would otherwise have been flared. In contrast, in the second instance, the over-the-limit quantity of gas would still be flared, just later in time. Thus, there is substantial uncertainty in analyzing the impact of a flaring limit.

The BLM has analyzed the impacts of alternative flaring limits by adopting two simplifying assumptions. First, the BLM assumed that all over-the-limit quantities of gas would be captured instead of flared (an assumption that tends to overstate reductions in flaring); second, the BLM assumed that operators would comply only down to the level of the flaring limit and not below (an assumption that tends to *understate* reductions in flaring). With these competing assumptions in place, the projected reductions in flaring that might be achieved under different numeric limits are:

- A 1,200 Mcf/month/producing well threshold could conserve 80 percent of the gas flared;

- An 1,800 Mcf/month/producing well threshold could conserve 74 percent of the gas flared;

<sup>220</sup> RIA at 33–35.

<sup>221</sup> Data supplied by ONNR.

- A 2,400 Mcf/month/producing well threshold could conserve 69 percent of the gas flared; and
- A 3,000 Mcf/month/producing well threshold could conserve 65 percent of the gas flared.

These estimates were generated for the purpose of comparing alternative options for the flaring limit; the estimated overall impacts of the proposed flaring limit, combined with the effects on flaring of other elements of the rule, are presented in Section VI.B.4. of this preamble and Section 8.4.1. of the RIA. The BLM proposes in § 3179.6(b) to set a flaring limit of 1,800 Mcf per month per well, averaged over all producing wells on a lease. We believe this limit would effectively maximize flaring reductions while minimizing the number of affected leases. This proposed limit is consistent with Wyoming's and Utah's approaches: Wyoming and Utah limit flaring from a well to 60 Mcf/day and 1,800 Mcf/month, respectively, unless the operator obtains State approval of a higher limit.<sup>222</sup> As applied, the numeric limit proposed by the BLM would be somewhat less stringent than the State limits, because operators would be able to average flaring across all of the wells on a lease, rather than being required to meet the limit at each individual well. This approach incorporates some of the flexibility allowed by North Dakota, where operators can show compliance with the State's flaring limits on a field, county, or state-wide basis. In addition to reducing waste of gas through flaring, we believe this proposed approach would give operators more clarity about when they may flare, and reduce administrative burdens for the BLM, compared to the current approach to obtaining approval for flaring under NTL-4A. Operators would no longer have to submit applications to obtain approval for flaring from each individual well, and the BLM would no longer need to review and decide on each of those requests. Currently, some field offices receive hundreds of flaring applications each year, and processing these applications on a case-by-case basis uses BLM resources that could be used to process applications for permit to drill, process right-of-way applications, and conduct inspections, among other activities.

<sup>222</sup> Wyoming Operational Rules, Drilling Rules Section Ch. 3, Section 39(b), available at <http://sos.wy.state.wy.us/Rules/RULES/9584.pdf> (60 Mcf/day); Utah R649-3-20, Gas Flaring or Venting Section 1.1, available at (<http://www.rules.utah.gov/publicat/code/r649/r649-003.htm#T20>) (1,800 Mcf/mo.).

#### (b) Phase-In of the Proposed Limit

The BLM recognizes that in the first few years of the rule, it may be difficult for operators to meet the newly proposed flaring limit across all of their existing operations, because operators of oil wells drilled prior to the effective date of this rule may not have planned for gas capture. To assist these operators in transitioning to the proposed flaring limits, we propose to phase in those limits over the first few years after the effective date of the rule. Specifically, we propose flaring limits of: 7,200 Mcf per month per well on average across a lease in the first 12 months in which the regulations are in effect; 3,600 Mcf per month per well on average across a lease in the second 12 months in which the regulations are in effect; and 1,800 Mcf per month per well on average across a lease thereafter. This approach of phasing in the flaring limits is intended to allow operators initially to focus their resources on addressing wells with the highest rates of flaring.

#### (c) Alternative Flaring Limits or Renewable, 2-Year Exemption

Lessees that entered into Federal and Indian leases prior to the imposition of the proposed flaring limits (depending on the location of their wells) may have limited options for substantially minimizing waste. As a result, the BLM believes it is appropriate and necessary to provide an exemption to ensure that no lessee is entirely deprived of its ability to develop an existing Federal or Indian lease.

Thus, the BLM proposes in § 3179.7 to provide existing lease holders with the possibility of obtaining an exemption to the applicable flaring limit. Specifically, we propose to provide that an existing lease holder may apply for an alternative flaring limit or, under specific circumstances, may qualify for a renewable, 2-year exemption from the flaring limit. These provisions are intended to help existing operators transition to the proposed regulatory regime; operators on new leases would have more flexibility to plan for gas capture ahead of drilling, and thus would not be eligible for either form of exemption.

#### (i) Alternative Flaring Limits

The alternative flaring limit provision would apply to any operator (operating on an existing lease) that demonstrates, to the BLM's satisfaction, that the flaring limit specified in the regulations would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease.

In making the determination of whether a lease qualifies for an alternative flaring limit, the BLM would consider the costs of capture and the costs and revenues of all oil and gas production on the lease. For any operator that made a sufficient showing, the BLM would set an alternative flaring limit. The BLM would aim to set this alternative limit at the lowest level that would not cause the operator to cease production and abandon significant recoverable oil reserves.

The proposed standard for approving an alternative flaring limit is similar to the existing standard in NTL-4A for approving venting or flaring of oil well gas. NTL-4A allows the BLM to approve flaring if it is justified by data showing that "the expenditures necessary to market or beneficially use such gas are not economically justified and that conservation of the gas, if required, would lead to the premature abandonment of recoverable oil reserves and ultimately to a greater loss of equivalent energy than would be recovered if the venting or flaring were permitted to continue."<sup>223</sup> Given the substantial variation in how the BLM has interpreted and applied this standard, the BLM is proposing to establish a refined formulation of this test, to allow for a more uniform interpretation going forward. In particular, in some instances in the past, even small net costs have been viewed as meeting the test under NTL-4A, as any net cost might theoretically cause an operator to abandon a well earlier than it otherwise would have. In light of the BLM's statutory obligation to reduce waste of natural gas from venting, flaring, and leaks, however, the BLM believes that an operator must demonstrate more than a negligible economic impact in order to qualify for an exemption from the flaring limit. Thus, we propose to allow an exemption only on a showing that the net costs of compliance with the flaring limit would be sufficient to cause the operator to cease production and abandon "significant" recoverable oil reserves. The BLM requests comment on this approach.

To make the proposed showing, an operator would have to provide information about the quantity of flaring from the lease, projected costs of capture (including an evaluation of on-site approaches), and projected prices and returns on oil and gas production from the lease. Where operators need to project future costs and returns, the projections would be required to cover either the life of each lease or the next

<sup>223</sup> NTL-4A, IV.B.

15 years, whichever is less. This is similar to the information that NTL-4A currently requires operators to provide in a request for approval of flaring, although the proposed regulations are more specific. NTL-4A currently requires an applicant for royalty-free flaring to submit “all appropriate engineering, geologic, and economic data in support of the applicant’s determination that conservation of the gas is not viable from an economic standpoint and if approval is not granted to continue the venting or flaring of the gas, that it will result in the premature abandonment of oil production and/or the curtailment of lease development.”<sup>224</sup> Pursuant to this language in NTL-4A and guidance from individual BLM State offices, operators generally give the BLM information on projected oil and gas production, revenue projections, costs, and returns on investment under scenarios in which the gas is and is not captured, although the specific information submitted varies between applicants and across BLM field offices and States.

The BLM believes that requiring the information specified in this proposal to support a request for an alternative flaring limit would not impose substantial new paperwork burdens on operators, given the information currently required to be submitted under NTL-4A. In addition, given the rigor of the qualifying requirements, we do not expect many lease holders to apply for an alternative flaring limit, further limiting the potential burden. We request comment, however, on this point.

#### (ii) Renewable, 2-Year Exemption

Unlike the alternative flaring limit, the renewable exemption would provide certain operators with a complete exemption from the flaring limit, for a period of 2 years. The BLM generally prefers to assess the need for alternative flaring limits on a case-by-case basis, but we recognize that it may be more efficient to grant a short-lived, across-the-board exemption to a small class of operators that are: (1) Operating at significant distances from gas processing facilities, and (2) Generating high volumes of associated gas, such that capture and sale of the gas is plainly infeasible with current technologies. Thus, the proposed rule identifies three criteria that an operator must meet to qualify for an exemption from the flaring limit. Specifically, the BLM proposes that operations on an existing lease would qualify for an exemption from the flaring limit if: (1)

The lease is not connected to a gas pipeline; (2) The closest point on the lease is located more than 50 straight-line miles from the nearest gas processing plant; and (3) The rate of flaring or venting from the lease exceeds the applicable flaring limit by at least 50 percent.

There are two reasons why the BLM believes that meeting all three of these criteria would be sufficient to demonstrate that an operator on an existing lease would be unlikely to be able to meet the flaring limit with today’s technologies. First, a 2015 study by the entity Carbon Limits AS, titled *Improving Utilization of Associated Gas in US Tight Oil Fields*,<sup>225</sup> suggests that on-site capture is most cost-effective within a 20–25 mile radius of gas processing facilities.<sup>226</sup> Existing leases located more than 50 miles from such facilities are thus unlikely to be able to avail themselves of this technology. (While leases located more than 25 but less than 50 miles from gas processing facilities might similarly find on-site capture less cost-effective, that might not always be the case. Those leases could make a case-by-case showing under the proposed provision for alternative flaring limits.)

Second, while operators could respond to the flaring limit by deferring production, that is unlikely to be an option for operators on existing leases that are flaring more than 50 percent above the applicable limit. For these operators, reducing flaring below the limit would require reducing production by one-third or more. Thus, the BLM believes that leases meeting these distance and flaring rate criteria should qualify for an automatic exemption from the flaring limit.

To obtain the exemption, the BLM proposes to require that an operator submit a Sundry Notice with an affidavit certifying that the lease meets the specified criteria. The authorizing officer would then have the opportunity to verify the accuracy of the submission.

Because the circumstances supporting an exemption may change over time, the BLM proposes that the exemption would extend for 2 years, and could be renewed by the operator with submission and BLM approval of a new Sundry Notice.

#### (d) Request for Comments

To assist the BLM in finalizing the proposed flaring limit, we request comment on:

- The proposed 1,800 Mcf/month/well limit on the quantity of flared gas;
- Whether the flaring limit should be 1,200 Mcf/month/well, which would likely further reduce flaring, or 2,400 Mcf/month/well, which would likely reduce compliance costs for operators, but increase flaring above the amount anticipated by the proposed rule;
- Operators’ likely response(s) to the proposed 1,800 Mcf/month/well limit (that is, the degree to which operators would respond by deploying on-site capture technologies, increasing capture capacity, speeding connections to pipelines, or slowing production, or with some combination of those responses);
- The proposal to phase-in the flaring limits and the specific limits proposed for year-one and year-two;
- The proposed provisions for operators to obtain an alternative flaring limit; and
- The proposed criteria for operators to qualify for the renewable, 2-year exemption, as well as the proposed 2-year duration of the exemption and the opportunity for renewal.

#### (iii) Waste Minimization Plans for Applications for Permit To Drill

The BLM is also proposing that prior to drilling a new development oil well, an operator would have to evaluate the opportunities and prepare a plan to minimize waste of associated gas from that well, and the operator would need to submit this plan along with the APD.

The BLM proposes to amend § 3162.3–1 to require an operator to submit along with its APD a plan to minimize waste of gas from the well to the degree reasonably possible. Failure to submit a complete and adequate waste minimization plan would be grounds for denying or disapproving an APD.

The plan must set forth a strategy for how the operator will comply with the proposed requirements to control waste from venting, flaring, and leaks, and it must explain how the operator plans to capture associated gas upon the start of oil production, or as soon thereafter as reasonably possible. The waste minimization plan must include specified information, including: Anticipated well completion timing; anticipated gas production rates, durations, and declines; a map and information on the locations and operators of nearby gas pipelines and processing plants; proposed routes and tie-in points; pipeline capacities, throughputs, and expansion plans, if known; an evaluation of opportunities for alternative on-site capture approaches, if pipeline transport is

<sup>225</sup> Hereinafter “Carbon Limits.” The study is available at [http://www.catf.us/resources/publications/files/Flaring\\_Report.pdf](http://www.catf.us/resources/publications/files/Flaring_Report.pdf).

<sup>226</sup> *Ibid.* at 34.

<sup>224</sup> 44 FR at 76600 (Dec. 27, 1979).

unavailable; and the volume and percentage of produced gas that the operator is currently flaring from wells in the same field. In addition, the operator must certify that it has provided one or more midstream processing companies with information about its production plans, including the anticipated completion dates and gas production rates of the proposed well or wells. We request comment on whether the waste minimization plan provisions should also require an operator to identify the projected gas production volumes that would be moved by pipeline or by truck.

While the BLM is proposing to require submission of a waste minimization plan together with the APD, we are not proposing to include the submitted plan as an element of the APD or otherwise to enforce the terms of the plan.

The BLM believes that requiring submission of a waste minimization plan would ensure that as an operator plans a new well, the operator has the information necessary to evaluate and plan for gas capture. This requirement would also ensure that the operator provides this information to the companies most likely to install and operate the necessary gas capture infrastructure—namely, midstream processing companies operating in the area. Both procedural steps are vitally important to development of a robust gas capture system for a new well.

As with development of an environmental analysis under the National Environmental Policy Act, the BLM believe that significant progress can be made by requiring that operators take these procedural steps prior to drilling. Further, the BLM believes that making the elements of the plan enforceable (for example, by incorporating it in the APD) might create an unintended incentive for operators to understate the degree of capture they anticipate achieving, or to write a very general plan, with few specifics. As a result, the BLM believes more can be achieved by requiring operators to develop a thorough and practical plan prior to submitting their Applications for Permits to Drill. The plan requirement is intended to assist operators in better preparing to comply with the proposed flaring limits.

The information required by this proposed provision is comparable to the information North Dakota requires to be included in the gas capture plan that each operator must provide. North Dakota requires that the gas capture plan include: A detailed gas gathering pipeline system location map identifying the location of connections to the gathering system and processing

plants, as well as the names of gas gatherers and locations of lines for each gas gatherer in the vicinity; information on the existing line to which the operator proposes to connect, including the maximum current capacity, current throughput, and gas gatherer issues or expansion plans for the area (if known); a flowback strategy including the anticipated date of first production, and anticipated oil and gas rates and duration; the amount of gas the applicant is currently flaring; and alternatives to flaring, including specific alternate systems available for consideration and the expected flaring reductions if such plans are implemented.<sup>227</sup> North Dakota regulators have identified the requirement for gas capture plans as a highly effective element of their requirements to reduce flaring.<sup>228</sup>

#### (iv) Estimating or Measuring Quantities of Flared or Vented Gas

Under proposed § 3179.8, the BLM would require operators to report the quantities of all flared and vented gas. In determining the quantity of gas flared or vented, operators either estimate the volumes using engineering protocols or measure the volumes with gas meters. Meters generally produce more accurate results, but are also more costly. Thus, the BLM proposes to specify when operators may estimate the volumes of flared or vented gas, and when operators must measure the quantities for reporting purposes. Specifically, the BLM proposes that when the combined total of an operator's flaring and venting reaches least 50 Mcf of gas per day from a flare stack or manifold, the operator must measure rather than estimate the volume lost (*i.e.*, flared and/or vented) from that flare stack or manifold.

The BLM believes that in calculating small volumes of lost gas, any additional accuracy provided by meters may not justify their additional cost. Accordingly, the proposed rule would allow operators to estimate rather than measure volumes of lost gas below 50 Mcf. The BLM proposes to require measurement when gas losses are at least 50 Mcf per day because as the volume of gas flared nears 60 Mcf/day it is effectively nearing the 1,800 Mcf/month limit, and at that point accurate measurement of that volume becomes

increasingly important for compliance and enforcement purposes. Moreover, as the volumes of gas flared increase, the economics of gas capture become more favorable, and the importance of using more refined data increases. We request comment on this proposed approach.

#### (v) Costs and Benefits of These Proposals

The requirement to meter flares is estimated to pose compliance costs of \$7,500 per meter and operating costs of about \$500 per meter per year. Assuming an equipment life of 10 years, the cost per meter is about \$1,570 per year when costs are annualized using a 7 percent interest rate, or \$1,380 per year using a 3 percent interest rate. In total, we estimate that the proposed flare metering requirement would impact 635 operations in 2017, with that number increasing on an annual basis to an estimated 1,175 operations in 2026. We estimate compliance costs ranging from \$1.0–1.8 million per year when the capital costs of equipment are annualized with a 7 percent discount rate or \$0.9–1.6 million per year when the capital costs of equipment are annualized with a 3 percent discount rate. Since these sources are not addressed by the EPA's proposed 40 CFR part 60 subpart OOOOa, the estimated impacts of the requirements are not influenced by that proposal.<sup>229</sup>

The requirement to limit gas flaring to 1,800 Mcf/month per average well on a lease may result in a range of potential benefits and costs depending on operator response, commodity prices, and the levels of flaring in future years. Operators could choose to comply by immediately using the excess gas on-site or deploying on-site capture technologies; they could briefly slow oil production while they expand capture capacity, where such expansion is cost-effective; or they could defer some portion of their production. We request comment on the likely balance among these response approaches, and the likely volume and duration of any partial deferral in oil production.

We considered this range of responses in estimating the costs and benefits of the flaring provisions, although we recognize that these estimates are subject to significant uncertainty, given the uncertainty about operator response. In designing the analysis, we looked at data for leases in North Dakota and New Mexico with respect to characteristics that might influence an operator's choice of how to comply with the flaring limits. Specifically, we identified whether wells on the lease were

<sup>227</sup> Letter from North Dakota Industrial Commission, Department of Mineral Resources, Oil and Gas Division to all Hearing Applicants, re Gas Capture Plan Required Hearing Exhibit (Sept. 16, 2014).

<sup>228</sup> Telephone Communication from North Dakota Industrial Commission, Department of Mineral Resources, Oil and Gas Division to BLM Staff, (May 13, 2015).

<sup>229</sup> RIA at 69.

connected to pipeline infrastructure, the rate of flaring (specifically, whether the rate was at least 50 percent above the flaring limit, or whether the rate was within 40 Mcf/day of the flaring limit), and the distance from the nearest gas processing plant (specifically whether the well was more than 50 miles, less than 20 miles, or between 20 and 50 miles from the nearest gas processing plant) for each lease where these data were available. We then constructed eight possible operator response scenarios based on combinations of these characteristics. We evaluated how operators in each scenario might respond to the flaring limit (e.g., by deferring production, conducting on-site capture, or obtaining an exemption), assigned costs for each type of response, calculated the number of leases that would fall into each response category, and derived an estimate of overall costs. The RIA provides additional detail on our analysis.

We estimate that the proposed flaring limits, including the 3-year phase-in period, would affect an estimated 435–885 leases in any given year. These requirements could pose total costs of about \$32–68 million per year (7 percent discount rate) or \$26–43 million per year (3 percent discount rate). Because these requirements would drive additional capture of gas, the flaring limits are also projected to pose total cost savings (from the value of the captured gas) of about \$40–58 million per year (7 percent discount rate) or \$40–64 million per year (3 percent discount rate). We also estimate that they would increase natural gas production by 2.5–5.0 Bcf per year, and increase NGL production by 36–51 million gallons per year. The net benefits of these requirements are estimated to range from negative \$10 to positive \$8 million per year (7 percent discount rate) or \$13–30 million per year (3 percent discount rate). Also, we expect there would be additional environmental benefits associated with the productive use of the gas downstream.<sup>230</sup>

#### (e) When Flared Gas Is Subject to Royalties

Along with the other aspects of NTL–4A, it is necessary to update the NTL–4A provisions regarding the applicability of royalties. As noted above, this proposal would clarify the determination of whether routine flaring from a production well is considered an avoidable waste of gas subject to royalties. Requiring royalty payments on wasted quantities of gas does not

compensate for all the harm to the public from that waste, but it at least ensures that the public does not lose the royalty revenue they would have received had the gas been put to productive use.

The BLM is proposing in § 3179.4 to maintain the general approach of NTL–4A for distinguishing between avoidable and unavoidable losses of gas. The proposed rule would reduce regulatory burden and confusion, however, by providing additional and more specific requirements, and it would modify the NTL–4A approach with respect to flaring from wells that are already connected to gas capture infrastructure.

#### (i) Unavoidable Losses of Gas

The BLM proposes to determine that a loss of gas is unavoidable if all of the following four conditions are met. (1) The operator has not been negligent; (2) The operator has complied with all applicable requirements; (3) The operator has taken prudent and reasonable steps to avoid waste; and (4) The gas is lost from any of the following specified operations or sources, subject to the applicable limits or conditions specified in the proposed regulations: Emergencies; well drilling; well completion and related operations; initial production tests and subsequent well tests; exploratory coalbed methane well dewatering; leaks; venting from conforming pneumatic devices in the normal course of operation; evaporation from storage vessels; and downhole well maintenance and liquids unloading. Where these losses result from flaring, the BLM is proposing to establish quantity and/or timing limits on gas that may be flared royalty-free, such as the definition of what is considered an emergency and the limits on royalty-free flaring for well testing. Beyond these limits, continued losses would generally be considered avoidable and subject to royalties, except that, with respect to testing, the BLM may approve an operator's request for royalty-free flaring beyond the specified limits.

In addition, the BLM is proposing to find a loss of gas unavoidable where produced gas is flared from a well not connected to gas capture infrastructure, as long as the BLM has not otherwise determined that the loss of gas is avoidable, subject to the 1,800 Mcf/month limit in § 3179.6. In some cases, the effectiveness and affordability of on-site capture technology may mean that an operator could avoid flaring gas from a well not connected to capture infrastructure. At this time, however, on-site capture technology is not always effective and affordable; thus, the BLM is not proposing to find all flaring of

associated gas from development wells to be avoidable.

The specifics of the proposal with respect to unavoidable losses depend on the category of loss. With respect to emergencies, NTL–4A currently authorizes royalty-free flaring of gas without approval from the BLM, but the proposed rule would clarify and narrow the scope of this exemption. As proposed under § 3179.105, emergencies result in infrequent and unavoidable flaring (or venting), and they may include failures of equipment located on the lease, relief of abnormal system pressures, or other unanticipated conditions. Operators may flare under this exemption for up to 24 hours per incident, and for no more than three emergencies per lease within a 30-day period. The BLM proposes to clarify that emergencies do not include: More than three failures of the same equipment within 365 days; failure to install adequate equipment to capture the gas; failure to limit production when the production rate exceeds the capacity of the related equipment; scheduled maintenance (whether by the operator or downstream facilities); or operator negligence. The BLM believes that repeated failure of the same piece of equipment within a given span of time indicates that the equipment is not properly sized or may need to be replaced, and that the operator should have taken action to address the problem. The BLM requests comment on the specific failure frequencies over a given time-period that would tend to indicate avoidable incidents.

With respect to flaring during well drilling and completion, the BLM proposes under § 3179.101 that gas produced during normal well drilling operations and then flared would be deemed unavoidably lost. Similarly, under proposed § 3179.102, gas produced during well completion and post-completion drilling fluid recovery or fracturing fluid recovery operations would be deemed unavoidably lost when flared, subject to a volume limit. Under proposed § 3179.103, gas from initial production testing may be flared and deemed unavoidably lost until the first of the following occurs: (1) The operator has adequate reservoir information for the well; (2) 30 days (90 for coal-bed methane dewatering) have passed; (3) The operator has flared 20 MMcf of gas, including any gas flared that was produced during well completion and post-completion fluid recovery; or (4) Production begins.

The 20 MMcf limit is lower than the maximum volume of royalty-free flaring authorized under NTL–4A (50 MMcf). The BLM's experience in the field

<sup>230</sup> RIA at 60.

indicates that adequate testing to determine a well's production capacity can almost always be conducted within the 20 MMcf volume threshold. The current 50 MMcf threshold is seldom, if ever, exceeded in actual well testing operations. The BLM specifically seeks comments on the amount of gas that should be allowed to be flared royalty-free during initial production testing.

Under proposed § 3179.104, during well tests subsequent to the initial production test, the operator may only flare gas for 24 hours royalty free, unless the BLM approves otherwise.

Operators would no longer need to apply for approval of flaring under the preceding conditions. Any gas flared in excess of these limits, however, would be deemed avoidably lost and subject to royalties, except where the BLM approved a request to extend the limits. In addition, regardless of whether the gas is subject to royalties, BLM also proposes under § 3179.8 that the operator must measure or estimate all quantities of gas flared and vented, including those that are deemed unavoidably lost, and report these quantities to ONRR.

#### (ii) Avoidable Losses of Gas

Under proposed § 3179.4(b), all losses of gas not specifically found to be unavoidable would be considered avoidable. Proposed § 3179.5(a) would subject all avoidably lost gas to royalties. One key consequence of this proposal is that royalties would apply to associated gas flared from a development well that is already connected to capture infrastructure.

The BLM believes that where operators are connected to capture infrastructure, but are nevertheless flaring, they have made an economic choice to flare, and flaring in those instances should not be considered an unavoidable consequence of oil production. Most flaring at wells already connected to pipelines occurs when wells are bumped off the pipeline due to pressure or capacity constraints, or when downstream equipment is brought down for maintenance. Where wells are already connected to gas capture infrastructure, midstream companies and operators have presumably already found that gas capture pays for itself. Nonetheless, operators may choose to expand production beyond the capacity of existing capture infrastructure, or to do so faster than capture infrastructure can be expanded (where capacity issues can be addressed with installation of additional compression, the rate of expansion is often in the operator's control). This may be a rational business

decision for an operator, but with better planning or more deliberate development, both the oil and gas resources could be developed without waste.

Further, operators may be able to use alternative on-site gas capture equipment to put the gas to productive use during any period in which gas production exceeds transport capacity. Similarly, when downstream equipment is temporarily brought down for maintenance, operators could curtail production for a short period or use on-site capture equipment to avoid wasting gas in the interim.

#### (f) Alternative and Additional Approaches

The BLM considered, but did not include in the proposed rule text, a range of supplemental or alternative approaches to the flaring limit and royalty provisions described above. For example, one alternative approach that BLM considered for increasing capture of associated gas was to rely solely on royalties on flared gas to discourage flaring. Under this approach, all flaring of associated gas would be presumptively subject to royalties. Similar to the current standard under NTL-4A, operators could then obtain an exemption to the requirement to pay royalties by showing that a requirement to conserve the gas would cause the operator to cease production and abandon significant recoverable oil reserves. To support such a claim, the operator could be required to provide: The projected costs of each technically viable method of capturing and/or using the gas (including, if applicable, pipelines, removal of NGLs, CNG, LNG, and electricity generation); the current return on investment for the oil and gas operation on the lease; the projected return on investment for the oil and gas operation if some or all of the gas were captured; projected oil and gas prices and production volumes; the location and capacity of the closest pipelines; and other relevant information. In making the determination, the BLM would consider the costs of capture, and the costs and revenues of all oil and gas production on the lease.

While market-based mechanisms, such as royalty imposition, can be highly effective policy instruments, and we do propose to charge royalties on gas flared above the 1,800 Mcf/month limit because we believe flaring above that level is avoidable, we do not believe that royalties on flared gas alone would curtail flaring. At current gas prices, oil prices, and royalty rates, applying royalties to flared gas does not provide a sufficient incentive for operators to

invest in gas capture to any appreciable degree. This is evident in areas such as Carlsbad, New Mexico, where most operators are currently paying royalties on associated gas that is flared, and in spite of those payments, rates of flaring have not changed appreciably since 2013. The BLM would not expect the imposition of royalties at the current royalty rate to lead to a significant increase in gas capture as long as the economic return on the oil production is substantially higher than the economic loss from the flared gas. The BLM requests comments on this conclusion.

A more significant royalty-based approach to flaring would be to apply a higher royalty rate to all production from a lease on which the operator is routinely flaring gas from development wells. This concept is discussed in more detail in Section V.C. of this preamble.

Another alternative to the proposed approach to flaring would be to distinguish between new and existing wells. The current proposal applies the same flaring requirements to both. The BLM is, however, considering including a complete prohibition on routine flaring of associated gas from new development wells. This approach would shift the burden of flaring from the public, which currently absorbs the costs of flaring, to operators, which have greater capacity to anticipate and plan for capture infrastructure to be ready at the time they shift from exploration to development in a given field. The BLM requests comment on this approach.

Finally, the BLM is requesting comment on other innovative approaches to reduce wasteful flaring and determine when flaring should be subject to royalties. In evaluating alternative approaches suggested in comments, we would consider a variety of factors, including the approach's effectiveness in: Increasing gas capture; reducing waste and compensating the public through royalties; enhancing regulatory clarity and transparency; reducing uncertainty for operators; minimizing inconsistency across BLM offices; minimizing cost, paperwork, and any other burdens on operators; minimizing administrative burden on the BLM; increasing overall practical workability; and satisfying existing legal authorities.

## 2. Leaks

### (a) Estimates of Quantities of Gas Leaked

As discussed in detail in the RIA, using data from the EPA GHG Inventory, we estimate that about 4.35 Bcf of natural gas was lost in 2013 as a result

of leaks or other fugitive emissions from various components, including valves, fittings, pumps, storage vessels and compressors on well site operations on BLM-administered leases.<sup>231</sup> This quantity of gas would supply nearly 60,000 homes each year.<sup>232</sup>

#### (b) Technologies and Practices To Reduce Leaks

Multiple studies have found that once leaks are detected, the vast majority of them can be repaired at low enough cost that the captured gas provides a positive return to the operator. For example, the Carbon Limits study found that 97 percent of the total leak rate could be repaired with a positive return, even at low producer gas prices of \$3 per Mcf.<sup>233</sup> Further, over 90 percent of gas leak emissions are from leaks that could be repaired with less than a 1-year payback period.<sup>234</sup> Given that leak repair is generally economical, the key question is how the cost of leak detection compares with the value of the gas that could potentially be saved by repairing leaks.

The term “Leak Detection and Repair” (LDAR) refers to both the practices and programs that operators put in place to inspect for and repair leaks, and the specific technologies and methods the operators use to detect leaks during inspections. Recent technological developments have reduced the cost of leak detection while simultaneously improving operators’ ability to detect less obvious leaks. Traditional methods coupled with new technology can also be effective.

States are beginning to take advantage of these new technologies. Colorado, for example, requires instrument-based emission monitoring as part of an LDAR program that applies to well production facilities and compressor stations.<sup>235</sup> Also, Wyoming has regulations that require operators in the Upper Green River Basin nonattainment area to develop LDAR programs if their facilities emit more than an estimated 4 tons of VOCs each year.<sup>236</sup>

#### (i) Auditory, Visual, and Olfactory (AVO) Method

The AVO method consists of physically inspecting the facilities—

looking, listening, and smelling for leaks. AVO inspections have traditionally been the backbone of an inspection program, and BLM inspectors typically use this method when inspecting well and facility sites. The use of AVO inspections is most effective in detecting obvious and significant emissions-release events, resulting in the cost-effective reduction of high-volume leaks. The BLM believes AVO is affordable for the many small operators that only operate a few well sites each. Costs associated with the AVO method are largely for labor, paying for qualified technicians and their mileage to and from the well or facility sites.<sup>237</sup> AVO inspections are not, however, very effective at catching smaller or less obvious leaks, which can be a source of significant wasted gas.

#### (ii) Portable Analyzers

Portable monitoring instruments or portable analyzers detect hydrocarbon leaks from individual pieces of equipment. These analyzers may use any of a variety of methods of detection, including catalytic ionization, flame ionization, photoionization, infrared absorption, and combustion, and they are generally used only to detect and measure the quantity of a single component of the vapor, such as methane. These analyzers are sensitive and can detect emissions at extremely low concentration levels. Typical portable analyzers range in cost from \$3,000–\$12,000.<sup>238</sup>

One standard approach for using portable analyzers is “Method 21,” the EPA’s method for detecting VOC emissions from leaking equipment.<sup>239</sup> Method 21 provides the specifications and performance criteria that must be used under EPA’s regulations to detect leaks using portable analyzers.

#### (iii) Optical Gas Imaging (Infrared Camera)

A newer technology that operators and inspectors are increasingly using for leak detection is optical gas imaging (OGI). OGI uses infrared detectors (commonly called “infrared cameras”) to provide visual images of gas emissions in real time. The OGI instrument can be used to monitor a wide range of oilfield equipment and its effectiveness as a means for detecting leaks is widely recognized.

OGI costs more than AVO approaches, but it also detects more leaks, which can result in additional gas savings. The GAO noted that infrared cameras allow

users to rapidly scan and detect vented gas or leaks across wide production areas. The GAO specifically recommended that the BLM consider the expanded use of infrared cameras, where economical, to improve reporting of emission sources and to identify opportunities to minimize lost gas.<sup>240</sup> In its recent proposed rule, EPA also notes the advantages of OGI compared to a portable analyzer.<sup>241</sup> Several studies discussed in EPA’s white paper on leak detection estimated that OGI can monitor 1,875–2,100 components per hour.<sup>242</sup> In comparison, the average screening rate using a portable analyzer is roughly 700 components per day.<sup>243</sup> Although EPA noted that these studies may underestimate the amount of time necessary to thoroughly monitor for fugitive emissions using OGI instruments, EPA stated that it still believes that the use of OGI can reduce the amount of time (and therefore the cost) necessary to conduct fugitive emissions monitoring, because multiple fugitive emissions components can be surveyed simultaneously.<sup>244</sup>

Infrared cameras have high capital costs, and they also require calibration, maintenance, and training. As a result, while some operators purchase and operate this equipment themselves, others contract with specialized firms for leak detection surveys using this equipment. For example, the equipment may cost from \$85,000 to \$100,000 or more, with packages that include many peripherals costing upwards of \$125,000. Batteries, chargers, and other required peripherals can add \$5,000 to \$10,000. Service provider rates may be in the range of \$500 per day to \$2,000 per week, while annual service contracts may range from \$5,000 to \$10,000.<sup>245</sup> Calculated on an individual facility basis, another study found that the average cost of hiring an external service provider to conduct a leak survey and provide a report is: \$400 per individual well site (with a single well); \$600 per single well battery, which includes additional equipment on site; \$1,200 per multi-well battery; and \$2,300 per compressor station.<sup>246</sup> The BLM has also received information from external service providers indicating that costs can be substantially lower than these, and we request comment on this point.

<sup>231</sup> RIA at 19.

<sup>232</sup> Based on an estimate of 74 Mcf of gas used per household per year. See footnote 2.

<sup>233</sup> Carbon Limits, 16.

<sup>234</sup> Carbon Limits, 16.

<sup>235</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9, Section XVII.F.

<sup>236</sup> Wyoming Operational Rules, Drilling Rules Section Ch. 8, Section 6(g), available at <http://sos.wy.state.wy.us/Rules/RULES/9868.pdf>.

<sup>237</sup> API, 2014.

<sup>238</sup> API, 2014.

<sup>239</sup> 40 CFR part 60, App. A–7.

<sup>240</sup> GAO–11–34 (Oct. 2010) at 34.

<sup>241</sup> 80 FR 56593, 56634.

<sup>242</sup> *Ibid.*

<sup>243</sup> *Ibid.*

<sup>244</sup> *Ibid.*

<sup>245</sup> API, 2014.

<sup>246</sup> Carbon Limits, 14, 32.

Studies and some operators' experiences indicate that LDAR programs based on the use of infrared cameras actually save operators money overall, while substantially reducing waste. For example, the Carbon Limits study found that because leaks are not evenly distributed across all facilities, not every leak survey finds leaks and saves money for the particular operator. But when considered across a broader set of facilities (such as those located on BLM-administered leases or a set of facilities owned by a single operator), the study found that these programs have either cost-neutral or positive returns on average, depending on the type of facility surveyed.

Specifically, the Carbon Limits study found that for well sites and groups of wells, about one-third of the facilities had no detectable leaks, 7 percent had leaks above 500 Mcf per year, and the remainder had leaks of less than 500 Mcf per year. (To put this number into perspective, a typical home uses 74 Mcf of gas a year.<sup>247</sup>) For compressor stations, roughly 10 percent had no leaks, while almost 25 percent leaked at 500 Mcf per year or more.

When aggregated across a larger group of facilities, rather than being evaluated on a facility-by-facility basis, the Carbon Limits study found that these infrared camera leak surveys produce net cost savings.<sup>248</sup> Broken down by facility type, it found that surveys at well sites are cost-neutral measured on a ton of avoided CO<sub>2</sub>-e basis, and that surveys at compression stations produce net savings. Specifically, on average, the net present value (NPV) of applying LDAR to an individual well site or well battery was a loss of \$35, assuming recovered gas at \$4 per Mcf. The average cost saving across all compressor stations surveyed was \$3,376. Moreover, the authors note that most of the facilities in the study were Canadian facilities that are already inspected for leaks every 1 to 2 years, and thus the current leak rates—and, consequently, proceeds from repairs—at U.S. facilities without leak inspection programs would be expected to be higher.<sup>249</sup>

#### (iv) Continuous Emissions Monitoring Systems and Other New Technologies

Another possibility for leak detection is continuous emissions monitoring. Continuous Emissions Monitoring Systems (CEMS) are commonly used as

a means of monitoring various components of a large industrial source's emissions stream, including oxygen, carbon monoxide and carbon dioxide, for compliance with EPA or State air emissions standards. More recently, researchers have been evaluating the possibility of adapting the technology for use in identifying leaks in and around oil and gas operations.<sup>250</sup> Due to the dispersed nature of potential leaks within the area of concern (compared to the concentrated gases in a flue gas stream), challenges remain in developing a CEMS (standalone or mobile) that has the requisite sensitivity to detect leaks under a variety of atmospheric and field conditions. One possibility is to use a CEMS as an area monitor for fugitive emissions, which would then alert the operator for the need to use a more focused leak detection device to pinpoint the leak needing repair. Research is continuing to determine if CEMS could supplement or be a viable alternative to current leak detection instruments.

There is also extensive ongoing work to develop other, more effective and less costly advanced leak detection technologies. For example, DOE initiated an effort to advance methane-sensing technologies through the Advanced Research Projects Agency—Energy (ARPA-E) MONITOR (Methane Observation Networks with Innovative Technology to Obtain Reductions) program.<sup>251</sup> In December 2014, this \$30-million, 3-year program announced support for 11 new projects that are developing low-cost, highly sensitive systems that detect and measure methane associated with the production and transportation of oil and natural gas.<sup>252</sup>

#### (iv) LDAR Programs

An effective LDAR program depends not just on the technology used to detect leaks, but also on the overall approach an operator uses to inspect for leaks, conduct preventative maintenance, and repair leaks that are found. Two of the largest operators in one of BLM's field offices conduct routine operations checks, which typically use AVO inspection methods. In addition to well site inspections, a preventative

maintenance program is often used. Adherence to a properly designed preventive maintenance program proactively minimizes equipment failures and gas losses from leaks. In general, a maintenance program may consist of a variety of activities that are applicable to operating location, type of operations, and equipment used. An operator will design the preventive maintenance program that is most suitable for the site. These efforts include periodic inspection (AVO inspection and general equipment inspection on at least a monthly basis) and service of components that are not leaking, material selection appropriate to service (*i.e.*, alloys, gaskets, filters, etc. that are wear and/or leak resistant), active corrosion monitoring, the application of corrosion and scale inhibitors, use of maintenance records to identify components at risk of failure, and pre-emptive replacement of at-risk equipment.<sup>253</sup>

For example, one major operator in northwest New Mexico, which oversees 10,000 wells in the San Juan Basin, has its lease operators visit each well site each week.<sup>254</sup> The visits are tracked using GPS, which is installed in each truck.<sup>255</sup> According to the operator, any leaks are fixed within days, new facilities are leak-tested prior to production, and most wells have Remote Terminal Units installed, which monitor gas flow rate and volume, static pressure, differential pressure, temperature, controller settings, plunger arrivals/rod pump status/compressor status and both oil and water tank levels.<sup>256</sup> The data flow via solar-powered telemetry at 1-minute intervals. Alarms are triggered if there are sudden pressure changes or tank level drops, and a lease operator can be dispatched to the well site to investigate.<sup>257</sup>

#### (c) Proposals To Reduce Waste From Leaks—Leak Detection and Repair Programs

The BLM believes that LDAR programs are a cost-effective means of reducing waste of gas in the oil and gas production process, based on the State programs, studies, and findings discussed above. Thus, the BLM is

<sup>253</sup> API, June 13, 2014. Re: EPA VOC/Methane White Paper on Oil and Natural Gas Sector Leaks. Pages 7–9.

<sup>254</sup> Phone conversation with Conoco Phillips on San Juan Basin operation, February 2015.

<sup>255</sup> Phone conversation with Conoco Phillips on San Juan Basin operation, February 2015.

<sup>256</sup> Phone conversations with Conoco Phillips and WPX energy on San Juan Basin operations, February 2015.

<sup>257</sup> *Ibid.*

<sup>247</sup> See footnote 2.

<sup>248</sup> Carbon Limits. The study increased the cost estimates by 50 percent to account for the internal costs to a firm of arranging for this work, and it assumed a 7 percent discount rate and \$4 per Mcf value of gas.

<sup>249</sup> *Ibid.*

<sup>250</sup> Briefing from Dr. Bryan Wilson, Program Director, Advanced Research Projects Agency—Energy on O&G emission projects the agency is funding, August 3, 2015.

<sup>251</sup> ARPA-E, <http://arpa-e.energy.gov/?q=arpa-e-programs/monitor>.

<sup>252</sup> Briefing from Dr. Bryan Wilson, Program Director, Advanced Research Projects Agency—Energy on O&G emission projects the agency is funding, August 3, 2015.

proposing under §§ 3179.301 through 3179.305 to require that each operator on a Federal or Indian lease institute an LDAR program that meets specified standards for detection methodology, frequency, and leak repairs, and use this program to inspect each of the operator's well sites and compressor locations.

The BLM's proposed approach, outlined below, is similar to the requirements adopted by Colorado and Wyoming. EPA's proposed regulations to reduce methane emissions from the oil and gas production sector also include fugitive emission requirements, which would apply to certain new and modified oil and gas production facilities. Specifically, the EPA's September 18, 2015 proposal, if finalized, would require that new, reconstructed, and modified well sites and compressor stations conduct regular (semi-annual, annual, or quarterly) fugitive emissions surveys using optical gas imaging technologies.<sup>258</sup> As both agencies have worked to develop their proposed rules, we have shared technical information and communicated extensively. We share the goal of aligning the final requirements for LDAR in the two rules to the maximum extent practicable. At minimum, we would seek to ensure that operators could develop a single LDAR program that meets the requirements of both agencies. We will continue to focus on this issue over the course of the rulemaking process, and we request public comment on how best to achieve this goal.

#### (i) LDAR Options in the Proposed Rule

The BLM proposes under § 3179.302 to require that operators use an instrument-based approach to leak detection. Advances in OGI leak detection technology, in particular, now allow for affordable detection of more, smaller, and less accessible leaks, compared to what would be identified through a pure AVO approach. Both Colorado and Wyoming require operators to use an instrument-based approach.<sup>259</sup> In the EPA 40 CFR part 60 subpart OOOOa rulemaking, OGI is the proposed technology for detecting fugitive emissions.

The BLM believes that optical gas imaging is currently the most effective instrument for leak detection, but infrared cameras may be more expensive than portable analyzers, which are also reasonably effective in

certain situations. As infrared cameras are used more commonly, and the capacity to conduct infrared-based surveys increases, the BLM believes that the economics of this method will become increasingly favorable for identifying leaks at a wide variety of operations. At present, however, infrared cameras are most cost-effective when used to inspect large numbers of facilities. Thus, the BLM believes it is appropriate to require an infrared camera-based program for operators with larger numbers of wells, and to allow operators with fewer wells to use portable analyzers instead.

The BLM also seeks to account for advances in continuous emissions monitoring technology, and also for other advances in leak detection technologies, which may result from ongoing technology development efforts such as the DOE ARPA-E MONITOR program. We believe it is important to ensure that operators be allowed to take advantage of any new, more effective, and less expensive technologies, as they become available. Accordingly, the BLM is proposing to require, under § 3179.302(b), that operators that have 500 or more wells within a BLM field office jurisdiction must use one of the following three approaches to LDAR: (1) An optical gas imaging device like an infrared camera; (2) A new, equally advanced and effective monitoring device, not yet developed and therefore not listed in the rule text, which the BLM would review and approve for use by any operator;<sup>260</sup> or (3) A comprehensive LDAR program, approved by the BLM, that includes the use of instrument-based monitoring devices. The standard for approval of options (2) and (3) would be a BLM determination that the alternative device or program meets or exceeds the effectiveness for leak detection of an optical gas imaging device used with the frequency specified in proposed § 3179.303(a).

Operators with fewer than 500 wells located within a single BLM field office's jurisdiction could use any of these three LDAR approaches, but they would also have the option of using a portable analyzer device, such as a catalytic oxidation, flame ionization, infrared absorption or photoionization device, operated according to manufacturer specifications, and assisted by AVO inspection.

The BLM requests comment on the above LDAR proposal. In particular, comments should address the

appropriateness of requiring the use of optical gas imaging devices in some or all circumstances. We request data and comment on the appropriateness of using the 500-well threshold to identify those larger operators for whom the economics of these devices may be more favorable, whether optical gas imaging is cost-effective for operators with a smaller number of wells, and should therefore be required for all operators.

Further, the BLM requests comment on whether the above suite of options for LDAR (three options for large operators, four for smaller operators) is reasonable to allow operators flexibility to design and implement leak detection programs that work for them, while still setting sufficiently rigorous minimum standards to ensure that all such programs are comprehensive and effective. In particular, we request comment on whether the standard for BLM approval of an alternative approach (that it meets or exceeds the effectiveness of an optical gas imaging device used at the frequency specified in proposed § 3179.303(a)) provides sufficient guidance to the BLM, and whether the standard would result in adequate consistency across field offices.

The BLM is also proposing under § 3179.302(a)(4) that operators who choose to use portable analyzers would be required to use them according to manufacturers' specifications. The EPA's Method 21, discussed above, is one specific method for ensuring that portable analyzers that are capable of detecting fugitive emissions (or leaks) are used in a manner that produces accurate results. The BLM is not proposing to require the use of Method 21. The BLM requests comments on: (1) Whether this rule should require the use of Method 21 if an operator chooses to use a portable analyzer; (2) The adequacy of manufacturers' use specifications to produce accurate results regarding the presence or absence of a leak; and (3) Whether there are other use protocols for portable analyzers that produce accurate results for leak detection purposes.

The BLM also requests comment on whether the regulations should include a threshold volume of gas that will be deemed a leak with respect to gas losses detected by portable analyzers, and if so, what that threshold volume should be. In contrast to optical gas imaging, portable analyzers are so sensitive that, at the lowest measured levels, it may be difficult to tell whether the analyzer is detecting a leak or simply registering background levels of the measured gas. The BLM requests comment on whether it should provide that a release of gas

<sup>258</sup> 80 FR 56593, 56611–56614.

<sup>259</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9, Section XVII.F.3; Wyoming Operational Rules, Drilling Rules Section Ch. 8, Section 6(g).

<sup>260</sup> The BLM could provide notice to all operators that it had found that a specified new technology would satisfy these requirements.

would be considered a leak if the detected concentration were 500 ppm or more above the measured background levels. This would be consistent with the EPA's proposed approach, which provides that a leak would be considered repaired if a portable analyzer, used according to Method 21, indicates concentrations less than 500 ppm above background levels.

#### (ii) Frequency of LDAR Inspections

Another key element of an effective LDAR program is to define the frequency of inspections. Colorado bases its frequency-of-inspection requirement on the level of estimated uncontrolled emissions from storage vessels or the potential to emit VOCs from all facility components.<sup>261</sup> Inspection frequency can vary from monthly to annually depending on the magnitude of the emissions.<sup>262</sup> Wyoming simply requires quarterly inspections.<sup>263</sup>

Multiple studies have found that a relatively small percentage of facilities are responsible for the majority of leaks and for most of the wasted gas (this is known as a "fat-tail" problem).<sup>264</sup> If some operators, in fact, experience proportionally fewer leaks than others, this would support allowing the frequency of periodic screening to vary depending on the operator's past history of leak detections. Based on experience in the field, the BLM believes that there are systematic differences among operators' leak rates, but we understand that some recent studies indicate that leak rates are random.<sup>265</sup>

Increasing survey frequency allows more leaks to be found, but also increases costs. Accordingly, the BLM aims to establish an approach to survey frequency that reduces the most waste at the lowest cost. The Carbon Limits study analyzed the impact of survey frequency by analyzing over 400 annual surveys.<sup>266</sup> This study found that annual or semi-annual (twice-yearly) surveys generally resulted in net benefits to the operator—the benefits of leaks avoided exceeded the costs of the surveys—whereas quarterly or more regular surveys imposed net costs on the operator—the costs of the frequent

surveys outweighed the benefits of leaks avoided. This study supports starting with a frequency of annual or semi-annual surveys. We request data and comment on the data, methodology, and analysis used in this study.

Thus, the BLM is proposing under § 3179.303 to require all operators to conduct semi-annual surveys of their sites—defined in proposed § 3179.303 to mean a discrete area suitable for inspection in a single visit and containing wellhead equipment, compressors, and facilities<sup>267</sup> (which would include, for example, separators, heater/treaters, and liquids unloading equipment). If an operator finds no more than two leaks at a site for two consecutive inspections, it may change to annual inspections at that site. If the operator is inspecting semi-annually and finds three or more leaks at a site for two consecutive inspections, it must inspect quarterly. The quarterly rate would continue unless and until an operator finds no more than two leaks in two sequential inspections, at which point it could revert back to twice-yearly inspections. On the other hand, if the operator is inspecting semi-annually and finds no more than two leaks for two consecutive inspections, the operator may reduce the frequency of inspections to once per year, unless and until it finds more than two leaks for two consecutive inspections, which would require it to revert back to semi-annual inspections.

The BLM has proposed three or more leaks at a site as the threshold for increasing the frequency of inspections, and two or fewer as the threshold for decreasing the frequency of inspections, as a possible way to distinguish between sites with very little loss from leaks and sites with more significant leak problems. The BLM requests comment on whether these are the appropriate numbers of leaks to use as thresholds, and if not, what the threshold levels should be.

Once a leak is identified, the BLM proposes under § 3179.304 that the operator would be required to repair the leak as soon as practicable, but no later than 15 calendar days after discovery, unless there is a good cause necessitating a longer period. The BLM believes that a "good cause" for a longer period would be something that

prevents the operator from repairing the leak within the 15 calendar day period and that the operator could not reasonably have prevented. Examples of potential good cause for a longer period include the unavailability of a needed part or severe weather conditions that prevent safe access to the site. Preferred scheduling for maintenance would not be an example of good cause for delay in leak repair. If a delay in repair is attributable to good cause, the operator must notify the BLM of the cause and must complete repairs within 15 calendar days after the cause of delay ceases to exist. The BLM proposes to require operators to verify the effectiveness of a repair within 15 calendar days after completion using the same leak detection method used to find the leak.

The BLM proposes under § 3179.305 that operators be required to keep and make available to inspectors records documenting the dates of leak inspections, the sites where any leaks are found, and a description of each leak. Operators would also need to record when leaks were repaired, and the dates and results of follow-up inspections to verify the effectiveness of the repairs.

The BLM is aware that some well sites and compressor stations could be subject to both the fugitive emission requirements of the proposed EPA rule and the requirements of the proposed BLM rule. In addition to our request for comments discussed above, regarding further alignment of the BLM rule and the EPA rule, we are proposing that an operator may demonstrate to the BLM that it is complying with the EPA LDAR requirements in lieu of the BLM LDAR requirements, for some or all of the operator's sites. We specifically request comment on this element of the proposal, including whether it would help to reduce the compliance burden on operators, whether it could compromise program effectiveness in any way, and whether it may present challenges for BLM and EPA to administer and enforce. The BLM expects that the LDAR requirements ultimately adopted by the EPA for new and modified well sites would be as effective in minimizing the volume of gas lost through leaks as the final BLM requirements, and we should be able to confirm this expectation prior to finalizing this proposed provision.

#### (iii) Possible Alternatives to the Proposed LDAR Provisions

In addition to the BLM's proposed approach, we are taking comments on other possible approaches to reducing waste through LDAR requirements.

<sup>261</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001-9 at Section XVIII.F.3.

<sup>262</sup> *Ibid.*

<sup>263</sup> Wyoming, Nonattainment Area Regulations Ch. 8 (June 2015), Section 6(g), available at <http://sos.wy.state.wy.us/Rules/RULES/9868.pdf>.

<sup>264</sup> See Zavala-Araiza, et al., *Reconciling divergent estimates of oil and gas methane emissions*, Proceedings of the National Academy of Sciences, vol. 112, no. 51, at 15600 (Dec. 22, 2015).

<sup>265</sup> *Ibid.*

<sup>266</sup> Carbon Limits.

<sup>267</sup> Note that the BLM has proposed to define "facility" in part 3170 as "(1) A site and associated equipment used to process, treat, store, or measure production from or allocated to a Federal or Indian lease, unit, or CA that is located upstream of or at (and including) the approved point of royalty measurement; and (2) A site and associated equipment used to store, measure, or dispose of produced water that is located on a lease, unit, or CA." 80 FR 40767 (July 13, 2015).

These include variations on the proposed approach, an alternative approach suggested by a stakeholder, and an alternative method of establishing the inspection frequency.

One small variation on the proposed LDAR approach would be to require that LDAR inspections be conducted by third parties. Requiring third parties to conduct inspections could provide additional assurance that surveys are conducted effectively and produce accurate results. While some operators conduct their own inspections, many already contract with third parties that provide the equipment, trained operators, and detailed reports. The BLM acknowledges, however, that third-party contracting might in some instances be more costly and might prove unnecessary for operators that have their own equipment and substantial in-house expertise. A variation on this option would require periodic third party inspections as a means of confirming the efficacy of an operator's internal leak detection program, while still allowing most inspections to be conducted in-house, if an operator so chooses. For example, the BLM could require that operators contract with a third-party to perform at least one annual or biannual inspection. The BLM requests comments on these options.

A second possible variation would be to constrain approval of alternative leak detection approaches. For example, the BLM could limit authorization of alternatives to new technologies and devices, rather than new detection programs. (That is, the final rule could eliminate proposed § 3179.302(a)(3).) Another approach would be to limit authorization for an alternative leak detection program under proposed § 3179.302(a)(3) to operators that already have an effective program in place as of the effective date of this rule. That approach would reward operators that proactively invest in leak detection, but would require operators that do not make that proactive investment to comply with the standards established in the regulation. The BLM requests comment on these variations.

A third possible variation would be to focus operators' LDAR efforts on higher production wells. For example, a stakeholder suggested that the BLM could require the development of an LDAR program at those wells in the top 75 percent of an operator's inventory, in terms of production volume, and address storage vessels separately. Under this suggested approach, the operator would be required to conduct an initial survey of its top-producing wells, and would then design an

appropriate leak detection program, with a specified frequency based on the results of that survey.

Others have suggested modifying or waiving the LDAR requirements for stripper wells—a specific category of low-yield wells producing 15 bbl of oil-equivalent per day or less. In its 40 CFR part 60 subpart OOOOa rulemaking, for example, EPA proposed that new and modified wells producing 15 bbl of oil-equivalent per day or less be exempted from the LDAR requirements, or allowed to inspect less frequently, such as annually or on a one-time basis. Presumably, modifying the LDAR requirements for stripper wells relies on an assumption that the amount of leaked methane correlates with well production, and therefore frequent LDAR is not a cost-effective means of reducing methane emissions from low-producing wells. In addition, proponents of this approach assert that LDAR requirements for marginal wells would disproportionately impact small businesses.

This rulemaking does not propose a modified standard for stripper wells, because 85 percent of oil wells and 73 percent of gas wells on Federal and Indian leases meet the definition of stripper wells.<sup>268</sup>

Thus, while reducing the frequency of leak detection inspections for stripper wells might decrease the costs of the leak detection requirement, we believe that approach would negate most of the expected benefits of the LDAR requirement for existing leases on Federal and Indian lands.

Moreover, the factual record available to the BLM indicates that requiring leak detection at stripper wells would produce significant gas savings. Recent studies do not support the suggestion that leak rate correlates with yield. Rather, these studies suggest that even low-yield wells can leak at significant rates.<sup>269</sup> Based on these studies, DOI does not believe it is appropriate to exclude low-yield wells from any instrument-based inspection requirement, or to allow those wells to be inspected less frequently.

Establishing a separate standard for stripper wells also would not align the proposed BLM requirements with the proposed EPA requirements. The EPA's standard for stripper wells applies only

to new or modified wells that come online as stripper wells, not to wells that initially produce at higher rates, but eventually decline to stripper status. Based on our experience in the field, we believe that a very small number of wells would qualify for a relaxed standard under the EPA proposal. In our experience, most new wells produce at rates higher than 15 barrels-of-oil-equivalent per day, because operators are unlikely to invest in completing newly drilled wells that produce at very low rates.

Many of the stripper wells producing from Federal and Indian leases are existing wells that once produced at higher rates, but have declined to stripper status, and they therefore would not qualify for the EPA's LDAR standards for stripper wells. Thus, although the BLM recognizes the importance of harmonizing this rule with EPA's proposed 40 CFR part 60 subpart OOOOa rulemaking, establishing a different LDAR standard for existing stripper wells on Federal or Indian leases would not, in fact, advance that goal.

Another alternative approach to the proposed LDAR requirements would be to retain all of the elements of the proposed approach, except the basis for setting the required frequency of inspections. Specifically, rather than having the frequency vary based on the results of previous surveys, the inspection frequency would be set based on the type of facility being inspected. As noted previously, Colorado uses this method, with frequencies that range from monthly to one-time, depending on the type of facility and the level of uncontrolled VOC emissions.

One simplification of the Colorado approach would be to focus on sites with vibrating equipment or storage vessels. Industry stakeholders have stated that they find most leaks at sites with equipment that vibrates (e.g., compressors), and at sites with storage vessels. Thus, requiring more frequent inspections at sites with those characteristics, and less frequent inspections at other sites, might be a way to increase the cost effectiveness of the LDAR program by targeting inspections to the sites most likely to produce the largest losses through leaks.

A different simplification of Colorado's system would be to distinguish between gas wells and oil wells, requiring more frequent inspections at gas wells and less frequent inspections at oil wells. EPA's emissions factors indicate generally higher volumes of fugitive emissions

<sup>268</sup> U.S. Energy Information Administration, United States Total 2009 Distribution of Wells by Production Rate Bracket, available at [http://www.eia.gov/pub/oil\\_gas/petroleum/us\\_table.html](http://www.eia.gov/pub/oil_gas/petroleum/us_table.html).

<sup>269</sup> See Zavala-Araiza et al., *Reconciling divergent estimates of oil and gas methane emissions*, Proceedings of the National Academy of Sciences, vol. 112, no. 51, at 15600 (Dec. 22, 2015).

from gas wells, compared to oil wells.<sup>270</sup> Assuming these emissions factors are accurate, this indicates that focusing more inspection resources on gas than oil wells would identify and save a relatively larger volume of gas at roughly the same cost.

(iv) Requests for Comments on LDAR Alternatives

The BLM requests comment on all of the LDAR variations discussed above. In particular, the BLM requests comment on:

- The initial frequency of surveys;
- Requiring more frequent surveys, such as quarterly;
- The concept of changing inspection frequency depending on the operators' record of past leaks;
- The triggers for increasing and decreasing inspection frequency (*e.g.*, whether finding a certain number of leaks is the appropriate trigger for changing inspection frequency); and
- Whether the frequency of inspections should be the same across all of the sites on a lease, and if so, how to operationalize that requirement.

In connection with any comments related to modifying the inspection frequency for stripper wells, the BLM specifically requests submission of data regarding the relationship between well production and levels of leaked methane from a well site. The BLM also requests comment on whether it should require gas wells to be inspected quarterly and oil wells annually. While there is substantial uncertainty in the cost-benefit analysis of these provisions, with certain simplifying assumptions, the analysis indicates that this alternative approach could increase net benefits, compared to the proposed approach. As detailed in the RIA, the projected annual net benefits for a semi-annual inspection requirement for all wells range from \$19–48 million, with the range largely depending on the year, compared to annual net benefits of \$3–43 million (again largely depending on the year) with quarterly inspections for gas wells and annual inspections for oil wells.<sup>271</sup>

In addition, the BLM requests comment on simply requiring semi-annual or quarterly inspections for all well sites, facilities, and compressor stations subject to the LDAR requirements, with no mechanism to increase or decrease inspection frequency based on how many leaks are found. A quarterly inspection requirement would track the Wyoming approach for the Upper Green River

Basin. Requiring semi-annual or quarterly inspections for all sites would reduce the potential confusion of inspection frequencies that vary over time and across an operator's well sites. Tracking the required frequency for each discrete leak inspection site could be burdensome and prone to error and confusion. Requiring quarterly inspections would also maximize the gas savings from avoided leaks, although it would have higher costs than the other approaches discussed here. As with setting different frequencies for gas and oil wells, this approach would not track with the EPA's LDAR requirements, assuming that the EPA finalizes its proposed approach.

The BLM also requests comment on the approach of focusing the LDAR requirement on sites with vibrating equipment or storage tanks, perhaps by requiring a one-time inspection of all sites, but quarterly inspections of sites with such equipment. Would that approach successfully target sites that are most prone to significant leaks? Would it reduce costs for operators? And finally, could it readily be enforced?

Finally, the BLM notes that many of these LDAR approaches deviate from EPA's proposed approach. The BLM requests comment on the importance and implications of aligning BLM and EPA LDAR requirements.

(v) Costs of the LDAR Provisions

Assuming that the EPA finalizes its 40 CFR part 60 subpart OOOOa rulemaking, then the BLM expects that its proposed requirements would affect up to 36,700 existing wellsites, and pose total costs of about \$69–70 million per year (using 7 percent and 3 percent discount rates). These requirements are also projected to result in cost savings of about \$12–15 million per year (7 percent discount rate) or \$15–17 million per year (3 percent discount rate), increase gas production by 3.9 Bcf per year, and reduce VOC emissions by 18,600 tpy. We estimate they would reduce methane emissions by 67,000 tpy, producing monetized benefits of \$73 million per year in 2017–2019, \$87 million per year in 2020–2024, and \$100 million in 2025 and 2026. Thus, we estimate that these provisions would result in net benefits of \$19–21 million per year in 2017–2019, \$31–35 million per year in 2020–2024, and \$43–48 million in 2025 and 2026.<sup>272</sup> We request data and comment on whether this analysis fully captures the benefits of

identifying and fixing high-volume leaks.

If, for analytical purposes, we assume a baseline in which EPA does not finalize its proposed LDAR requirements, we estimate the following impacts from our proposed LDAR requirements. We project that the proposed requirements would affect up to about 37,000–38,000 wellsites per year, and pose total costs of about \$70–71 million per year (using 7 percent and 3 percent discount rates). These requirements are also projected to result in cost savings of about \$12–18 million per year (using 7 percent and 3 percent discount rates), increase gas production by 3.9–4.0 Bcf per year, and reduce VOC emissions by 19,000 tpy. We estimate they would reduce methane emissions by 68,000 tpy, producing monetized benefits of \$75 million per year in 2017–2019, \$88 million per year in 2020–2024, and \$102 million in 2025 and 2026. Thus, we estimate that these provisions would result in net benefits of \$19–21 million per year in 2017–2019, \$30–35 million per year in 2020–2024, and \$43–48 million in 2025 and 2026.<sup>273</sup>

As noted, some operators reportedly already have leak detection programs in place. To the extent that these operators currently have LDAR programs that are approved by the BLM, the actual impacts of this proposal would be lower than these estimates.

3. Pneumatic Controllers and Pneumatic Pumps

Pneumatic controllers are automated instruments that control certain processes or conditions, such as liquid level, pressure, and temperature in oil and gas production, treatment, storage, and handling operations. Pneumatic controllers are operated by gas pressure, and the gas is emitted from the device when the device is active. Some types of controllers “bleed” gas continuously as part of their normal operations, while others emit gas intermittently. While these controllers can operate using any pressurized gas, for the purposes of this proposed rule, the term pneumatic controller means an instrument that is operated by natural gas pressure and emits natural gas.

Pneumatic pumps of different varieties are commonly used in oil and gas production and treating operations. For example, gas-assist glycol dehydrator pumps are used to circulate glycol in dehydrators. Chemical injection pumps are used to pump chemicals down a well to facilitate production or into a pipeline to prevent

<sup>270</sup> 80 FR 56593, 56635.

<sup>271</sup> RIA at 113.

<sup>272</sup> RIA at 109.

<sup>273</sup> RIA at 108–109.

freezing. Diaphragm pumps are used to move larger volumes of liquids, such as to circulate heat trace medium at well sites during cold winter conditions, or to pump out sumps. Similar to pneumatic controllers, pneumatic pumps can operate on gas pressure and emit that same gas from the pump. For the purposes of this proposed rule, the term pneumatic pump means a pump that is operated by natural gas pressure and emits natural gas.

(a) Estimates of Gas Released From Pneumatic Controllers and Pneumatic Pumps

As described in the RIA, using data from the EPA GHG Inventory, we estimate that about 5.4 Bcf of natural gas was lost in 2013 from pneumatic controllers on BLM-administered leases.<sup>274</sup> That volume includes releases from high bleed continuous controllers, low bleed continuous controllers, and intermittent controllers. Using prevalence data from the EPA and an analysis of EPA GHGRP data conducted by ICF, we estimate that there are 18,150 high bleed pneumatic controllers on BLM-administered leases, or about 19 percent of the total number of pneumatic controllers on these leases. In addition, using data from the EPA's GHG Inventory, we estimate that about 2.5 Bcf of natural gas was lost in 2013 from pneumatic pumps on BLM-administered leases. That volume includes releases from chemical injection pumps, diaphragm pumps, and gas-assist glycol dehydrator pumps.

(b) Technologies To Reduce Quantities of Gas Released From Pneumatic Controllers and Pneumatic Pumps

Pneumatic controllers and pneumatic pumps are common equipment at well site facilities. For well sites without electrical service, gas pressure is used as a ready energy source to operate this equipment. There are several options for minimizing the amount of natural gas that is used and emitted from existing controllers and pneumatic pumps, which bear a range of associated cost and practicality considerations.

As discussed earlier in § III.I.3, in the existing EPA NSPS rule (40 CFR part 60 subpart OOOO) for the oil and gas sector, the EPA established an emissions rate of 6 scf/hour as the upper limit for new and replacement pneumatic controllers (pneumatic controllers meeting this standard are referred to as "low-bleed" pneumatic controllers).<sup>275</sup> The EPA NSPS requires new and replacement natural-gas-operated

pneumatic controllers at natural gas well sites and gathering and boosting stations to meet the 6 scf/hour limit, unless a higher bleed rate is necessary for safety or to perform the designed function. The EPA NSPS requirement does not currently apply to intermittent pneumatic controllers nor to pneumatic pumps, but the EPA's proposed 40 CFR part 60 subpart OOOOa rulemaking would extend to new or modified pneumatic pumps.<sup>276</sup>

Existing high-bleed controllers can generally be replaced with models that use and emit less natural gas. For most applications, low-bleed controllers are available and make suitable replacements for high-bleed controllers. At facilities with a gas sales line, the replacement cost of low-bleed controllers is generally rapidly offset by gas savings. ICF identified replacement of high-bleed pneumatic controllers with low-bleed pneumatic controllers as one of the most cost-effective options for reducing methane. Specifically, ICF estimated that the replacement would save industry \$2.65 per Mcf of avoided methane emissions.<sup>277</sup>

The State of Colorado has prohibited use of "high bleed" pneumatic controllers, with limited exemptions.<sup>278</sup> Colorado adopted the existing EPA NSPS standards for new pneumatic controllers, prohibiting operators from installing new "high bleed" controllers, and the State required operators to replace all existing high bleed controllers with low-bleed or no-bleed controllers by May 1, 2015.<sup>279</sup> The operator may request an exception on the grounds that use of a high-bleed controller is needed for safety or process purposes. As of April 2015, however, the State had not received a single request to use or keep high bleed controllers under this provision.<sup>280</sup>

In May of this year, the State of Wyoming adopted regulations that require operators in the Upper Green River Basin to replace high-bleed pneumatic controllers with low-bleed controllers by January 1, 2017.<sup>281</sup>

<sup>276</sup> 80 FR 56593, 56610.

<sup>277</sup> ICF economic analysis, at 4–4 (base case assumed \$4/Mcf price for recovered gas and a 10 percent discount rate/cost of capital).

<sup>278</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9, Section XVIII, available at [https://www.colorado.gov/pacific/sites/default/files/5-CCR-1001-9\\_0.pdf](https://www.colorado.gov/pacific/sites/default/files/5-CCR-1001-9_0.pdf).

<sup>279</sup> *Ibid.* at Section XVIII.C.2.

<sup>280</sup> Email from Daniel Bon, Air Quality Planner, Planning and Policy, Air Pollution Control Division, Colorado Department of Public Health and Environment, to Alexandra Teitz, BLM (April 27, 2015).

<sup>281</sup> Wyoming, Nonattainment Area Regulations Ch. 8 (June 2015), Section 6(f), available at <http://soswy.state.wy.us/Rules/RULES/9868.pdf>.

Another option that is available in some situations is adding electrical service (power line, generator, or solar array) and replacing pneumatic controllers and/or pneumatic pumps with electric or compressed air controllers and pumps, which do not release any natural gas. Where electrical service is available, existing pneumatic controllers and pneumatic pumps could be operated by the addition of a compressed air system. Installing a compressed air system would involve adding a compressor and tubing to connect each controller and pump to the system. Alternatively, pneumatic controllers and pneumatic pumps could be replaced by electric models. At facilities with a gas sales line, the cost of replacing electric controllers and operating the power system would be at least partially offset by sale of the gas that would otherwise have been vented through operation of the pneumatic controllers and pneumatic pumps. Natural gas could be used to generate electricity to operate electronic controllers; based on the typical number of controllers at a well site and the energy requirements of controllers, however, the BLM does not believe this is the most efficient means of completing the operational objective.

One of the more common applications of this approach is to use solar powered electric controllers and pumps to replace individual pneumatic controllers and pneumatic pumps without replacing the power system for the whole facility. Solar pumps are often used to replace pneumatic chemical injection pumps, in particular. Chemical injection pumps are smaller pumps that inject chemicals into a pipeline to, e.g., to inhibit freezing, and they do not require as much power as larger pumps used in other applications. The EPA's Natural Gas STAR program cites the costs to replace a pneumatic pump with a solar-charged electric pump as about \$2,000. Operating costs are minimal, and the lifespans of the solar panels and electric motors are up to 15 and 5 years, respectively. The EPA estimates potential annual natural gas savings of 183 Mcf per pneumatic pump replaced—a volume that would have a sales value of \$732 (at \$4/Mcf).<sup>282</sup>

A third option for reducing gas losses from pneumatic controllers and pneumatic pumps is to add a low-pressure collection system that would capture the natural gas emitted from pneumatic controllers and pneumatic

<sup>282</sup> U.S. EPA, Office of Air Quality Planning and Standards, Oil and Natural Gas Sector Pneumatic Devices Report for Oil and Natural Gas Sector Pneumatic Devices Review Panel (April 2014) at 53.

<sup>274</sup> RIA at 18.

<sup>275</sup> 40 CFR 60.5390.

pumps and either combust it or re-pressure and route it into the natural gas sales stream.

The State of Wyoming has adopted regulations that require pneumatic pumps used in the Upper Green River Basin to destroy or capture emissions or be replaced by zero-emission solar-, electric-, or air-driven pumps by January 1, 2017.<sup>283</sup>

#### (c) Proposals To Reduce Waste From Pneumatic Controllers and Pneumatic Pumps

The BLM believes that replacing high-bleed pneumatic controllers with low- or no-bleed controllers is a cost-effective way to reduce waste of natural gas. In most cases, this is projected to increase operators' net profits. We have heard from one company that has already voluntarily replaced all of its high-bleed pneumatic controllers because it found that the new equipment more than paid for itself within 3 to 6 months.<sup>284</sup> Given the EPA requirements for new pneumatic controllers and the fact that, on average, this waste-reduction measure would save companies money, the BLM believes that continued reliance on high-bleed pneumatic controllers leads to avoidable waste of public resources, except in limited situations.

Under proposed § 3179.201, the BLM would require operators to replace all pneumatic controllers that have bleed rates greater than 6 scf/hour with low-bleed or no-bleed pneumatic controllers within 1 year of the effective date of the final rule. This rule would apply only to pneumatic controllers that are not subject to the EPA regulations at 40 CFR 60.5360 through 60.5390. We request comment on whether 1 year is an appropriate amount of time for compliance, and whether we should include interim deadlines for the replacement requirement such that operators must replace certain percentages of their pneumatic controllers within specified timeframes.

In § 3179.201(b), the BLM is proposing several exemptions to the replacement requirement. Like the existing EPA NSPS, this proposed rule would allow an exception to the maximum emission rate for a pneumatic controller when the operator demonstrates, and the BLM concurs, that a higher emission rate is necessary for response time, safety, and positive actuation. The proposed rule would also provide for an exception from the

replacement requirement if the requirement would cause the operator to cease production and abandon significant recoverable oil reserves under the lease. In making this determination, the BLM would consider the costs of capture, and the costs and revenues of all oil and gas production on the lease.

In addition, under proposed § 3179.201(c), the BLM would allow an operator to retain a high-bleed pneumatic controller for up to 3 years from the effective date of the final rule, if the well or facility served by the controller has an estimated remaining productive life of no more than 3 years from the effective date of the final rule. The BLM believes the 3-year threshold represents the typical payback period for a replacement controller, given an average-cost replacement device, average reduction in waste gas, and an average value for the recovered gas. We request comment on whether this extension is needed and whether it would meaningfully reduce costs for operators with wells and facilities with remaining productive lives less than 3 years from the effective date of this rule. We also request comment on whether providing this extension would increase waste of gas and make implementation of the replacement requirement more difficult, as the actual remaining productive life of a well or facility may be longer than projected. We note that neither Colorado nor Wyoming provides for such an extension.

We estimate that the proposed pneumatic controller requirements would impact up to about 15,600 existing low-bleed pneumatic devices, and pose total costs of about \$6 million per year (using a 7 percent discount rate) or \$5 million per year (using a 3 percent discount rate). Because the sale of recovered gas is expected to offset the engineering costs of new controllers, the BLM expects that compliance with the pneumatic controller requirements would increase gas production by 2.9 Bcf per year, result in cost savings to the industry of about \$9–11 million per year (using a 7 percent discount rate) or \$11–12 million per year (using a 3 percent discount rate). On net, we project that the industry would save \$3–5 million per year (using a 7 percent discount rate) or \$6–7 million per year (using a 3 percent discount rate) under these requirements. These requirements are also projected to reduce methane emissions by 43,000 tpy, producing monetized benefits of \$48 million per year in 2017–2019, \$56 million per year in 2020–2024, and \$65 million in 2025 and 2026. The resulting net benefits (including the cost savings from the

value of the gas) would be \$53–68 million per year (using a 7 percent discount rate) or \$54–73 million per year (using a 3 percent discount rate), along with a reduction in VOC emissions of about 200,000 tpy.<sup>285</sup>

For pneumatic chemical injection pumps, the BLM believes that in many instances the function performed by such a pump could be performed by a zero-emissions pump (typically solar) instead. The BLM believes that the replacement costs in these situations are relatively modest and would be at least partially offset by the value of the saved gas. Where a zero-emissions pump could not perform the function, but a flare is available on-site, the cost of routing the gas from either a chemical injection pump or a diaphragm pump to a flare is expected to be quite small.

Thus, the BLM is proposing under § 3179.202 to require the operator either: (1) To replace a pneumatic chemical injection or diaphragm pump with a zero-emissions pump; or (2) To route the pneumatic chemical injection or diaphragm pump to a flare. Under proposed § 3179.202(c), an operator would be exempt from this requirement if it demonstrates, and the BLM concurs, that: (1) There is no existing flare device on site, or routing to such a device is technically infeasible; and (2) A zero-emission pump is not a viable alternative because a pneumatic pump is necessary based on functional needs. An operator would also be exempt if the operator demonstrates, and the BLM concurs, that replacing the pneumatic pump(s) would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease. This rule would apply only to pneumatic pumps that are not subject to the EPA regulations. As with pneumatic controllers, the BLM proposes that operators must replace pneumatic pumps or route to a flare device, subject to this proposed section, within 1 year of the effective date of the rule, or within 3 years of the effective date of the rule if the pneumatic pump serves a well or facility with an estimated remaining productive life of 3 years or less. We request comment on whether this extended time-period for replacement is needed or whether a shorter time-period would be sufficient. In Wyoming, pneumatic pump replacement is now required by regulation by January 1, 2017.<sup>286</sup>

<sup>283</sup> Wyoming, Nonattainment Area Regulations Ch. 8 (June 2015), Section 6(e), available at <http://soswy.state.wy.us/Rules/RULES/9868.pdf>.

<sup>284</sup> Phone conversation with Conoco Phillips on San Juan Basin operation, February 2015.

<sup>285</sup> RIA at 78.

<sup>286</sup> Wyoming, Nonattainment Area Regulations Ch. 8, Section 6(e) (June 2015), available at <http://soswy.state.wy.us/Rules/RULES/9868.pdf>.

If the EPA finalizes its concurrent 40 CFR part 60 subpart OOOOa rulemaking, the BLM estimates that the proposed requirements would impact up to 8,775 existing pumps, posing total costs of about \$2.5 million per year. They would also increase gas production by 0.46 Bcf per year and result in cost savings of about \$1.5–1.9 million per year (7 percent discount rate) or \$1.75–2.15 million per year (3 percent discount rate). In addition, they are projected to reduce methane emissions by about 16,000 tpy, producing monetized benefits of \$18 million per year in 2017–2019, \$21 million per year in 2020–2024, and \$24 million in 2025 and 2026. This would result in net benefits of \$17 million per year in 2017–2019, \$20 million per year in 2020–2024, and \$23 million in 2025 and 2026, as well as reducing VOC emissions by about 4,000 tpy.<sup>287</sup>

Assuming, for purposes of analysis, that EPA does not finalize the 40 CFR part 60 subpart OOOOa rulemaking, the BLM estimates that the pneumatic pump requirements would affect up to about 8,775 existing pumps and about 75 new pumps per year, posing total costs of about \$2.5–2.7 million per year (using 7 percent and 3 percent discount rates). They would also increase gas production by 0.5 Bcf per year and result in cost savings of about \$1.5–2.2 million per year (using 7 percent and 3 percent discount rates).

In addition, they are projected to reduce methane emissions by about 16,000–17,000 tpy, producing monetized benefits of \$18 million per year in 2017–2019, \$22 million per year in 2020–2024, and \$26 million in 2025 and 2026. This would result in net benefits of \$17 million per year in 2017–2019, \$21–22 million per year in 2020–2024, and \$25 million in 2025 and 2026, as well as reducing VOC emissions by about 4,000 tpy.<sup>288</sup>

We request comment on the practicality and costs of replacing pneumatic chemical injection and diaphragm pumps with solar pumps or routing the pump exhaust to a flare that is already installed on-site, including whether 1 year is an appropriate amount of time for compliance.

Unlike pneumatic chemical injection and diaphragm pumps, the BLM has not identified a cost-effective means to reduce gas releases from gas-assist glycol dehydrator pumps at sites that are not connected to the electric grid, and thus we are not proposing any requirements to reduce gas losses from gas-assist glycol dehydrator pumps. The

BLM requests comment, however, on whether there are additional measures that could further reduce gas lost from pneumatic pumps.

#### 4. Storage Vessels

Storage vessels are ubiquitous in oil and gas production. Crude oil and condensate storage vessels are designed to hold a slight back-pressure. When the pressure in the vessel exceeds the back-pressure—due to fluids being added or an increase in temperature of the vessel contents—vapors are allowed to escape, thereby equalizing the pressure inside the vessel. Released vapors are a lost source of energy and revenue, and they also represent a safety and health concern for on-site workers. In addition, these vapors, which may contain methane, ethane, and a variety of VOCs, contribute to local air pollution problems. The significance of vapor loss, in terms of energy losses, revenue losses, safety risks and environmental impacts, depends upon the volume and composition of the released vapors.

New, modified, and reconstructed storage vessels used in oil and natural gas production, natural gas processing, and natural gas transmission and storage are already subject to emissions limits under the EPA NSPS, which requires that individual storage vessels with potential to emit VOC emissions equal to or greater than 6 tpy achieve at least a 95 percent reduction in VOC emissions.<sup>289</sup> The EPA standards also provide that if a storage tank that initially emitted at least 6 tpy of VOCs now emits less than 4 tpy without considering any emission controls in place for a period of 12 consecutive months, emission controls are not required if the operator monitors regularly to ensure that emissions do not exceed 4 tpy.<sup>290</sup> Unmodified storage vessels that were in place as of August 23, 2011, are currently allowed to vent vapors uncontrolled, unless subject to State controls.<sup>291</sup> EPA requires operators to determine the VOC emission rate within 30 days, and storage vessels must have a cover and closed vent system that meets specifications.<sup>292</sup>

Colorado requires the capture or combustion of vapors from storage vessels with a capacity to emit 6 tpy VOC or more.<sup>293</sup> The control equipment must reduce hydrocarbons by 95 percent, or by 98 percent if the operator

uses a combustion device.<sup>294</sup> Storage vessels that require emission control systems are also subject to increased monitoring, and Colorado requires operators to develop STEM plans.<sup>295</sup>

In the Upper Green River Basin, Wyoming requires that when VOC emissions from vessels or glycol dehydrators are at least 4 tpy, the operator must reduce those emissions by 98 percent.<sup>296</sup>

#### (a) Estimates of Quantities of Gas Lost From Storage Vessels

The quantity of gas released from condensate and storage vessels depends on the throughput volumes of those vessels and how much gas is lost for a given volume of throughput. These loss rates vary depending on whether the vessel is controlled or uncontrolled and on the region of the country in which it is located. We estimate that 2.77 Bcf of natural gas was lost in 2013 from storage vessels venting on Federal and Indian lands.<sup>297</sup> These estimates were calculated using data from the 2015 GHG Inventory and the share of natural gas and crude oil production coming from Federal and Indian lands.

#### (b) Technologies and Practices To Reduce Gas Losses From Storage Vessels

Storage vessel vapors can be controlled by routing them to a flare or combustor, or by installing a VRU, which collects and compresses the vapors and returns them to the vessel or into a natural gas sales line.

Where a well facility is equipped with a flare pit or flare stack, tank vapors could be routed to that flare device. With a properly designed manifold, these flare devices can meet the 95 percent emission control standard established in the current EPA NSPS.<sup>298</sup>

Combustors are enclosed devices that efficiently combust tank vapors by ensuring an optimal mix of air and flammable vapor entering the combustion chamber. Combustors meet the 95 percent emission control standard established in the existing EPA NSPS. Combustors can be sized for a specific volume of natural gas/vapors, or can be operated in series to accommodate a wide volume range. Combustors are not dependent on other equipment or operating conditions and therefore have wide applicability.

In proposing the existing NSPS rule, EPA estimated that the average operating cost of a flare device (which

<sup>289</sup> 40 CFR 60.5395.

<sup>290</sup> *Ibid.*

<sup>291</sup> *Ibid.*

<sup>292</sup> 40 CFR 60.5395, 60.5415–5416.

<sup>293</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9, Section XVII.C.

<sup>294</sup> *Ibid.*

<sup>295</sup> *Ibid.*

<sup>296</sup> Wyoming Operational Rules, Drilling Rules Section Ch. 8, Section 6(d).

<sup>297</sup> RIA at 18.

<sup>298</sup> 40 CFR part 60 subpart OOOO.

<sup>287</sup> RIA at 82.

<sup>288</sup> RIA at 81.

includes both flares and combustors) is \$8,900 per year, assuming that a flare device is already in place at the facility.<sup>299</sup>

VRUs meet the 95 percent emission control standard established in the EPA NSPS, and because the vapors are captured, there are no combustion emissions. Applicability of VRUs is limited by a number of conditions. VRUs require a power source, and a gas line must be available into which the controlled vapors can be directed. Due to their relatively high cost of operation (which EPA estimated at \$18,900 per year in proposing its 2012 NSPS rule<sup>300</sup>), the economic viability of a VRU as a storage tank emission control device depends on high production throughput. In other words, net VRU costs rise as production volumes decline.

#### (c) Proposals To Minimize Vapor Losses From Storage Vessels

Under proposed § 3179.203, the BLM would address gas losses from storage vessels that are not covered by the EPA standards for new and modified storage vessels—or, by and large, existing, unmodified storage vessels. The BLM believes that reducing venting from existing storage vessels with higher rates of venting is a reasonably cost-effective means of reducing gas losses. We also believe that rather than establishing new and separate standards for venting from existing vessels, it would be easier for operators to comply if we require existing vessels on Federal and Indian leases to meet the same standards that already apply to new, rebuilt, and modified vessels on those leases.

The aim of this proposed rule is to reduce waste of whole gas. Nevertheless, the BLM believes that it may be appropriate to express the requirements for storage vessels as a VOC standard (as a proxy) rather than a whole gas standard, as EPA and Colorado do. There is no uniform conversion factor to translate a VOC standard like that established by EPA and Colorado into a whole gas standard. The ratio of VOCs leaked to hydrocarbons leaked depends on the makeup of the gas in the particular vessel. We propose to adopt the same standard that EPA applies to new storage vessels. Specifically, the BLM proposes to require, under § 3179.203(c), that VOC emissions from existing vessels with VOC emissions equal to or greater than 6 tpy be routed to a combustion device, continuous flare, or sales line. Under proposed

§ 3179.203(d), these requirements would no longer apply if the uncontrolled VOC emissions fall below 4 tpy for 12 months. This proposed lower bound addresses the fact that well production, and hence gas losses from vessels, are expected to decline over time, and it is less cost-effective to require control of lower volumes of tank venting. The 6 tpy and 4 tpy thresholds are consistent with EPA regulations.<sup>301</sup>

We request comments on the approach of applying EPA's new source threshold to existing storage vessels, to facilitate efficient compliance for the industry.

The proposed 6 tpy threshold tracks Colorado's standard for new storage vessels.<sup>302</sup> The threshold is somewhat less stringent than Wyoming's requirements, which apply to facilities with VOC emissions of 4 tpy or more and extend to glycol dehydrators, which the BLM does not propose to regulate.<sup>303</sup> The BLM also requests comment on applying a more stringent threshold consistent with Wyoming's requirements.

The BLM estimates that the proposed requirements would affect about 300 existing storage vessels on BLM-administered leases, and pose total costs of about \$6 million per year (using 7 percent and 3 percent discount rates).<sup>304</sup> We project that these requirements would increase gas production by 0.04 Bcf per year, resulting in cost savings of about \$0.1–0.2 million per year (using 7 percent and 3 percent discount rates). They would also reduce methane emissions by 7,000 tpy, producing monetized benefits of \$8 million per year in 2017–2019, \$9 million per year in 2020–2024, and \$11 million in 2025 and 2026. Overall, we estimate that these provisions would result in net benefits of \$2 million per year in 2017–2019, \$3–4 million per year in 2020–2024, and \$5 million in 2025 and 2026, and reduce VOC emissions by 32,500 tpy.<sup>305</sup>

#### 5. Well Maintenance and Liquids Unloading

Over time, as well pressure in a natural gas well drops, liquids often start accumulating at the bottom of the well, which can then slow or halt gas production. Operators must remove or “unload” the liquids to maintain or restore production. Some of the

methods used for liquids unloading can release substantial quantities of natural gas into the environment. In particular, operators sometimes allow the bottom hole pressure to increase and then vent or “blow down” or “purge” the well.

#### (a) Estimates of Quantities of Gas Lost Through Well Maintenance and Liquids Unloading

The amount of gas lost through liquids unloading varies substantially across regions, and also depends on whether wells are equipped with plunger lifts. We estimate that 3.26 Bcf of natural gas was lost in 2013 during liquids unloading operations on Federal and Indian lands, with 1.1 Bcf lost from wells with plunger lifts and 2.16 Bcf lost from wells without plunger lifts.<sup>306</sup> These estimates were calculated using data from the GHG Inventory, including the regional prevalence of wells with and without plunger lifts, and emissions factors for each. We chose to calculate emissions using a bottom-up approach for this emissions source because the prevalence of liquids unloading with and without plunger lifts and the emissions factors for each vary across regions. We then applied the prevalence and emissions factors to the number of producing gas wells on Federal and Indian lands as of January 1, 2014.

#### (b) Technologies and Practices To Reduce Gas Losses From Well Maintenance and Liquids Unloading

Technological developments have reduced the need for operators to unload liquids by venting a well to the atmosphere. Many companies use automated systems that rely on well pressure or timers to unload liquids using plunger lifts. More recent technology allows companies to use well data to optimize liquids unloading, a technique sometimes called “smart” automation. These “smart” systems reduce unnecessary unloading events and can dramatically cut venting from liquids unloading. For example, according to the Natural Gas STAR Report in 2006, BP reported installing plunger lifts with smart automated control systems on approximately 2,200 wells, which resulted in annual savings of 900 Mcf per well.<sup>307</sup> For a \$12 million capital investment, BP realized a \$6 million total annual savings.<sup>308</sup> Automated systems, whether “smart” or more conventional, are particularly useful for wells located in remote areas, typical of BLM lands, as they help

<sup>301</sup> 40 CFR 60.5395.

<sup>302</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9, Section XVII.C.

<sup>303</sup> Wyoming Operational Rules, Drilling Rules Section Ch. 8, Section 6(d).

<sup>304</sup> RIA at 95.

<sup>305</sup> *Ibid.*

<sup>306</sup> RIA at 128–129.

<sup>307</sup> EPA PowerPoint presentation found at <http://www3.epa.gov/gasstar/documents/workshops/fortworth-2006/gremillion.pdf>.

<sup>308</sup> *Ibid.*

<sup>299</sup> 76 FR 52738 (Aug. 23, 2011).

<sup>300</sup> *Ibid.*

maintain the well even when operators are not present.

Advanced reservoir-energy management and optimized liquids-unloading management can reduce the frequency of well venting and the quantity of resulting emissions. These management practices can reduce venting from wells with or without plunger lifts. There are a wide variety of artificial lift systems to unload gas wells, which may be applied based on the specific mechanical conditions of the well and the conditions of the reservoir. Some of these methods are described below.

One method that can be effective when a well first exhibits signs of liquid loading is to temporarily shut-in the well to allow the pressure to increase. The well is then cycled on at a high rate to unload the well. This method is inexpensive, but as pressures in the well decline, it becomes less effective.

Using surfactants (or soap injection) is another option. With this method, a foaming agent is injected in the casing/tubing annulus by a chemical pump on a timer. The gas bubbling through the soap-water solution creates gas-water foam, which is more easily lifted to the surface for water removal. Capital and startup costs to install soap launchers range from \$500–\$3,880 per well.<sup>309</sup>

Another option is to change the tubing in a well to smaller diameter “velocity strings.” Much like a narrowing in a river, these smaller diameter strings result in a higher fluid velocity at any given volumetric flow rate, and as a result these strings provide higher liquid lift capabilities. As reservoir pressure decreases, however, this method is less effective because of the increased friction in the smaller diameter tubing. Capital and installation costs provided from industry range from \$7,000–\$64,000 per well.<sup>310</sup> Other operators use compression to reduce flowing operating pressure, thus reducing flowing bottomhole pressure, which increases inflow from the reservoir. This is a means of achieving higher well-bore velocities. Compression can be used in conjunction with other artificial lift methods.

A plunger lift is used in conjunction with a lower-flowing tubing pressure (compression) and intermittent flow (shut-in cycle/smart automation) to lift liquids. Plungers have a wide operating range, but require a minimum gas-liquid ratio, so they are not appropriate for all

applications. Plungers are most successful in low volume gas wells (*e.g.*, 30 bbl of liquid or less per day). The capital, installation and startup cost of a plunger lift is estimated at \$1,900–\$7,800,<sup>311</sup> but it can reach as high as \$20,000.<sup>312</sup> Adding a smart automation system is estimated to cost \$4,700–\$18,000.<sup>313</sup>

Another alternative is a gas lift, which is used to raise gas velocity in the production tubing by injecting gas down the space between the tubing and surrounding casing and combining it with gas from the reservoir to assist in lifting liquid accumulations. Gas lift typically requires additional compression and piping at the surface. The additional compression would either be electrical- or natural-gas powered, adding to emissions, complexity, reliability, and operating costs. Also, gas lift is limited to those reservoir/well combinations that are configured in such a way that the gas injected down the well will flow up the well-bore and not simply dissipate into the formation.

Finally, operators may also use artificial lifts (*e.g.*, rod pumps, beam lift pumps, pumpjacks, and downhole separator pumps). Downhole pumps require an external power source to operate in order to remove the liquid buildup from the well tubing. Capital and installation costs (including location preparation, well clean out, artificial lift equipment, and pumping unit) is estimated at \$41,000–\$62,000 per well.<sup>314</sup>

Besides these measures to reduce gas losses, operators may also minimize the impact of well purging by flaring rather than venting the released gas through use of a mobile flare, but it can be difficult to separate purged gas from purged liquids.

Colorado allows an operator to vent during unloading of liquids from the wellbore only after the operator has unsuccessfully attempted to unload liquids without venting.<sup>315</sup> To minimize venting associated with liquids unloading, Colorado also requires an

operator representative to remain on site during the unloading event.<sup>316</sup> The EPA’s proposed 40 CFR part 60 subpart OOOOa rulemaking requests comment on “nationally applicable technologies and techniques that reduce methane and VOC emissions” during liquids unloading, but the EPA does not believe it has sufficient data to propose a standard for unloading events.<sup>317</sup>

#### (c) Proposals To Reduce Waste From Well Maintenance and Liquids Unloading

Recent technological developments allow liquids to be unloaded with minimal loss of gas. The BLM believes that it is reasonable to expect operators to use these available technologies to minimize gas losses, and we believe that failure to minimize losses of gas from liquids unloading should be deemed avoidable waste subject to royalties. Under proposed § 3179.204, except in specified circumstances, the BLM would prohibit new wells from unloading liquids by simply purging the well. While the BLM believes that the alternative technologies discussed above now generally make well-purging unnecessary, some of these alternatives are less costly to plan and install at the design stage, and they are therefore more appropriate for new than for existing wells. In addition, some options, such as installing an automated plunger lift, may make less sense at a well that is already nearing the end of its productive life. Thus, the BLM is proposing to limit the prohibition on well purging to new wells drilled after the effective date of this rule. We request comment on whether we should also prohibit well purging at existing wells.

In addition, under proposed § 3179.204(c), the BLM would require specified best management practices to minimize venting from liquids unloading at both new and existing wells. Specifically, the BLM proposes to require that the operator be on-site during well purging events for monitoring and reporting, unless the operator uses an automatic control system. Note that automatic control systems may vent more or less depending on the setting. We request comment on whether BLM should also require that wells with automatic control systems optimize the automatic settings so as to minimize venting.

Also, the BLM proposes under §§ 3179.204(d) and (e) to require that operators maintain certain records to document liquids unloading events.

<sup>309</sup> EPA, Natural Gas STAR Program, 2011, [http://www3.epa.gov/gasstar/documents/ll\\_options.pdf](http://www3.epa.gov/gasstar/documents/ll_options.pdf).

<sup>310</sup> *Ibid.*

<sup>311</sup> EPA (2014). Oil and Natural Gas Sector Liquids Unloading Process; Report for Oil and Natural Gas Sector Liquids Unloading Process Review Panel. April 2014. Available at <http://www3.epa.gov/airquality/oilandgas/pdfs/20140415liquids.pdf>, p. 16.

<sup>312</sup> ICF International (2014) Economic Analysis of Methane Emission Reduction Opportunities in the U.S. Onshore Oil and Natural Gas Industries, March (2014), p.p. 3–17.

<sup>313</sup> EPA, Natural Gas STAR Program (2011). [http://www3.epa.gov/gasstar/documents/ll\\_options.pdf](http://www3.epa.gov/gasstar/documents/ll_options.pdf).

<sup>314</sup> *Ibid.*

<sup>315</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9, Sections XVII.

<sup>316</sup> *Ibid.*

<sup>317</sup> 80 FR 56593, 56614.

This would allow the BLM to verify compliance, and it would provide additional information on the amounts of gas lost through these activities on Federal and Indian lands. We are seeking comments on the appropriate level and extent of required recordkeeping in the proposed rule, as well as other aspects of this approach to reducing waste from well maintenance and liquids unloading.

We estimate that there are currently about 8,500 operating gas wells where gas is vented during liquids unloading. Of those wells, we estimate that about 6,950 wells (or 82 percent) are equipped with plunger lifts, while 1,550 wells (or 18 percent) are not.<sup>318</sup> The proposed requirements would impact the 1,550 wells that are not equipped with plunger lifts, as well as any of the wells equipped with plunger lifts that lack automation (a number the BLM cannot accurately estimate at this time). In addition to the 8,500 wells currently venting during liquids unloading, there is the potential that a number of additional, producing gas wells will develop liquids accumulation issues in the future. Depending on how the operator removes the liquids from the wellbore, those wells could potentially be impacted by the requirements.

Under the proposed rule, we expect most new wells would use plunger lifts for liquids unloading, except where those lifts are technically infeasible or unduly costly. Plunger lifts are already used widely,<sup>319</sup> suggesting that under many circumstances their benefits—in terms of increased gas recovery, slowed declines in production, and improved well productivity—exceed their costs.

The proposed rule would require monitoring and reporting if the operator does not use an automated system, to minimize the venting and loss of gas during liquids unloading to the minimum amount necessary to bring the well back into production. The operator may choose to install an automated system and avoid the monitoring and reporting requirements altogether. Both approaches are likely to reduce venting or loss of gas, but we are unable to estimate annual incremental production, royalty, or emissions reductions because we cannot accurately predict how many operators

will choose to install an automated system.

We do not anticipate that the additional monitoring requirements would substantially increase burdens on operators, because the available data indicate that average vent times are relatively short. In the Rocky Mountain region, for example, one industry survey indicates that wells without plunger lifts vent for an average of 1.76 hours.<sup>320</sup> The BLM does not expect that requiring operators to remain at the well site for such short periods would impose a significant financial burden.

Since the gas wells that encounter liquids accumulation problems generally do so after well production starts to decline, the timing of any future impacts of this rule is also uncertain. The EPA's Natural Gas STAR Program has shown, however, that investing in liquids removal processes at the start of a well's decline is more successful than making similar investments later in the productive life of the well. This suggests that it is reasonable to apply a more stringent requirement for new wells drilled after the effective date of this rule, as we have proposed, but we specifically request comment on this point.

There are a range of costs for various alternatives to uncontrolled liquids unloading. The annualized cost of a plunger lift is estimated to be \$1,845–\$2,816 using a 7 percent discount rate or \$1,788–\$2,587 using a 3 percent discount rate. The annualized cost of a “smart” (or automated) plunger lift is estimated to be \$2,471–\$4,520 using a 7 percent discount rate or \$2,303–\$3,900 using a 3 percent discount rate. All estimates are in 2012 dollars and are based on an equipment life of 10 years.<sup>321</sup>

We note that these cost estimates do not include sales of the recovered gas. The EPA Natural Gas STAR program information indicates that operators that install plunger lifts may experience increases in production from two effects—the capture of gas that would otherwise have been vented, and improvements in well performance due to the operation of the lifts. The gains are well-specific, but the Natural Gas STAR partners found that the additional sales of gas generally offset the costs of the lifts.<sup>322</sup>

Overall, based on the experiences of the Natural Gas STAR Program partners,

we would expect that the boost in well productivity and the sale of recovered gas associated with the use of plunger lifts and other well-maintenance equipment would pay for the capital costs of purchasing and installing the equipment. We request comments on this point, both in general, and specifically with respect to the proposed prohibition on the use of well purging to unload liquids from new wells.

We estimate that the proposed liquids unloading requirements would affect up to about 1,550 existing wells and about 25 new wells per year, posing total costs of about \$6 million per year (using a 7 percent discount rate) or \$5–6 million per year (using a 3 percent discount rate). We project that the requirements would increase gas production by roughly 2 Bcf per year, resulting in cost savings of about \$7–8 million per year (using a 7 percent discount rate) or \$7–10 million per year (using a 3 percent discount rate). In addition, these requirements are projected to reduce methane emissions by 30,000 to 34,000 tpy, producing monetized benefits of \$33–34 million per year in 2017–2019, \$41–43 million per year in 2020–2024, and \$50–51 million in 2025 and 2026. Overall, we estimate that these provisions would produce net benefits of \$35–52 million per year (using a 7 percent discount rate for costs and cost savings) or \$35–55 million per year (using a 3 percent discount rate for costs and cost savings), and reduce VOC emissions by about 136,000 to 156,000 tpy.<sup>323</sup>

#### 6. Reduction of Waste From Drilling, Completion, and Related Operations

Substantial quantities of gas can be lost during drilling, completion, and refracturing (often referred to as “workover”) operations. As explained in the RIA, we estimate that in 2013, up to 2.08 Bcf of natural gas was lost from these operations on BLM-administered leases. Of this, we estimate that completion emissions from hydraulically fractured oil wells accounted for 1.4 Bcf of the loss, while all other completions accounted for about 0.7 Bcf of the loss.<sup>324</sup>

As discussed above, the EPA requires new hydraulically fractured and refractured gas wells to undergo green completions to capture or flare gas that otherwise would be released during drilling and completion operations. On September 18, 2015, the EPA proposed to extend these requirements to new hydraulically fractured and refractured

<sup>318</sup> RIA at 216.

<sup>319</sup> According to the 2015 GHG Inventory, 13 percent of the gas wells nationwide vent to the atmosphere during liquids unloading, and of those, more than 60 percent lack plunger lifts. RIA at 216. In the Rocky Mountain region, however, where over 90 percent of the gas wells on Federal and Indian lands are located, plunger lifts are far more common than elsewhere in the country. RIA at 217.

<sup>320</sup> RIA at 217. Source is Shires & Lev-on analysis of API/ANGA survey data.

<sup>321</sup> RIA at 85.

<sup>322</sup> EPA Natural Gas STAR, *Lessons Learned from Natural Gas STAR Partners*, available at [http://www3.epa.gov/gasstar/documents/ll\\_plungerlift.pdf](http://www3.epa.gov/gasstar/documents/ll_plungerlift.pdf).

<sup>323</sup> RIA at 87.

<sup>324</sup> RIA at 205.

oil wells.<sup>325</sup> If the EPA finalizes that proposal, it appears likely that all new hydraulically fractured or refractured oil and gas wells, other than wildcat and delineation wells, would be required to capture or flare the gas produced from these drilling operations. Nonetheless, the BLM believes that it is appropriate for the BLM to adopt its own requirements to minimize the waste of gas during well drilling and well completion and post-completion operations at conventional and hydraulically fractured and refractured wells. The BLM has an independent statutory obligation to minimize waste of oil and gas resources on BLM-administered leases. As proposed, we expect that the BLM waste requirements for well drilling, and completions at both conventional and hydraulically fractured wells would apply to a broader set of wells than the EPA proposal would cover. Finally, if the EPA finalizes a rule regulating hydraulically fractured and refractured oil wells, the BLM anticipates that any operator subject to both sets of requirements (*i.e.*, an operator completing a hydraulically fractured oil well) could satisfy both agencies' requirements by either capturing or flaring the gas that would otherwise be released. The BLM is coordinating closely with the EPA on the agencies' proposals, and the BLM expects to ensure that our final requirements would not impose additional burdens on an operator that complied with any EPA requirements on well completions.

Proposed § 3179.101 would generally require operators to capture or flare gas generated during drilling operations. Alternatively, the operator could inject the gas or use it for production purposes. We estimate that the rule would apply to up to about 3,000 wells per year, and would contribute to the BLM's overall effort to comprehensively address associated gas venting and flaring during all phases of oil and gas production. Based on our experience in the field, the BLM believes, however, that most operators are already diverting and flaring much of the gas from drilling operations as a matter of safety and operating practice, under Onshore Oil and Gas Order No. 2. As such, we do not estimate significant costs associated with this requirement.

Proposed § 3179.102 would similarly require operators to capture or flare gas generated during well completions and well fracturing or refracturing operations. Alternatively, the operator may inject the gas or use it for production purposes.

We believe that the compliance costs associated with a requirement to flare gas would be minimal, especially for hydraulically fractured oil wells, where the equipment needed to flare is commonly already on site. We believe that operators generally direct (or may easily direct) the gas coming off of the separator to a flare pit. If this is infeasible, then the operator would likely bring a combustor to the site for the duration of the completion or direct the gases to a combustor that it would have on site to fulfill other regulatory requirements.

If the EPA finalizes its 40 CFR part 60 subpart OOOOa rulemaking, as we expect, then as a practical matter, this rule's completion requirements will only impact conventional well completions, because the EPA will regulate completions of new and modified hydraulically fractured oil and gas wells. We estimate that the BLM rule would impact between 115–150 completions per year and pose costs to the industry of less than \$430,000 per year. There would be only *de minimis* anticipated incremental production, incremental royalty, and emissions reductions.<sup>326</sup>

If, for purposes of analysis, we assume that EPA does not finalize its 40 CFR part 60 subpart OOOOa rulemaking, the BLM estimates that these provisions would affect about 1,250 to 1,575 completions per year and pose total costs of about \$8–12 million per year (using a 7 percent discount rate) or \$12 million per year (using a 3 percent discount rate). We further estimate that these provisions would increase gas production by 0.5 to 0.6 Bcf per year, resulting in cost savings of about \$2 million per year (using a 7 percent discount rate) or \$2–3 million per year (using a 3 percent discount rate). This would also reduce methane emissions by 11,500 to 14,500 tpy, producing monetized benefits of \$13 million per year in 2017–2019, \$16–18 million per year in 2020–2024, and \$21–22 million in 2025 and 2026. Overall, under this scenario, these provisions are estimated to produce net benefits of \$3–15 million per year (considering the present value of costs and cost savings using a 7 percent discount rate) or \$3–13 million per year (considering the present value of costs and cost savings using a 3 percent discount rate), and reduce VOC emissions by 9,600 to 12,200 tpy.<sup>327</sup>

## 7. Additional Opportunities To Reduce Waste From Venting

The BLM requests comment on whether there are additional opportunities to reduce waste from venting through reasonable and cost-effective measures. For example, there are several categories of sources discussed in the EPA white papers and ICF studies on venting that this proposal does not currently address, including gas-assist glycol dehydrator pumps, intermittent bleed pneumatic devices, compressor stations (with respect to specific interventions that could be required), glycol dehydrators, and pipeline venting. The proposal does not currently extend to these sources for one of two reasons: Either we do not believe that the source commonly occurs on BLM-administered leases, or we are still reviewing possible approaches to reduce venting from the source. We solicit additional information on these points, and also request comments on whether any of these sources should be addressed (or addressed differently) in the final rule.

The EPA and various studies have identified operational losses (in addition to leaks) from compressors as significant sources of methane emissions, and the EPA NSPS rule establishes requirements for new and modified centrifugal wet seal compressors and reciprocating compressors.<sup>328</sup> Specifically, that rule requires compressors with wet seals to reduce VOC emissions by 95 percent, which can be met through flaring or gas capture.<sup>329</sup> The EPA rule also requires operators of reciprocating compressors to replace the rod packing systems every 26,000 hours of operation or every 36 months, and requires initial performance testing and reporting.<sup>330</sup> The BLM has not proposed to adopt similar requirements for operational losses from existing compressors on BLM-administered leases, as we believe that these losses from compressors are not a significant source of waste on those leases. We request comment on whether adopting similar requirements for existing compressors would significantly reduce waste of gas from BLM-administered leases in a reasonable and cost-effective manner.

In addition, the BLM requests comment on whether the rule should require operators to use automatic igniters on their flares and other combustion devices, and if so, under what circumstances those should be required. The proposed provisions on

<sup>325</sup> RIA at 74.

<sup>327</sup> *Ibid.*

<sup>328</sup> 40 CFR 60.5380–5385.

<sup>329</sup> 40 CFR 60.5380.

<sup>330</sup> 40 CFR 60.5385.

well drilling, § 3179.101, and completions, § 3179.102, include requirements for the associated flare device to be equipped with an automatic igniter, as we believe that these activities involve more sporadic gas releases, such that an automatic igniter could be helpful in avoiding venting. However, we request comment on whether there are other situations under which automatic igniters should be required, and if so, what deadline should be imposed for the retrofit. For example, the State of Colorado requires that all combustion devices used to control emissions of hydrocarbons be equipped with automatic igniters, and the State gave operators 2 years (until May 1, 2016) to retrofit existing combustion devices.<sup>331</sup>

Other approaches to address venting from flare malfunctions include requiring operators to install malfunction alarms with remote notification systems, and/or to use enclosed combustors rather than open flares. We request comment on whether the BLM should include these requirements as well.

In addition, the BLM requests comment on whether we should require flares to achieve a specified level of performance in eliminating venting, and if so, what level. Under the 2012 NSPS rules, EPA requires 95 percent control of VOCs from vessels and other sources, and operators may use flares to meet this standard.<sup>332</sup> To the extent that operators do so, the flares must achieve at least a 95 percent removal efficiency for VOCs. Colorado and Wyoming both require combustion devices used to control hydrocarbons from vessels and other sources to achieve at least a 98 percent “design destruction efficiency” or “destruction removal efficiency” for VOCs.<sup>333</sup>

#### B. Royalty-Free Use of Production

As noted above in Section III.F of this preamble, the MLA’s reference to applying royalties to production “removed or sold from the lease” has long been interpreted to allow for both royalty-free “unavoidable” losses of gas (see discussion above in Section IV.A.1.e of this preamble), and royalty-free on-site use of gas production (discussed here). For example, operators commonly combust a portion of the produced oil or gas to run production

equipment, such as to power artificial lift equipment and drilling rigs, or to heat, separate, or dehydrate production. Operators also use gas pressure to activate pneumatic controllers and pneumatic pumps. This royalty exemption for on-site use is not unlimited, however, as the requirement to prevent waste limits royalty-free on-site use to reasonable uses that are not wasteful. Today’s proposal would clarify the scope of the royalty exemption for on-site use and resolve ambiguities that have arisen under NTL-4A.

Specifically, subpart 3178 of the proposed rule would identify the oil and gas uses that would qualify for royalty-free treatment and explain related requirements. In addition, proposed § 3178.8 would specify how an operator must determine and report royalty-free volumes. Among other issues, the proposed rule addresses the following:

- Use of produced oil or gas at locations beyond the boundary of the producing lease, unit or communitized area (CA);
- Use of produced oil or gas to power equipment that the operator does not own; and
- The practice of “hot oiling,” in which oil used in the operation is not consumed.

To prevent unreasonably high royalty-free use, we considered proposing a limit, in the form of a maximum volume or maximum percentage of production. We concluded, however, that it is too difficult to identify specific volume or production percentage thresholds that would appropriately distinguish between reasonable and unreasonable quantities of on-site use. Instead, the proposed rule would directly address the royalty-free treatment of various uses of lease production and identify the situations in which prior written BLM approval would be required for royalty-free treatment of production used.

The proposed rule states that qualifying royalty-free uses must be for operations and production purposes, including placing oil and gas into marketable condition. The lessee ordinarily bears the responsibility for placing oil and gas into marketable condition at no cost to the lessor.<sup>334</sup>

When a particular operation involved in placing the oil and gas into marketable condition is performed on the producing lease, unit participating area (PA), or CA, and the operator has met all other requirements, however, it is an appropriate royalty-free use. The production used in that operation is not royalty-bearing because the production is not removed from the lease, unit, or CA.<sup>335</sup>

#### C. Royalty Rates on New Competitive Leases

In addition to clarifying the scope of the royalty exemption for on-site use and resolving ambiguities that have arisen under NTL-4A, the BLM also proposes to conform its regulatory provisions governing royalty rates for new competitive leases to the corresponding rate provisions in the MLA. The MLA directs the BLM to set the royalty rate for all new competitively-issued leases “at a rate of not less than 12.5 percent in amount or value of the production removed or sold from the lease.”<sup>336</sup> Despite the inherent flexibility of this statutory language, the BLM’s existing royalty regulation sets a flat rate of 12.5 percent for all new competitive leases.<sup>337</sup> The proposed rule would adopt the statutory language, with the result that the “base” royalty rate on competitive oil and gas leases issued after the effective date of this rule would be “not less than” 12.5 percent.

As noted, this proposed change would align the BLM’s royalty authority with that delegated by Congress. In addition, the change would also respond to concerns expressed by the GAO and others about the adequacy of the BLM’s onshore oil and gas fiscal system. In 2007 and 2008, the GAO released two reports addressing the United States’ oil and gas fiscal system. The first report compared oil and gas revenues received by the Federal Government to the revenues that foreign governments receive from the development of their public oil and gas resources.<sup>338</sup> That report concluded that the United States’ oil and gas “take” is among the lowest in the world.<sup>339</sup> The second report, which focused on whether the Department of the Interior receives a fair

(5th Cir. 1991); *Shoshone and Arapaho Tribes v. Hodel*, 903 F.2d 784 (10th Cir. 1990).

<sup>335</sup> See *Plains Exploration & Production Co.*, 178 IBLA 327, 335–336, 341–343 (2010).

<sup>336</sup> 30 U.S.C. 226(b)(1)(A) (emphasis added); see also 30 U.S.C. 352 (applying the Section 226 royalty provisions to leases on acquired land).

<sup>337</sup> 43 CFR 3103.3 1(a)(1).

<sup>338</sup> GAO, *Oil and Gas Royalties: A Comparison of the Share of Revenue Received from Oil and Gas Production by the Federal Government and Other Resource Owners*, GAO 07 676R, May 2007.

<sup>339</sup> GAO-07-676R at 2.

<sup>331</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9, Sections XII.C.1.e, XVII.B.2.d.

<sup>332</sup> 40 CFR part 60, subpart OOOO.

<sup>333</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9, Section XVII.G; Wyoming Operational Rules, Drilling Rules Section Ch. 8, Section 6(c)(1)(A).

<sup>334</sup> See, e.g., 30 CFR 1206.55 (Indian oil); 1206.106 (Federal oil); 1206.152(i) and 1206.153(i) (Federal gas); 1206.172(e)(3)(iii)(B) and 1206.174(h) (Indian gas); *Devon Energy Corp. v. Kempthorne*, 551 F.3d 1030 (D.C. Cir. 2008); *Amoco Production Co. v. Watson*, 410 F.3d 722 (D.C. Cir. 2005); *Amerada Hess Corp. v. Dep’t. of the Interior*, 170 F.3d 1032 (10th Cir. 1999); *Mesa Operating Limited Partnership v. Dep’t. of the Interior*, 931 F.2d 318

return on the resources it manages, cited the “lack of price flexibility in royalty rates,” and the “inability to change fiscal terms on existing leases,” in support of a finding that the United States could be foregoing significant revenue from the production of onshore Federal oil and gas resources.<sup>340</sup> Based on that finding, the second GAO report recommended that the U.S. Congress direct the Secretary of the Interior to convene an independent panel to review the Federal oil and gas fiscal system and establish procedures for periodic evaluation of the system going forward.

Congress did not act on the recommendation in the second GAO report, but the Department nevertheless undertook its own review. Specifically, the BLM and the BOEM contracted with the consulting firm Information Handling Services’ Cambridge Energy Research Associates (IHS CERA) for a comparative assessment of the fiscal systems applicable to certain Federal, State, private, and foreign oil and gas resources (“IHS CERA Study”).<sup>341</sup> The IHS CERA Study identified four factors amenable to comparison: Government take, internal rate of return, profit-investment ratio, and progressivity.<sup>342</sup> The IHS CERA Study also considered measures of revenue risk and fiscal system stability. Overall, the IHS CERA Study found that, as of the time of the study, the Federal Government’s fiscal system and overall take, in aggregate, were in the mainstream both nationally and internationally. Even within specific geographic regions, however, the IHS CERA Study estimated a wide range of government take, and its authors acknowledged that take varies with a variety of factors, including commodity prices, reserve size, reservoir characteristics, resource location, and water depth. As a result, the IHS CERA Study’s authors favored a sliding-scale royalty system, because a sliding-scale royalty is more progressive than a fixed-rate royalty, and can also respond to changes in commodity market conditions.

In addition to the IHS CERA Study, the BLM also reviewed a separate study conducted by industry, the “Van Meurs

Study.”<sup>343</sup> The Van Meurs Study looked at a range of jurisdictions and regions across North America and provided a comparison of the oil and gas fiscal systems on Federal, State, and private lands throughout the United States and the provinces in Canada. The Van Meurs Study suggested that as of 2011, Federal Government take on Federal lands was generally lower than the corresponding take on State or private lands. The Van Meurs Study also made several recommendations to State and Federal Governments in the United States and Canada, including that governments apply different fiscal terms to oil leases than to gas leases, based on the differing prices of oil and gas at the time the report was published.

In 2013, the GAO issued another report identifying specific actions for the Department to take to ensure that the Federal Government receives a fair return on the resources it manages for the American public.<sup>344</sup> The GAO acknowledged that actions had been taken in response to its prior recommendations, but remained concerned that the Department had not taken steps to change its onshore royalty rate regulations to provide flexibility with respect to fiscal terms for oil and gas leases.<sup>345</sup>

In April 2015, as an initial response to these various studies and reports, the BLM published an Advance Notice of Proposed Rulemaking (ANPR) to solicit public comments and suggestions that might be used to update the BLM’s regulations related to royalty rates, annual rental payments, minimum acceptable bids, and other financial measures.<sup>346</sup> In preparing the ANPR, the BLM gathered information about royalty rates charged by States and private mineral holders for oil and gas activities on State and private lands, and compared those rates to rates charged for Federal oil and gas resources. The data showed that the royalty rates charged on private and State lands range from 12.5 to 25 percent, and that the average rate assessed exceeds 16.67 percent.<sup>347</sup>

The comment period on the ANPR closed on June 19, 2015. BLM received 82,074 comments, many of which were form letters, including thousands of

comments from NGOs. In addition to the NGO comments, individual companies and industry trade groups, including the American Petroleum Institute, Independent Petroleum Association of America, and Western Energy Alliance, submitted comments on behalf of their members. Most of the comments focused on lease fiscal terms—royalty rates, rentals, and minimum bids.

With respect to royalty rates, comments ran the gamut from supporting increases to opposing any such changes. Commenters supporting changes to the BLM’s royalty rate regulations noted that the regulations are decades old and set a rate that is generally lower than rates for comparable State and private land leases. These commenters expressed concerns about whether, in light of these facts, the BLM is obtaining a fair return for the American taxpayer from Federal oil and gas leases. A number of these commenters suggested that the BLM should, at a minimum, increase the onshore royalty rate to match the rate currently set by BOEM offshore (18.75 percent). Other commenters suggested that royalty rates should be increased in order to account for the social and environmental costs of oil and gas development.

Many commenters took the opposite view, however, opposing any changes in royalty rates and arguing that higher regulatory costs, operating costs, and uncertainty on Federal lands justify royalty rates lower than those on State and private lands. These commenters also asserted that any increase in royalty rates for Federal oil and gas leases would lead to an overall decrease in government revenue by discouraging exploration and development of Federal oil and gas resources.

Finally, some commenters offered input on alternate royalty rate structures, focusing in particular on sliding scale systems. Some commenters encouraged the BLM to consider such a system, especially a sliding scale based on market price or regional location. Other commenters were opposed to a sliding scale approach, due to perceived implementation challenges and uncertainty in reporting. These commenters also questioned the appropriateness of setting up a royalty regime in which the Federal Government shares with investors some of the risk of fluctuating gas and oil prices. Overall, most individual commenters appeared to agree generally with giving BLM the flexibility to change fiscal terms at the lease sale stage, rather than fixing royalty rates by rule.

<sup>340</sup> GAO-08-691 at 6.

<sup>341</sup> Agalliu, I. (2011). Comparative Assessment of the Federal Oil and Gas Fiscal Systems. U.S. Department of the Interior, Bureau of Ocean Energy Management, OCS Study, BOEM 2011-xxx, available at [http://www.energy.senate.gov/public/index.cfm/files/serve?File\\_id=d174971c-4682-4d96-b194-a85fa2b86774](http://www.energy.senate.gov/public/index.cfm/files/serve?File_id=d174971c-4682-4d96-b194-a85fa2b86774).

<sup>342</sup> A “progressive” royalty rate refers to a rate that increases with the quantity of the resource being sold.

<sup>343</sup> PFC Energy, Van Meurs Corporation, and Rodgers Oil & Gas Consulting (2011). World Rating of Oil and Gas Terms: Volume 1—Rating of North American Terms for Oil and Gas Wells with a Special Report on Shale Plays.

<sup>344</sup> GAO, Oil and Gas Resources—Actions Needed for Interior to Better Ensure a Fair Return, GAO-14-50, (Dec. 2013), 11.

<sup>345</sup> *Ibid.* At 23.

<sup>346</sup> 80 FR 22148 (April 21, 2015).

<sup>347</sup> 80 FR at 22151-52 (April 21, 2015).

Based on the GAO's repeated recommendations, the IHS CERA Study, the royalty rate data collected by the BLM, and the comments received in response to the ANPR—and in light of the volatile nature of oil and gas markets—the BLM has determined that its regulations should provide for maximum flexibility to adjust royalty rate terms for new competitively issued oil and gas leases. Accordingly, this proposed rule would revise the existing regulations to track statutory authority.

The BLM does not currently anticipate increasing the base royalty rate for new competitively issued leases above 12.5 percent. Before making such a change, the BLM would announce the change prior to the effective date, and would provide for a public comment period. Any proposed change would be based on relevant factors, potentially including an assessment of comparable onshore State and private fiscal systems, and an assessment of the proposed impacts of the change on Federal revenue, on production from Federal lands, and on demand for Federal oil and gas leases relative to State and private leases.

The BLM requests input on this proposed change to the royalty provisions. In particular, commenters should address the merits of the proposed change to conform to statutory language, suggest the proper factors for the BLM to consider if and when it decides to adjust royalty rates for new competitive leases, and evaluate the adequacy of the public process outlined above.

At present this is the only change the BLM proposes to make to its royalty regulations. The BLM is, however, considering a provision that would allow royalty rates on new competitively issued leases to vary after the first year, based on the lease holder's record of routine flaring of associated gas from the lease during the previous year. Implementation of such a royalty "adder" provision would involve a "look back" at each lease holder's venting and flaring activity over a 12-month period. On October 1st of each year, a lease holder would evaluate its record of routine flaring of associated gas from the lease over the prior 12-month period. If a lease holder flared above a *de minimis* threshold for at least 6 months of that 12-month period, then its royalty rate for the *subsequent* calendar year would increase by some increment (for example, 4 percent). In all other cases, the royalty rate would remain at, or revert to, the base rate specified in the lease.

To make this idea more concrete, suppose the BLM finalizes the proposed

changes to the existing royalty provisions in 43 CFR 3103.3–1(a)(1) and (2), detailed below in the section-by-section analysis (Discussion of the Proposed Rule, V.I.1.) and laid out in the proposed regulation text.<sup>348</sup> In that case, the additional regulatory language implementing a royalty adder could take the following form:

1. Amend § 3103.3–1(a)(2) to add the following subparagraphs:

(iii) An additional 4 percent above the base rate on all competitively-issued leases for any calendar year in which the operator reported above-threshold flaring of associated gas during at least six of the 12 months preceding October 1st;

(iv) The threshold flaring rate for purposes of paragraph (iii) is 300 Mcf/month multiplied by the number of wells on the lease that produced for at least 10 days during the month.

(v) For communitized or unitized leases, the threshold flaring rate for purposes of paragraph (iii) is 300 Mcf/month multiplied by the sum of the number of stand-alone wells on the lease and the number of wells on each agreement from which the lease is receiving an allocation. To be counted, each well must have produced for at least 10 days during the relevant month. The flaring volume used to assess exceedance of the threshold will be determined using the same allocation formula that each agreement uses to allocate production to the lease under consideration.

In this illustrative regulatory text, the royalty "adder" is 4 percent, and the threshold, *de minimis* flaring rate that would trigger application of the adder is 300 Mcf/producing well/month (or approximately 10 Mcf/producing well/day). Assuming the current base rate of 12.5 percent, a lease holder would continue to pay 12.5 percent for any year in which routine flaring of associated gas from its lease did not exceed the threshold rate during at least six of the 12 months preceding October 1st. On the other hand, any lease holder that reported above-threshold flaring of associated gas during at least 6 months of a calendar year would be obligated to pay a 16.5 percent royalty rate on all oil and gas production removed or sold from the lease during the *subsequent* calendar year. The rate would then revert back to 12.5 percent, for any year in which the lease holder reported at- or below-threshold flaring of associated gas during at least 6 of the 12 months preceding October 1st. Note that the 16.5 percent rate would be less than the average royalty rate that lease holders

currently pay on oil and gas production removed or sold from onshore State and private leases (16.67 percent).<sup>349</sup> As noted previously, this provision, if adopted in the final rule, would apply only to new competitively issued leases issued after the effective date of the rule, and would not apply to existing leases.

The purpose of the royalty adder provision would be: (1) To create an incentive for bidders to consider the availability of gas capture infrastructure and the proximity of gas processing facilities as attributes that add significant value to Federal oil development leases; and (2) To create an incentive for Federal lease holders to plan for gas capture prior to or in conjunction with the development of oil wells.

The BLM requests comment on both the concept and the implementation of the royalty adder. Would a royalty adder accomplish the purposes outlined above? If so, is the structure suggested above appropriate? Does a 4 percent adder provide adequate incentive to lease holders to plan for gas capture at the same time they plan for oil development? Is a threshold rate of 10 Mcf/producing well/day (or 300 Mcf/producing well/month) over 6 months of the previous calendar year an appropriately *de minimis* rate to trigger the adder? Is an annual "look back" mechanism that focuses on production over the 12 months prior to October 1 workable given how oil and gas production volumes, and flaring levels, are currently reported to ONRR, or would a different 12-month period be easier to implement? Would there be a simpler and/or more effective way to implement a royalty adder concept?

#### D. Record Keeping Requirements

The BLM is proposing to require operators to keep records documenting their compliance with several provisions of this rule. Under proposed § 3179.8, for example, operators would need to estimate or measure all volumes of gas vented or flared, and report those volumes under applicable ONRR reporting requirements. This includes flaring of associated gas, and flaring that occurs during well drilling (proposed § 3179.101), well completions (proposed § 3179.102), initial production testing (proposed § 3179.103), and subsequent well testing (proposed § 3179.104). With respect to venting and flaring during emergencies (proposed § 3179.105), the BLM is proposing to require the operator also to estimate and report to the BLM on a Sundry Notice the volumes flared or vented beyond

<sup>348</sup> See footnote 64.

<sup>349</sup> 80 FR at 22151–52 (April 21, 2015).

specified timeframes. We are also soliciting comment on the most efficient and least burdensome means to make appropriate data available to the public.

In addition, with respect to venting during well maintenance and liquids unloading under proposed § 3179.204, the BLM is proposing to require operators to keep records on the cause, date, time, and duration of each venting event, as well as estimates of the quantities released. The BLM is also proposing to require operators to keep records on the dates, equipment covered, monitoring methods used, and results of the leak inspections required under proposed § 3179.305, as well as the dates that repairs are attempted, completed, and confirmed. We request comment on whether operators should be required to provide this information in an annual report, consistent with Colorado's requirements.<sup>350</sup>

#### *E. Reporting and Information Availability*

Currently, relatively little information on waste from venting and flaring at specific sites is directly provided to the public. The public may request information held by the BLM and ONRR through a request under the Freedom of Information Act (FOIA), but this can be more time-consuming and costly than accessing information publicly posted on Web sites.

Under existing § 3162.3–1(g), upon receiving an Application for a Permit to Drill (APD) on Federal lands, the BLM must post information for public inspection for at least 30 days before taking action. The information includes: (1) The company/operator name; (2) The well name/number; (3) The well location; and (4) Maps of the affected lands. The information must be posted in the local office of the BLM and in the appropriate surface managing agency office, if other than the BLM. Some BLM field offices also make this information available on their Web sites. The BLM has been working to upgrade its systems for accepting and processing APDs and Sundry Notices. The new APD acceptance process will allow the BLM to more easily post general information about those APDs to the Internet for public notice purposes.

With respect to venting and flaring, in some situations, such as emergencies, the operator is not currently required to provide any information to the BLM. In other situations, such as when BLM approval is required, operators typically

file a Sundry Notice requesting the approval. When the BLM approves or disapproves the request, the BLM notifies the company. Neither the Sundry Notice nor the BLM disposition is currently posted, although to the extent that the information is not confidential business information, it would be available to the public through a FOIA request. Likewise, although operators are currently required to report gas vented and flared to ONRR on a lease or agreement basis, this information is currently only available to the public through a FOIA request. This information also does not include quantities of gas released through leaks or during routine operation of equipment, such as pneumatic devices.

In recent years, there has been strong and growing public interest in venting and flaring at oil and gas operations. In particular, the public has been calling for more complete, reliable, and available information on the quantities of natural gas vented and flared from BLM-administered leases. The BLM believes it is appropriate for the public to have access to information on venting and flaring from BLM-administered leases. The BLM also wants to be as responsive to reasonable public requests as possible given resource constraints.

Since at least a portion of the data on venting and flaring is already reported to and available from ONRR, the BLM believes that the least burdensome approach to increasing data access would be to expand the information that must be reported to ONRR. The goal would be to ensure that all quantities of gas vented and flared that ONRR requires to be reported are reported on ONRR's Oil and Gas Operations Report (OGOR), form ONRR–4054. Thus, the BLM proposes in §§ 3179.8 and 3179.204 to clarify the reporting requirements to ensure that operators report to ONRR measurements or estimates of all volumes of gas vented or flared. The BLM requests comment on this proposal and whether operators should report any additional information on losses of gas, such as from storage vessels or pneumatic controllers and pneumatic pumps. Several other categories of information may also generate public interest. For example, the proposed rule would require operators to provide significant new information related to plans for disposition of associated gas at the APD phase. In addition, there is already public interest in industry requests for approvals to flare and BLM responses. If this proposal is finalized, the BLM expects that there would be far fewer applications for alternative flaring limits compared to the current level of

requests for approval to flare, but that there still might be substantial public interest in the applications for alternative flaring limits that BLM would receive.

To ensure transparency about the use of public resources, the BLM is considering ways to make these kinds of information publicly available online, where appropriate, without requiring interested members of the public to submit FOIA requests. The BLM requests comment on the types of data that are most useful to the public, the types of data that operators believe should remain private, and the most efficient and least burdensome approaches to making appropriate data available to the public. The BLM recognizes, however, that it must balance this interest in open government with the need to protect operators' confidential business information, and with the substantial administrative burden and costs of posting large amounts of information online.

#### *F. Planning Process*

During public outreach for the venting and flaring rule, multiple stakeholders asked the BLM to address the waste issue not only through requirements under the MLA, but also through the BLM's land-use planning and environmental review processes. Pointing to the BLM's authorities under FLPMA, procedural statutes such as the National Environmental Policy Act (NEPA), and DOI policies such as the Secretarial Orders that address climate change,<sup>351</sup> these commenters asked the BLM to use landscape-scale planning tools to complement the MLA waste prevention provisions.

These stakeholders recommended that the BLM integrate the waste prevention provisions of the MLA with the planning and management framework informed by FLPMA and NEPA. Commenters specifically suggested that the BLM develop a new rule requiring field offices to integrate waste prevention into planning and management. More broadly, the stakeholders asked the BLM to “craft its rule to make full use of its ‘front end’ planning and management tools” to prevent oil and natural gas waste.<sup>352</sup> They highlighted tools that allow the BLM to plan, manage for, and review the impacts of proposed actions before

<sup>350</sup> Colorado Air Quality Control Commission Regulations, Regulation 7, 5 CCR 1001–9 at Section XVII.H.1.c. and XVII.F.8 for proposed §§ 3179.204 and 3179.305 respectively.

<sup>351</sup> See, e.g., Secretarial Order Nos. 3289 (Sept. 14, 2009) (updated by Amendment No. 1, Feb. 22, 2010) and 3226 (Jan. 19, 2001).

<sup>352</sup> Letter from the Western Environmental Law Center (WELC) *et al.* to Secretary Sally Jewell, DOI, Jan. 27, 2014, p. ii and Attached Core Principles, pp. 23–24 (hereinafter WELC Jan. 27 Letter).

issuing leases or approving oil and gas development projects, in contrast to the “back end” application of specific technologies or practices to such projects.<sup>353</sup> For example, these commenters suggested that by providing information to inform oil and gas development decisions, BLM inventories of the resource and other values of specific lands prepared under FLPMA Section 201(a)<sup>354</sup> could facilitate implementation and enforcement of the venting and flaring rule. They further suggested that by providing for public involvement, “front end” tools would facilitate public transparency and accountability and help to identify unexpected opportunities to prevent methane waste (such as in NEPA alternatives analyses).<sup>355</sup>

Among other tools, these stakeholders suggested that resource management plans (RMP) offer an opportunity to ensure “orderly and efficient” oil and gas development by governing the scale, pace, and nature of exploration, development, and production, and by facilitating the construction of necessary infrastructure for routing captured gas to processing and storage facilities.<sup>356</sup> They also encouraged the BLM to use master leasing plans (MLP) “to establish front-end waste prevention goals” when planning for oil and gas development in a defined area and to identify specific best management practices or mitigation measures to prevent waste.<sup>357</sup> These stakeholders argued that these and other tools would enable the BLM to “prevent methane waste at a broad basin- or field-level scale.”<sup>358</sup>

In addition, these stakeholders asked the BLM to use NEPA reviews to prevent methane waste. For example, they encouraged the BLM to consider methane waste from all sources in its NEPA analyses, including when considering alternatives and mitigation measures and when analyzing cumulative impacts.<sup>359</sup> These stakeholders also asked that the BLM “expressly coordinate its planning and

management efforts with Federal, State, and local agencies that regulate downstream activities, as well as with industry segments responsible for downstream activities” to ensure that methane waste prevention actions are effective.<sup>360</sup>

Similarly, in evaluating opportunities for the BLM to reduce venting and flaring of gas, the GAO found that the agency does not as a general matter assess options for reducing venting and flaring in advance of oil and gas production. The GAO pointed out that there are two phases in advance of production where the BLM could assess venting and flaring reduction options—during the environmental review phase and when the operator applies to drill a new well. The GAO found, however, that the BLM largely fails to take advantage of these opportunities to reduce methane waste, instead using its pre-production authority solely to ensure that air quality standards are not violated. The GAO recommended that the BLM assess the potential use of venting and flaring reduction technologies to minimize the waste of natural gas in advance of production wherever applicable.<sup>361</sup>

The BLM is considering the integrated approach suggested by the commenters. The BLM agrees that the land use planning and NEPA processes are important to sound oil and gas development on Federal land. Flaring sometimes results from development of oil wells in advance of gas capture infrastructure. In other cases, flaring occurs when existing gas capture and processing infrastructure is inadequate, or when operators find flaring easier or less costly than connecting to existing gas capture infrastructure. Part of the solution to flaring, therefore, is to align the timing of well development with that of capture and processing infrastructure development, and to create incentives for operators to capture rather than flare.

The land use planning and NEPA review processes could be used to achieve these improvements, but the BLM does not intend to make any changes to BLM land use planning regulations (43 CFR subparts 1601 and 1610) or to any BLM planning or NEPA guidance as part of this rulemaking. This proposed rule focuses on the requirements that apply to operators as they develop wells and produce oil and gas from lands under Federal leases (43 CFR chapter II, subparts 3178 and 3179). The regulatory changes under

consideration in this rulemaking are limited to these provisions.

### G. Facilities in Rights-of-Way

In response to the BLM’s solicitation of stakeholder views, various stakeholders also submitted comments urging the BLM to address not only losses of natural gas from BLM-administered leases, but also losses of natural gas from facilities located in rights-of-way granted by the BLM on Federal and Indian land. As of FY 2014, the BLM had over 33,700 approved rights-of-way in place under the MLA.<sup>362</sup> Facilities located in rights-of-way include gas gathering and transmission pipelines and compressors, which are used to maintain pressure in the pipelines. Of these, it appears that compressors are likely to be the largest source of natural gas losses. Further, it appears that losses from sources located on rights-of-way could be addressed through available technologies and practices, such as LDAR programs.

In evaluating the merits of the stakeholders’ suggestion, the BLM believes that relevant considerations include, among others: The quantity of gas lost from these sources, the costs and feasibility of technologies to reduce waste of gas from these sources, and the administrative burden of doing so.

Based on the currently available information, the BLM believes that there are only a small number of sources of lost gas on BLM-managed rights-of-way, and that these sources do not contribute significantly to the problem of waste. The BLM analyzed potential losses from compressors, as the likely largest sources of loss located on BLM-managed rights-of-way. There are an estimated 386 compressors located on BLM-managed rights-of-way, and most of these are believed to be small compressors used for gathering systems (as opposed to the larger compressors used for transmission pipelines). Using EPA GHG Inventory data on emissions from small compressors, the compressors located in BLM-administered rights-of-way are estimated to release approximately 47 MMcf of natural gas per year. This quantity of gas is several orders of magnitude smaller than the on-lease sources of losses on which this proposal focuses—not surprising given that the number of compressors located on BLM-administered rights-of-way is only about 4 percent of the total number of small compressors in the Rocky Mountain region (9,260), and emissions from these

<sup>353</sup> Letter from WELC *et al.* to Secretary Sally Jewell, DOI, May 30, 2014, Attached Comments, p. 11, n. 6 (hereinafter WELC May 30 Letter).

<sup>354</sup> 43 U.S.C. 1711(a).

<sup>355</sup> WELC Jan. 27 Letter, p. 23.

<sup>356</sup> WELC Jan. 27 Letter, pp. 23–24; see also Letter from WELC and Clean Air Task Force to Director Neil Kornze, BLM, Dec. 5, 2014, pp. 2 and 4 (hereinafter WELC Dec. 5 Letter).

<sup>357</sup> WELC Jan. 27 Letter, p. 24.

<sup>358</sup> WELC May 30 Letter, pp. 11–12.

<sup>359</sup> WELC Jan. 27 Letter, pp. 20–21; WELC May 30 Letter, pp. 21–22; WELC Dec. 5 Letter, p. 4 (urging the BLM to consider and require technologies and practices to prevent waste that are deemed reasonable in the context of basin- or field-specific conditions).

<sup>360</sup> WELC Jan. 27 Letter, p. 20.

<sup>361</sup> GAO–11–34, 34.

<sup>362</sup> BLM Public Land Statistics, 2014 Table 3–4, column (c), Mineral Leasing Act.

compressors only total about 1 percent of small compressor emissions in the U.S. according to the latest GHG Inventory.<sup>363</sup> Given the limited impact of these rights-of-way facilities, and the fact that the BLM can already reach the facilities' emissions via conditions on rights-of-way, we are not proposing to address these facilities in this rulemaking. We request comment on this approach.

#### H. State or Tribal Variances

Several States and tribes have worked to address concerns about venting and flaring from oil and gas production, and others are considering action on this front. The BLM believes that it is important to include in this rule a provision for recognizing highly effective State or tribal requirements that reduce flaring and/or venting as much as, or more than, the proposed rule. Under proposed § 3179.401, such State or tribal provisions could, upon BLM approval, apply in place of a provision or provisions of subpart 3179. To apply for a variance, a State or tribe would have to: Identify the specific provisions of the BLM requirements for which the variance is requested; identify the specific State or tribal regulation that would serve as a substitute; explain why the variance is needed; and demonstrate how that regulation would serve the purposes of the supplanted BLM requirements.

The relevant BLM State Director would review a State or tribal variance request and assess whether the State or tribal regulation meets or exceeds the requirements of the BLM provisions for which the State or tribe sought a variance. The proposed rule would retain the BLM's authority to rescind a variance or modify any condition of approval in a variance.

#### I. Section-by-Section Discussion

##### 1. § 3103.3–1 Royalty on Production

The proposed revisions to § 3103.3–1(a)(1) and (2) do four things: (1) Remove two provisions of the existing regulations that are no longer necessary (§ 3103.3–1(a)(1)(i) and (ii)); (2) Specify that the rate on all leases existing at the time the rule becomes effective would remain at the rate “prescribed in the lease or in applicable regulations at the time of lease issuance”; (3) Specify the statutory rate of 12.5 percent for all noncompetitive leases issued after the effective date of the final rule; and (4) Conform the regulatory regime for

competitive leases issued after the effective date of the rule to the regime envisioned by the MLA, which specifies that the royalty rate for all new competitively issued leases be set “at a rate of not less than 12.5 percent.”<sup>364</sup>

##### 2. § 3160.0–5 Definitions

This proposed amendment to § 3160.0–5 would delete a definition of “avoidably lost” that by its terms applies to part 3160. A definition of “avoidably lost” is no longer needed for part 3160, and this definition would be superseded by the provisions in proposed subparts 3178 and 3179 governing when the loss of oil or gas is avoidable. In particular, proposed § 3179.4 delineates when the loss of oil or gas is avoidable or unavoidable.

##### 3. § 3162.3–1 Drilling Applications and Plans

This proposed section describes the requirements for drilling applications and plans, including specifying the information that an operator must provide with an APD. We propose to amend this section to require that when submitting an APD for a development oil well, an operator must also submit a waste minimization plan, which would not be part of the APD, and the execution of which would not be enforceable. The waste minimization plan would have to include information regarding: The pipeline infrastructure location and capacity in the area of the well or wells; the anticipated timing, quantity, and production decline curve of oil and gas production from the well or wells; a gas pipeline system location map showing the operator's wells, gas pipelines, gas processing plant(s), and proposed routes for connection to the pipeline; certification that the operator has provided one or more midstream processing companies with information about the operator's production plans, including the anticipated completion dates and gas production rates of the proposed well or wells; the volume and percentage of produced gas the operator is currently flaring or venting from wells in the same field and any wells within a 20-mile radius of that field; and an evaluation of opportunities for alternative on-site capture approaches, if pipeline transport is unavailable.

##### 4. Subpart 3178—Royalty-Free Use of Lease Production

###### (a) § 3178.1 Purpose

This proposed section states that the purpose of the subpart is to address circumstances in which oil and gas produced from Federal and Indian

leases may be used royalty-free. This subpart would supersede those parts of NTL–4A pertaining to oil or gas used for “beneficial purposes.”

###### (b) § 3178.2 Scope of This Subpart

This proposed section specifies which leases, agreements, tracts, facilities, and gas lines are covered by this subpart. The proposed section also states that the term “lease” in this subpart includes IMDA agreements as consistent with those agreements and with principles of Federal Indian law—an edit intended to enhance the clarity and brevity of these provisions.

###### (c) § 3178.3 Production on Which Royalty Is Not Due

This proposed section would set forth the general rule that royalty is not due on oil or gas that is produced from a lease or CA and used for operations and production purposes (including placing oil or gas in marketable condition) on the same lease or CA without being removed from the lease or CA.

This section also addresses a similar issue with respect to unit PAs—that is, the productive areas on a unit. Units often include different PAs composed of multiple leases with varied ownership. This section would therefore limit the royalty-free use of gas from a particular PA to uses that are made on the same unit, to support production from the same unit PA. The reason for this limitation is to prevent excessive use of royalty-free gas by prohibiting a unit operator from using royalty-free production from one PA to power operations on, or treat production from, another PA on the same unit, to the benefit of different owners and to the detriment of the public interest.

Proposed § 3178.5 would qualify the general provisions of proposed § 3178.3 by listing specific operations for which prior written BLM approval would be required for royalty-free use.

###### (d) § 3178.4 Uses of Oil or Gas on a Lease, Unit, or CA That Do Not Require Prior Written BLM Approval for Royalty-Free Treatment of Volumes Used

This proposed section identifies uses of produced oil or gas that would not require prior written BLM approval for royalty-free treatment. The uses listed in this section involve standard and routine production and related operations. In addition, proposed paragraph (b) clarifies that the authorization to use production without payment of royalties is limited to the amount of fuel reasonably necessary to perform the operation on the lease using appropriately sized equipment. This

<sup>363</sup> BLM analysis of EPA GHG Inventory data applied against the estimated number of compressors located on BLM-managed ROW authorizations.

<sup>364</sup> See footnote 64.

ensures that royalty-free on-site use remains subject to the requirement to avoid waste of the resource.

While the royalty-free uses proposed here are generally similar to the uses identified in the definition of “beneficial purposes” in NTL-4A, this rulemaking would clarify which uses warrant royalty-free treatment. This proposed rule would not address some uses that are defined as royalty-free under ONRR provisions, such as the royalty-free use of residue gas to fuel gas plant operations as provided in 30 CFR 1202.151(b). In addition, this proposed section would clarify that hot oil treatment is an accepted on-lease use of produced crude oil that does not require prior approval to be royalty-free. In this treatment, oil is not consumed as fuel. Rather, after the oil is pumped back into the well to stimulate production, it is produced again. Although the use of produced crude oil for hot oil treatments on the producing lease, unit, or CA has historically been understood by the BLM and by operators as a royalty-free use, it is not specifically addressed in NTL-4A.

(e) § 3178.5 Uses of Oil or Gas on a Lease, Unit, or CA That Require Prior Written BLM Approval for Royalty-Free Treatment of Volumes Used

This proposed section identifies uses of oil or gas that would require prior written BLM approval to be deemed royalty-free. The aim of this section is three-fold: (1) To ensure that the BLM retains discretion to grant royalty-free use where the BLM deems the use to be consistent with the MLA’s royalty requirement for oil or gas that is produced and then removed from the lease and sold; (2) To increase uniformity in the administration of the royalty-provisions by specifying circumstances that warrant particular BLM attention; and (3) To ensure the BLM’s awareness of unusual uses that risk the loss or waste of oil and gas.

For two of the identified uses, existing regulations already require BLM approval before the operator may conduct the operation. For all of the identified uses, operators would be required to submit a Sundry Notice requesting BLM approval to conduct royalty-free activities.

The potentially royalty-free uses identified in this section are as follows:

- *Using oil as a circulating medium in drilling operations.* This use is expressly described as royalty-free under NTL-4A. Because using produced oil as a circulating medium is rare and creates a possibility of loss, the proposal would require that the BLM evaluate

each request and approve the request in writing only when appropriate.

- *Injecting gas produced from a lease, unit PA, or CA into the same lease, unit PA, or CA to increase the recovery of oil or gas.* An operator must also obtain BLM approval for this use under existing regulations at 43 CFR 3162.3-2. The substance of this provision would not change from NTL-4A.

- *Using oil or gas that was removed from the pipeline at a location downstream of the approved facility measurement point (FMP), provided that both removal and use occur on the lease, unit, or CA.* The BLM anticipates that these situations would be quite rare because the tap that operators use to extract and measure gas is generally upstream of the FMP.

- *Using produced gas for operations on the lease, unit PA, or CA, after it is returned from off-site treatment or processing to address a particular physical characteristic of the gas.* Physical characteristics that might preclude initial use of gas in lease operations and necessitate off-lease treatment or processing include an unusually high concentration of hydrogen sulfide, or the presence of inert gases or liquid fractions that limit the gas’s utility as a fuel. The operator would bear the burden of establishing the necessity of off-lease treatment; the BLM typically would not approve, as a royalty-free use, return of production to the lease for use in operations necessary to put production into marketable condition.

- *Any other type of use that is consistent with proposed § 3178.3, but is not specifically identified in proposed § 3178.4.* This provision would clarify that the BLM retains discretion to consider approving royalty-free use under circumstances that are not now anticipated.

(f) § 3178.6 Uses of Oil or Gas Moved Off the Lease, Unit, or CA That Do Not Require Prior Written Approval for Royalty-Free Treatment of Volumes Used

This proposed section identifies two circumstances in which royalty-free use of oil or gas that has been moved off the lease, unit, or CA would be permitted without prior BLM approval.

The first situation is where an individual lease, unit, or CA includes non-contiguous areas, and oil or gas is piped directly from one area of the lease, unit, or CA to another area where it is used, without oil or gas being added to or removed from the pipeline, even though the oil or gas crosses lands that are not part of the lease, unit, or CA. Under this proposed section, the BLM

would consider such production as not having been “removed from the lease.” This would provide the lessee or operator the same opportunity for royalty-free use as if the lease, unit, or CA were one contiguous parcel. The second situation is where a well is directionally drilled, and the wellhead is not located on the producing lease, unit, or CA, but produced oil or gas is used on the same well pad for operations and production purposes for that well. In such situations, the proposed rule would allow for royalty-free use at the well pad because, as the IBLA noted in *Plains Exploration & Production Co.*, “(t)he gas (is) not produced (extracted from the ground) until after it (has) crossed the lease line. Production and removal from the lease are both requisite to triggering the royalty obligation. . . . Thus, gas used in wellhead production operations would be regarded as used for the benefit of the lease.”<sup>365</sup>

(g) § 3178.7 Uses of Oil or Gas Moved Off the Lease, Unit, or CA That Require Prior Written Approval for Royalty-Free Treatment of Volumes Used

This proposed section would address the royalty treatment of oil or gas used in operations conducted off the lease, unit, or CA. When production is removed from the lease, unit, or CA, it becomes royalty-bearing unless otherwise provided. This principle is reflected in paragraph (a) of this proposed section, which would provide that with only limited exceptions, royalty is owed on all oil or gas used in operations conducted off the lease, unit, or CA (referred to here as “off-lease royalty-free use”).

Paragraph (b) of this proposed section identifies circumstances in which, despite the principle articulated in paragraph (a), the BLM would consider approving off-lease royalty-free use. These include situations in which the operation is conducted using equipment or at a facility that is located off the lease, unit, or CA (under an approved permit or plan of operations, or at the agency’s request) because of engineering, economic, resource protection, or physical accessibility considerations. For example, a compressor that otherwise would have been located on a lease may be sited off the lease because the topography of the lease is not conducive to equipment siting. To be approved for off-lease royalty-free use, the operation would also have to be conducted upstream of the approved FMP. This proposed

<sup>365</sup> *Plains Exploration & Production Co.*, 178 IBLA 327, 341 n.16 (2010).

paragraph reflects the BLM's policy to encourage operators to reduce the amount of surface disturbance associated with oil and gas exploration and development projects. In some cases, centralizing production facilities at a location off the lease may serve that objective.

Paragraph (c) would require the operator to obtain BLM approval for off-lease royalty-free use via a Sundry Notice containing the information required under proposed section 3178.9 of this subpart. The BLM anticipates that generally such approval would be appropriate only in some of the situations in which the BLM also approves measurement at a location off the lease, unit, or CA, or when the BLM has granted approval to commingle production off the lease, unit, or CA, and to allocate production back to the producing properties.

Paragraph (d) of this proposed section would clarify that approval of off-lease measurement or commingling under other regulatory provisions does not constitute approval of off-lease royalty-free use. An operator or lessee must expressly request, and submit its justification for, approval of off-lease royalty-free use.

Paragraph (e) of this proposed section addresses circumstances in which equipment located on a lease, unit, or CA also treats production from other properties that are not unitized or communitized with the property on which the equipment is located. Unless the BLM approves off-lease royalty-free use in such situations, an operator could report as royalty-free only that portion of the oil or gas used that is properly allocable to the share of production contributed by the lease, unit or CA on which the equipment is located.

NTL-4A does not include a provision that specifically addresses approving off-lease royalty-free use. Such approval is required, however, under ONRR regulations, which provide, "All gas (except gas unavoidably lost or used on, or for the benefit of, the lease, including that gas used off-lease for the benefit of the lease when such off-lease use is permitted by the BOEMRE or BLM, as appropriate) produced from a Federal lease to which this subpart applies is subject to royalty."<sup>366</sup> The proposed section would add clarity and consistency in implementation.

#### (h) § 3178.8 Measurement or Estimation of Royalty-Free Volumes

This proposed section specifies that an operator must measure or estimate the volume of royalty-free gas used in

operations upstream of the FMP. In general, the operator would be free to choose whether to measure or estimate, with the exception that the operator must in all cases measure under the applicable oil or gas measurement regulations: (1) The volume of royalty-free oil used in operations on the lease, unit, or CA; and (2) The volume of royalty-free gas removed from the product downstream of the FMP and used in operations on the lease, unit, or CA. If oil is used on the lease, unit or CA, it is most likely to be removed from a storage tank on the lease, unit or CA. Thus, this proposed section would also require the operator to document the removal of the oil from the tank.<sup>367</sup>

For both oil and gas, the operator would have to report the volumes measured or estimated, as applicable, under ONRR requirements.

#### (i) § 3178.9 Requesting Approval of Royalty-Free Treatment When Approval Is Required

This proposed section describes how to request BLM approval of royalty-free use when prior-approval is required under proposed § 3178.5 or proposed § 3178.7. NTL-4A is silent with respect to application procedures. This proposed section would require the operator to submit a Sundry Notice containing specified information, which is necessary for the BLM to determine if approval is appropriate. The information would include a description of the operation to be conducted, the measurement or estimation method, the volume expected to be used, the basis for an estimate (if applicable), and the proposed disposition of the oil or gas used.

#### (j) § 3178.10 Facility and Equipment Ownership

This proposed section clarifies that although the operator would not be required to own the equipment in which production is used royalty-free, the operator is responsible for all authorizations, production measurements, production reporting, and other applicable requirements.

### 5. Subpart 3179—Waste Prevention and Resource Conservation

#### (a) § 3179.1 Purpose

This proposed section states that the purpose of subpart 3179 would be to implement the statutes relating to prevention of waste from Federal and Indian (other than Osage Tribe) leases, conservation of surface resources, and management of the public lands for

multiple use and sustained yield. The proposed section also provides that subpart 3179 would supersede those parts of NTL-4A that pertain to flaring and venting of produced gas, unavoidably and avoidably lost gas, and waste prevention.

#### (b) § 3179.2 Scope of This Subpart

This proposed section specifies which leases, agreements, tracts, facilities, and gas lines are covered by this subpart. The proposed section also states that the term "lease" in this subpart includes IMDA agreements as consistent with those agreements and with principles of Federal Indian law—an edit intended to enhance the clarity and brevity of these provisions.

#### (c) § 3179.3 Definitions and Acronyms

This proposed section contains definitions for 13 terms that are used in subpart 3179: "Accessible component"; "capture" and "capture infrastructure"; "component"; "development oil well" and "development gas well"; "gas-to-oil ratio"; "gas well"; "liquid hydrocarbon"; "liquids unloading"; "lost oil or lost gas"; "storage vessel"; and "volatile organic compounds." Some defined terms have a particular meaning in this proposed rule. Other defined terms may be familiar to many readers, but we include their definitions in the proposed regulatory text to enhance the clarity of the rule.

#### (d) § 3179.4 Determining When the Loss of Oil or Gas Is Avoidable or Unavoidable

This proposed section describes the circumstances under which lost oil or gas would be classified as "unavoidably lost." "Avoidably lost" oil or gas would then be defined as oil or gas that is not unavoidably lost.

NTL-4A defined the terms "avoidably lost" and "unavoidably lost," but the definitions are general and could be applied inconsistently. The descriptions in the proposed rule are intended to enhance clarity and consistency by listing specific operations and sources that produce gas that the BLM would deem "unavoidably lost," as long as an operator has not been negligent, has not violated laws, regulations, lease terms or orders, and has taken prudent and reasonable steps to avoid waste.

The rule would also define as "unavoidably lost" any produced gas that is vented or flared from a well that is not connected to gas capture infrastructure, if the BLM has not determined that the loss of gas through such venting or flaring is otherwise avoidable. To be deemed "unavoidably lost," this produced gas would have to

<sup>366</sup> 30 CFR 1202.150(b) (emphasis added).

<sup>367</sup> 80 FR 40767 (July 13, 2015).

comply with the limits of proposed § 3179.6.

Finally, this proposed section would define “avoidably lost” oil or gas as lost oil or gas that does not meet this section’s definition of “unavoidably lost.”

**(e) § 3179.5 When Lost Production Is Subject to Royalty**

This proposed section would reemphasize the distinction that is the foundation of NTL–4A: Royalties are due on all avoidably lost oil or gas, but not on unavoidably lost oil or gas. This section further provides that if oil becomes waste oil through operator negligence, the operator would owe royalties on the waste oil, but absent negligence, waste oil would be royalty-free.

**(f) § 3179.6 When Flaring or Venting Is Prohibited**

This proposed section would require operators to flare all gas that is not captured, except under certain limited circumstances. Operators would be allowed to vent gas if flaring is technically infeasible—for example if the volumes of gas are too small to operate a flare, or if the gas is not readily combustible. Operators would also be allowed to vent gas in an emergency, when the loss of gas is uncontrollable or venting is necessary for safety. In addition, this proposed section would authorize venting of gas from pneumatic devices, and from storage vessels, as long as flaring of that gas is not required under other provisions of this proposed subpart.

This proposed section would impose an overall limit of 1,800 Mcf per month per well, averaged over all of the producing wells on a lease, on all venting or flaring from development oil wells, unless the BLM approves an alternative volume limit under proposed § 3179.7. This limit would phase in over the first 3 years that the rule is in effect, such that the flaring limit in year 1 would be 7,200 Mcf/well/month, averaged over all of the producing wells on a lease, the limit in year 2 would be 3,600 Mcf/well/month on average, and the limit in year 3 and thereafter would be 1,800 Mcf/well/month, again on average.

**(g) § 3179.7 Alternative Limits on Venting and Flaring**

This proposed section would apply only to leases issued before the effective date of this regulation. It would allow the BLM to approve a higher limit on venting and flaring for a well, in place of the applicable limit specified in proposed § 3179.6, if the operator

demonstrates, and the BLM agrees, that the limit would impose such costs as to cause the operator to cease production on the lease and abandon significant recoverable oil reserves. In making this determination, the BLM would consider the costs of capture, and the costs and revenues of all oil and gas production on the lease. To demonstrate the need for an alternative limit, the operator would have to submit through a Sundry Notice: (1) Information regarding the operator’s wells under the lease that produce Federal or Indian gas, including identifying information, and levels of gas production, venting and flaring for each well; (2) Maps showing the lease area, well and pipeline locations, capture, flaring and venting status of wells, and distances to pipelines; (3) Information on pipeline capacity and the operator’s cost projections for gas capture infrastructure and alternative methods of transportation that do not require pipelines; and (4) The operator’s projections of oil and gas prices, oil and gas production volumes, costs, revenues and royalty payments from the operator’s oil and gas operations on the lease over the lesser of 15 years or the remaining period in which the operator will produce from the Federal or Indian lease, unit, or CA. As provided in paragraph (c) of this proposed section, the BLM would aim to set the lowest alternative flaring limit that would not cause the operator to cease production and abandon significant recoverable oil reserves under the lease.

In addition, this proposed section would exempt wells on a lease from the applicable flaring limit for a renewable 2-year period if the operator certifies that the following conditions apply: (1) The lease, unit, or CA is not connected to a gas pipeline; (2) The lease is more than 50 straight-line miles from the nearest gas processing plant; and (3) The rate gas flaring from the lease is 50 percent or more greater than the applicable flaring limit in proposed § 3179.6. An operator would have to submit a Sundry Notice to the BLM, certifying in an affidavit that it meets the conditions for the exemption.

**(h) § 3179.8 Measuring and Reporting Volumes of Gas Vented and Flared From Wells**

This proposed section would require operators to estimate (using estimation protocols) or measure (using a metering device) all flared and vented gas, whether royalty-bearing or royalty-free.<sup>368</sup>

<sup>368</sup> Estimation in this instance involves the use of known well or reservoir information such as

This proposed section further provides that operators must measure rather than estimate the flared and vented volumes when the operator is flaring 50 Mcf or more of gas per day from a flare stack or manifold, based on estimated volumes.

This proposed section would not specify how to measure gas when measurement is required. Onshore Oil and Gas Orders Nos. 4 and 5, which are currently undergoing revision, contain standards for measuring royalty-bearing oil and gas, respectively.<sup>369</sup>

This proposed section would also require operators to report all volumes vented or flared under applicable ONRR reporting requirements.

**(i) § 3179.9 Determinations Regarding Royalty-Free Venting or Flaring**

This proposed section would provide for a transition for operators that are operating under existing approvals for royalty-free flaring or venting, as of the effective date of the rule. Those operators could continue to flare or vent royalty-free, and/or to flare or vent above the applicable flaring limit, for 90 days after the effective date of the rule. After 90 days, those operators would become subject to all the provisions of the final rule, including both the royalty provisions and the flaring limit.

Further, this proposed section would clarify that nothing in this subpart alters the royalty-bearing status of flaring that occurred prior to [EFFECTIVE DATE OF FINAL RULE], nor the BLM’s authority to determine that status and collect appropriate back-royalties.

**(j) § 3179.10 Other Waste Prevention Measures**

This proposed section would clarify that nothing in this subpart alters the BLM’s existing authority under the MLA to limit the volume of production from a lease, or to delay action on an APD to minimize the loss of associated gas.<sup>370</sup> Specifically, if production from a new well would force an existing producing well already connected to the pipeline to go offline, then notwithstanding the

periodic well tests or a well’s gas to oil ratio to estimate a well’s gas production rate. For example, if a production flow test is conducted monthly on a well, one might presume the well continued producing gas at the tested rate for the entire month. Similarly, if a well has a gas to oil ratio that is uniform over time, the operator could estimate the rate of gas production based on the measured rate of oil production and the gas to oil ratio. Gas volume estimation using these protocols is suitable for reporting flared gas volumes in many cases.

<sup>369</sup> For oil: Onshore Oil and Gas Order No. 4, III(C), III(D), and III(E); for gas: Onshore Oil and Gas Order No. 5, III(C) and III(D). More information can be found at [http://www.blm.gov/wo/st/en/prog/energy/oil\\_and\\_gas/onshore\\_oil\\_and\\_gas.html](http://www.blm.gov/wo/st/en/prog/energy/oil_and_gas/onshore_oil_and_gas.html).

<sup>370</sup> 30 U.S.C. 187; 30 U.S.C. 225.

requirements in 3179.6 and 3179.7, the BLM could limit the volume of production from the new well for a period of time, while gas pressures from the new well stabilize. In addition, the BLM could delay action on an APD or approve it with conditions related to gas capture and production levels. The BLM could suspend the lease under 43 CFR 3103.4–4 if the lease associated with the APD is not in producing status.

(k) § 3179.11 Coordination With State Regulatory Authority

This proposed section addresses certain “mixed ownership” situations, in which a single well may produce oil and gas from Federal and/or Indian mineral interests, and non-Federal, non-Indian mineral interests. This proposed section would provide that to the extent that any BLM action to enforce a prohibition, limitation, or order under this subpart adversely affects production of oil or gas from non-Federal and non-Indian mineral interests, the BLM would coordinate on a case-by-case basis with the State regulatory authority with jurisdiction over that non-Federal and non-Indian production. This is consistent with current practice, in which the BLM and State regulators coordinate closely in regulating and enforcing requirements that apply to operators producing from Federal or Indian and non-Federal non-Indian mineral interests.

6. Flaring and Venting Gas During Drilling and Production Operations

(a) § 3179.101 Well Drilling

This proposed section would require gas that reaches the surface as a normal part of drilling operations to be used or disposed of in one of four specified ways: (1) Captured and sold; (2) Flared at a flare pit or stack with an automatic igniter; (3) Used in the lease operations; or (4) Injected. Under the proposal, gas may not be vented except under the narrow circumstances specified in proposed § 3179.6(a).

The proposed section also addresses gas that is lost as a result of loss of well control. If there is a loss of well control, the BLM would determine whether it was due to operator negligence, and if so, the BLM will notify the operator in writing. Gas lost as a result of a loss of well control would be classified as unavoidably lost and royalty-free, unless the loss of well control was due to operator negligence, in which case it would be avoidably lost and subject to royalties.

(b) § 3179.102 Well Completion and Related Operations

This proposed section would address gas that reaches the surface during well completion and post-completion recovery of drilling, fracturing, or re-fracturing. It would apply the same requirements and exceptions for use, sale, or disposal as proposed for well drilling operations under proposed § 3179.101. In lieu of compliance with the requirements of this proposed section, an operator may demonstrate to the BLM that it is in compliance with the requirements for control of gas from well completions established under 40 CFR part 60 subpart OOOOa.

Volumes flared under this proposed section would be reported to ONRR as directed in proposed § 3179.106 of this subpart.

(c) § 3179.103 Initial Production Testing

This proposed section would clarify when gas may be flared, royalty-free or otherwise, during a well’s initial production test. It provides that gas may be flared royalty-free during initial production testing for up to 30 days or 20 MMcf of flared gas, whichever occurs first. Volumes flared under proposed § 3179.102(a)(2) during well completion would count towards the 20 MMcf limit. Under this section, royalty-free flaring would end when production begins.

Paragraph (b) of this proposed section would allow the BLM to approve royalty-free flaring during a longer testing period of up to 60 days, if there are well or equipment problems or a need for additional testing to develop adequate reservoir information. Paragraph (c) would allow a 90- rather than 30-day period for royalty-free flaring, during the variable and time-intensive dewatering and initial evaluation of exploratory coalbed methane well. In addition, the BLM could approve up to two extensions of 90 days each to allow for more time to dewater a coalbed methane well. The operator would have to transmit a request for a longer test period under paragraph (b) or (c) of this proposed section through a Sundry Notice. Under any of these circumstances, notwithstanding an extension of the test period, the well would be still subject to the 20 MMcf limit on flared gas.

Volumes vented or flared under this proposed section would be reported to ONRR as directed in proposed § 3179.8 of this subpart.

(d) § 3179.104 Subsequent Well Tests

The proposed requirement in this section is essentially the same as NTL–

4A’s requirement regarding subsequent well tests. It would limit royalty-free flaring during production tests after the initial production test to 24 hours, unless the BLM approves or requires a longer test period. The operator must transmit its request for a longer test period through a Sundry Notice.

Volumes vented or flared under this proposed section would be reported to ONRR as directed in proposed § 3179.8 of this subpart.

(e) § 3179.105 Emergencies

This proposed section would provide that an operator may flare or vent royalty-free during a temporary, short-term, infrequent, and unavoidable emergency.

Paragraph (b) would limit royalty-free emergency flaring or venting to a maximum of 24 hours per incident, for a maximum of three incidents per lease, unit, or CA per 30-day period. Together, these limits restrict monthly flaring or venting to a maximum of 72 hours.

The proposed rule would further clarify that more than three failures of the same equipment within any 365-day period, and failures that result from improperly sized, installed, or maintained equipment, would not constitute an emergency. Similarly, the proposed rule would also exclude from the definition of “emergency” any equipment failure caused by operator negligence.

In addition, this proposed section would clarify that scheduled maintenance does not constitute an emergency, even when it is outside of the operator’s control. For example, the fact that a downstream gas processing plant goes down for maintenance would not constitute an emergency that allows an operator to flare royalty-free.

Volumes vented or flared under this proposed section would be reported to ONRR as directed in proposed § 3179.8 of this subpart.

7. Gas Flared or Vented From Equipment or During Well Maintenance Operations

(a) § 3179.201 Equipment Requirements for Pneumatic Controllers

This proposed section would address gas losses from pneumatic controllers. Paragraph (a) identifies the pneumatic controllers that would be subject to the requirements of this section: Pneumatic controllers that use natural gas produced from a Federal or Indian lease, or from a unit or CA that includes a Federal or Indian lease, if the controllers have a continuous bleed rate greater than 6 scf/hour (“high-bleed” controllers) and are not covered by EPA

regulations that prohibit the new use of high-bleed pneumatic controllers (40 CFR 60.5360 through 60.5390).

Paragraph (b) of the proposed section would require pneumatic controllers subject to the requirement to be replaced with controllers having a bleed rate of no more than 6 scf/hour. Under paragraph (c), operators would be required to replace the controllers within 1 year from the effective date of the final rule, or within 3 years from the effective date of the rule, if the well or facility served by the controller has an estimated remaining productive life of 3 years or less. Under paragraph (d), operators would also be required to ensure that pneumatic controllers are functioning within the manufacturers' specifications.

This proposed section also provides several exceptions to the replacement requirement. An operator would not be required to replace a controller if a high-bleed controller is necessary to perform the needed function. For example, replacement might not be required if a low-bleed controller would not provide a timely response, which would lead to greater waste or create a safety hazard. Likewise, replacement would not be required if the controller is routed to a flare, or if the operator demonstrates, and the BLM concurs, that replacing the pneumatic controllers on the lease would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease.

(b) § 3179.202 Requirements for Pneumatic Chemical Injection Pumps or Pneumatic Diaphragm Pumps

This proposed section would establish requirements for operators with pneumatic chemical injection pumps or pneumatic diaphragm pumps that use natural gas produced from a Federal or Indian lease, or from a unit or CA that includes a Federal or Indian lease, except those pneumatic pumps covered under EPA regulations at 40 CFR part 60, subpart OOOO. The proposed section would require operators to replace pneumatic pumps covered by this proposed section with a zero-emissions pump or route the pneumatic pump to a flare, no later than 1 year after these rules are effective.

The proposed section also provides for exceptions to the replacement requirement. An operator would not be required to replace a pneumatic pump if a zero-emissions pump would be insufficient to perform the pneumatic pump's function, and an operator would not be required to route a pneumatic pump to a flare if no flare device were available on site. Replacement or

routing to a flare is also not required if the operator demonstrates, and the BLM concurs, that the cost of replacing the pneumatic pumps on the lease or routing them to a flare would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease.

In addition, as proposed for pneumatic controllers and based on the same rationale, this proposed section would provide that if the estimated remaining productive life of the well or facility is 3 years or less, the operator would be allowed to replace the pneumatic controller no later than 3 years from the effective date of the regulation, rather than within 1 year.

The proposed section would also require that pneumatic pumps function within manufacturers' specifications.

(c) § 3179.203 Crude Oil and Condensate Storage Vessels

This proposed section addresses gas vented from an oil or condensate storage vessel (or a battery of storage vessels) that contains production from a Federal or Indian lease, or from a unit or CA that includes a Federal or Indian lease. The proposed section would require operators to route all gas vapor from covered storage vessels or batteries to a combustion device or continuous flare, or to a sales line. Operators would be required to meet this requirement no later than 6 months after the rule becomes effective.

A storage vessel would be subject to this proposed section if the vessel is not covered under EPA regulations at 40 CFR part 60 subpart OOOO, and if it has a rate of total VOC emissions equal to or greater than 6 tpy. Operators would be required to determine the rate of emissions from the storage vessel within 60 days after this rule is effective, and within 30 days after adding a new source of production to a storage vessel.

This proposed section would not apply if the total VOC emissions rate from the storage vessel declines to 4 tpy in the absence of controls for 12 consecutive months, or if the operator demonstrates, and the BLM concurs, that the cost of replacing the pneumatic pumps on the lease or routing them to a flare would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease.

(d) § 3179.204 Downhole Well Maintenance and Liquids Unloading

This proposed section would establish requirements for venting and flaring during downhole well maintenance and liquids unloading. It

would require the operator to use practices for such operations that maximize the recovery of gas for sale, and to flare gas that is not recoverable, unless the practices or flaring are technically infeasible or unduly costly. The proposed rule would also prohibit liquids unloading by well purging (as defined in the section) for wells drilled after the effective date of this rule, except when the operator is returning the well to production following a well workover or following a shut-in of more than 30 days.

For existing wells, before the operator purges a well for the first time after the effective date of this section, the BLM is proposing that the operator must document that purging is the only technically or economically feasible method of unloading liquids from the well. In addition, during any liquids unloading by well purging, an operator would be required to be present on site to ensure that any venting to the atmosphere is limited to what is necessary, unless the operator uses an automated control system that limits the venting event to the minimum necessary. This proposed section would require the operator to maintain records of the date and duration of each venting event and to make those records available to the BLM upon request.

Under this proposal, the operator would be required to notify the BLM by Sundry Notice within 10 days after the first liquids unloading by well purging after the effective date of the rule. Operators would also be required to notify the BLM by Sundry Notice if the cumulative duration of well purging events for a well exceeds 24 hours during any production month, or if the estimated volume of gas vented in the process exceeds 75 Mcf during any production month.

Paragraph (g) would require operators to report volumes vented during downhole maintenance and liquids unloading to ONRR.

8. Leak Detection and Repair

(a) § 3179.301 Operator Responsibility

This proposed section would apply to all oil or gas wells that produce gas from a Federal or Indian lease, or from a unit or CA that includes a Federal or Indian lease. The section would obligate operators to inspect all equipment, equipment components, facilities (such as separators, heater/treaters, and liquids unloading equipment), and compressors located on the lease, unit, or CA for leaks. Operators would be required to conduct the inspections during production operations, and to fix any leaks found.

The proposed requirement would not apply to centralized compressors, owned by a pipeline company, which the operator of the Federal or Indian lease, unit, or CA does not lease or operate, and for which the operator has no direct control over maintenance and operation. In addition, operators would have the option to demonstrate to the BLM in a Sundry Notice that, in lieu of complying with these requirements for LDAR for some or all of their equipment and facilities, the operator is complying with LDAR requirements established by the EPA under 40 CFR part 60 subpart OOOOa for the same equipment and facilities. Under the proposed rule, the BLM's LDAR requirements would apply to operators that are covered by 40 CFR part 60, but do not meet that rule's production thresholds, and are therefore exempt from performing LDAR under that rule. The BLM seeks comment on whether such operators should also be exempt from this rule's LDAR requirements.

**(b) § 3179.302 Approved Instruments and Methods**

This proposed section would prescribe the types of instruments and monitoring methods that an operator must use to inspect for leaks. Specifically, operators could use: (1) An optical gas imaging device such as an infrared camera; (2) An alternative, equally advanced monitoring device, not listed in the proposed rule, which is approved by the BLM for use by any operator; or (3) A comprehensive program, approved by the BLM, that includes the use of instrument-based monitoring devices or continuous emissions monitoring. Large operators that have 500 or more wells within the jurisdiction of a single BLM field office would have only these three choices for detecting leaks. Smaller operators, however, would have a fourth choice: To use a portable analyzer device, operated according to manufacturer specifications, and assisted by AVO inspection.

**(c) § 3179.303 Leak Detection Inspection Requirements for Natural Gas Wellhead Equipment, Facilities, and Compressors**

This proposed section would require operators to conduct initial site inspections within specified timeframes after the effective date of the rule. The proposed section would define "site" as a discrete area containing wellhead equipment, facilities, and compressors, which is suitable for inspection in a single visit.

The proposed section would require the operator initially to conduct site

inspections twice a year. The inspection frequency would be subject to change based on whether leaks are detected in two consecutive inspections, according to the following provisions:

- Case one: If the operator detects no more than two leaks at the site inspected, in each of two consecutive semi-annual inspections, the operator could shift to conducting less frequent, annual inspections.

- Case two: If the operator detects three or more leaks at the site inspected, in each of two consecutive semi-annual inspections, the operator would have to shift to more frequent, quarterly inspections.

The proposed section also specifies that the inspection frequency would revert back to semi-annually if: (1) In case one, the operator detects three or more leaks in two subsequent, consecutive annual inspections; or (2) In case two, the operator detects no more than two leaks in two subsequent, consecutive, quarterly inspections.

Paragraph (b) of this proposed section would authorize the BLM to approve an alternative leak detection device, program, or method, if the BLM finds that the alternative would meet or exceed the effectiveness of the required approach. The operator would have to transmit a request for an alternative leak detection device, program, or method through a Sundry Notice.

Under paragraph (c), an operator would not be required to inspect components that are not accessible.

**(d) § 3179.304 Repairing Leaks**

This proposed section would require operators to repair leaks within 15 calendar days of discovery of the leak, unless there is good cause for repair to take longer. The proposed rule would require the operator to notify the BLM if this occurs and to complete the repair within 15 calendar days after the cause of the delay ceases to exist. The rule would also require the operator to conduct a follow-up inspection to verify the effectiveness of the repair, using the same method used to detect the leak, within 15 calendar days after the repair and to make additional repairs within 15 calendar days if the previous repair was not effective. The repair and follow-up process would have to be followed until the repair is effective. The BLM would not consider an inspection to verify the effectiveness of a repair to be a periodic inspection under proposed § 3179.303.

**(e) § 3179.305 Leak Detection Inspection Recordkeeping**

This proposed section would require operators to maintain records of LDAR

inspections and repairs, including dates, locations, methods, where leaks were found, dates of repairs, and dates of follow-up inspections. These records would have to be made available to the BLM upon request.

**9. State or Tribal Variances**

**(a) § 3179.401 State or Tribal Requests for Variances From the Requirements of This Subpart**

This proposed section would create a variance procedure, under which the BLM could grant a State or tribe's request to have a State or tribal regulation apply in place of a provision or provisions of this subpart. The variance request would have to: (1) Identify the specific provisions of the BLM requirements for which the variance is requested; (2) Identify the specific State or tribal regulation that would substitute for the BLM requirements; (3) Explain why the variance is needed; and (4) Demonstrate how the State or tribal regulation would satisfy the purposes of the relevant BLM provisions. The BLM State Director would review a State or tribal variance request. To approve a request, the BLM State Director would have to determine that the State or tribal regulation meets or exceeds the requirements of the provision(s) for which the State or tribe sought the variance, and that the State or tribal regulation is consistent with the terms of the affected Federal or Indian leases and applicable statutes.

Paragraph (b) would specify that the decision on a variance request is not subject to administrative appeal under 43 CFR part 4. Paragraph (c) would clarify that a variance granted under this proposed section would not constitute a variance from provisions of regulations, laws, or orders other than proposed subpart 3179. Paragraph (d) would reserve the BLM's authority to rescind a variance or modify any condition of approval in a variance.

**VI. Analysis of Impacts**

**A. Description of the Regulated Entities**

**1. Potentially Affected Entities**

Entities that would be directly affected by the proposed rule would include most, if not all, entities involved in the exploration and development of oil and natural gas on Federal and Indian lands. According to AFMSS data (as of March 27, 2015), there are up to 1,828 entities that currently operate Federal and Indian leases.<sup>371</sup> We believe that these 1,828

<sup>371</sup> The actual number is expected to be slightly lower due to duplicate entries.

entities would be most affected by the proposed rule, in addition to entities currently involved with drilling and support activities, and any entities that become involved in the future.

The potentially affected entities are likely to fall within one of the following industries, identified by the North American Industry Classification System (NAICS) codes:

- NAICS Code 21111 “Oil and Gas Extraction”
- NAICS Code 213111 “Drilling Oil and Gas Wells”
- NAICS Code 213112 “Support Activities”

Table 35 of the RIA displays 2011 data from the U.S. Census Bureau, which reveal a number of characteristics about the entities that operate within these industries.<sup>372</sup> First, the table identifies the total number of entities within each industry and the number of entities with less than 500 employees and the number of entities with 500 or more employees. Next, the table identifies the total employment within each industry and the combined employment for entities with less than 500 employees and the combined employment for entities with 500 or more employees. Third, the table shows the total annual payroll for each industry and the combined annual payroll for entities with less than 500 employees and the combined annual payroll for entities with 500 or more employees.

Based on these data, in 2011, there were 6,628 entities directly involved in extraction of oil and gas in the United States, 2,041 entities involved in the drilling of wells, and 8,119 entities providing other support functions. Therefore, the approximately 17,000 entities associated with developing, and producing of domestic oil and gas<sup>373</sup> represent an upper bound estimate of the operators that could potentially be affected by this rulemaking.

## 2. Affected Small Entities

The Small Business Administration (SBA) has developed size standards to carry out the purposes of the Small Business Act and those size standards can be found in 13 CFR 121.201. For mining, including the extraction of crude oil and natural gas, the SBA defines a small entity as an individual,

<sup>372</sup> Calendar year 2011 is the most recent data available from the U.S. Census Bureau that includes detailed employment data. Entities primarily involved in the support of mining activities on a contract basis were not included in this count.

<sup>373</sup> U.S. Census Bureau data does not readily differentiate between the number of firms involved in oil development and production activities versus gas development and production.

limited partnership, or small company, at “arm’s length” from the control of any parent companies, with fewer than 500 employees. For entities drilling oil and gas wells, the threshold is also 500 employees. For entities involved in support activities, the standard is annual receipts of less than \$38.5 million. Of the 6,628 domestic firms involved in oil and gas extraction, 99 percent (or 6,530) had fewer than 500 employees. There are another 2,041 firms involved in drilling. Of those firms, 98 percent of those firms had fewer than 500 employees.

To estimate a percentage for firms involved in oil and gas support activities we reference Table 36 of the RIA, which provides the NAICS information for firms involved in oil and gas support activities based on the size of receipts. The most recent data available from the U.S. Census Bureau for establishment/firm size based on receipts is for 2007. Of the 5,880 firms in oil and gas support activities in 2007, 97 percent had annual receipts of less than \$35 million.<sup>374</sup>

Based on this national data, the preponderance of entities involved in developing oil and gas resources are small entities as defined by the SBA. As such, a substantial number of small entities may potentially be affected by the proposed rule.

### B. Impacts of the Proposed Requirements

#### 1. Overall Costs of the Rule<sup>375</sup>

We analyzed the overall costs of the rule if the EPA finalizes the 40 CFR part 60 subpart OOOOa rulemaking, and also if the EPA does not finalize that rulemaking. As explained above, we expect more significant costs and benefits of the rule for the first few years, during which some operators would have to add or improve gas-capture capability, and some would also have to replace existing equipment. The BLM expects this transitional period to last for the first few years, after which the compliance requirements of the rule would be significantly reduced, as would any benefits associated with increased capture and sale of gas that would otherwise have been vented or flared.

Overall, assuming that the EPA finalizes its concurrent 40 CFR part 60 subpart OOOOa rulemaking, the BLM estimates that this rule will pose costs ranging from \$125–161 million per year

<sup>374</sup> U.S. Census Bureau does not provide receipt data that allow a break at the \$38.5 million threshold as defined by SBA. As such, the 97 percent figure is a slight underestimate.

<sup>375</sup> RIA at 81–90.

(using a 7 percent discount rate) or \$117–134 million per year (using a 3 percent discount rate) over the next 10 years.<sup>376</sup> These costs include engineering compliance costs and the social cost of minor additions of carbon dioxide to the atmosphere.<sup>377</sup> The engineering compliance costs presented do not include potential cost savings from the recovery and sale of natural gas (those savings are shown in the summary of benefits).

If, for analytical purposes, we assume that EPA does not finalize its concurrent 40 CFR part 60 subpart OOOOa rulemaking, these requirements would affect more sources and the costs would be somewhat higher. Under that scenario, the BLM estimates that this rule will pose costs ranging from \$139–174 million per year (using a 7 percent discount rate) or \$131–147 million per year (using a 3 percent discount rate) over the next 10 years.<sup>378</sup>

In some areas, operators have already undertaken, or plan to undertake, voluntary actions to address gas losses. To the extent that operators are already in compliance with the requirements of this proposed rule, the above estimates overstate the likely impacts of the rule.

#### 2. Overall Benefits of the Rule<sup>379</sup>

The potential benefits of the rule include the additional production of resources from Federal and Indian leases; reductions in venting, flaring, and GHG emissions; and increased opportunities for royalties.

We measure the benefits of the rule as the cost savings that the industry would receive from the recovery and sale of natural gas and the projected environmental benefits of reducing the amount of GHG and other air pollutants released into the atmosphere. As with the estimated costs, we expect benefits on an annual basis.

The estimated benefits of the rule also depend on whether the EPA finalizes its 40 CFR part 60 subpart OOOOa rulemaking. Assuming that rule is in effect, the BLM estimates that this rule would result in monetized benefits of \$255–329 million per year (using a 7 percent discount rate to calculate the present value of future annual cost savings and using model averages of the social cost of methane with a 3 percent discount rate) or \$255–357 million per year (using a 3 percent discount rate to

<sup>376</sup> RIA at 127.

<sup>377</sup> Some gas that would have otherwise been vented would now be combusted on-site or presumably downstream to generate electricity. The estimated value of the carbon additions do not exceed \$21,000 in any given year.

<sup>378</sup> RIA at 127.

<sup>379</sup> RIA at 85–90.

calculate the present value of future annual cost savings and using model averages of the social cost of methane with a 3 percent discount rate).<sup>380</sup> We estimate that the proposed rule would reduce methane emissions by 164,000–169,000 tpy, which we estimate to be worth \$180–253 million per year (this social benefit is included in the monetized benefit above). We estimate that the proposed rule would reduce VOC emissions by 391,000–411,000 (this benefit is not monetized in our calculations).<sup>381</sup>

If, for purposes of analysis, we assume that EPA does not finalize its 40 CFR part 60 subpart OOOOa rulemaking, we estimate that this proposed rule would result in monetized benefits of \$270–354 million per year (using a 7 percent discount rate to calculate the present value of future annual cost savings and using model averages of the social cost of methane with a 3 percent discount rate) or \$270–384 million per year (using a 3 percent discount rate to calculate the present value of future annual cost savings and using model averages of the social cost of methane with a 3 percent discount rate).<sup>382</sup> We estimate that the proposed rule would reduce methane emissions by 176,000–185,000 tpy, which we estimate to be \$193–277 million per year (this social benefit is included in the monetized benefit above). We estimate that the proposed rule would reduce VOC emissions by 400,000–423,000 (this benefit is not monetized in our calculations).<sup>383</sup>

The proposed rule will also have numerous ancillary benefits. These include improved quality of life for nearby residents, who note that flares are noisy and unsightly at night; reduced release of VOCs, including benzene and other hazardous air pollutants; and reduced production of NOx and particulate matter, which can cause respiratory and heart problems.

### 3. Net Benefits of the Proposed Rule

Overall, the BLM estimates that the benefits of this rulemaking outweigh its costs by a significant margin. The BLM expects net benefits ranging from \$115–188 million per year (using a 7 percent discount rate) or \$138–232 million per year (using a 3 percent discount rate). Specifically, assuming a 7 percent discount rate, we estimate the following annual net benefits:

- \$115–130 million per year from 2017–2019;

- \$155–156 million per year from 2020–2024; and
- \$187–188 million per year from 2025–2026.

Assuming a 3 percent discount rate, we estimate the annual net benefits would be:

- \$138–151 million per year from 2017–2019;
- \$192–196 million per year from 2020–2024; and
- \$231–232 million per year from 2025–2026.<sup>384</sup>

If, for purposes of analysis, we assume that the EPA does not finalize the 40 CFR part 60 subpart OOOOa rulemaking, we estimate the net benefits of this proposed rule would be somewhat higher, ranging from \$119 million to \$203 million per year (costs and costs savings calculated using a 7 percent discount rate) or \$139 million to \$245 million per year (costs and costs savings calculated using a 3 percent discount rate).

### 4. Distributional Impacts

#### (a) Energy Systems<sup>385</sup>

The proposed rule has a number of requirements that are expected to influence the production of natural gas, NGLs, and crude oil from onshore Federal and Indian oil and gas leases.

If subpart OOOOa were not finalized, we estimate the following incremental changes in production, noting the representative share of the total U.S. production in 2014 for context. We estimate additional natural gas production ranging from 12–15 Bcf per year (representing 0.04–0.06 percent of the total U.S. production), the productive use of an additional 29–41 Bcf of natural gas, which we estimate would be used to generate 36–51 million gallons of NGL per year (representing 0.08–0.11 percent of the total U.S. production), and a reduction in crude oil production ranging from 0.6–3.2 million bbl per year (representing 0.02–0.10 percent of the total U.S. production). Separate from the volumes listed above, we also expect 1 Bcf of gas to be combusted on-site that would have otherwise been vented. Combined, the capture or combustion of gas represents 49–52 percent of the volume vented in 2013 and the capture and/or productive use of gas represents 41–60 percent of the volume flared in 2013.<sup>386</sup>

If the EPA finalizes subpart OOOOa, we estimate slightly less additional natural gas production, ranging from 11.7–14.5 Bcf per year (representing

0.04–0.05 percent of the total U.S. production in 2014), and the same amount of additional NGL production and reduced crude oil production as presented above. We also expect 0.5 Bcf of gas to be combusted on-site that would have otherwise been vented. Combined, the capture or combustion of gas represents 44–46 percent of the volume vented in 2013 and the capture and/or productive use of the gas 41–60 percent of the volume flared in 2013.<sup>387</sup>

Since the relative changes in production are expected to be small, we do not expect that the proposed rule would significantly impact the price, supply, or distribution of energy.

#### (b) Royalties<sup>388</sup>

The rule is expected to increase natural gas production from Federal and Indian leases, and likewise, is expected to increase annual royalties to the Federal Government, tribal governments, States, and private landowners. For requirements that would result in incremental gas production, we calculate the additional royalties based on that production. When considering the deferment of production that could result from the rule's flaring limit, we calculate the incremental royalty as the difference in the net present value of the royalty received 1 year later (using 7 percent and 3 percent discount rates) and the value of the royalty received now.

If subpart OOOOa is not finalized, we estimate that the rule would result in additional royalties of \$9–11 million per year (discounted at 7 percent) or \$11–17 million per year (discounted at 3 percent). If the EPA finalizes subpart OOOOa, we estimate additional royalties of \$9–11 million per year (discounted at 7 percent) or \$10–16 million per year (discounted at 3 percent).

Royalty payments are recurring income to Federal or tribal governments and costs to the operator or lessee. As such, they are private transfer payments that do not affect the total resources available to society. An important but sometimes difficult problem in cost estimation is to distinguish between real costs and transfer payments. While transfers should not be included in the economic analysis of the benefits and costs of a regulation, they may be important for describing distributional effects.

#### (c) Small Businesses<sup>389</sup>

<sup>380</sup> RIA at 130.

<sup>381</sup> RIA at 133–135.

<sup>382</sup> RIA at 130.

<sup>383</sup> RIA at 133–135.

<sup>384</sup> RIA at 67.

<sup>385</sup> RIA at 92–93.

<sup>386</sup> RIA at 140.

<sup>387</sup> RIA at 140.

<sup>388</sup> RIA at 94–95.

<sup>389</sup> The BLM conducted an Initial Regulatory Flexibility Analysis, RIA at 154–166.

The BLM identified up to 1,828 entities that currently operate Federal and Indian leases. The vast majority of these entities are small business, as defined by the SBA. We estimated a range of potential per-entity costs, based on different discount rates and scenarios. Those per-entity compliance costs are presented in RIA.

Recognizing that the SBA defines a small business for oil and gas producers as one with fewer than 500 employees, a definition that encompasses many oil and gas producers, the BLM looked at company data for 26 different small-sized entities that currently hold BLM-managed oil and gas leases. The BLM ascertained the following information from the companies' annual reports to the U.S. Securities and Exchange Commission (SEC) for 2012 to 2014.

From data in the companies' 10-K filings to the SEC, the BLM was able to calculate the companies' profit margins<sup>390</sup> for the years 2012, 2013 and 2014. We then calculated a profit margin figure for each company when subject to the average annual cost increase associated with this rule. For simplicity, we used the average per-entity cost increase figures of \$31,400 and \$37,600 which roughly represent the middle of the range of potential per-entity costs assuming the EPA finalizes and does not finalize subpart OOOOa, respectively. Both figures include compliance costs and cost savings, calculated using a 7 percent discount rate.

For these 26 small companies, a per-entity compliance cost increase of \$31,400 would result in an average reduction in profit margin of 0.087 percentage points (based on the 2014 company data) and a per entity cost increase of \$37,600 would result in an average reduction in profit margin of 0.105 percentage points (also based on the 2014 company data). The full detail of this calculation is available in the RIA.

#### (d) Employment<sup>391</sup>

Executive Order 13563 states, "Our regulatory system must protect public health, welfare, safety, and our environment while promoting economic growth, innovation, competitiveness, and job creation."<sup>392</sup> An analysis of employment impacts is a standalone analysis and the impacts should not be

included in the estimation of benefits and costs.

The proposed rule is not expected to materially impact the employment within the oil and gas extraction, drilling, and support industries. As noted previously, the anticipated additional gas production volumes represent only a small fraction of the U.S. natural gas production volumes. Additionally, the annualized compliance costs represent only a small fraction of the annual net incomes of companies likely to be impacted. Therefore, we believe that the proposed rule would not alter the investment or employment decisions of firms or significantly adversely impact employment.

The proposed requirements would require the one-time installation or replacement of equipment and the ongoing implementation of an LDAR program, both of which would require labor to comply.

#### (e) Impacts on Tribal Lands<sup>393</sup>

This section presents the costs, benefits, net benefits, and incremental production associated with operations on Indian leases, as well as royalty implications for tribal governments.

If, as we expect, the EPA finalizes 40 CFR part 60 subpart OOOOa, we estimate that the proposed rule would pose costs ranging from \$17–\$23 million per year (using a 7 percent discount rate) or \$16–18 million per year (using a 3 percent discount rate).<sup>394</sup>

Projected benefits from the proposed rule's operation on Indian lands range from \$31–39 million per year (using a 7 percent discount rate to calculate the present value of future annual cost savings and using model averages of the social cost of methane with a 3 percent discount rate) or \$31–43 million per year (using a 3 percent discount rate to calculate the present value of future annual cost savings and using model averages of the social cost of methane with a 3 percent discount rate).<sup>395</sup>

Net benefits from operation of the rule on leases on Indian lands range from \$11–20 million per year (using a 7 percent discount rate to calculate the present value of future annual cost savings and using model averages of the social cost of methane with a 3 percent discount rate) or range from \$15–27 million per year (using a 3 percent discount rate to calculate the present value of future annual cost savings and using model averages of the social cost

of methane with a 3 percent discount rate).<sup>396</sup>

For impacts on production from leases on Indian lands, the rule is projected to result in additional natural gas production ranging from 1.1–1.5 Bcf per year; the productive use of an additional 4.5–6.4 Bcf of natural gas, which we estimate would be used to generate 5.6–8.0 million gallons of NGL per year; and a reduction in crude oil production ranging from 0.1–0.5 million bbl per year.<sup>397</sup> We further estimate that the proposed rule would reduce methane emissions from leases on Indian lands by 20,000 tpy, and would reduce VOC emissions by 48,000–51,000 tpy.<sup>398</sup>

We estimate additional royalties from leases on Indian lands of \$1.1–1.6 million per year (discounted at 7 percent) or \$1.1–1.8 million per year (discounted at 3 percent). See previous explanation about how the royalty estimates were derived.

If we assume for analytical purposes that the EPA does not finalize 40 CFR part 60 subpart OOOOa, we estimate that the proposed rule would pose costs ranging from \$20–25 million per year (using a 7 percent discount rate) or from \$18–21 million per year (using a 3 percent discount rate).

Projected benefits from the proposed rule's operation on Indian lands range from \$35–46 million per year (using a 7 percent discount rate to calculate the present value of future annual cost savings and using model averages of the social cost of methane with a 3 percent discount rate) or \$35–50 million per year (using a 3 percent discount rate to calculate the present value of future annual cost savings and using model averages of the social cost of methane with a 3 percent discount rate).

Net benefits from operation of the rule on leases on Indian lands range from \$13–24 million per year (using a 7 percent discount rate to calculate the present value of future annual cost savings and using model averages of the social cost of methane with a 3 percent discount rate) or range from \$17–31 million per year (using a 3 percent discount rate to calculate the present value of future annual cost savings and using model averages of the social cost of methane with a 3 percent discount rate).

With respect to production from leases on Indian lands, the rule is projected to result in additional natural gas production ranging from 1.6–2.1 Bcf per year; the productive use of an

<sup>390</sup> The profit margin was calculated by dividing the net income by the total revenue as reported in the companies' 10-K filings.

<sup>391</sup> RIA at 148.

<sup>392</sup> Executive Order 13563, *Improving Regulation and Regulatory Review* (Jan. 18, 2011).

<sup>393</sup> RIA at 148–150.

<sup>394</sup> RIA at 148.

<sup>395</sup> *Ibid.*

<sup>396</sup> *Ibid.*

<sup>397</sup> RIA at 150.

<sup>398</sup> RIA at 149.

additional 4.5–6.4 Bcf of natural gas, which we estimate would be used to generate 5.6–8.0 million gallons of NGL per year; and a reduction in crude oil production ranging from 0.1–0.5 million bbl per year. We further estimate that the proposed rule would reduce methane emissions from leases on Indian lands by 22,000–23,000 tpy, and would reduce VOC emissions by 50,000–53,000 tpy.

We estimate additional royalties from leases on Indian lands of \$1.4–1.9 million per year (discounted at 7 percent) or \$1.4–2.1 million per year (discounted at 3 percent). See previous explanation about how the royalty estimates were derived.

## VII. Procedural Matters

### A. Executive Order 12866, Regulatory Planning and Review<sup>399</sup>

Executive Order 12866 requires agencies to assess the benefits and costs of regulatory actions, and, for significant regulatory actions, submit a detailed report of their assessment to the OMB for review. A rule is deemed significant under Executive Order 12866 if it may:

(a) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(b) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(c) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(d) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

The Office of Management and Budget has determined that this proposed rule is a significant regulatory action because it may have an annual effect on the economy of \$100 million or more and because it may raise novel legal or policy issues arising out of legal mandates and the President's priorities. This proposed rule would limit flaring of associated gas from oil wells, and it would require operators to take actions to reduce gas losses through venting and leaks.

### B. Regulatory Flexibility Act and Small Business Regulatory Enforcement Fairness Act of 1996<sup>400</sup>

The Regulatory Flexibility Act as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act, unless the head of the agency certifies that the rule would not have a significant economic impact on a substantial number of small entities.<sup>401</sup> Congress enacted the RFA to ensure that government regulations do not unnecessarily or disproportionately burden small entities. Small entities include small businesses, small governmental jurisdictions, and small not-for-profit enterprises.

The BLM reviewed the Small Business Administration (SBA) size standards for small businesses and the number of entities fitting those size standards as reported by the U.S. Census Bureau in the Economic Census. The BLM concludes that the vast majority of entities operating in the relevant sectors are small businesses as defined by the SBA. As such, the rule would likely affect a substantial number of small entities. The BLM believes, however, that the proposed rule would not have a significant economic impact on a substantial number of small entities. The screening analysis conducted by BLM estimates the average reduction in profit margin for small companies will be just a fraction of one percentage point, which is not a large enough impact to be considered significant.

Although it is not required, the BLM nevertheless has chosen to prepare an initial regulatory flexibility analysis for this proposed rule.<sup>402</sup> There are several factors driving this decision. First, although the projected costs are expected to be quite small, as a percentage of a typical firm's annual profits, there is significant uncertainty associated with these costs. There is a combination of factors contributing to the uncertainty associated with the costs of this rule. These factors include limited data, a wide range of possible variation in commodity prices over time, and a variety of possible compliance options, particularly with respect to the flaring requirements. In addition, the BLM is taking comment on a wide range of alternatives to some of

the proposed requirements, and some of these alternatives could affect the costs of the rule if the BLM were to adopt them in the final rule. This further enhances the uncertainty regarding the cost projections for the rule. Second, there is no question that if the costs of the rule for affected entities were economically significant, the BLM would be required to prepare an IRFA for the rule, given that the rule will affect a substantial number of small entities.

Thus, given the unique circumstances present in this rulemaking, the BLM believes it is prudent, and potentially helpful to small entities, to prepare an IRFA at this stage in the rulemaking. We do not believe this decision should be viewed as a precedent for preparing an IRFA in other rulemakings, and we may choose not to prepare a final regulatory flexibility analysis for the final rule, if our best estimate at that time is that the final rule would not have a significant economic effect on a substantial number of small entities.

### C. Unfunded Mandates Reform Act of 1995

Under the Unfunded Mandates Reform Act (UMRA), agencies must prepare a written statement about benefits and costs prior to issuing a proposed rule that includes any Federal mandate that is likely to result in aggregate expenditure by State, local, and tribal governments, or by the private sector, of \$100 million or more in any 1 year, and prior to issuing any final rule for which a proposed rule was published.

This proposed rule does not contain a Federal mandate that may result in expenditures of \$100 million or more by State, local, and tribal governments, in the aggregate, or by the private sector in any 1 year. Thus, the proposed rule is also not subject to the requirements of Section 205 of UMRA.

This proposed rule is also not subject to the requirements of Section 203 of UMRA because it contains no regulatory requirements that might significantly or uniquely affect small governments. It contains no requirements that apply to such governments, nor does it impose obligations upon them.

### D. Executive Order 12630, Governmental Actions and Interference With Constitutionally Protected Property Rights (Takings)

Under Executive Order 12630, the proposed rule would not have significant takings implications. A takings implication assessment is not required. The proposed rule would establish a limited set of standards

<sup>399</sup> RIA at 167–168.

<sup>401</sup> 5 U.S.C. 601–612. The exception is found in 5 U.S.C. 605(b).

<sup>402</sup> See RIA, section 9.

<sup>399</sup> RIA at 167.

under which gas can be flared or vented, and under which an operator can use oil and gas on a lease, unit, or communitized area for operations and production purposes, without paying royalty.

Oil and gas operators on BLM-administered leases are subject to lease terms that expressly require that subsequent lease activities be conducted in compliance with applicable Federal laws and regulations. The proposed rule is consistent with the terms of those Federal leases and is authorized by applicable statutes. Thus, the proposed rule is not a governmental action capable of interfering with constitutionally protected property rights, it would not cause a taking of private property, and it does not require further discussion of takings implications under this Executive Order.

#### *E. Executive Order 13132, Federalism*

The proposed rule would not have a substantial direct effect on the States, the relationship between the national government and the States, or the distribution of power and responsibilities among the levels of government. It would not apply to States or local governments or State or local government entities. Therefore, in accordance with Executive Order 13132, the BLM has determined that this proposed rule does not have sufficient Federalism implications to warrant preparation of a Federalism Assessment.

#### *F. Executive Order 12988, Civil Justice Reform*

This proposed rule would comply with the requirements of Executive Order 12988. Specifically, this rulemaking: (a) Meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation; and (b) Meets the criteria of section 3(b)(2) requiring that all regulations be written in clear language and contain clear legal standards.

#### *G. Executive Order 13175, Consultation and Coordination With Indian Tribal Governments*

In accordance with Executive Order 13175, the BLM has evaluated this rulemaking and determined that it would not have substantial direct effects on federally recognized Indian tribes. Nevertheless, on a government-to-government basis we initiated consultation with tribal governments that the proposed rule may affect.

In 2014, the BLM conducted a series of forums to consult with tribal governments to inform the development

of this proposal. We held tribal outreach sessions in Denver, Colorado (March 19, 2014), Albuquerque, New Mexico (May 7, 2014), Dickinson, North Dakota (May 9, 2014), and Washington, DC (May 14, 2014).<sup>403</sup> At the Denver and Washington, DC sessions, the tribal meetings were live-streamed to allow for the greatest possible participation by tribes and others. The tribal outreach sessions served as initial consultation with Indian tribes to comply with Executive Order 13175. We look forward to continuing close interaction with tribal regulators as we proceed through this rulemaking process.

#### *H. Paperwork Reduction Act*

##### 1. Overview

The Paperwork Reduction Act (PRA)<sup>404</sup> provides that an agency may not conduct or sponsor, and a person is not required to respond to, a "collection of information," unless it displays a currently valid control number. Collections of information include any request or requirement that persons obtain, maintain, retain, or report information to an agency, or disclose information to a third party or to the public.<sup>405</sup>

This proposed rule contains information collection requirements that are subject to review by OMB under the PRA. In accordance with the PRA, the BLM is inviting public comment on proposed new information collection requirements for which the BLM is requesting a new OMB control number.

As discussed below, some provisions of the proposed rule would involve some of the information collection activities that OMB has approved under Control Number 1004-0137, Onshore Oil and Gas Operations (43 CFR part 3160) (expiration date January 31, 2018).

The information collection activities in this proposed rule are described below along with estimates of the annual burdens. Included in the burden estimates are the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing each component of the proposed information collection requirements.

The information collection request for this proposed rule has been submitted to OMB for review in accordance with the PRA. A copy of the request may be obtained from the BLM by electronic mail request to Tim Spisak at [tspisak@blm.gov](mailto:tspisak@blm.gov)

<sup>403</sup> More info can be found at: [http://www.blm.gov/wo/st/en/prog/energy/public\\_events\\_on\\_oil.html](http://www.blm.gov/wo/st/en/prog/energy/public_events_on_oil.html)

<sup>404</sup> 44 U.S.C. 3501-3521.

<sup>405</sup> 44 U.S.C. 3502(3); 5 CFR 1320.3(c).

[blm.gov](http://www.blm.gov) or by telephone request to 202-912-7311. You may also review the information collection request online at: <http://www.reginfo.gov/public/do/PRAMain>.

The BLM requests comments on the following subjects:

- Whether the collection of information is necessary for the proper functioning of the BLM, including whether the information will have practical utility;
- The accuracy of the BLM's estimate of the burden of collecting the information, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information to be collected; and
- How to minimize the information collection burden on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other forms of information technology.

If you want to comment on the information collection requirements of this proposed rule, please send your comments directly to OMB, with a copy to the BLM, as directed in the **ADDRESSES** section of this preamble. Please identify your comments with "OMB Control Number 1004-XXXX." OMB is required to make a decision concerning the collection of information contained in this proposed rule between 30 to 60 days after publication of this document in the **Federal Register**. Therefore, a comment to OMB is best assured of having its full effect if OMB receives it by March 9, 2016.

##### 2. Summary of Proposed Information Collection Requirements

- Title: Waste Prevention, Production Subject to Royalties, and Resource Conservation (43 CFR parts 3160 and 3170).
- Forms: Form 3160-5, Sundry Notices and Reports on Wells.
- OMB Control Number: This is a new collection of information.
- Description of Respondents: Holders of Federal and Indian (except Osage Tribe) oil and gas leases, those who belong to federally approved units and CAs, and are parties to IMDA oil and gas agreements.
- Respondents' Obligation: Required to obtain or retain a benefit.
- Frequency of Collection: On occasion and monthly.
- Abstract: This proposed rule would update standards to reduce wasteful venting, flaring, and leaks of natural gas from onshore wells located on Federal and Indian oil and gas leases, units and CAs.
- Estimated Total Annual Burden Hours: 42,350 hours.

- Estimated Total Non-Hour Cost: None.

### 3. Proposals Involving APDs and Sundry Notices

#### (a) Plan to Minimize Waste of Natural Gas (Form 3160-3) (43 CFR 3162.3-1(j))

This proposed rule would add a new paragraph (j) to 43 CFR 3162.3-1 that would require a plan to minimize waste of natural gas when submitting an APD for a development oil well. This information would be in addition to the APD information that the BLM already collects under OMB Control Number 1004-0137. The required elements of the waste minimization plan are listed at paragraphs (j)(1) through (j)(7).

#### (b) Request for Prior Approval for Royalty-Free Uses On-Lease or Off-Lease (43 CFR 3178.5, 3178.7, and 3178.9)

Under proposed § 3178.5, submission of a Sundry Notice (Form 3160-5) would be required to request prior written BLM approval for royalty-free treatment of volumes used for the following uses:

- Using oil as a circulating medium in drilling operations;
- Injecting gas that an operator produces from a lease, unit participating area (PA), or communitized area (CA) into the same lease, unit PA, or CA for the purpose of increasing the recovery of oil or gas (including gas that is cycled in a contained gas-lift production system), subject to an approval under 43 CFR 3162.3-2 to conduct the gas injection;
- Using oil or gas that an operator removes from the pipeline at a location downstream of the facility measurement point (FMP), if removal and use both occur on the lease, unit, or CA;
- Using gas initially removed from a lease, unit PA, or CA for treatment or processing because of particular physical characteristics of the gas, where the gas is returned to the lease, unit, or CA for lease operations; and
- Any other type of use of produced oil or gas for operations and production purposes pursuant to proposed § 3178.3 that is not identified in proposed § 3178.4.

Under proposed § 3178.7, submission of a Sundry Notice (Form 3160-5) would be required to request prior written BLM approval for off-lease royalty-free uses in the following circumstances:

- The equipment or facility in which the operation is conducted is located off the lease, unit, or CA for engineering, economic, resource-protection, or physical-accessibility reasons; and
- The operations are conducted upstream of the FMP.

Under proposed § 3178.9, the following information would be required in a request for prior approval of royalty-free use under § 3178.5, or for prior approval of off-lease royalty-free use under § 3178.7:

- A complete description of the operation to be conducted, including the location of all facilities and equipment involved in the operation and the location of the FMP;
- The method of measuring the volume of oil, or measuring or estimating the volume of gas, that the operator expects will be used in the operation, and the volume expected to be used;
- If the volume expected to be used will be estimated, the basis for the estimate (e.g., equipment manufacturer's published consumption or usage rates); and
- The proposed disposition of the oil or gas used (e.g., whether gas used would be consumed as fuel, vented through use of a gas-activated pneumatic controller, returned to the reservoir, or some other disposition).

#### (c) Request for Approval of Alternative Volume Limits (43 CFR 3179.7)

Proposed § 3179.7 would apply only to leases issued before the effective date of the final rule. It would provide that an operator may seek BLM approval of venting and flaring in excess of the applicable limit under proposed § 3179.6. Using a Sundry Notice, the operator would be required to show that the applicable limit would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease. To support this showing, the operator would be required to submit the following information:

- Information regarding the operator's wells under the lease that produce Federal or Indian gas, including:
  - The name, number, and location of each well, and the number of the lease, unit, or CA with which it is associated;
  - The depths and names of producing formations;
  - The gas production level of each of the operator's wells for the most recent production month for which information is available; and
  - The volumes of gas being vented and flared from each of the operator's wells;
- Map(s) showing:
  - The entire lease, unit, or CA and the surrounding lands to a distance and on a scale that shows the field in which the well is or will be located (if applicable), and all pipelines that could transport the gas from the well;

- All of the operator's producing oil and gas wells, which are producing from Federal or Indian leases, (both on Federal or Indian leases and on other properties) within the map area;

- Identification of all of the operator's wells within the lease from which gas is flared or vented, and the location and distance of the nearest gas pipeline(s) to each such well, with an identification of those pipelines that are or could be available for connection and use; and

- Identification of all of the operator's wells within the lease from which gas is captured;

- Data that show pipeline capacity and the operator's projections of the cost associated with installation and operation of gas capture infrastructure and alternative methods of transportation that do not require pipelines;

- The operator's projections of gas prices, gas production volumes, gas quality (i.e., heating value and H<sub>2</sub>S content), revenues derived from gas production, and royalty payments on gas production over the next 15 years or the life of each of the operator's leases, units, or CAs, whichever is less; and

- The operator's projections of oil prices, oil production volumes, costs, revenues, and royalty payments from the operator's oil and gas operations within the lease over the lesser of the next 15 years or the anticipated remaining period in which the operator will produce from the Federal or Indian lease, unit, or CA.

#### (d) Certification in Support of Exemption From Volume Limits (43 CFR 3179.7(d))

Proposed § 3179.7(d) would apply only to leases issued before the effective date of the final rule. It would authorize an operator to provide a certification in support of a renewable, 2-year exemption from volume limits (instead of an alternative limit requested under proposed § 3179.7(b)). The certification would consist of a Sundry Notice with an affidavit verifying that all of the following terms and conditions are met:

- The lease, unit, or CA is not connected to a gas pipeline;
- The closest point on the lease, unit, or CA is located more than 50 straight-line miles from the nearest gas processing plant; and
- In the most recent production month, the lease, unit or CA flared or vented at an average rate that exceeds by at least 50 percent the applicable flaring limit specified in § 3179.6.

**(e) Well Completion and Related Operations (43 CFR 3179.102(b))**

- Proposed § 3179.102(a) would require gas that reaches the surface during well completion and related operations to be:
  - Captured and sold;
  - Directed to a flare pit or flare stack equipped with an automatic igniter to combust any flammable gasses, subject to the volumetric limitations in proposed § 3179.103(a)(3);
  - Used in operations on the lease, unit, or CA; or
  - Injected.
- Paragraph (b) would authorize an operator to demonstrate to the BLM on a Sundry Notice that it is in compliance with requirements for control of gas from well completions established under 40 CFR part 60, in lieu of compliance with the requirements of paragraph (a).

**(f) Initial Production Testing Request for Extension (43 CFR 3179.103)**

- Proposed § 3179.103 would allow gas to be flared royalty-free during a well's initial production testing until:
  - The operator determines that it has obtained adequate reservoir information for the well;
  - 30 days have passed since the beginning of the production test;
  - The operator has flared 20 million MMcf of gas; or
  - Production begins.

The BLM may extend the period for royalty-free testing, but only if the operator requests such an extension by submitting a Sundry Notice.

**(g) Subsequent Well Tests Request for Extension (43 CFR 3179.104)**

Proposed § 3179.104 would limit royalty-free flaring during production tests after the initial production test to 24 hours, unless the BLM approves or requires a longer test period. The operator would be allowed to request for longer test period by submitting a Sundry Notice.

Reporting of Emergency Venting and Flaring Beyond Specified Timeframes (43 CFR 3179.105)

**(h) Reporting of Emergency Venting or Flaring Beyond Specified Timeframes (43 CFR 3179.105)**

Proposed § 3179.105 would allow an operator to flare or vent gas royalty-free during a temporary, short-term, infrequent, and unavoidable emergency for up to 24 hours per incident, and for no more than 3 emergencies within any 30-day period. The operator would be required to report on a Sundry Notice any volumes of gas flared or vented beyond those specified timeframes.

**(i) Pneumatic Controller Report (43 CFR 3179.201(b) and (c))**

Proposed § 3179.201 addresses gas losses from pneumatic controllers that are not covered by EPA regulations at 40 CFR 60.5360 through 60.5390. The proposed section would require operators to replace pneumatic controllers that have continuous bleed rates that are greater than 6 scf/hour with lower-bleed models within 1 year after the effective date of the final rule. Paragraph (b) would provide an exception to this requirement if the operator submits a Sundry Notice to the BLM showing that:

- A pneumatic controller with a bleed rate greater than 6 scf/hour is required based on functional needs;
- The pneumatic controller exhaust is routed to a flare device; or
- The replacement of a pneumatic controller would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease.

Paragraph (c) would provide an exception to the replacement requirement if the operator submits a Sundry Notice showing that a pneumatic controller with a bleed rate greater than 6 scf/hour serves a well or facility has an estimated remaining productive life of 3 years or less. The operator would also be required to replace the device no later than 3 years from the effective date of the rule, absent a showing that replacement would impose costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease.

**(j) Pneumatic Pump Report (43 CFR 3179.202)**

Proposed § 3179.202 would require operators to replace pneumatic pumps not covered under EPA regulations with zero-emissions pumps or route the pump exhaust to a flare device within 1 year after the effective date of the final rule. Paragraph (c) would provide an exception to this requirement if the operator makes a showing on a Sundry Notice, and the BLM agrees, that:

- A pneumatic pump is required based on functional needs, described in the Sundry Notice, and there is no existing flare device on site or routing to such a device is technically infeasible; or
- The installation of a zero-emissions pump would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease and there is no existing flare device on site or routing to such a device is technically infeasible.

Paragraph (d) would provide an exception to the replacement requirement if the operator submits a Sundry Notice showing that a pneumatic pump serves a well or facility that has an estimated remaining productive life of 3 years or less. The operator would also be required to replace the device no later than 3 years from the effective date of the rule, absent a showing that replacement would impose costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease.

**(k) Crude Oil and Condensate Storage Vessels (43 CFR 3179.203(c))**

Proposed § 3179.203 would require operators to route all tank vapor gas from storage vessels and batteries to a combustion device or continuous flare, or to a sales line, unless the operator submits an economic analysis in a Sundry Notice and the BLM agrees with that economic analysis. Paragraph (c) would require that the operator demonstrate in the Sundry Notice that compliance would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves. Operators would be required to submit this information no later than 6 months after the rule becomes effective.

**(l) Downhole Well Maintenance and Liquids Unloading—Documentation and Reporting (43 CFR 3179.204(a) and (d))**

Proposed § 3179.204 would pertain to downhole well maintenance and liquids unloading operations. Paragraph (a) would require operators to use practices that maximize the recovery of gas for sale and to flare gas that is not recovered. It would also require operators to document, before purging a well for the first time, a discovery that compliance with these requirements would be technically infeasible or unduly costly. Paragraph (d) would require that documentation to be included as part of a Sundry Notice submitted to the BLM within 10 calendar days after the first liquids unloading event by well purging conducted after the effective date of proposed § 3179.204.

**4. Other Proposed Information Collection Activities****(a) Downhole Well Maintenance and Liquids Unloading—Notice of Excessive Duration or Volume (43 CFR 3179.204(e))**

Proposed § 3179.204 would pertain to downhole well maintenance and liquids unloading operations. Paragraph (e) would require an operator to notify the

BLM in a Sundry Notice within 14 days if the cumulative duration of well purging events for a well exceeds 24 hours during any production month, or if the estimated gas volume vented in liquids unloading by well purging operations for a well exceed 75 Mcf during any production month.

(b) Leak Detection Inspection and Repair

Proposed §§ 3179.301 through 3179.305 would include information collection activities pertaining to the detection and repair of gas leaks during production operations. The following activities would require operators to submit a Sundry Notice:

- Proposed § 3179.301(e) would allow an operator to satisfy the requirements of proposed §§ 3179.301 through 3179.305 for some or all of the equipment or facilities on a given lease by demonstrating to the BLM on a Sundry Notice that the operator is complying with EPA requirements established pursuant to 40 CFR part 60 with respect to such equipment or facilities.
- Proposed § 3179.303(b) would allow an operator to submit a Sundry Notice requesting authorization to detect gas leaks using an alternative device, program, or method.
- Proposed § 3179.304(a) would require an operator to repair any leak

not associated with normal equipment operation no later than 15 calendar days after discovery. In the event of a delay beyond 15 calendar days, paragraph (b) of this section would require the operator to submit a Sundry Notice showing good cause.

5. Burden Estimates

The following table details the estimated annual burdens of activities that would involve APDs and Sundry Notices, the use of which has been authorized under Control Number 1004-0137.

PROPOSALS INVOLVING APDS AND SUNDRY NOTICES ESTIMATED HOUR BURDENS

Type of response A.	Number of responses B.	Hours per response C.	Total Hours (column B × column C) D.
Plan to Minimize Waste of Natural Gas, 43 CFR 3162.3-1, Form 3160-3 .....	2,000	2	4,000
Request for Prior Approval for Royalty-Free Uses On-Lease or Off-Lease, 43 CFR 3178.5, 3178.7, and 3178.9, Form 3160-5 .....	50	8	400
Request for Approval of Alternative Volume Limits, 43 CFR 3179.7(b), Form 3160-5 .....	185	16	2,960
Certification in Support of Exemption from Volume Limits, 43 CFR 3179.7(d), Form 3160-5 ..	15	16	240
Well Completion and Related Operations, 43 CFR 3179.102(b), Form 3160-5 .....	5	2	10
Initial Production Testing Request for Extension, 43 CFR 3179.103, Form 3160-5 .....	5	2	10
Subsequent Well Tests Request for Extension, 43 CFR 3179.104, Form 3160-5 .....	5	2	10
Reporting of Emergency Venting and Flaring Beyond Specified Timeframes, 43 CFR 3179.105, Form 3160-5 .....	25	2	50
Pneumatic Controller Report, 43 CFR 3179.201(b) and (c), Form 3160-5 .....	200	2	400
Pneumatic Pump Report, 43 CFR 3179.202, Form 3160-5 .....	250	8	2,000
Crude Oil and Condensate Storage Vessels, 43 CFR 3179.203(c), Form 3160-5 .....	100	8	800
Downhole Well Maintenance and Liquids Unloading—Documentation and Reporting, 43 CFR 3179.204(a) and (d), Form 3160-5 .....	5,000	1	5,000
Downhole Well Maintenance and Liquids Unloading—Notification of Excessive Duration or Volume, 43 CFR 3179.204(e) .....			
Form 3160-5 .....	120	1	120
Leak Detection—Compliance with EPA Regulations, 43 CFR 3179.301(e), Form 3160-5 .....	500	8	4,000
Leak Detection—Request to Use and Alternative Device, Program, or Method, 43 CFR 3179.303(b), Form 3160-5 .....	200	40	8,000
Leak Detection—Notification of Delay in Repairing Leaks, 43 CFR 3179.304(a), Form 3160-5 .....	100	1	100
Totals .....	8,760	.....	28,100

The following table details the annual estimated hour burdens for the rest of the proposed information collection activities in this rule.

ESTIMATED ANNUAL HOUR BURDENS FOR OTHER IC ACTIVITIES

Type of response A.	Number of responses B.	Hours per response C.	Total Hours (column B × column C) D.
Downhole Well Maintenance and Liquids Unloading—Recordkeeping, 43 CFR 3179.204(c) ...	5,000	0.25	1,250
Leak Detection—Inspection Recordkeeping, 43 CFR 3179.305 .....	52,000	.25	13,000
Totals .....	57,000	.....	14,250

I. National Environmental Policy Act

The BLM has prepared a draft environmental assessment (EA) to

determine whether issuance of this proposed regulation pertaining to oil and gas waste prevention and royalty

clarification would constitute a “major Federal action significantly affecting the quality of the human environment”

under section 102(2)(C) of the National Environmental Policy Act (NEPA).<sup>406</sup> The BLM believes that, for the most part, the proposed rule would benefit the environment by reducing emissions of methane (a potent GHG), VOCs (which contribute to smog), and hazardous air pollutants such as benzene (a known carcinogen). In addition, the proposed rule would reduce light pollution and other impacts from flaring. The rule may also have indirect and minor to negligible adverse environmental impacts, primarily due to land disturbance from increased or accelerated construction of gas pipelines and compressors and/or increased truck traffic on existing disturbed surfaces from the increased use of mobile capture technology. In the aggregate, the beneficial impacts of the proposed rule are expected to dwarf its adverse impacts. Further, the BLM anticipates that any new gathering lines would be subject to additional environmental review based on submission of a Sundry Notice or a FLPMA Title V right-of-way application prior to construction.

During the public comment period for the proposed rule, we will consider any new information we receive that may inform our analysis of the potential environmental impacts of the rule. A copy of the draft EA can be viewed at [www.regulations.gov](http://www.regulations.gov) (use the search term 1004-AE14, open the Docket Folder, and look under Supporting Documents) and at the address specified in the **ADDRESSES** section.

#### *J. Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use*

Under Executive Order 13211, agencies are required to prepare and submit to OMB a Statement of Energy Effects for significant energy actions. This statement is to include a detailed statement of “any adverse effects on energy supply, distribution, or use (including a shortfall in supply, price increases, and increase use of foreign supplies)” for the action and reasonable alternatives and their effects.

Section 4(b) of Executive Order 13211 defines a “significant energy action” as “any action by an agency (normally published in the **Federal Register**) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking: (1)(i) that is a significant regulatory action under Executive Order 12866 or any successor order, and (ii) is

likely to have a significant adverse effect on the supply, distribution, or use of energy; or (2) that is designated by the Administrator of (OIRA) as a significant energy action.”

Since the compliance costs for this rule would represent such a small fraction of company net incomes, we believe that the rule is unlikely to impact the investment decisions of firms. Also, any incremental production of gas estimated to result from the rule’s enactment would constitute a small fraction of total U.S. production, and any potential and temporary deferred production of oil would likewise constitute a small fraction of total U.S. production. For these reasons, we do not expect that the proposed rule would significantly impact the supply, distribution, or use of energy. As such, the rulemaking is not a “significant energy action” as defined in Executive Order 13211.

#### *K. Clarity of the Regulations*

Executive Order 12866 requires each agency to write regulations that are simple and easy to understand. We invite your comments on how to make these proposed regulations easier to understand, including answers to questions such as the following:

- Are the requirements in the proposed regulations clearly stated?
- Do the proposed regulations contain technical language or jargon that interferes with their clarity?
- Does the format of the proposed regulations (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce their clarity?
- Would the regulations be easier to understand if they were divided into more (but shorter) sections?
- Is the description of the proposed regulations in the **SUPPLEMENTARY INFORMATION** section of this preamble helpful in understanding the proposed regulations? How could this description be more helpful in making the proposed regulations easier to understand?

Please send any comments you have on the clarity of the regulations to the address specified in the **ADDRESSES** section.

#### *L. Executive Order 13563, Improving Regulation and Regulatory Review*

Executive Order 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the nation’s regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The executive order directs agencies to consider regulatory approaches that

reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. E.O. 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed this proposed rule in a manner consistent with these requirements.

#### **VIII. Authors**

The principal authors of this rule are: Timothy Spisak and James Tichenor of the BLM Washington Office; Eric Jones of the BLM Moab, Utah Field Office; and David Mankiewicz of the BLM Farmington, New Mexico Field Office; assisted by Faith Bremner of the staff of the BLM’s Regulatory Affairs Division.

#### **List of Subjects**

##### *43 CFR Part 3100*

Government contracts, Mineral royalties, Oil and gas reserves, Public lands—mineral resources, Reporting and recordkeeping requirements, Surety bonds.

##### *43 CFR Part 3160*

Administrative practice and procedure, Government contracts, Indians-lands, Mineral royalties, Oil and gas exploration, Penalties, Public lands—mineral resources, Reporting and recordkeeping requirements.

##### *43 CFR Part 3170*

Administrative practice and procedure, Flaring, Government contracts, Incorporation by reference, Indians-lands, Mineral royalties, Immediate assessments, Oil and gas exploration, Oil and gas measurement, Public lands—mineral resources, Reporting and recordkeeping requirements, Royalty-free use, Venting.

Dated: January 21, 2016.

**Janice M. Schneider,**

*Assistant Secretary, Land and Minerals Management.*

For the reasons set out in the preamble, the Bureau of Land Management proposes to amend 43 CFR parts 3100 and 3160 and add new subparts 3178 and 3179 to new 43 CFR part 3170 as follows:

#### **PART 3100—ONSHORE OIL AND GAS LEASING**

- 1. Revise the authority citation for part 3100 to read as follows:

**Authority:** 25 U.S.C. 396d and 2107; 30 U.S.C. 189, 306, 359 and 1751; 43 U.S.C.

<sup>406</sup> 42 U.S.C. 4332(2)(C).

1732(b), 1733, and 1740; and the Energy Policy Act of 2005 (Pub. L. 109–58).

■ 2. Revise § 3103.3–1 to read as follows:

**§ 3103.3–1 Royalty on production.**

(a) Royalty on production will be payable only on the mineral interest owned by the United States. Royalty must be paid in amount or value of the production removed or sold as follows:

(1) For leases issued on or before [EFFECTIVE DATE OF THE FINAL RULE], the rate prescribed in the lease or in applicable regulations at the time of lease issuance;

(2) For leases issued after [EFFECTIVE DATE OF THE FINAL RULE]:

(i) 12½ percent on all noncompetitive leases; and

(ii) A base rate of not less than 12½ percent on all competitive leases, exchange and renewal leases, and leases issued in lieu of unpatented oil placer mining claims under § 3108.2–4;

(3) 16 ⅔ percent on noncompetitive leases reinstated under § 3108.2–3 plus an additional 2 percentage-point increase added for each succeeding reinstatement; and

(4) The rate used for royalty determination that appears in a lease that is reinstated or that is in force for competitive leases at the time of issuance of the lease that is reinstated, plus 4 percentage points, plus an additional 2 percentage points for each succeeding reinstatement.

(b) Leases that qualify under specific provisions of the Act of August 8, 1946 (30 U.S.C. 226(c) may apply for a limitation of a 12½ percent royalty rate.

(c) The average production per well per day for oil and gas will be determined pursuant to 43 CFR 3162.7–4.

(d) Payment of a royalty on the helium component of gas will not convey the right to extract the helium. Applications for the right to extract helium shall be made under 43 CFR part 16.

**PART 3160—ONSHORE OIL AND GAS OPERATIONS**

■ 3. The authority citation for part 3160 continues to read as follows:

**Authority:** 25 U.S.C. 396d and 2107; 30 U.S.C. 189, 306, 359, and 1751; and 43 U.S.C. 1732(b), 1733, and 1740.

**§ 3160.0–5 [Amended]**

■ 4. Amend § 3160.0–5 by removing the definition of “Avoidably lost.”

■ 5. Amend § 3162.3–1 by adding paragraph (j) to read as follows:

**§ 3162.3–1 Drilling applications and plans.**

\* \* \* \* \*

(j) When submitting an Application for Permit to Drill an oil well, the operator must also submit a plan to minimize waste of natural gas from that well. The waste minimization plan must accompany, but would not be part of, the Application for Permit to Drill. The waste minimization plan must set forth a strategy for how the operator will comply with the requirements of 43 CFR subpart 3179 regarding control of waste from venting, flaring and leaks, and must explain how the operator plans to capture associated gas upon the start of oil production, or as soon thereafter as reasonably possible. Failure to submit a complete and adequate waste minimization plan is grounds for denying or disapproving an Application for Permit to Drill. The waste minimization plan must include the following information:

(1) The anticipated completion date of the proposed well(s);

(2) The anticipated gas production rates of the proposed well(s);

(3) A gas pipeline system location map of sufficient detail, size, and scale as to show the field in which the proposed well will be located, and all existing gas pipelines within 20 miles of the well. The map should also contain:

(i) The name and location of the gas processing plant(s) closest to the proposed well(s), and of the intended destination processing plant, if different;

(ii) The location and name of the operator of each gas pipeline within 20 miles of the proposed well;

(iii) The proposed route and tie-in point that connects or could connect the subject well to an existing gas pipeline;

(4) Information on the gas pipeline to which the operator plans to connect, including:

(i) Maximum current daily capacity of the pipeline;

(ii) Current throughput of the pipeline;

(iii) Anticipated daily capacity of the pipeline at the anticipated date of first gas sales from the proposed well;

(iv) Anticipated throughput of the pipeline at the anticipated date of first gas sales from the proposed well;

(v) Certification that the operator has provided one or more midstream processing companies with information about the operator’s production plans, including the anticipated completion dates and gas production rates of the proposed well or wells; and

(vi) Any plans known to the operator for expansion of pipeline capacity for the area that includes the proposed well.

(5) A description of anticipated production, including:

(i) The anticipated date of first production;

(ii) The expected oil and gas production rates and duration from the proposed well. If the proposed well is on a multi-well pad, the plan should include the total expected production for all wells being completed;

(iii) The expected production decline curve of both oil and gas from the proposed well; and

(iv) The expected Btu value for gas production from the proposed well.

(6) The volume and percentage of produced gas the operator is currently flaring or venting from wells in the same field and any wells within a 20-mile radius of that field; and

(7) An evaluation of opportunities for alternative on-site capture approaches, if pipeline transport is unavailable.

**PART 3170—ONSHORE OIL AND GAS PRODUCTION**

■ 6. The authority citation for part 3170, which was proposed to be added on July 13, 2015 (80 FR 40768), continues to read as follows:

**Authority:** 25 U.S.C. 396d and 2107; 30 U.S.C. 189, 306, 359, and 1751; and 43 U.S.C. 1732(b), 1733, and 1740.

■ 7. Add subparts 3178 and 3179 to part 3170, which was proposed to be added on July 13, 2015 (80 FR 40768), to read as follows:

**Subpart 3178—Royalty-Free Use of Lease Production**

Sec.

3178.1 Purpose.

3178.2 Scope.

3178.3 Production on which a royalty is not due.

3178.4 Uses of oil or gas on lease, unit, or CA that do not require prior written BLM approval for royalty-free treatment of volumes used.

3178.5 Uses of oil or gas on a lease, unit, or CA that require prior written BLM approval for royalty-free treatment of volumes used.

3178.6 Uses of oil or gas moved off the lease, unit, or CA that do not require prior written approval for royalty-free treatment of volumes used.

3178.7 Uses of oil or gas moved off the lease, unit, or CA that require prior written approval for royalty-free treatment of volumes used.

3178.8 Measurement or estimation of royalty-free volumes.

3178.9 Requesting approval of royalty-free treatment when approval is required.

3178.10 Facility and equipment ownership.

**Subpart 3179—Waste Prevention and Resource Conservation**

Sec.

3179.1 Purpose.

3179.2 Scope.

3179.3 Definitions and acronyms.

- 3179.4 Determining when the loss of oil or gas is avoidable or unavoidable.
- 3179.5 When lost production is subject to royalty.
- 3179.6 When flaring or venting is prohibited.
- 3179.7 Alternative limits on venting and flaring.
- 3179.8 Measuring and reporting volumes of gas vented and flared from wells.
- 3179.9 Determinations regarding royalty-free venting or flaring.
- 3179.10 Other waste-prevention measures.
- 3179.11 Coordination with State regulatory authority.

#### Flaring and Venting Gas During Drilling and Production Operations

- 3179.101 Well drilling.
- 3179.102 Well completion and related operations.
- 3179.103 Initial production testing.
- 3179.104 Subsequent well tests.
- 3179.105 Emergencies.

#### Gas Flared or Vented From Equipment During Well Maintenance Operations

- 3179.201 Equipment requirements for pneumatic controllers.
- 3179.202 Requirements for pneumatic chemical injection pumps or pneumatic diaphragm pumps.
- 3179.203 Crude oil and condensate storage vessels.
- 3179.204 Downhole well maintenance and liquids unloading.

#### Leak Detection and Repair (LDAR)

- 3179.301 Operator responsibility.
- 3179.302 Approved instruments and methods.
- 3179.303 Leak detection and inspection requirements for natural gas wellhead equipment, facilities, and compressors.
- 3179.304 Repairing leaks.
- 3179.305 Leak detection inspection recordkeeping.

#### State or Tribal Variances

- 3179.401 State or tribal requests for variances from the requirements of this subpart.

#### § 3178.1 Purpose.

The purpose of this subpart is to address the circumstances under which oil or gas produced from Federal and Indian leases may be used royalty-free in operations on the lease, unit, or communitized area (CA). This subpart supersedes those portions of Notice to Lessees and Operators of Onshore Federal and Indian Oil and Gas Leases (NTL-4A), 44 FR 76600 (December 27, 1979), pertaining to oil or gas used for beneficial purposes.

#### § 3178.2 Scope.

- (a) This subpart applies to:
- (1) All onshore Federal and Indian (other than Osage Tribe) oil and gas leases, units, and CAs, except as otherwise provided in this subpart;
  - (2) Indian Mineral Development Act (IMDA) oil and gas agreements, unless

specifically excluded in the agreement or unless the relevant provisions of this subpart are inconsistent with the agreement;

(3) Leases and other business agreements and contracts for the development of tribal energy resources under a Tribal Energy Resource Agreement entered into with the Secretary, unless specifically excluded in the lease, other business agreement, or Tribal Energy Resource Agreement;

(4) Committed State or private tracts in a federally approved unit or communitization agreement defined by or established under 43 CFR subpart 3105 or 43 CFR part 3180;

(5) All onshore wells, tanks, compressors, and other facilities located on a Federal or Indian lease or a federally approved unit or CA; and

(6) All gas lines located on a Federal or Indian lease or federally approved unit or CA that are owned or operated by the operator of the lease, unit, or communitization agreement.

(b) For purposes of this subpart, the term "lease" also includes IMDA agreements.

#### § 3178.3 Production on which royalty is not due.

(a) To the extent specified in §§ 3178.4 and 3178.5, royalty is not due on:

(1) Oil or gas that is produced from a lease or CA and used for operations and production purposes (including placing oil or gas in marketable condition) on the same lease or CA without being removed from the lease or CA; or

(2) Oil or gas that is produced from a unit PA and used for operations and production purposes (including placing oil or gas in marketable condition) on the unit, for the same unit PA, without being removed from the unit.

(a) For the uses described in § 3178.5, the operator must obtain prior written BLM approval for the volumes used for operational and production purposes to be royalty free.

#### § 3178.4 Uses of oil or gas on a lease, unit, or CA that do not require prior written BLM approval for royalty-free treatment of volumes used.

(a) Uses of produced oil or gas for operations and production purposes that do not require prior written BLM approval for the used volumes to be treated as royalty free under § 3178.3 are:

- (1) Use of fuel to power artificial lift equipment;
- (2) Use of fuel to power equipment used for enhanced recovery;
- (3) Use of fuel to power drilling rigs;

(4) Use of gas to actuate pneumatic controllers or operate pneumatic pumps at production facilities;

(5) Use of fuel to heat, separate, or dehydrate production;

(6) Use of fuel to compress gas to place it in marketable condition; and

(7) Use of oil that an operator produces from a lease, unit, or CA and pumps into a well on the same lease, unit, or CA to clean the well and improve production, *e.g.*, hot oil treatment. The operator must document the removal of the oil from the tank or pipeline under Onshore Oil and Gas Order No. 3 (Site Security), or any successor regulation.

(b) The volume to be treated as royalty free must not exceed the amount of fuel reasonably necessary to perform the operational function, using equipment of appropriate capacity.

#### § 3178.5 Uses of oil or gas on a lease, unit, or CA that require prior written BLM approval for royalty-free treatment of volumes used.

(a) Uses that require prior written approval from the BLM before the production used may be treated as royalty free under § 3178.3 include: (1) Using oil as a circulating medium in drilling operations;

(2) Injecting gas that an operator produces from a lease, unit PA, or CA into the same lease, unit PA, or CA for the purpose of increasing the recovery of oil or gas (including gas that is cycled in a contained gas-lift production system), subject to an approval under 3162.3-2 of this title to conduct the gas injection;

(3) Using oil or gas that an operator removes from the pipeline at a location downstream of the Facility Measurement Point (FMP), if removal and use both occur on the lease, unit, or CA;

(4) Using gas initially removed from a lease, unit PA, or CA for treatment or processing because of particular physical characteristics of the gas, where the gas is returned to the lease, unit, or CA for lease operations; and

(5) Any other type of use of produced oil or gas for operations and production purposes pursuant to § 3178.3 that is not identified in § 3178.4.

(b) (1) The operator must obtain BLM approval to conduct activities under paragraph (a) of this section by submitting a Form 3160-5, Sundry Notices and Reports on Wells (Sundry Notice) containing the information required under § 3178.9.

(2) With respect to uses under paragraph (a)(3) of this section, the operator must measure the volume of oil or gas used in accordance with Onshore

Oil and Gas Orders No. 4 (oil) and 5 (gas) as applicable, or other successor regulations.

(3) With respect to uses under paragraph (a)(4) of this section, the operator must measure any gas returned to the lease, unit, or CA under such an approval in accordance with Onshore Oil and Gas Order No. 5 or other successor regulations.

(c) If the BLM disapproves a request for royalty-free treatment for volumes used under this section, the operator must pay royalties for the gas used beginning on the date the operator was required to request approval under paragraph (a) of this section.

**§ 3178.6 Uses of oil or gas moved off the lease, unit, or CA that do not require prior written approval for royalty-free treatment of volumes used.**

Oil or gas used after being moved off the lease, unit, or CA may be treated as royalty free without prior written BLM approval only if the use meets the criteria under § 3178.4 and when:

(a) Oil or gas is piped along a logical route, based on existing access, topography, land ownership or other similar characteristic, directly from one area of the lease, unit, or CA to another area of the same lease, unit, or CA where it is used without oil or gas being added to or removed from the pipeline while crossing lands that are not part of the lease, unit, or CA; or

(b) A well is directionally drilled and the wellhead is not located on the producing lease, unit, or CA, and oil or gas is used on the same well pad for operations and production purposes for that well.

**§ 3178.7 Uses of oil or gas moved off the lease, unit, or CA that require prior written approval for royalty-free treatment of volumes used.**

(a) Except as provided in § 3178.6(b) and paragraph (b) of this section, royalty is owed on all oil or gas used in operations conducted off the lease, unit, or CA.

(b) The BLM may grant prior written approval to treat oil or gas used in operations conducted off the lease, unit, or CA as royalty free (referred to as off-lease royalty-free use) if the use meets one or more of the criteria listed in § 3178.5(a) and if:

(1) The equipment or facility in which the operation is conducted is located off the lease, unit, or CA for engineering, economic, resource-protection, or physical-accessibility reasons; and

(2) The operations are conducted upstream of the FMP.

(c) The operator must obtain BLM approval under paragraph (b) of this section by submitting a Sundry Notice

containing the information required under § 3178.9.

(d) Approval of measurement or commingling off the lease, unit, or CA under other regulations does not constitute approval of off-lease royalty-free use. The operator or lessee must expressly request, and submit its justification for, approval of off-lease royalty-free use.

(e) If equipment or a facility located on a particular lease, unit, or CA treats oil or gas produced from properties that are not unitized or communitized with the property on which the equipment or facility is located, in addition to treating oil or gas produced from the lease, unit, or CA on which the equipment or facility is located, the operator may report as royalty free only that portion of the oil or gas used as fuel that is properly allocable to the share of production contributed by the lease, unit, or CA on which the equipment is located, unless otherwise authorized by the BLM under this section.

**§ 3178.8 Measurement or estimation of royalty-free volumes.**

(a) The operator must measure or estimate the volumes of royalty-free gas used in operations upstream of the FMP.

(b) The operator must measure all gas that is removed from the product stream downstream of the FMP and used in operations on the lease, unit, or CA (or off the lease, unit, or CA if the BLM approves such use), using the measurement procedures in Onshore Oil and Gas Order No. 5 or other successor regulation.

(c) The operator must measure the volume of oil used in operations on the lease, unit, or CA (or off the lease, unit, or CA if the BLM approves such use) using the measurement procedures in Onshore Oil and Gas Order No. 4 or other successor regulation. The operator must also document removal of such oil from the tank or pipeline.

(d) Each of the volumes required to be measured or estimated, as applicable, under this subpart, must be reported by the operator following applicable ONRR reporting requirements.

**§ 3178.9 Requesting approval of royalty-free treatment when approval is required.**

To request written approval of royalty-free use when required under § 3178.5, or of off-lease royalty-free use under § 3178.7, the operator must submit a Sundry Notice that includes the following information:

(a) A complete description of the operation to be conducted, including the location of all facilities and equipment involved in the operation and the location of the FMP;

(b) The volume of oil or gas that the operator expects will be used in the operation, and the method of measuring or estimating that volume;

(c) If the volume of gas expected to be used will be estimated, the basis for the estimate (*e.g.*, equipment manufacturer's published consumption or usage rates); and

(d) The proposed disposition of the oil or gas used (*e.g.*, whether gas used would be consumed as fuel, vented through use of a gas-activated pneumatic controller, returned to the reservoir, or some other disposition).

**§ 3178.10 Facility and equipment ownership.**

The operator is not required to own or lease the equipment or facility that uses oil or gas royalty free. The operator is responsible for obtaining all authorizations, measuring production, reporting production, and all other applicable requirements.

**Subpart 3179—Waste Prevention and Resource Conservation**

**§ 3179.1 Purpose.**

The purpose of this subpart is to implement and carry out the purposes of statutes relating to prevention of waste from Federal and Indian (other than Osage Tribe) leases, conservation of surface resources, and management of the public lands for multiple use and sustained yield. This subpart supersedes those portions of Notice to Lessees and Operators of Onshore Federal and Indian Oil and Gas Leases (NTL-4A), 44 FR 76600 (December 27, 1979), pertaining to, among other things, flaring and venting of produced gas, unavoidably and avoidably lost gas, and waste prevention.

**§ 3179.2 Scope.**

(a) This subpart applies to:

(1) All onshore Federal and Indian (other than Osage Tribe) oil and gas leases, units, and CAs, except as otherwise provided in this subpart;

(2) IMDA oil and gas agreements, unless specifically excluded in the agreement or unless the relevant provisions of this subpart are inconsistent with the agreement;

(3) Leases and other business agreements and contracts for the development of tribal energy resources under a Tribal Energy Resource Agreement entered into with the Secretary, unless specifically excluded in the lease, other business agreement, or Tribal Energy Resource Agreement;

(4) Committed State or private tracts in a federally approved unit or communitization agreement defined by

or established under 43 CFR subpart 3105 or 43 CFR part 3180;

(5) All onshore wells, tanks, compressors, and other facilities located on a Federal or Indian lease or a federally approved unit or CA; and

(6) All gas lines located on a Federal or Indian lease or federally approved unit or CA that are owned or operated by the operator of the lease, unit, or communitization agreement.

(b) For purposes of this subpart, the term "lease" also includes IMDA agreements.

### § 3179.3 Definitions and acronyms.

As used in this subpart, the term:

*Accessible component* means a component that can be reached, if necessary, by safe and proper use of portable ladders or by built-in ladders and walkways. Accessible components also include components that can be reached by the safe use of an extension on a monitoring probe.

*Capture* means the physical containment of natural gas for transportation to market or productive use of natural gas, and includes reinjection and royalty-free on-site uses pursuant to subpart 3178.

*Capture infrastructure* means any pipelines, facilities, or other equipment (including temporary or mobile equipment) used to capture, transport, or process gas. Capture infrastructure includes, but is not limited to, equipment that compresses or liquefies natural gas, removes natural gas liquids, or generates electricity from gas.

*Component* means any piece of equipment that has the potential to leak gas and can be tested in the manner described in §§ 3179.301 through 3179.305 of this subpart.

*Development oil well or development gas well* means a well drilled to produce oil or gas, respectively, from an established field in which hydrocarbons have been discovered and are being produced at a profit or expected profit. For purposes of this subpart, the BLM will determine when a well is a development oil well or development gas well in the event of a disagreement between the BLM and the operator.

*Gas-to-oil ratio (GOR)* means the ratio of gas to oil in the production stream expressed in standard cubic feet of gas per barrel of oil.

*Gas well* means a well for which the energy equivalent of the gas produced, including its entrained liquefiable hydrocarbons, exceeds the energy equivalent of the oil produced. Unless more specific British thermal unit (Btu) values are available, a well with a gas-to-oil ratio greater than 6 thousand cubic feet (Mcf) of gas per barrel of oil

is a gas well. Except where gas has been re-injected into the reservoir, a mature oil well would not be reclassified as a gas well even after normal production decline has caused the GOR to increase beyond 6 Mcf of gas per barrel of oil.

*Liquid hydrocarbon* means chemical compounds of hydrogen and carbon atoms that exist as a liquid under the temperature and pressure at which they are measured. The term is used to refer to oil, condensate, liquefied petroleum gas (LPG), liquefied natural gas (LNG), and natural gas liquids (NGL).

*Liquids unloading* means the removal of an accumulation of liquid hydrocarbons or water in the wellbore of a completed gas well.

*Lost oil or lost gas* means produced oil or gas that escapes containment, either intentionally or unintentionally, or is flared before being removed from the lease, unit, or CA, and cannot be recovered.

*Storage vessel* means a crude oil or condensate storage tank or battery of tanks that vents, or is designed to vent, to the atmosphere during normal operations.

*Volatile organic compounds (VOC)* has the same meaning as defined in 40 CFR 51.100(s).

### § 3179.4 Determining when the loss of oil or gas is avoidable or unavoidable.

For purposes of this subpart:

(a) "Unavoidably lost" oil or gas means lost oil or gas where the operator has not been negligent, and has complied fully with applicable laws, lease terms, regulations, provisions of a previously approved operating plan, or other written orders of the BLM, including:

(1) Produced oil or gas that is lost from the following operations or sources and cannot be recovered in the normal course of operations, where the operator has taken prudent and reasonable steps to avoid waste:

- (i) Well drilling;
- (ii) Well completion and related operations;
- (iii) Initial production tests, subject to the limitations in § 3179.103;
- (iv) Subsequent well tests, subject to the limitations in § 3179.104;
- (v) Exploratory coalbed methane well dewatering;
- (vi) Emergencies, subject to the limitations in § 3179.105;
- (vii) Evaporation from storage vessels;
- (viii) Downhole well maintenance;
- (ix) Liquids unloading;
- (x) Leaks; and
- (xi) Releases from pneumatic controllers and pumps; or

(2) Produced gas that is flared or vented from a well that is not connected

to gas capture infrastructure, absent a BLM determination that the loss of gas through such venting or flaring is otherwise avoidable, subject to the limitations in § 3179.6.

(b) "Avoidably lost" oil or gas means lost oil or gas that is not unavoidably lost as defined in paragraph (a) of this section.

### § 3179.5 When lost production is subject to royalty.

(a) Royalty is due on:

- (1) All avoidably lost oil or gas; and
- (2) Waste oil that became waste through operator negligence.

(b) Royalty is not due on:

- (1) Unavoidably lost oil or gas; and
- (2) Waste oil that did not become waste through operator negligence.

### § 3179.6 When flaring or venting is prohibited.

(a) The operator must flare rather than vent any gas that is not captured except:

(1) When flaring the gas is technically infeasible, such as when the gas is not readily combustible or the volumes are too small to flare;

(2) Under emergency conditions when the loss of gas is uncontrollable or venting is necessary for safety, subject to § 3179.105;

(3) When § 3179.203 does not require the combustion or flaring of gas vapors from storage vessels; or

(4) When the gas is vented through operation of a natural gas-activated pneumatic controller or pump.

(b) Except as provided in § 3179.7, an operator must not flare or vent gas in excess of the following amounts, representing the total volume of gas flared or vented over a production month from all development oil wells on a lease, unit, or CA, divided by the number of development oil wells contributing production for at least 10 days during that month:

(1) 7,200 Mcf, for each month during the period from [EFFECTIVE DATE OF FINAL RULE] until [1 YEAR AFTER EFFECTIVE DATE OF FINAL RULE];

(2) 3,600 Mcf, for each month during the period from [1 YEAR AFTER EFFECTIVE DATE OF FINAL RULE] until [2 YEARS AFTER EFFECTIVE DATE OF FINAL RULE]; and

(3) 1,800 Mcf, for each month thereafter.

### § 3179.7 Alternative limits on venting and flaring.

(a) With respect to leases issued before the effective date of this regulation, the BLM may approve an alternative rate-based limit on venting and flaring from a lease, unit, or CA that is flaring at a rate that exceeds the applicable limit under § 3179.6, if the

operator demonstrates, and the BLM agrees, that the applicable limit under § 3179.6 would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease.

(b) To support such a demonstration, the operator must submit a Sundry Notice that includes the following information:

(1) Information regarding the operator's wells under the lease that produce Federal or Indian gas, including:

(i) The name, number, and location of each well, and the number of the lease, unit, or CA with which it is associated;

(ii) The depths and names of producing formations;

(iii) The gas production level of each of the operator's wells for the most recent production month for which information is available; and

(iv) The volumes of gas being vented and flared from each of the operator's wells;

(2) Map(s) showing:

(i) The entire lease, unit, or CA and the surrounding lands to a distance and on a scale that shows the field in which the well or wells are or will be located (if applicable), and all pipelines that could transport the gas from the well or wells;

(ii) All of the operator's producing oil and gas wells, which are producing from Federal or Indian leases (both on Federal or Indian leases and on other properties) within the map area;

(iii) Identification of all of the operator's wells within the lease from which gas is flared or vented, and the location and distance of the nearest gas pipeline(s) to each such well, with an identification of those pipelines that are or could be available for connection and use; and

(iv) Identification of all of the operator's wells within the lease from which gas is captured;

(3) Data that show pipeline capacity and the operator's projections of the cost associated with installation and operation of gas capture infrastructure and alternative methods of transportation that do not require pipelines;

(4) The operator's projections of gas prices, gas production volumes, gas quality (*i.e.*, heating value and H<sub>2</sub>S content), revenues derived from gas production, and royalty payments on gas production over the next 15 years or the life of the operator's lease, unit, or CA, whichever is less; and

(5) The operator's projections of oil prices, oil production volumes, costs, revenues, and royalty payments from

the operator's oil and gas operations within the lease over the lesser of:

(i) The next 15 years; or

(ii) The anticipated remaining period in which the operator will produce from the Federal or Indian lease, unit, or CA.

(c) In establishing an alternative volume limit on venting and flaring under this section, the BLM will aim to set the limit at the lowest level that the BLM determines, considering the information identified in paragraph (b) of this section, will not cause the operator to cease production and abandon significant recoverable oil reserves under the lease.

(d) Instead of an alternative limit under paragraph (a) of this section, a lease issued before the effective date of this regulation will receive a renewable, 2-year exemption from the applicable flaring limit specified in § 3179.6 if the authorizing officer verifies that all of the following terms and conditions are met:

(i) The lease, unit, or CA is not connected to a gas pipeline;

(ii) The closest point on the lease, unit, or CA is located more than 50 straight-line miles from the nearest gas processing plant;

(iii) In the most recent production month, the lease, unit or CA flared or vented at an average rate that exceeds by at least 50 percent the applicable flaring limit specified in § 3179.6; and

(iv) The operator submits to the BLM a Sundry Notice with an affidavit certifying that it meets the conditions in paragraphs (d)(i) through (iii) of this section.

#### **§ 3179.8 Measuring and reporting volumes of gas vented and flared from wells.**

(a) The operator must estimate or measure all volumes of gas vented or flared from wells, and report those volumes under applicable ONRR reporting requirements, including 30 CFR part 1210.

(b) The operator may choose whether to estimate or measure such volumes, except that measurement is required:

(1) If the operator estimates that the volume of gas vented or flared from a flare stack or manifold equals or exceeds 50 Mcf per day; or

(2) If the BLM determines and informs the operator that the additional accuracy offered by measurement is necessary for effective implementation of this subpart.

#### **§ 3179.9 Determinations regarding royalty-free venting or flaring.**

(a) Approvals to flare or vent royalty free, and/or to flare or vent at a level above the 7,200 Mcf per month limit in § 3179.6(b)(1), which are in effect as of the effective date of this rule, will continue in effect until [90 DAYS

AFTER EFFECTIVE DATE OF THE FINAL RULE].

(b) The provisions of this subpart do not affect any determination made by the BLM before or after [EFFECTIVE DATE OF FINAL RULE], with respect to the royalty-bearing status of flaring that occurred prior to [EFFECTIVE DATE OF FINAL RULE].

#### **§ 3179.10 Other waste prevention measures.**

(a) If production from an oil well newly connected to a gas pipeline results or is expected to result in one or more producing wells already connected to the pipeline being forced off the line, the BLM may exercise existing authority to limit the production level from the new well until the pressure of gas production from the new well stabilizes at levels that allow transportation of gas from all wells connected to the line.

(b) If gas capture capacity is not yet available on a given lease, the BLM may exercise existing authority to delay action on the APD for that lease, or approve the APD with conditions for gas capture or limitations on production. If the lease for which the APD is submitted is not yet producing, the BLM may direct or grant a lease suspension under 43 CFR 3103.4–4.

#### **§ 3179.11 Coordination with State regulatory authority.**

To the extent that any BLM action to enforce a prohibition, limitation, or order under this subpart adversely affects production of oil or gas that comes from non-Federal and non-Indian mineral interests, the BLM will coordinate, on a case-by-case basis, with the State regulatory authority having jurisdiction over the oil and gas production from the non-Federal and non-Indian interests.

#### **Flaring and Venting Gas During Drilling and Production Operations**

##### **§ 3179.101 Well drilling.**

(a) Except as provided in § 3179.6(a) of this subpart, gas that reaches the surface as a normal part of drilling operations must be:

(1) Captured and sold;

(2) Directed to a flare pit or flare stack equipped with an automatic igniter to combust any flammable gasses;

(3) Used in operations on the lease, unit, or CA; or

(4) Injected.

(b) If gas is lost as a result of loss of well control, the BLM will make a determination of whether the loss of well control is due to operator negligence. Such gas is avoidably lost if the BLM determines that the loss of well

control is due to operator negligence. The BLM will notify the operator in writing when it makes a determination that gas was lost due to operator negligence.

**§ 3179.102 Well completion and related operations.**

(a) Except as provided in § 3179.6(a), gas that reaches the surface during well completion and post-completion, drilling fluid recovery, or fracturing or refracturing fluid recovery operations must be:

- (1) Captured and sold;
- (2) Directed to a flare pit or flare stack equipped with an automatic igniter to combust any flammable gasses, subject to the volumetric limitations in § 3179.103(a)(3);
- (3) Used in operations on the lease, unit, or CA; or
- (4) Injected.

(b) In lieu of compliance with the requirements of paragraph (a) of this section, an operator may demonstrate to the BLM on a Sundry Notice that it is in compliance with the requirements for control of gas from well completions established under 40 CFR part 60, subpart OOOOa.

**§ 3179.103 Initial production testing.**

(a) Gas flared during a well's initial production test is royalty-free under §§ 3179.4(a)(1)(iii) and 3179.5(b) of this subpart until one of the following occurs:

(1) The operator determines that it has obtained adequate reservoir information for the well;

(2) 30 days have passed since the beginning of the production test, except as provided in paragraph (b) and paragraph (c) of this section;

(3) The operator has flared 20 million cubic feet (MMcf) of gas, when volumes flared under this section are combined with volumes flared under § 3179.102(b); or

(4) Production begins.

(b) The BLM may extend the period specified in paragraph (a)(2) not to exceed an additional 60 days, based on testing delays caused by well or equipment problems or if there is a need for further testing to develop adequate reservoir information.

(c) During the dewatering and initial evaluation of an exploratory coalbed methane well, the 30-day period specified in paragraph (a)(2) of this section is extended to 90 days. The BLM may approve up to two extensions of this evaluation period, of up to 90 days each.

(d) The operator must submit its request for a longer test period under paragraph (b) or (c) of this section using a Sundry Notice.

**§ 3179.104 Subsequent well tests.**

During well tests subsequent to the initial production test, the operator may flare gas for no more than 24 hours royalty free under §§ 3179.4(a)(1)(iv) and 3179.5(b) of this subpart, unless the BLM approves or requires a longer period. If the operator requests a longer period, it must submit a Sundry Notice.

**§ 3179.105 Emergencies.**

(a) An operator may flare or, if flaring is not feasible given the emergency, vent gas royalty-free under § 3179.6(a) of this subpart during a temporary, short-term, infrequent, and unavoidable emergency.

(b) The operator may flare or vent gas royalty free for up to 24 hours per incident (unless the BLM extends the period), and for no more than three emergencies for a lease, unit, or CA within any 30-day period.

(c) The following do not constitute emergencies under this section:

- (1) More than 3 failures of the same equipment within any 365-day period;
- (2) The operator's failure to install appropriate equipment of a sufficient capacity to accommodate the volume of gas being produced;
- (3) Failure to limit production when the production rate exceeds the capacity of the related equipment, pipeline, or gas plant, or exceeds sales contract volumes of oil or gas;
- (4) Scheduled maintenance; or
- (5) Operator negligence.

(d) The operator must estimate and report to the BLM on a Sundry Notice the volumes flared or vented beyond the timeframes specified in paragraph (b) of this section.

- (4) Scheduled maintenance; or
- (5) Operator negligence.

(d) The operator must estimate and report to the BLM on a Sundry Notice the volumes flared or vented beyond the timeframes specified in paragraph (b) of this section.

**Gas Flared or Vented From Equipment or During Well Maintenance Operations**

**§ 3179.201 Equipment requirements for pneumatic controllers.**

(a) A pneumatic controller that uses natural gas produced from a Federal or Indian lease, or from a unit or CA that includes a Federal or Indian lease, is subject to this section if the pneumatic controller:

(1) Has a continuous bleed rate greater than 6 standard cubic feet (scf) per hour; and

(2) Is not subject to 40 CFR 60.5360 through 60.5390.

(b) The operator must replace a pneumatic controller subject to this section with a pneumatic controller having a bleed rate of 6 scf per hour or less within the timeframes set forth in paragraph (c) of this section, unless:

(1) The operator notifies the BLM through a Sundry Notice that use of a pneumatic controller with a bleed rate greater than 6 scf per hour is required

based on functional needs described in the Sundry Notice, that may include, but are not limited to, response time, safety, and positive actuation;

(2) The operator notifies the BLM through a Sundry Notice that the pneumatic controller exhaust is routed to a flare device; or

(3) The operator notifies the BLM through a Sundry Notice and demonstrates, and the BLM agrees, based on the information identified in § 3179.7(b), that replacement of a pneumatic controller subject to paragraph (a)(1)(i) of this section would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease.

(c) The operator must replace the pneumatic controller(s) no later than 1 year after the effective date of this section as required under paragraph (b) of this section, except that if the well or facility that the pneumatic controller serves has an estimated remaining productive life of 3 years or less from the effective date of this section, the operator must notify the BLM through a Sundry Notice and replace the pneumatic controller no later than 3 years from the effective date of this section.

(d) The operator must ensure pneumatic controllers are functioning within manufacturers' specifications.

**§ 3179.202 Requirements for pneumatic chemical injection pumps or pneumatic diaphragm pumps.**

(a) A pneumatic chemical injection or pneumatic diaphragm pump is subject to this section if it:

(1) Uses natural gas produced from a Federal or Indian lease, or from a unit or CA that includes a Federal or Indian lease; and

(2) Is not subject to 40 CFR part 60, subpart OOOOa.

(b) The operator must replace a pneumatic pump subject to this paragraph with a zero-emissions pump or route the pump to a flare device within the timeframes set forth in paragraph (d) of this section.

(c) The requirement in paragraph (b) of this section does not apply if:

(1) The operator notifies the BLM through a Sundry Notice that:

(i) Use of a pneumatic pump is required based on functional needs, described in the Sundry Notice; and

(ii) There is no existing flare device on site or routing to such a device is technically infeasible; or

(2) The operator submits a Sundry Notice to the BLM that:

(i) Provides an economic analysis that demonstrates, and the BLM agrees,

based on the information identified in § 3179.7(b), that installation of a zero-emissions pump(s) would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease; and

(ii) Demonstrates to the BLM that there is no existing flare device on site or routing to such a device is technically infeasible.

(d) The operator must replace the pneumatic pump(s) or connect to a flare device no later than 1 year after the effective date of this section, except that if the well or facility that the pneumatic pump serves has an estimated remaining productive life of 3 years or less from the effective date of this section, the operator must notify the BLM through a Sundry Notice and replace the pneumatic pump no later than 3 years from the effective date of this section.

(e) The operator must ensure pneumatic pumps are functioning within manufacturers' specifications.

**§ 3179.203 Crude oil and condensate storage vessels.**

(a) A crude oil or condensate storage vessel is subject to this section if the vessel:

(1) Contains production from a Federal or Indian lease, or from a unit or CA that includes a Federal or Indian lease;

(2) Is not subject to 40 CFR part 60, subpart OOOO; and

(3) Has a rate of total VOC emissions equal to or greater than 6 tons per year (tpy).

(b) The operator must determine the rate of emissions from the storage vessel within 60 days after the effective date of this section, and within 30 days after any new source of production is added to the tank.

(c) No later than 6 months after the effective date of this section, the operator must route all tank vapor gas from a storage vessel that is subject to this section to a combustion device or continuous flare, or to a sales line unless the operator submits an economic analysis to the BLM through a Sundry Notice that demonstrates, and the BLM agrees, based on the information identified in § 3179.7(b), that compliance with this requirement would impose such costs as to cause the operator to cease production and abandon significant recoverable oil reserves under the lease.

(d) If the rate of total uncontrolled gas release from a storage vessel declines to 4 tpy or less for any continuous 12 month period, the requirements of this section no longer apply.

**§ 3179.204 Downhole well maintenance and liquids unloading.**

(a) During downhole well maintenance and liquids unloading operations, the operator must use practices that maximize the recovery of gas for sale and must flare gas not recovered except where such practices or flaring are technically infeasible or unduly costly. Before the operator purges a well for the first time after the effective date of this section, the operator must document that other methods are technically infeasible or unduly costly, and provide that information as part of the Sundry Notice required under paragraph (d) of this section.

(b) For wells drilled after the effective date of this section, the operator may not conduct liquids unloading by well purging, except where the operator is returning a well to production following a well workover or following a shut-in for more than 30 days.

(c) For any liquids unloading by well purging, the operator must:

(1) Be present on-site throughout the event to ensure that any venting to the atmosphere is limited to no more than what is practically necessary, unless the operator uses an automatic control system that relies on real-time pressure or flow, timers, or other well data to minimize venting;

(2) Record the cause, date, time, duration, and estimated volume of each venting event; and

(3) Maintain the liquids unloading records for the period required under § 3162.4–1 of this title and make them available to the BLM, upon request.

(d) The operator must notify the BLM by Sundry Notice within 10 calendar days after the first liquids unloading event by well purging conducted after the effective date of this section. This requirement applies to each well the operator operates.

(e) The operator must notify the BLM by Sundry Notice, within 14 calendar days, if:

(1) The cumulative duration of well purging events for a well exceeds 24 hours during any production month; or

(2) The estimated volume of gas vented in liquids unloading by well purging operations for a well exceeds 75 Mcf during any production month.

(f) For purposes of this section, “well purging” means blowing accumulated liquids out of a wellbore by gas pressure where the gas is vented to the atmosphere.

(g) Total estimated volumes vented as a result of downhole well maintenance and liquids unloading during the production month must be included in volumes reported to ONRR as vented.

**Leak Detection and Repair (LDAR)**

**§ 3179.301 Operator responsibility.**

(a) The requirements of §§ 3179.301 through 3179.305 of this subpart apply to all wells that produce natural gas from a Federal or Indian lease, or from a unit or CA that includes a Federal or Indian lease, including oil wells that also produce natural gas.

(b) The operator is responsible, as prescribed in §§ 3179.302 and 3179.303 of this subpart, to inspect for gas leaks on the following:

(1) All equipment and equipment components at the wellhead;

(2) All facilities that the operator operates; and

(3) All compressors located on the lease, unit, or CA that the operator owns, leases, or operates.

(c) All leak inspections must occur during production operations.

(d) The operator must fix the leaks as prescribed in §§ 3179.304 and 3179.305 of this subpart. See 43 CFR 3162.5–1 for responsibility to repair oil leaks.

(e) An operator may satisfy the requirements of §§ 3179.301 through 3179.305 for some or all of the equipment or facilities on a given lease by demonstrating to the BLM on a Sundry Notice that the operator is complying with LDAR requirements established under 40 CFR part 60, subpart OOOOa with respect to such equipment or facilities.

**§ 3179.302 Approved instruments and methods.**

(a) The operator must use one or more of the following instruments or monitoring methods to detect leaks:

(1) An optical gas imaging device;

(2) A monitoring device not listed in this section, which is approved by the BLM for use by any operator, under § 3179.303(b) of this subpart;

(3) A comprehensive program, approved by the BLM under § 3179.303(b) of this subpart, that includes the use of instrument-based monitoring devices; or

(4) A portable analyzer device capable of detecting leaks, such as catalytic oxidation, flame ionization, infrared absorption or photoionization devices, operated according to manufacturer specifications, and assisted by audio, visual, and olfactory inspection.

(b) If an operator operates 500 or more wells within the jurisdiction of a single BLM field office, the operator may only use one or more of the methods identified in paragraph (a)(1), (2), or (3) of this section to detect leaks.

**§ 3179.303 Leak detection inspection requirements for natural gas wellhead equipment, facilities, and compressors.**

(a) Except as provided below or otherwise authorized in paragraph (b) of

this section, the operator must inspect at least semi-annually for leaks the wellhead equipment, facilities, and compressors identified in § 3179.301(b) of this subpart. For purposes of

§§ 3179.301 through 3179.305, the term “site” means a discrete area containing wellhead equipment, facilities, and compressors, which is suitable for inspection in a single visit.

If the operator inspects	And in two consecutive inspections the operator	The operator
(1) Semi-annually .....	Detects no more than 2 leaks at the site inspected .....	Must inspect at least annually.
(2) Annually .....	Detects 3 or more leaks at the site inspected .....	Must inspect at least semi-annually.
(3) Semi-annually .....	Detects 3 or more leaks at the site inspected .....	Must inspect at least quarterly.
(4) Quarterly .....	Detects no more than 2 leaks at the site inspected .....	Must inspect at least semi-annually.

(b) The BLM may approve an alternative leak detection device, program, or method under § 3179.302(a)(2) or 3179.302(a)(3) of this subpart, if the BLM finds that the alternative would meet or exceed the effectiveness for leak detection of the approach specified in §§ 3179.302(a)(1) and 3179.303(a) of this subpart. The operator must submit its request for an alternative leak detection device, program, or method of this section through a Sundry Notice.

(c) The operator is not required to inspect or monitor a component that is not an accessible component.

**§ 3179.304 Repairing leaks.**

(a) The operator must repair any leak not associated with normal equipment operation as soon as practicable, and in no event later than 15 calendar days after discovery, unless good cause exists for repair requiring a longer period.

(b) If delay in repair beyond 15 calendar days is attributable to good cause, the operator must notify the BLM of the cause by Sundry Notice and must complete repairs within 15 calendar days after the cause of delay ceases to exist.

(c) Not later than 15 calendar days after completion of a repair, the operator must verify the effectiveness of the repair through a follow-up inspection using the same method used to detect the leak.

(d) If the repair is not effective, the operator must complete additional repairs within 15 calendar days, and conduct follow-up inspections and repairs until the leak is repaired.

(e) A follow-up inspection to verify the effectiveness of repairs does not constitute an inspection for purposes of § 3179.303.

**§ 3179.305 Leak detection inspection recordkeeping.**

The operator must maintain the following records for the period required under § 3162.4–1 of this title and make them available to the BLM upon request:

(a) For each inspection required under § 3179.303 of this subpart, documentation of:

(1) The date of the inspection;  
 (2) The site where the inspection was conducted; and

(3) The equipment or facility inspected;

(b) The monitoring method(s) used to determine the presence of leaks;

(c) A list of components on which leaks were found and a description of each leak;

(d) The date of first attempt to repair each leak and, if necessary, any additional attempt to repair the leak;

(e) The date each leak was repaired; and

(f) The date and result of the follow-up inspection(s) required under § 3179.304 paragraph (c) or (d) of this subpart.

**State or Tribal Variances**

**§ 3179.401 State or tribal requests for variances from the requirements of this subpart.**

(a)(1) At the request of a State (for Federal land) or a tribe (for Indian lands), the BLM State Director may grant a variance from any individual provision of this subpart that would apply to all Federal leases, units, or CAs within a State or to all tribal leases, units, or CAs within that tribe’s lands, or to specific fields or basins within the State or that tribe’s lands, if the BLM

finds that the variance would meet the criteria in paragraph (b) of this section.

(2) A State or tribal variance request must:

(i) Identify the provision(s) of this subpart from which the State or tribe is requesting the variance;

(ii) Identify the State or tribal regulation(s) or rule(s) that would be applied in place of the provision(s) of this subpart;

(iii) Explain why the variance is needed; and

(iv) Demonstrate how the State or tribal requirement would satisfy the requirement of the particular provision from which the State or tribe is requesting the variance.

(b) The BLM State Director, after considering all relevant factors, may approve the request for a variance, or approve it with one or more conditions, only if the BLM determines that the State or tribal regulation or rule meets or exceeds the requirements of the provision(s) from which the State or tribe is requesting the variance, and is consistent with the terms of the affected Federal or Indian leases and applicable statutes. The decision to grant or deny the variance will be in writing and is within the BLM’s discretion. The decision on a variance request is not subject to administrative appeal under 43 CFR part 4.

(c) A variance from any particular requirement of this rule does not constitute a variance from provisions of other regulations, laws, or orders.

(d) The BLM reserves the right to rescind a variance or modify any condition of approval.

[FR Doc. 2016–01865 Filed 2–5–16; 8:45 am]

**BILLING CODE 4310–84–P**

**From:** Hermann, Maya (Heinrich)  
**To:** ["Blom, Benjamin"](#)  
**Subject:** RE: President Proposes \$1.3 Billion Budget for BLM in Fiscal Year 2017  
**Date:** Tuesday, February 09, 2016 4:04:29 PM  
**Attachments:** [image002.png](#)

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Hi Ben,

I'm not seeing BLM's justification on [doi.gov/budget](http://doi.gov/budget)—do you have a link you can send me? (The rest of the bureaus are there, but BLM seems to be missing...)

Maya

---

**Maya Hermann**  
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**From:** Blom, Benjamin [mailto:[bbloom@blm.gov](mailto:bbloom@blm.gov)]  
**Sent:** Tuesday, February 09, 2016 4:00 PM  
**Subject:** FYI: President Proposes \$1.3 Billion Budget for BLM in Fiscal Year 2017



## **BLM NEWS RELEASE**

U.S. Department of the Interior • Bureau of Land Management • Washington, D.C., Office • 1849 C Street N.W. • Washington, D.C.

Bureau of Land Management  
For release: Tuesday, February 9, 2016

Contact: Tom Gorey  
(202-912-7420)

### **President Proposes \$1.3 Billion Budget for BLM in Fiscal Year 2017** *Request addresses critical priorities including sage-steppe restoration, modernizing the energy program, and investing in our National Conservation Lands*

WASHINGTON - President Barack Obama today requested a Fiscal Year (FY) 2017 budget for the Bureau of Land Management (BLM) that further strengthens the Administration's commitment to restoring and conserving the Nation's sage-steppe ecosystem, supports the safe and effective management of the agency's oil and gas program, makes historic investments in the BLM's National Conservation Lands, and takes a proactive approach to better manage the unsustainable proliferation of wild horses and burros on Western public lands.

"The President's budget gives the BLM the resources we need to manage the public lands on a landscape scale," said BLM Director Neil Kornze. "This funding will help us continue to

devise 21<sup>st</sup> century solutions to the challenges we face.”

The FY 2017 budget requests \$1.3 billion for BLM operations and activities, more than \$7 million above the BLM’s FY 2016 enacted budget, and positions the agency for success by restoring the health of the West’s 65 million acres of sage-steppe ecosystem and ensuring responsible development of energy resources on the public lands. It also invests in the agency’s National Conservation Lands — including many of the Nation’s most precious and wildest areas — and seeks new tools to address a rapidly growing and unsustainable wild horse and burro population.

Charged by Congress with a dual mandate of managing public lands for multiple use and sustained yield, the BLM carries out its mission of maintaining the health, diversity, and productivity of these lands in a fast-changing nation. The agency manages 245 million surface acres of public lands — the most of any Federal agency — primarily in 12 Western States, including Alaska, and 700 million acres of subsurface mineral estate nationwide. This equates to 13 percent of the Nation’s surface and roughly one-third of its subsurface mineral resources.

The FY 2017 budget proposes \$1.2 billion for BLM operations, which is \$2.1 million above the 2016 enacted level. The request includes \$107 million for the Oregon and California Grant Lands appropriation and \$1.1 billion for the Management of Lands and Resources appropriation. The change in total program resources relative to 2016 reflects the budget’s proposed offsetting user fees in the Rangeland Management and Oil and Gas Management programs, which together offset the total request by \$64.5 million allowing support for additional priorities.

The FY 2017 budget includes the President’s continued focus on the following priorities:

**Land and Water Conservation Fund:** The Department of the Interior will submit a legislative proposal to authorize permanent annual funding, without further appropriation or fiscal year limitation, for the Land and Water Conservation Fund, the innovative, highly successful program that reinvests royalties from offshore oil and gas activities into public lands across the Nation. In 2017, the proposal includes \$43.9 million in discretionary funding and \$44.8 million in mandatory funding for the BLM’s land acquisition program.

**Restoring the Sage-Steppe Ecosystem:** In 2015, the BLM’s update of almost 70 land use plans in 10 Western States was integral to the U.S. Fish and Wildlife Service’s (FWS) decision in September 2015 to keep the Greater sage grouse off the Endangered Species Act list at this time. An unprecedented undertaking, the Greater sage-grouse conservation effort has significantly reduced threats to the rangeland bird across 90 percent of its breeding habitat, resulting from sustained collaboration among private stakeholders and local, State, and Federal partners. Moreover, the FWS determination and the conservation mechanisms in place provide the regulatory certainty needed for sustainable economic development across millions of acres of Federal and private lands throughout the western United States. Success in sage-grouse conservation will demonstrate the value of planning for conservation and development at a landscape level through collaborative partnerships. The President has requested an additional \$14.2 million in FY 2017 for sage-grouse conservation, bringing to \$74.2 million the BLM’s total investment in protecting and restoring the sage grouse habitat, in addition to a complementary increase of \$5 million for the BLM’s National Seed Strategy to appropriately restore priority sage steppe habitat. This strategy, which aims to ensure the

right seeds are available in the right places at the right time, also guides efforts to make treated lands more resilient to fires, invasive species, and drought.

**Support for BLM's National Conservation Lands:** The President's FY 2017 budget request includes a \$13.7 million program increase for BLM's National Conservation Lands, which contain some of the West's most spectacular landscapes and receive about one-third of all visitors to BLM lands. The increase will bring funding for the program to a historic \$50.6 million level, and helps solidify the importance of National Conservation Lands protection as the program embarks beyond its 15<sup>th</sup> anniversary. This investment will address high-priority on-the-ground needs in national monuments and national conservation areas, including developing management plans for recently designated units, and developing and implementing travel management plans for high-use areas.

**Promoting Responsible Energy Development and Modernizing Regulations:** The President's FY 2017 budget request will enable the agency to continue strong support for the Administration's energy goals. Many of the BLM's oil and gas regulations date to the 1980s, soon after the BLM assumed responsibility for onshore leasing. The budget request includes a net increase of \$19.9 million in program increases for several priorities, including:

- Instituting new rules that establish procedures for how producers measure and account for oil and gas extracted from the public lands, which will ensure accurate royalties are paid;
- Implementing stronger regulations to reduce the wasteful release of natural gas from oil and gas operations on public and American Indian lands, reducing harmful methane emissions and providing a fair return on public resources;
- Implementing the hydraulic fracturing rule;
- Modernizing the Automated Fluid Minerals Support System to increase efficiencies in the management of oil and gas operations;
- Funding special pay for certain oil and gas program positions to improve recruitment and retention of these vital resources.
- Addressing legacy wells on the Alaska North Slope.

**Collaboratively Managing Wild Horses and Burros:** With more than 100,000 horses in BLM's care both on and off the range, the agency is redoubling its efforts to reduce the number of horses in holding facilities. The FY 2017 budget request supports new, innovative efforts to secure safe and cost-effective placement for unadopted animals, including proposed legislation to better facilitate the transfer of animals to other public entities at the local, state, and Federal levels. This proposal will work in tandem with other proactive efforts beginning in 2016 to better manage the nation's large and growing population of wild horses and burros. Each animal placed into private care can save taxpayers almost \$50,000.

The President's FY2017 budget request of \$13.4 billion for the Department of the Interior reflects his commitment to conserve vital national landscapes across the Nation, promote the responsible development of energy and mineral resources on public lands and meet Federal trust responsibilities to Native Americans. The Interior Budget in Brief is online: [www.doi.gov/budget](http://www.doi.gov/budget) and [www.doi.gov/budget/2017/Hilites/toc.html](http://www.doi.gov/budget/2017/Hilites/toc.html).

The BLM's mission is to manage and conserve more than 245 million acres of public land for the use and enjoyment of present and future generations under our mandate of multiple-use and sustained yield.

–BLM–

Ben Blom

Legislative Specialist (90-day detail)

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# **BLM NEWS RELEASE**

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U.S. Department of the Interior • Bureau of Land Management • Washington, D.C., Office • 1849 C Street N.W. • Washington, D.C.

**From:** Nelson, Andrea  
**To:** [Maya Hermann](#)  
**Subject:** BLM Budget Justification\_\_FY 2017  
**Date:** Thursday, February 25, 2016 12:27:11 PM  
**Attachments:** [FY2017\\_BLM\\_Budget\\_Justification.pdf](#)

---

FYI --  
Andrea

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**BUDGET** The United States  
Department of the Interior  
**JUSTIFICATIONS**

and Performance Information  
Fiscal Year 2017

**BUREAU OF  
LAND MANAGEMENT**

NOTICE: These budget justifications are prepared for the Interior, Environment and Related Agencies Appropriations Subcommittees.

Approval for release of the justifications prior to their printing in the public record of the Subcommittee hearings may be obtained through the Office of Budget of the Department of the Interior.



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# Executive Summary



# EXECUTIVE SUMMARY

The Bureau of Land Management (BLM) manages public lands for the benefit of all Americans. Charged by Congress with managing these lands under the dual framework of multiple use and sustained yield, the BLM oversees some of the most spectacular landscapes in the West and Alaska. Today, the BLM undertakes its mission to maintain the health, diversity, and productivity of public lands in an increasingly complex and growing Nation. The BLM is working hard to develop new tools and innovative strategies to carry out our longstanding task of achieving balanced management of the national public lands.

The BLM's mandate, laid out in the *Federal Land Policy and Management Act of 1976 (FLPMA)*, requires the agency to manage the national public lands for multiple use and sustained yield. This mission emphasizes the interconnection and interdependence between people and the public lands. It also requires the agency to take into consideration the diversity of interests and values associated with the Nation's natural and cultural resources when making land use decisions. This multidisciplinary approach remains one of the BLM's greatest strengths.

The 2017 budget request for the BLM positions the agency for success by further strengthening the Administration's commitment to restoring and conserving the Nation's 65 million acre sage-steppe ecosystem, supporting the safe and effective management of the agency's oil and gas program, making historic investments in the BLM's National Conservation Lands, and taking a proactive approach to better manage the unsustainable proliferation of wild horses and burros on western public lands.

In 2015, the BLM's update of nearly 70 land use plans across 10 different States, served as the critical underpinning for the Fish and Wildlife Service's (FWS) decision to keep the Greater Sage-Grouse off the Endangered Species Act (ESA) list at this time. The Greater Sage-Grouse conservation effort is the largest landscape-scale conservation undertaking in U.S. history, and resulted from strong and sustained collaboration among State, local, tribal and Federal partners and private stakeholders. While this historic collaboration resulted in an outcome celebrated across the West, the work of the BLM to implement these plans has just begun. The future of sage steppe lands depends on the successful implementation of the Federal and State management plans and the actions of private landowners, as well as a continuing focus on reducing invasive grasses and controlling rangeland fire. This budget supports the BLM's long-term commitment to successfully implementing the sage grouse plans.

The BLM made significant progress in 2015 promoting responsible energy development on public lands while also managing for a wide range of uses on the 245 million acres managed by the agency. The BLM advanced modern safety and production-measurement regulations, made progress developing master leasing plans for oil and gas areas, undertook new landscape-scale planning efforts to achieve both conservation and energy development goals, and made critical investments in technological upgrades to facilitate key aspects of its work. This budget includes investments that support the safe and effective management of the 100,000 oil and gas production wells the BLM is responsible for overseeing and will help bolster BLM's capacity to effectively respond to industry demand and manage the increasing workload in its Oil and Gas Management program.

This budget also includes historic levels of funding and investment in the BLM National Conservation Lands, one of the greatest gifts we can give to future generations. Through legislative action and Presidential initiative, special designations for these lands protect significant resource values, provide exceptional opportunities for recreation, and make significant contributions to local economies. The proposed investments will help ensure that these legacy lands are managed for the enjoyment of all Americans and preserved in perpetuity.

When the Wild Horse and Burro Act was passed in the 1970s, approximately 25,000 wild horses could be found nationwide. Today, the BLM is attempting to manage the 58,000 animals that are on the western rangelands – more than twice as many as is sustainable for these areas – while also seeking to find homes for the roughly 48,000 horses and burros that have already been removed from the range and are living on leased pastures or in corrals. The costs of this program are substantial and unsustainable. The agency projects that the cost of caring for a horse in a corral facility is nearly \$50,000 over the life of the animal, and this situation has created very serious challenges to effective cost management. The FY 2017 budget request supports new, innovative efforts to secure safe and cost-effective placement for unadopted animals, which will work in tandem with more proactive efforts beginning in 2016 to better manage the overpopulation problem. In addition to expanding use of contraceptives and spay and neuter treatments, the BLM is proposing legislation to better facilitate the transfer of animals to other public entities, including local, state, and Federal government agencies. The BLM's proactive efforts in 2016 and 2017 are designed to begin addressing the severe overpopulation via increased adoptions and better herd management, and will ultimately save money for American taxpayers by avoiding the significant costs of holding animals over the long-term.

Once again, the budget request includes a legislative proposal for the formation of a BLM Foundation that will help link Americans to their public lands and provide a vehicle for innovative public-private partnerships on the wide range of BLM issues and programs. The BLM is the Nation's only large land management agency without a congressionally chartered foundation to support its work.

## **Bureau Overview**

About 9,700 BLM employees manage a vast portfolio of public lands and resources encompassing 245 million surface acres, primarily located in 12 Western States, including Alaska, and in scattered tracts east of the Mississippi. The BLM also administers 700 million acres of sub-surface mineral estate throughout the Nation, as well as the mineral operations and cadastral surveys on 56 million acres of Indian trust lands. In total, the BLM is entrusted with 13 percent of the Nation's surface land and roughly one-third of its mineral resources.



These public lands serve several important functions. As population growth in the West has expanded, the BLM has faced a corresponding rise in public demand for uses such as recreation, wildlife observation, and open space. At the same time, the Nation's public lands also provide energy, minerals, forage, forest products, and other goods to a growing Nation.

These lands support the production of natural gas, oil, and coal, as well as the solar, wind, and geothermal resources that are driving the Nation's new energy economy. The BLM is a steward of the Nation's public lands, helping to preserve the great American wilderness, protect threatened and endangered species, restore valuable habitat, manage forest and rangeland fires, preserve historical and paleontological resources, and administer a range of resources that benefit a growing economy. In these ways, the BLM's management efforts contribute to the vitality of local economies, and deliver benefits to all Americans.

As with all great responsibilities, effective public land management also entails considerable challenges that the BLM addresses through cooperation and creativity. Collaboration is the hallmark of the BLM's management approach, engaging a wide range of stakeholders and communities in all its land management decisions.

### 2017 Budget Request

The 2017 BLM budget request for current appropriations is \$1.3 billion, \$7.1 million above the 2016 enacted level. The budget proposes \$1.1 billion for the Management of Lands and Resources appropriation and \$107 million for the Oregon and California Grant Lands appropriation, BLM's two main operating accounts, which represents a net increase of \$2.1 million over the 2016 enacted level. The change in total program resources for BLM operations from 2016 to 2017 is somewhat larger, as the budget proposes offsetting user fees in its Rangeland Management and Oil and Gas Management programs which reduce the total request by \$64.5 million. The budget also proposes \$44 million in discretionary funding for Land Acquisition, an increase \$5.3 million above the 2016 enacted level.

Recent Department of the Interior (Interior) studies indicate that BLM's management of the public lands provides an outstanding economic return to the American people. For example, over 4.36 billion tons of coal were produced from Federal leases with a total value of \$61.4 billion. In 2014,<sup>1</sup> activities on BLM managed lands were estimated to contribute \$114 billion to the Nation's economic output and supported nearly 450,000 domestic jobs through extractive and non-extractive uses of those lands.<sup>2</sup>

This request provides sustainable benefits across the West and for the Nation as a whole. It maintains working landscapes for grazing, timber and recreation; it strengthens oversight of onshore oil and gas development while providing increased opportunities for developing these economic resources; and it protects unique wildlife habitat and ecosystem functions that are also essential sources for clean water, clean air, carbon sequestration, nutrient cycling and cultural preservation.

**Powering Our Future & Responsible Use of the Nation's Resources** – The BLM has approved 55 renewable energy projects since 2009, including 32 solar projects, 11 wind farms, and 12 geothermal plants, with associate transmission corridors and infrastructure to connect with established power grids. These projects represent a total of over 14,500 MWs of capacity that could provide power to over 4.9 million homes and support some 24,000 construction and operations jobs. These approved projects have also facilitated substantial capital investments

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<sup>1</sup> The most recent year for which figures are available.

<sup>2</sup> Department of the Interior Economic Impact Report, 2014 (page 18)

by industry in clean energy development. Total capital investments for projects that have completed construction to date are estimated at \$8.6 billion. Total potential future capital investments for projects that are pending construction are estimated at 28 billion. In addition to solar and wind energy, BLM has authorized a total of 48 geothermal projects.



In 2015, the BLM held 22 oil and gas lease sales, generating more than \$159 million in bonus bids and rental fees. Approximately half of this revenue, in addition to royalties, goes directly back to the States in which the development was located. In addition, BLM's efforts to modernize its out-of-date oil and gas regulations began to take shape in the form of rule proposals and final regulations.

In addition, in 2015 the BLM published its final rule on hydraulic fracturing. The rule protects water quality for communities by establishing standards for well construction and the handling of water after it is used in fracturing operations. It also increases public access to information about chemicals used and other aspects of the hydraulic fracturing process. The BLM also published three proposed rules that update its requirements for the measurement of oil and gas extracted from the Nation's public lands in order to ensure those resources are properly accounted for and that all royalties due are paid. Public comments on the proposed rules will be taken into account as the final rules are written in 2016.

Six Master Leasing Plans (MLP) were completed in Wyoming and Colorado, and the draft MLP for Moab, the first plan in Utah to reach that stage, was published. By providing for more orderly development, MLPs will lend more certainty to industry while limiting the number of leasing protests and challenges.

Accordingly, the 2017 budget reflects continued strong support for the Administration's energy goals and further strengthens the management of onshore oil and gas development. This budget request proposes a net discretionary increase of \$20.1 million above the 2016 enacted level to support implementation of oil and gas rules and regulations, make additional investments in technology and personnel recruitment and retention to improve program management and implementation, and address legacy wells on Alaska's North Slope. This net increase reflects a reduction of \$760,000 in the requested appropriation of APD fee revenue authorized, but not permanently appropriated, by the National Defense Authorization Act of 2015. This reduction reflects a projected decrease in APD fees to be collected in 2017.

Since 2000, the BLM has permitted nearly 47,000 new oil and gas wells; however, the agency's role does not end once a well goes into production. The BLM has cradle to grave oversight responsibility for each of the approximately 100,000 wells located on the Nation's public lands. This is a significant responsibility and one that the BLM takes seriously to protect the public, the environment, and taxpayer interests. The 2017 budget request again proposes an inspection fee to cover the costs of performing those functions for industry. The BLM estimates that the fee schedule included in the budget will generate \$48.0 million in offsetting collections for the inspection and oversight program. This proposed fee would bring onshore oil and gas

inspections and oversight in line with offshore oil and gas management, where inspection and related activities are presently funded through precisely the type of operator fee that the BLM is proposing.

In addition to the requested current appropriations and offsetting collections, permanent funds are also available to support the Oil and Gas Management program, as authorized by the National Defense Authorization Act for 2015. These are shown and discussed in the Permanent Operating Funds chapter, as well as in the Oil and Gas Management subactivity. All told, total funding resources available to the Oil and Gas Program in 2017 through current appropriations, offsetting collections, and permanent appropriations are estimated to be \$186.6 million, an increase of \$27.6 million over the 2016 estimate (the actual increase would be affected by any sequestration to permanent funds that may occur in 2017).

The BLM budget request maintains funding for Renewable Energy at essentially the 2016 enacted level, providing the BLM with the necessary resources to continue to aggressively facilitate and support solar, wind, and geothermal energy development. A top priority is the continued implementation of the Western Solar Plan, which covers six western States and provides for a more efficient and predictable permitting process by focusing development in solar energy zones with the highest resource potential and fewest conflicts. Three new projects in the Dry Lake Solar Energy Zone in Nevada were approved in 2015. The success of the Dry Lake Solar Zone was due in part to a regional mitigation strategy developed prior to the leasing of the Dry Lake area. Similar Solar Regional Mitigation Strategies are being developed in Arizona, Colorado, and Nevada to encourage further use of solar zones established through the Western Solar Plan and to provide for early public input on mitigation needs and requirements. Also noteworthy was the release of the Final Environmental Impact Statement for the first phase of the Desert Renewable Energy Conservation Plan in November 2015. It was a key part of the BLM's long-term, collaborative effort with the State of California to streamline renewable energy development in the California desert while conserving desert ecosystems and promoting outdoor recreation opportunities on the 10 million acres of BLM-managed lands there.

The 2017 budget request maintains funding for Coal Management at the 2016 enacted level and reduces Other Mineral Resources Management by \$1.0 million in anticipation of the completion of the Minerals Tracking System. The BLM's coal program generated about \$1.1 billion in royalties, rents, and bonuses in 2015. The agency also made progress in 2015 implementing reforms designed to provide greater transparency related to the production of coal on the public lands. In 2015, the BLM held 5 listening sessions (Washington, DC; Billings, MT; Gillette, WY; Denver CO; and Farmington, NM) to provide the public an opportunity to comment on the coal program and provide recommendations for enhancement of the program. As a result of comments expressed during the listening sessions and recommendations from OIG/GAO audits, in January 2016, the Secretary issued a Secretarial Order that places a pause on new leasing under the program (with certain limited exceptions) until the BLM completes a full programmatic review of the program. A programmatic review of the coal leasing program has not been undertaken in more than 30 years. This review will take a careful look at issues related to the Bureau of Land Management's (BLM) administration of the federal coal program.

The BLM's role in meeting the Nation's energy needs extends to electric transmission. Across the public lands of the West, the BLM facilitates the efficient delivery of energy to meet growing demand and address the West's aging electrical infrastructure, which currently impedes efficient energy transmission and inhibits renewable energy development. To continue to support necessary upgrades for reliability and increased capacity, the budget request maintains the \$5.0

million increase enacted in 2016 for in the Cadastral, Lands and Realty Management program. This will help the program identify and designate energy corridors for the siting of transmission lines and other related infrastructure in an environmentally sensitive manner. This increase complements the Secretary's Powering Our Future initiative.

**Greater Sage-Grouse Conservation** – In a March 2010 decision, the FWS determined that listing the Greater Sage-Grouse under the ESA was “warranted, but precluded.” The FWS stated that the BLM was not “fully implementing the regulatory mechanisms available” to ensure the species’ conservation. To address those concerns, the BLM initiated a formal land use planning process in 2011.

In 2013, with a \$15.0 million increase included in its Operating Plan, BLM began a multi-year effort of implementing broad-scale sage-grouse planning and conservation activities. As noted above, the BLM's successful update of nearly 70 land use plans across 10 different states in 2015 served as the critical underpinning for the FWS decision to keep the Greater Sage-Grouse off the Endangered Species List, and represents one of the largest



land conservation undertakings in U.S. history. In a parallel effort, the BLM in April began to use a new tool—the Fire and Invasives Assessment Tool (FIAT)—to prioritize efforts to prevent and suppress wildfires in sage-grouse habitat in the Great Basin, a region encompassing most of Nevada and parts of Utah, Oregon, Idaho, and California. In the 2016 Omnibus Appropriation Act, Congress supported a \$45.0 million requested increase to allow BLM to begin implementation of the new sage grouse conservation plans and ramp up on the ground restoration and monitoring activities in support of sage-steppe habitat conservation.

Success in sage-grouse conservation will demonstrate the value of planning for conservation and development at a landscape level. It will also help demonstrate that working at this level – through landscape-level planning, interagency collaboration, and public-private partnerships – successful measures can be developed and implemented to effectively recover a species that was previously in decline.

The 2017 budget request includes an additional \$14.2 million within Wildlife Management to expand BLM conservation efforts for sage-grouse habitat. Integral to the success of this effort is a \$5.0 requested increase to support implementation of the recently released National Seed Strategy. With these requests, BLM's resources dedicated to sage-grouse conservation will total \$79.2 million and represent a critical investment in preserving Western values and economies. The BLM unveiled the first-ever National Seed Strategy for Rehabilitation and Restoration in August 2015. Developed in coordination with the Plant Conservation Alliance, the Chicago Botanic Garden, the U.S. Department of Agriculture, western states, and many other partner organizations, the strategy aims to ensure that the right seed gets to the right

places at the right time. The strategy will also guide ecological restoration efforts and make treated lands more resilient to fires, invasive species, and drought. The BLM is requesting \$5.0 million to aggressively implement the National Seed Strategy, which will increase the native seed inventory and supply through 1,500 seed collections; engage youth to become the next generation of land stewards by training them to locate and harvest native seed; clean and store native seed in long-term conservation seed banks; identify areas for important native plants to ensure field reserves of target species; and engage federal procurement officers and native seed producers to analyze procurement procedures and facilitate improved Federal access to native seed markets.

The BLM will continue implementing new methods to measure and track the effectiveness of its conservation efforts for the Greater Sage-Grouse. The BLM will create measurable objectives for habitat management, use common criteria that can be shared with partner agencies, and use unbiased measures to assess and publicly report on the outcomes of mitigation. In the Great Basin alone, there are 17 million acres of sage-grouse habitat at risk of loss due to changing climate, drought, wildfire, and invasive grasses. The BLM manages about 13 million of those acres. The BLM's ability to assess and monitor the results of conservation efforts across these large landscapes is crucial and is also consistent with a commitment to use adaptive management as a means of ensuring that investments in sage grouse conservation are effective and efficient. The importance of having accurate ongoing data and information extends to the Rocky Mountain region, where development pressure is greatest.

**Building a Landscape-Level Understanding of Our Resources** – Understanding and responding to the impacts of a changing climate is an Administration priority, one in which the BLM plays a critical role as both the Nation's largest land manager and a partner with States, Tribes, local governments, and private stakeholders. Climate change is already altering the structure and function of ecosystems, changing the distribution and abundance of plants and animals, and in many cases limiting the ability of lands and waters to provide sustainable ecological services to communities. As average temperatures rise due to climate change, droughts are increasing, wildfire is more frequent and catastrophic, snowpack is declining, water supplies are diminishing in key areas of the West, and Arctic permafrost is thawing in Alaska. Collectively, these changes are creating challenges, as well as opportunities, on the national landscape.



Landscapes are large, connected geographical regions that have similar environmental characteristics, such as the Sonoran Desert or the Colorado Plateau. Because the issues affecting them are not bound by political or jurisdictional boundaries, the BLM is moving towards implementation of a landscape-scale management approach to better understand these

challenges and support balanced stewardship of the diverse natural resources of the public lands.

To achieve this goal, the BLM recently began an effort to connect two important initiatives that are critical to the agency's success: Rapid Ecoregional Assessments (REAs) and a landscape approach for managing public lands. These initiatives are designed to help BLM managers and stakeholders, both public and private, understand environmental conditions and trends from a broader landscape perspective and to use this information to inform, focus, and coordinate management efforts on-the-ground. The REAs provide a science-based information platform for formulating coordinated, multi-agency strategies that can respond effectively to climate change, wildfire, and other environmental challenges that transcend local administrative boundaries.

Since 2010, the BLM has launched 15 REAs to improve the understanding of the existing condition of these landscapes and anticipate how they might change. In 2017, the BLM will continue to release REAs and their underlying maps and data for public use. The most recent assessment covers nearly 15.7 million acres of the Madrean Archipelago located mostly in southeastern Arizona. A newly revised public data portal contains maps and other information associated with BLM's REAs and other landscape-scale initiatives.

In 2015, the BLM also began a review aimed at creating a more dynamic and durable way of developing the Resource Management Plans (RMPs) that guide its efforts. Public involvement early in the planning process is the key to this improved approach, called Planning 2.0. Through this effort the BLM hopes to improve its land-use planning process so that it can more effectively plan across landscapes and be more responsive to environmental and social change. This approach will create a more dynamic, durable, and efficient planning process that can better honor the valuable contributions made by the public; non-government organizations; industry; and our partners from State; tribal, and local governments; as well as other Federal agencies.

Informed decision making and adaptive management require current data about the status and trend of terrestrial and aquatic systems and about the location and extent of natural and human-caused disturbances. The BLM's Assessment, Inventory, and Monitoring (AIM) Strategy provides the framework for consistent data collection and application of field-based AIM protocols. The 2017 budget request includes an increase of \$4.3 million to facilitate and expand implementation of the AIM strategy, which is central to meeting commitments outlined in the Greater Sage-Grouse land use plans, Secretary Jewell's landscape mitigation strategy, and other initiatives.

The budget request also includes a \$6.9 million increase in Resource Management Planning, Assessment, & Monitoring to support implementation of the BLM's geospatial strategy. The BLM's Enterprise Geospatial Information System (EGIS) aggregates and displays data across boundaries to capture ecological conditions and trends; natural and human influences; and opportunities for resource conservation, restoration, development, and partnering. The BLM geospatial proposal is integrated within the Department's growing enterprise GIS capabilities and serves as a critical component of the Department's corporate geospatial strategy.

The BLM has been the lead for the United States for the period of 2013-2017 on the Arctic Council's Conservation of Flora and Fauna Working Group (CAFF) Circumpolar Biodiversity Monitoring Program (CBMP), which coordinates living resource monitoring among an international network of scientists, government agencies, indigenous organizations, and

conservation groups. For FY 2016, the Terrestrial, Marine, and Freshwater monitoring plans are underway, and the U.S. and Canada are leading the newly established coastal monitoring plan.

During fiscal year 2017, BLM will continue to support the North Slope Science Initiative (NSSI), an intergovernmental effort to increase collaboration at the local, State, and Federal levels to address research, inventory, and monitoring on the North Slope of Alaska. BLM will pursue scenario planning for energy and resource extraction development on the North Slope of Alaska and in the offshore environments of the Chukchi and Beaufort Seas in coordination with the Bureau of Ocean Energy Management, the State of Alaska, the North Slope Borough, and other local, regional, and national stakeholders. The project will help decision makers prioritize monitoring and research needed to address a variety of emerging issues: weather and climate, increasing marine activity, permafrost, coastal and riverine erosion, hydrology and lake drying, coastal salinization, contaminants, fire regime, and vegetation changes.

**Celebrating and Enhancing America's Great Outdoors** – Lands managed by the BLM are vital to connecting Americans to outdoor opportunities. Getting Americans outdoors and onto their national public lands helps preserve the social fabric of the Nation, bond families across generations, and preserve the character of the rural American West. In 2014, 61 million recreational visits to the national public lands generated \$5.48 billion in economic outputs, and supported almost 42,000 jobs<sup>3</sup>. However, financial investment in the Recreation and Visitor Services program has not kept pace with the growing recreation-related demands on BLM lands. In 2017, the BLM would use additional funding of \$2.0 million in Recreation Resources Management to implement the national recreation strategy and the widely shared goals of improving recreation access – including access to information, engaging youth, promoting healthy lifestyles, increasing tourism, improving the economies of our rural communities, and providing for better planning across landscapes and jurisdictions. The BLM recreation program will expand a multi-year, integrated effort to considerably expand its geospatial data collection, validation, and sharing capabilities – both internally and externally.



The 2017 President's Budget request for the BLM includes a \$13.6 million increase for the National Conservation Lands, bringing program funding to a historic \$50.1 million level in the year following its 15<sup>th</sup> anniversary. Resources will address high priority needs in national monuments and national conservation areas, including developing management plans for recently designated units, and developing and implementing travel management plans for high-use areas.

<sup>3</sup> Department of the Interior Economic Impact Report, 2014 (page 18)

A strong commitment to conservation on the public lands also means proactive management of the cultural and paleontological resources that reside there. America's cultural resources embody a rich heritage of human experiences, architectural achievements, and cultural identities. The BLM manages the largest, most diverse and scientifically important collection of heritage resources in North America. Through the Cultural Resources Management Program, a proposed \$1.1 million increase will enhance the BLM's capacity to preserve and protect these vast heritage resources, moving from a compliance-driven support program to one that is more capable of addressing large-scale, cross-jurisdictional projects. Currently, only 10 percent of BLM lands have completed cultural resource inventories.

The 2017 budget also includes increases for programs funded through the Land and Water Conservation Fund, a vital component of the America's Great Outdoors initiative. The 2017 budget proposal includes a total of \$88.7 million for BLM Federal land acquisition, including \$44.0 million in requested discretionary appropriations and \$44.8 million in permanent funding.

**Offsetting Collections for Grazing** – The BLM proposes to begin a pilot project to cover a portion of the costs of grazing permit renewals through proposed grazing administration fees. A fee of \$2.50 per animal unit month is estimated to generate \$16.5 million in fee collections in 2017, offsetting a decrease of \$16.5 million in the request for appropriations.

The tables below summarize the BLM's 2017 Budget Request and available permanent appropriations by major appropriation account:

Current Appropriations (in \$000)	2015 Actual	2016 Enacted	2017 President's Budget	
			vs. 2016	Request
Management of Lands & Resources	973,819	1,072,675	+2,870	1,075,545
Grazing Administration Mgt (offsetting collections)*	-	-	+16,500	16,500
Mining Law Administration*	39,696	39,696	+0	39,696
Oil & Gas Permit Processing (offsetting collections)*	28,697	-	+0	-
Onshore Oil & Gas Inspection Activities (offsetting coll)	-	-	+48,000	48,000
Communication Site Management <sup>^</sup>	2,000	2,000	+0	2,000
<b>Management of Lands &amp; Resources, Before Offsets</b>	<b>1,044,212</b>	<b>1,114,371</b>	<b>+67,370</b>	<b>1,181,741</b>
Offsetting Collections †	-70,393	-41,696	-64,500	-106,196
<b>Management of Lands &amp; Resources</b>	<b>973,819</b>	<b>1,072,675</b>	<b>+2,870</b>	<b>1,075,545</b>
<b>Oregon and California Grant Lands</b>	<b>113,777</b>	<b>107,734</b>	<b>-749</b>	<b>106,985</b>
<b>Land Acquisition•</b>	<b>19,746</b>	<b>38,630</b>	<b>+5,329</b>	<b>43,959</b>
Service Charges, Deposit, & Forfeitures‡	28,070	31,050	+0	31,050
Offsetting Collections	-28,070	-31,050	+0	-31,050
<b>Total, Service Charges, Deposits &amp; Forfeitures</b>	<b>+0</b>	<b>+0</b>	<b>+0</b>	<b>+0</b>
<b>Total, Current Discretionary</b>	<b>1,107,342</b>	<b>1,219,039</b>	<b>+7,450</b>	<b>1,226,489</b>
Range Improvements◊	9,270	9,320	+680	10,000
<b>Total, Current Mandatory, Federal Funds</b>	<b>9,270</b>	<b>9,320</b>	<b>+680</b>	<b>10,000</b>
<b>Total, Current, Federal Funds</b>	<b>1,116,612</b>	<b>1,228,359</b>	<b>+8,130</b>	<b>1,236,489</b>
Miscellaneous Trust Funds, Current Portion‡◊	21,972	24,000	-1,070	22,930
<b>Current Mandatory, Contributed Funds</b>	<b>21,972</b>	<b>24,000</b>	<b>-1,070</b>	<b>22,930</b>
<b>Total, Current Appropriations</b>	<b>1,138,584</b>	<b>1,252,359</b>	<b>+7,060</b>	<b>1,259,419</b>

\*Direct budget authority for program activities appropriated within the Management of Land and Resources Account, but offset through collections (See Offsetting Collections line).

<sup>^</sup>Available budget authority, up to the amount shown, derived from offsetting collections from communication site rental fees.

†Amount for fiscal years 2015 through 2017; includes estimates of offsetting collections for direct spending authority for program activities: Annual Maintenance (currently \$155/claim) and Location Fees (currently \$37/claim) for Locatable Minerals offsetting Mining Law Administration, Application for Permit to Drill (APD) Fees (\$6,500/ADP) offsetting Oil & Gas Permit Processing in 2015 (changed to permanent funding beginning in 2016),

Communication Site rental fees offsetting Communication Site Management,

Onshore oil and gas inspection fees proposed in this request offsetting Onshore Oil & Gas Inspection & Enforcement, and A \$2.50 per animal unit month administrative fee proposed in this request offsetting Grazing Administration Management.

‡Shown as estimated amounts for fiscal years 2016 and 2017; Authority to spend collections appropriated annually; budget authority created when collections are recognized. Collections authorized by the Federal Land Policy and Management Act of 1976 (FLPMA), as amended (43 USC 1735), and the Mineral Leasing Act of 1920, as amended by the Trans-Alaska Pipeline Act of 1973 (30 USC 185).

◊ 2015 and 2016 amounts include sequesters of 7.3% and 6.8% respectively, pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Δ Contributed amounts authorized to be collected under Section 307(c) of FLPMA (43 USC 1701).

Permanent Appropriations (in \$000)	2015 Actual	2016 Enacted	2017 President's Budget	
			vs. 2016	Request
Miscellaneous Trust Funds, Permanent Portion <sup>◇</sup>	1,505	2,220	+0	2,220
Permanent Operating Funds <sup>◇</sup>	128,547	167,033	-5,706	161,327
Abandoned Well Remediation Fund	33,372	-	+0	-
Miscellaneous Permanent Payment Accounts <sup>△</sup>	52,521	50,829	-37,056	13,773
Land Acquisition	-	-	+44,818	44,818
Helium Fund	46,747	26,975	-1,321	25,654
<i>Helium Fund Offsetting Collections</i>	-46,747	-26,975	+1,321	-25,654
<b>Total, Permanent Funds</b>	<b>215,945</b>	<b>220,082</b>	<b>+2,056</b>	<b>222,138</b>

Employees	2015 Actual	2016 Enacted	2017 President's Budget	
			vs. 2015	Request
<b>Fulltime Equivalents (FTEs)</b>	<b>9,451</b>	<b>9,641</b>	<b>+86</b>	<b>9,727</b>

<sup>◇</sup> 2015 and 2016 amounts include sequesters of 7.3% and 6.8% respectively, pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

<sup>△</sup> 2015 amount includes 7.2% sequester of payments to States and Counties pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, except for Secure Rural Schools and Community Self-Determination Act payments authorized to be made in 2015 and 2016 to Oregon & California Grant Lands and Coos Bay Wagon Road counties under Public Law 113-40.

Note: The Helium Stewardship Act of 2013 does not authorize further appropriations to the Abandoned Well Remediation Fund until FY 2019, and the 2015 amount reflects sequestration of 7.3%.

Note: Does not include the BLM Working Capital Fund, nor the offsetting collections of that fund.

Note: The 2016 and 2017 FTE are updated from the estimates included in the Appendix, Budget of the United States Government, Fiscal Year 2017. The 2016 and 2017 estimates reflected above are eleven less than reflected in the Appendix, but accurately reflect the FTE associated with the budget.

Note: The 2016 and 2017 amounts for Permanent Operating Funds in this table are updated from the estimates in the Appendix, Budget of the United States Government, Fiscal Year 2017.

## Administration Management Initiatives

**Supporting the President's Management Agenda** - The President's Management Agenda seeks to improve the way that government works and delivers for citizens. The BLM has been particularly focused on delivering world-class customer service to citizens by making it faster and easier for individuals and businesses to complete transactions and have a positive experience with government, including through the use of electronic permitting ("e-permitting").

Within the Oil & Gas Management program, the BLM is deploying a redesigned Automated Fluid Minerals Support System (AFMSS) in order to further improve its review processes and provide the latest tools to help facilitate the program's other important oversight responsibilities. The first module automates all of the internal and external processes for submitting and processing Notices of Staking (NOS) and Applications for Permit to Drill (APD) for Federal and Indian oil and gas resources. This module automates the process from the time the operator submits the NOS or APD, through the required BLM reviews, to the BLM's final decision on the applications. The system will provide enhanced reporting capabilities that will allow the BLM to better track the NOS/APD through the process, identify bottlenecks, and provide increased transparency and accountability to external users.

The new APD module will enhance and eventually replace the current capabilities of the Well Information System (WIS) and the functionality of the current AFMSS system by automating workflows and having all data in electronic format. To date, the NOS/APD module has been implemented in 9 offices within 5 states that receive approximately 90% of the NOS/APD requests. The remaining BLM offices will be brought online throughout 2016. The NOS/APD module is the first of many that will include processing of Sundry Notices, additional reporting, and automation of inspections using mobile applications.

With respect to APDs, the goal of e-permitting is to continue to reduce the time spent with the operators fine-tuning and completing the field data required for proper surface and downhole technical analysis. The BLM continues to experience challenges in the permit approval process, and the level of analysis has grown to match the complex and sophisticated horizontal well completions that BLM increasingly deals with. The BLM anticipates an improvement in processing time and overall greater program efficiency as a result of implementing this new system.

The BLM also continues to pursue shared services and common infrastructure, facilitate agency collaboration and co-funding, and implement innovative approaches to resource management. The BLM's IT Transformation initiative will continue to achieve savings through labor reductions, consolidation of infrastructure staff, servers and data center closures, contract consolidations and the promotion of mobility which will allow us to reduce our overall footprint.

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# Summary of Program and Legislative Changes



# SUMMARY OF PROGRAM AND LEGISLATIVE CHANGES

BUREAU OF LAND MANAGEMENT BUDGET REQUEST SUMMARY (dollars in thousands)	
<b>Fiscal Year 2016 Enacted</b>	<b>\$ 1,252,359</b>
<b>2017 Fixed Costs</b>	<b>+3,181</b>
<b>Program Change</b>	<b>+3,879</b>
<b>America's Great Outdoors</b>	
<i>Cultural Resources Management - Safeguarding Our Irreplaceable Heritage</i>	+1,075
<i>Recreation Resources Management - Improve Accessibility</i>	+2,039
<i>National Conservation Lands - New Designations and Enhanced Operations</i>	+13,651
<b>Sage-grouse Conservation</b>	
<i>Wildlife Management - Implementation of Greater Sage-Grouse Conservation Plans</i>	+14,150
<b>Land Acquisition - America's Great Outdoors</b>	
<i>Land Acquisition - High-Priority Projects</i>	+5,287
<b>Powering Our Future</b>	
<i>Oil &amp; Gas Management - Strengthening Oil and Gas Oversight and Systems AFMSS II</i>	+15,227
<i>Oil &amp; Gas Management - Oil &amp; Gas Special Pay</i>	+2,576
<i>Oil &amp; Gas Management - Alaska Legacy Wells</i>	+2,811
<i>Oil &amp; Gas Permit Processing - Updated Fee Estimate</i>	-760
<i>Oil &amp; Gas Inspection Activities - Shift Cost to Fees</i>	-48,000
<i>Other Mineral Resources - Mineral Tracking System</i>	-1,000
<b>Applied Science</b>	
<i>Resource Management Planning, Assessment, and Monitoring - Assessment Inventory Monitoring</i>	+4,300
<i>Resource Management Planning, Assessment, and Monitoring - Enterprise Geospatial System</i>	+6,916
<i>Resource Management Planning, Assessment, and Monitoring - High-Priority Planning Efforts</i>	+5,700
<b>Rangeland Management</b>	
<i>Rangeland Management - Shift Costs to Fee</i>	-16,500
<b>Western Oregon</b>	
<i>O&amp;C Resources Management, Planning, Assessment, and Monitoring - Anticipated Plan Completion</i>	-1,000
<b>Enhancing Core Capability</b>	
<i>Soil, Water, &amp; Air Management - Enhance Core Capability</i>	+983
<i>Riparian Management - Enhance Core Capability</i>	+1,463
<b>Other Program Changes</b>	
<i>Soil, Water &amp; Air Management - National Mitigation Team</i>	+641
<i>Wild Horse &amp; Burro Management - General Program Decrease</i>	-572
<i>Wildlife Management - National Seed Strategy</i>	+5,000
<i>Alaska Conveyance - Streamline Conveyance Process</i>	-4,780
<i>Hazardous Materials Management - General Program Decrease</i>	-251
<i>Deferred Maintenance &amp; Capital Improvements - General Program Decrease</i>	-4,049
<i>Deferred Maintenance &amp; Capital Improvements - DOI Southwest Border Radio Initiative</i>	+1,775
<i>Challenge Cost Share - Program Elimination</i>	-2,413
<i>Range Improvements - Enhance Core Capability</i>	+680
<i>Miscellaneous Trust Fund (Current)</i>	-1,070
<b>Fiscal Year 2017 President's Budget Request, Direct Appropriations</b>	<b>\$ 1,259,419</b>

The following describes the major increases, decreases, transfers, legislative and administrative changes and management efficiencies in the BLM's 2017 budget.

### Fixed Costs

**Fixed Costs Increases (+\$3,181,000/+0 FTE)** – Requested fixed cost increases include costs such as planned pay increases, space rental costs, retirement system costs, health plan costs, workers compensation costs, unemployment compensation costs, and specified Department of the Interior costs funded through the Department's Working Capital Fund.

### America's Great Outdoors

**Cultural Resources Management - Safeguarding Our Irreplaceable Heritage (+\$1,075,000/+0 FTE)** – The 2017 budget request includes a program increase of \$1.1 million that will be focused on inventory strategies to collect baseline heritage resource data and enhance geospatial modeling efforts to support planning and resource management at a landscape scale. Ten percent of the public lands have been surveyed for heritage resources, largely conducted for land-use compliance, resulting in databases containing considerable information on high-development areas, and less information on other areas. To better understand the nature and extent of resources and inform predictive modeling, BLM will conduct baseline inventory in priority areas vulnerable to climate change, fire, looting, and vandalism. To further incorporate management of heritage resources in the landscape approach, BLM will synthesize and analyze available information at a broad scale to produce high-level, comprehensive, regional overviews and sensitivity maps critical for evaluating resources and planning at different scales.

**Recreation Resources Management - Improve Accessibility (+\$2,039,000/+3 FTE)** – The 2017 request includes an increase of \$2.0 million to implement the national recreation strategy and the widely shared goals of improving recreation access – including access to information, engaging youth, promoting healthy lifestyles, increasing tourism, improving the economies of our rural communities, and providing for better planning across landscapes and jurisdictions. The BLM recreation program will expand a multi-year, integrated effort to considerably expand its geospatial data collection, validation, and sharing capabilities – both internally and externally. Expansion of our partnership capacity to leverage staffing so that we can move into the future of data collection, validation and management, and increase our ability to share information is critical.

**National Monuments and National Conservation Areas - New Designations and Enhanced Operations (+\$13,651,000/+30 FTE)** – The 2017 budget request includes an increase of \$13.7 million to support critical resource protection and maintenance work on the National Conservation Lands. This investment addresses some of the system's most basic infrastructure and maintenance needs, including signs and kiosks, campground benches, larger trash dumpsters, bathroom facilities, and new access-point facilities needed to ensure the public health and safety of visitor centers. Funding for the visitor centers will accommodate public demand for increased hours of operation, program offerings and greater accessibility to National Conservation Lands. Additional priority efforts include eradicating invasive plants that jeopardize native species and contribute to unnatural and increasingly difficult-to-manage fire regimes; protecting equipment investments from weather; conducting inventories of the world-class and often endemic resources, objects, and values for which each unit was designated;

and implementing the provisions of the resource, science and travel management plans that the agency develops in cooperation with States, Tribes, local governments, partners and the public.

The increase also supports critical staff positions, including dedicated unit managers, essential resources specialists, outdoor recreation planners, partnership/volunteer/youth coordinators, law enforcement, and seasonal park and river rangers needed to staff visitor centers and manage the multiple uses and unique conservation values of the units. Funds will allow the program to support the Secretary's youth initiative and implement priority restoration work.

### **Sage-grouse Conservation**

**Wildlife Management - Implement Sage-Grouse Conservation Plans (+\$14,150,000/+12 FTE)** – The 2017 budget request includes additional funding to implement actions to reduce threats to Greater Sage-Grouse habitats across the 10 Western States. A multi-year program of work for habitat restoration projects and treatments describes implementation, monitoring and reporting on the BLM's investment in Greater Sage-Grouse conservation. As BLM continues implementing the 68 sage grouse plans, new information and challenges have identified further needed investments to keep plan implementation on schedule. For example, over the past year, BLM's Fire and Invasives Assessment Tool identified an additional 13.1 million acres of high priority habitat that need to be treated to prevent and suppress wildfires and control the spread of invasive species. To meet these and other needs, the 2017 budget includes an increase of \$14.2 million for sage grouse protection, primarily supporting more on-the-ground vegetative treatments to protect, improve, or restore sage steppe habitat. Funds will also assist States in implementing their own GSG conservation plans.

The Greater Sage-Grouse plans provide a landscape-scale approach to protecting and conserving Greater Sage-Grouse and its habitat. The plans seek to limit or eliminate additional disturbance as well as target habitat improvements to the most important areas. In addition to establishing protective land use allocations, the plans implement a suite of management actions, such as the establishment of disturbance limits, Greater Sage-Grouse habitat objectives, mitigation requirements, monitoring protocols, and adaptive management triggers and responses, as well as other conservation measures on over 60 million acres of Greater Sage-Grouse habitat on BLM-managed lands. Effective implementation will require a sustained effort by the BLM for many years.

### **Land Acquisition – America's Great Outdoors**

**Landscape Acquisition Projects: High Priority Projects (+\$5,287,000/+0 FTE)** - In 2017, the BLM will acquire high priority acquisition projects in the core and collaborative landscape planning land acquisition programs. The 2017 core program is \$13.1 million and will fund nine of BLM's highest priorities. The collaborative landscape planning component builds on efforts begun in 2011 to invest strategically in interagency landscape-scale conservation projects while continuing to meet bureau-specific programmatic needs. The Department of the Interior and the U.S. Forest Service (USFS) collaborated extensively to develop a process to more effectively coordinate land acquisitions with government and local community partners to achieve the highest priority shared conservation goals. The 2017 request includes a total of \$19.2 million for five collaborative landscapes consisting of 12 projects. Within this total, the BLM includes \$9.0 million for the High Divide landscape, \$3.0 million for the Rivers of the Chesapeake landscape, \$2.0 million for projects that are part of the National Trails System landscape, \$412,000 for the Florida-Georgia Longleaf Pine landscape and \$4.8 million for the Pathways to the Pacific

landscape. The 2017 request also includes a total of \$8.0 million to benefit Sportsmen/Recreational access, level with the 2016 enacted level.

**Permanent Appropriation: Permanent Land Acquisition** – The Department of the Interior will submit a legislative proposal to permanently authorize annual funding, without further appropriation or fiscal year limitation, for the Land and Water Conservation Fund (LWCF). Starting in 2018, \$900 million annually in permanent funds would be available. During the transition to full permanent funding in 2018, the budget proposes \$900 million in total LWCF funding in 2017, comprised of \$500 million in permanent and \$400 million discretionary funds. The amounts requested include the authorized levels for the Department of the Interior and the Department of Agriculture.

### Powering Our Future

**Oil and Gas Management - Strengthening Oil and Gas Oversight and System AFMSS II (+\$15,227,000/+25 FTE)** – The 2017 budget request includes an increase of \$15.2 million (estimated in the Economic and Threshold Regulatory Impact Analysis (RIA)) to implement new oil and gas measurement and site security regulations and other regulations. These new oil and gas measurement regulations set appropriate standards, based upon current technology, to ensure that operators accurately measure, properly report, and account for production. The funding will also support: more effective implementation of existing oil and gas regulations; implementation of the recently finalized hydraulic fracturing regulations and currently pending natural gas venting and flaring regulations expected to be finalized and released in FY 2016; and continued support for development of additional modules of the AFMSS II database.

**Oil and Gas Management - Oil & Gas Special Pay (+\$2,576,000/+0 FTE)** – The 2017 budget request includes an increase of \$2.6 million to provide up to a 35 percent pay increase for employees in five critical occupational series that are funded through the Oil and Gas program.

**Oil and Gas Management - Alaska Legacy Well Remediation (+\$2,811,000/+0 FTE)** – The 2017 budget requests an increase of \$2.8 million to address legacy well remediation within the National Petroleum Reserve in Alaska (NPR-A). This funding will augment the existing \$1.0 million annual base funding provided to BLM Alaska as well as the permanent funding authorized by the Helium Stewardship Act of 2013 for legacy well remediation.

**Oil and Gas Permit Processing from Fees (net change of -\$760,000/-0 FTE)** – The 2017 request reflects a projected decrease in APD fees collected in 2017. The National Defense Authorization Act of 2015 amended the Mineral Leasing Act to authorize APD fees in 2016 through 2026, and to permanently appropriate the majority of these fees. For fiscal years 2016 through 2019, the NDAA permanently appropriates only 85 percent of the fee revenues, leaving the other 15 percent of fee revenues subject to future appropriation. The proposed reduction of \$760,000 represents 15 percent of the projected reduction in total APD fees collected in 2017.

**Oil and Gas Inspection Activities(-\$48,000,000/-295 FTE)** – The 2017 budget proposes to institute new onshore oil and gas inspection fees to cover the costs of BLM's inspection activities and reduce the net cost to taxpayers of operating BLM's oil and gas inspection program. The fees are similar to those already in place for offshore operations. Such authority will reduce the net costs to taxpayers of operating BLM's oil and gas program and allow BLM to be more responsive to industry demand and increased inspection workload in the future while reducing the need for current appropriations that could be directed toward other priority

programs. Below is language included in the 2017 President's Budget to authorize the onshore inspection fees:

#### ONSHORE OIL AND GAS INSPECTION FEES

SEC. 114. (a) In fiscal year 2017, the designated operator of each lease on Federal or Indian lands, or each unit and communitization agreement that includes one or more Federal or Indian leases, that is subject to inspection under 30 U.S.C. 1718(b), and that is in force at the start of fiscal year 2017, shall pay a nonrefundable inspection fee that the Bureau of Land Management (BLM) shall collect and deposit in the "Management of Lands and Resources" account.

(b) Fees for 2017 shall be: (1) \$700 for each lease or unit or communitization agreement with no active or inactive wells, but with surface use, disturbance or reclamation; (2) \$1,225 for each lease or unit or communitization agreement with 1 to 10 wells, with any combination of active or inactive wells; (3) \$4,900 for each lease or unit or communitization agreement with 11 to 50 wells, with any combination of active or inactive wells; and (4) \$9,800 for each lease or unit or communitization agreement with more than 50 wells, with any combination of active or inactive wells. (c) BLM will bill designated operators within 60 days of enactment of this Act, with payment required within 30 days of billing. (d) If the designated operator fails to pay the full amount of the fee as prescribed in this section, BLM may, in addition to utilizing any other applicable enforcement authority, assess civil penalties against the operator under 30 U.S.C. 1719 in the same manner as if this section were a mineral leasing law as defined in 30 U.S.C. 1702(8).

**Other Mineral Resources Management - Mineral Tracking System (-\$1,000,000/+0 FTE) –** The 2016 enactment included increased funding in the Other Minerals Resources Management program and the Coal Management program to develop the Mineral Tracking System (MTS). The BLM anticipates making substantial progress in the development of the MTS in FY 2016. The 2017 budget request eliminates this increase to focus on the program's primary objectives.

#### Applied Science

**Resource Management Planning, Assessment, and Monitoring - Assessment, Inventory, & Monitoring (+\$4,300,000/+3 FTE) –** The 2017 budget request includes an increase of \$4,300,000 to develop assessment and monitoring protocols using core indicators, standardized field methods, remote sensing, and a statistically valid study design to provide nationally consistent and scientifically defensible information. These protocols will be used to meet the monitoring commitments made during the Greater Sage-Grouse Conservation effort. These commitments include gathering information on terrestrial and aquatic site condition, ecological sites, special status species, vegetation treatments, disturbance of the public lands, fire, and land uses.

**Resource Management Planning, Assessment, and Monitoring - Enterprise GIS (+\$6,916,000/+0 FTE) –** The budget request includes a \$6.9 million increase in Resource Management Planning to support the deployment of the Enterprise Geographic Information System (EGIS), which is critical to help the BLM make a generational leap forward in its geospatial capabilities. The EGIS will support the adoption and implementation of core

indicators, standardization of data and collection methods, and the digitization of legacy data for inclusion in decision-making analyses.

**Resource Management Planning, Assessment, and Monitoring - High Priority Planning Efforts (+\$5,700,000/+0 FTE)** – The BLM is requesting an increase of \$5.7 million to support high-priority planning efforts that could include the initiation of new plan revisions in 2017, as well as plan evaluations and implementation strategies. Resource management plans provide the basis for every BLM management action. Keeping them current in an era of rapidly changing resource use and demands, such as in energy, changing ecological conditions, continued population growth, and increasing recreation use on the public lands is a high priority.

### Rangeland Management

**Grazing Permit Issuance/Shift Cost to Fees (-\$16,500,000/-85 FTE)** – The budget proposes to shift a portion of the costs of issuing and managing grazing permits from appropriated funds to fees.

**Permit Administrative Processing Fee (+\$16,500,000/+85 FTE)** – The 2017 budget includes appropriations language for a three-year pilot project to allow the BLM to recover some of the costs of issuing grazing permits/leases on BLM lands. The BLM would charge a permit administrative fee of \$2.50 per Animal Unit Month, which would be collected along with current grazing fees. The budget estimates the permit administrative fee will generate \$16.5 million in 2017 and the fees will be used for monitoring, land health evaluations, and completing NEPA and other legal and regulatory requirements for processing grazing permit applications. During the period of the pilot, the BLM will promulgate regulations for the continuation of the administrative fee as a cost-recovery fee, to be in place once the pilot expires. Below is language included in the 2017 President's Budget to authorize the grazing administration fees:

SEC. 417. In fiscal year 2017, beginning on March 1, 2017, and only to the extent and in the amount provided in advance in appropriations Acts, the Secretary of the Interior shall collect an administrative fee to offset the increased cost of administering the livestock grazing program on public lands managed by the Bureau of Land Management by charging \$2.50 per Animal Unit Month, which shall be billed, collected, and subject to the penalties using the same process as the annual grazing fee in 43 C.F.R. 4130.8–1. Penalties assessed shall be deposited in the General Fund of the Treasury. Nothing in this provision affects the calculation, collection, distribution, or use of the grazing fee under 43 U.S.C. 315–315rr, 43 U.S.C. 1751(b), 43 U.S.C. 1905, Executive Order 12548, or administrative regulation.

### Western Oregon

**O&C Resource Management Planning - Anticipated Plan Completion (-\$1,000,000/+0 FTE)** – By July 2016, the BLM plans to issue 2 revised Resource Management Plans (RMPs) and 2 Records of Decision (RODs) for western Oregon O&C lands: A Northwest Oregon RMP for the moist forests and a Southwest Oregon RMP for the drier forests. These RMPs were initiated in March of 2012 and will replace the six 1995 RMPs for western Oregon. As the final environmental impact statements are released and decisions are signed, the program's emphasis will be to support plan implementation with continued collaboration both internally and externally.

### Enhancing Core Capability

**Soil, Water & Air Management - Enhance Core Capability(+\$983,000/+3 FTE)** – To support monitoring and analysis of soil, water and air resources needed to implement a landscape management approach, including 1) ecological site descriptions supporting land health treatments, 2) adaptation strategies in response to a changing climate as well as, 3) sediment and salinity reductions within the Colorado River Basin.

**Riparian Management - Enhance Core Capability (+\$1,463,000/+2 FTE)** - Additional funds will be used to enhance core capacity and restore riparian miles not meeting land health standards in sage-grouse habitat. The Riparian Management program will fund restoration of 300 of the 650 miles of stream restoration expected to be completed in 2017. This is an addition of 50 miles for the program. The BLM will continue to inventory 500,000 riparian areas, especially those in priority sage-grouse habitats where grazing permits are expected to be renewed to ensure that conditions meet those specified in management plans.

### Other Program Changes

**Wildlife Management - National Mitigation Team (+\$641,000/+4 FTE)** – Following guidance from the Council on Environmental Quality, the BLM has committed to analyze and implement mitigation actions to avoid, minimize and compensate for residual impacts to at-risk resources in the Western Solar Plan, the Greater Sage-grouse (GRSG) Conservation Strategy, and other permitted activities. The need to analyze and implement mitigation actions is also a requirement of Secretarial Order 3330, “Improving Mitigation Policies and Practices of the Department of the Interior”, and draft BLM regional mitigation policy.

The analysis and implementation of mitigation actions is new work for the BLM and will require resources that are beyond the Bureau’s current capacity. The \$641,000 increase would provide funds to establish a mitigation team. This team, which would be located in BLM State offices and at the Washington Office, will provide crucial expertise necessary to support field staff, work with Bureau partners to develop local and regional mitigation strategies, develop an all-lands program of work, oversee mitigation funds, interact with mitigation banks and exchanges, and integrate other restoration activities. Absent these funds, the BLM would likely have to curtail other important activities in order to fulfill the commitments made in the Western Solar Plan and the GRSG Conservation Strategy, and other permitted activities such as those recently completed for the National Petroleum Reserve – Alaska.

**Wild Horse & Burro Management - General Program Reduction (-\$572,000/+0 FTE)** –

A reduction of \$572,000 in the Wild Horse and Burro Management program reflects the anticipated completion of short-term activities supported with the \$3.0 million increase provided in 2016. The BLM will continue to maintain core functions in the Wild Horse and Burro (WHB) program by focusing on the highest priority work and implementing program efficiencies where possible. The BLM will also continue expanding the use of contraceptives and the application of spay and neuter treatments to begin to reduce program costs and help address the unsustainable proliferation of wild horses and burros on public lands.

**Wildlife Management - National Seed Strategy (+\$5,000,000/+9 FTE)** – The requested increase will enable BLM to aggressively implement the recently developed National Seed Strategy ([www.blm.gov/seedstrategy](http://www.blm.gov/seedstrategy)), which is critical to BLM’s ability to respond with appropriate restoration resources to landscape-scale ecological changes due to drought,

invasive species and catastrophic wildfires. Implementation of the National Seed Strategy will result in nationwide networks of native seed collectors, researchers developing wildland seed into commercial crops, farmers and growers increasing seed supplies, nurseries and storage facilities providing sufficient amounts of appropriate seed; and restoration ecologists identifying the appropriate timing and placement for seed and plant material to optimize treatment results.

**Alaska Conveyance - Streamline Conveyance Process (-\$4,780,000/+0 FTE)** – The Alaska State Land Transfer Program is the largest remaining workload in the BLM’s cadastral survey program. The BLM has identified a faster, more accurate, and more cost-effective method that would provide a higher quality survey record than is currently available and would allow the BLM to more efficiently complete the survey and conveyance work for all remaining State land selections. This innovation provides a unique opportunity to save time and money for both the Federal government and the State of Alaska, while supporting economic development within the State. The BLM intends to implement this new survey method as quickly as possible in the coming months.

**Hazardous Materials Management - General Program Reduction (-\$251,000/+0 FTE)** – A reduction of \$251,000 in lower priority activities is proposed. The BLM will continue to maintain core functions in the Hazardous Materials Management Program by focusing on the highest priority work and implementing program efficiencies where possible.

**Deferred Maintenance - General Program Reduction (-\$4,049,000/+0 FTE)** – The BLM will continue to make progress on many of its Deferred Maintenance projects, with a focus on those with human health and safety risk, and will look to the support received from the Department of Transportation’s Federal Roads program to ensure that critical infrastructure improvements are achieved along with the physical assets that are targeted for repair.

**Deferred Maintenance - DOI Southwest Border Radio Initiative (+\$1,775,000/+0 FTE)** – The 2017 budget request includes an increase of \$1.8 million to implement the Department’s Southwest Border Radio Demonstration Project. The Southwest Border Radio Demonstration Project was developed in cooperation with the BLM, the National Park Service, the U.S. Fish and Wildlife Service, and the U.S. Forest Service (USFS) in the border region of New Mexico and Arizona. The Inspector General identified material deficiencies in management of the land mobile radio program and infrastructure. The DOI Bureaus have been working to address these issues and formed the DOI Radio Executive Steering Committee. An assessment of land mobile radio infrastructure and operations is underway and these funds would be used to implement priority actions. Project work will lead to integration of infrastructure, eliminate duplicative or obsolete infrastructure, and result in future cost avoidance for maintenance. Safety and effectiveness will also be enhanced with upgraded replacement communication hardware. Upgrading facilities and removal of duplicative or obsolete sites will be accomplished in coordination with DOI Bureaus and the USFS.

**Challenge Cost Share - Program Elimination (-\$2,413,000/-5 FTE)** – The 2017 budget request eliminates funding for the Challenge Cost Share program to focus on other higher-priority programs and initiatives.

### Other Legislative Proposals

**National BLM Foundation** – The budget request includes a legislative proposal to establish a congressionally-chartered BLM Foundation. This foundation is an opportunity to leverage

private funding to support public lands, achieve shared outcomes, focus public support of the BLM mission, and improve messaging.

The legislative proposal to be transmitted soon will follow the structure of statutes establishing similar foundations for other land management agencies. As a charitable corporation under section 501(c)(3) of the Internal Revenue Code of 1986, the foundation will not be considered an agency of the United States and will be authorized to encourage, accept and administer private gifts of money for the benefit of BLM activities. It will also undertake activities that further the purposes of public lands and support the mission of BLM.

As with similar organizations, the foundation will have a board of directors appointed by the Secretary for set terms and may receive support from the Secretary. For the purposes of audits, it will be treated as a private corporation under Federal law. The foundation will not be authorized to perform any function the authority for which is provided to BLM under any other provision of law.

**Reform Hardrock Mining on Federal Lands** – The budget proposes to institute a leasing program under the Mineral Leasing Act of 1920 for certain hardrock minerals, including gold, silver, lead, zinc, copper, uranium, and molybdenum, currently covered by the General Mining Law of 1872 and administered by BLM. After enactment, mining for these metals on Federal lands will be governed by the new leasing process and subject to annual rental payments and a royalty of not less than five percent of gross proceeds. Half of the receipts will be distributed to the States in which the leases are located and the remaining half will be deposited in the U.S. Treasury. Existing mining claims will be exempt from the change to leasing system but will be subject to increases in the annual maintenance fees under the General Mining Law of 1872. Holders of existing mining claims for these minerals, however, could voluntarily convert claims to leases. The Office of Natural Resources Revenue will collect, account for, and disburse the hardrock royalty receipts. The proposal is projected to generate revenues to the U.S. Treasury of \$80.0 million over 10 years, with larger revenues estimated in following years.

**Federal Oil and Gas Reforms** - The 2017 budget includes a package of legislative reforms to bolster and backstop administrative actions being taken to reform the management of Interior's onshore and offshore oil and gas programs, with a key focus on improving the return to taxpayers from the sale of these Federal resources and on improving transparency and oversight. Proposed statutory and administrative changes fall into three general categories: (1) advancing royalty reforms; (2) encouraging diligent development of oil and gas leases; and (3) improving revenue collection processes.

Royalty reforms include evaluating minimum royalty rates for oil, gas, and similar products, adjusting onshore royalty rates, analyzing a price-based tiered royalty rate, and repealing legislatively-mandated royalty relief. Diligent development requirements include shorter primary lease terms, stricter enforcement of lease terms, and monetary incentives to get leases into production, for example, through a new per-acre fee on nonproducing leases. Revenue collection improvements include simplification of the royalty valuation process and permanent repeal of Interior's authority to accept in-kind royalty payments. Collectively, these reforms will generate nearly \$1.7 billion in revenue to the Treasury over 10 years, of which an estimated \$1.2 billion will result from statutory changes. Many States will benefit from higher Federal revenue sharing payments as a result of these reforms.

**Repeal Geothermal Payments to Counties** - The Administration proposes to repeal Section 224(b) of the *Energy Policy Act of 2005*. Prior to passage of this legislation, geothermal revenues were split between the Federal government and States, with 50 percent directed to States, and 50 percent to the Treasury. The *Energy Policy Act of 2005* changed this distribution beginning in 2006 to direct 50 percent to States, 25 percent to counties, and for a period of five years, 25 percent to a new BLM Geothermal Steam Act Implementation Fund. The allocations to the new BLM geothermal fund were discontinued a year early through a provision in the 2010 Interior Appropriations Act. The repeal of Section 224(b) will permanently discontinue payments to counties and restore the disposition of Federal geothermal leasing revenues to the historical formula of 50 percent to the States and 50 percent to the Treasury. The repeal of Section 224(b) is estimated to result in savings of \$41.0 million over ten years.

**Federal Land Transaction Facilitation Act (FLTFA)** –The budget proposes to reauthorize this Act which expired on July 25, 2011, to allow lands identified as suitable for disposal in recent land use plans to be sold using this authority. The sales revenue will be used to fund the acquisition of environmentally sensitive lands and to cover the Bureau of Land Management administrative costs associated with conducting the sales.

**Hardrock Abandoned Mine Land Fund** – To provide additional resources for the reclamation of abandoned hardrock mines, the 2017 budget proposes a new AML fee on hardrock production. Just as the coal industry is held responsible for abandoned coal sites, the Administration proposes to hold the hardrock mining industry responsible for the remediation of abandoned hardrock mines. The legislative proposal will levy an AML fee on uranium and metallic mines on both public and private lands. The proposed AML fee on the production of hardrock minerals will be charged on the volume of material displaced after January 1, 2017. The receipts would be split between Federal and non-Federal lands. The Secretary will disperse the share of non-Federal funds to each State and Tribe based on need. Each State and Tribe will select its own priority projects using established national criteria. The proposed hardrock AML fee and reclamation program will operate in parallel with the coal AML reclamation program as part of a larger effort to ensure the Nation's most dangerous abandoned coal and hardrock AML sites are addressed by the industries that created the problems.

**Recreation Fees Program** – The budget proposes legislation to permanently authorize the Federal Lands Recreation Enhancement Act, which is authorized through September 30, 2017. The program currently brings in an estimated \$335 million in recreation fees annually under this authority that are used to enhance the visitor experience on Federal land recreation sites. In addition, as a short-term alternative to proposed legislation for long-term reauthorization, the 2017 budget proposes appropriations language to further extend authorization for the Federal Lands Recreation Enhancement Act through September 30, 2018.

**Reauthorization of Secure Rural Schools Payments** – In April 16, 2015 under the Medicare Access and CHIP Reauthorization Act of 2015, and the Extension of Secure Rural Schools and Community Self-Determination Act of 2000, the SRS payments were authorized to be made in 2015 (for 2014) and 2016 (for 2015) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.

The 2017 Budget reflects a five-year reauthorization of the Secure Rural Schools Act with funding through mandatory U.S. Forest Service (USFS) appropriations, starting with the

payments for fiscal year 2016 (which would be made in 2017). This SRS proposal revises the allocation split between the three portions of the program from the current authority emphasizing enhancement of forest ecosystems, restoration and improvement of land health and water quality and the increase of economic activity. For more information on this proposal, see the USFS 2017 Budget Justification.

If no proposal is enacted, payments to O&C and CBWR counties in 2017 would be made in accordance with the 1937 and 1939 statutes. For more information on this proposal, see the U.S. Forest Service 2017 Budget Justification.

**Wild Horse and Burro Management** – With more than 100,000 horses in its care, the BLM must find new ways to cooperatively manage horses that are on range and horses that have been removed from the range and are available for adoption. The 2017 request includes appropriations language to more efficiently facilitate the transfer of animals to other public entities (local, State, and Federal agencies) who have a need for domestic work animals. The BLM is also committed to expanding its use of contraceptives and spay and neuter technologies, considering improvements to existing incentive programs, pushing forward with on-going critical research on population control tools, and exploring other creative solutions.

**Land and Water Conservation Fund** -- The Department will submit a legislative proposal to authorize permanent annual funding, without further appropriation or fiscal year limitation, for the Land and Water Conservation Fund (LWCF). In 2017, the proposal includes \$43.9 million in discretionary funding and \$44.8 million in mandatory funding for the BLM's land acquisition program.

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# Performance Overview



# PERFORMANCE OVERVIEW

This section discusses the BLM's Priority Goals and their relationship to the BLM's major initiatives, and the BLM's contributions to the Department of the Interior's Strategic Plan.

## Priority Goals

The four areas where the BLM contributes to DOI's success in meeting its priority goals are:

- Renewable Energy Resource Development,
- Climate Change Adaptation,
- Youth Stewardship of Natural and Cultural Resources, and
- Oil & Gas Resources Management.

The BLM programs affected include: Soil, Water, and Air Management; Range Management; Forestry; Riparian Management; Wildlife and Fisheries Management; Threatened and Endangered Species Management; Wild Horse and Burro Management; Recreation Management; National Monuments and Conservation Areas; Wilderness Management; Oil and Gas Management; and Renewable Energy Management.

**Renewable Energy Resource Development** – By September 30, 2017, increase approved capacity authorized for renewable (solar, wind, and geothermal, and hydropower) energy resources affecting Department of the Interior managed lands, while ensuring full environmental review, to at least 16,600 Megawatts (since end of FY 2009).

*BLM Contribution:* The BLM's Renewable Energy Management Program contributes to the Secretary's Powering Our Future and Responsible Use of the Nation's Resources Initiative. Public lands managed by the BLM in the western U.S. have high potential for wind, solar and geothermal energy production. Public lands also provide crucial transmission corridors for renewable energy generated on non-Federal lands. The BLM has identified approximately 20 million acres with wind energy potential in 11 western States, 22 million acres with solar energy potential in six southwestern States, and 149 million acres with geothermal potential in several western States and Alaska. The 2017 President's Budget requests \$29.2 million for Renewable Energy Management, which maintains funding at the 2016 enacted level plus an increase of \$128,000 for fixed costs.

*Implementation Strategy:* In 2016, the BLM anticipates initiating a competitive leasing program using new regulations for solar and wind energy leasing developed under Federal Land Policy and Management Act authority. Prior to that, it will continue to selectively offer for competitive leasing some lands made available by the solar energy Programmatic Environmental Impact Statement (PEIS). The Record of Decision on the Solar PEIS includes 17 solar energy zones, containing approximately 285,000 acres potentially available for solar energy development. The BLM has added two additional solar energy zones through land use planning efforts for the Arizona Restoration Design Project and the West Chocolate Mountains Renewable Energy Evaluation Area in California. More are anticipated with future land use planning efforts. Making these lands available for BLM leasing proposals provides for the best siting locations for environmentally-sound solar energy development projects. The BLM is continuing this leasing

program through a nomination and request for proposal process, until competitive leasing is fully established through rulemaking.

In 2016, a West Wide Wind Mapping Project will be available to identify wind energy exclusion areas and sensitive resource conflicts for wind energy development on public lands. This project will assist in BLM land use planning efforts and in siting reviews of proposed wind energy projects on BLM public lands in the western States. The wind energy constraint analysis methodology will further streamline the environmental review of site-specific wind projects. It will also broaden the analysis of additional planned transmission development. The final Wyoming wind analysis report will provide new information to address a greater level of wind energy development in Wyoming.

*Performance Metrics:* The Department is presently employing a set of internal measures and milestones to monitor and track achievement of the priority goals. Progress in these areas is reported and reviewed throughout the year by the Deputy Secretary's Principals Operations Group to identify and address any need for enhanced coordination or policy measures to overcome barriers to the achievement of the priority goal. The BLM has identified the following existing Strategic Plan measure that relates to this priority goal: "Number of megawatts of approved capacity authorized on public land for renewable energy development while ensuring full environmental review." Through the end of 2015, the BLM issued decisions on solar, wind, and geothermal energy development project proposals with a combined capacity of more than 15,000 megawatts under the priority goal. Projects approved by BLM are projected to provide sufficient additional capacity to reach the Department goal of 16,600 megawatts by the end of FY 2017.

**Climate Change Adaptation** – By September 30, 2017, the Department of the Interior will mainstream climate change adaptation and resilience into program and regional planning, capacity building, training, infrastructure, and external programs, as measured by scoring 300 of 400 points through the Strategic Sustainability Performance Plan scorecard.

*BLM Contribution:* The BLM will work within five broad strategies developed by DOI to demonstrate implementation of climate change adaptation. These five broad strategies are mainstream and integrate climate change adaptation into both agency-wide and regional planning efforts; ensure agency principals demonstrate commitment to adaptation efforts through internal communications and policies; ensure workforce protocols and policies reflect projected human health and safety impacts of climate change; design and construct new or modify/manage existing agency facilities and/or infrastructure with consideration for the potential impacts of projected climate change; and update agency external programs and policies to plan for and address the impacts of climate change. Each of these five strategies will have a BLM component that will contribute to the Department's overall goal of addressing the impacts of climate change. The 2017 BLM budget request includes \$15.0 million for climate change adaptation which maintains funding at the 2016 enacted level.

*Implementation Strategy:* In 2016 and 2017, the BLM will identify priority focal areas for funding to restore or enhance landscape resiliency as one of many efforts to integrate climate change adaptation into planning efforts. The Bureau will integrate national science committee recommendations into decision making as part of its ongoing management commitment. Similarly, the BLM will review design criteria for climate change considerations in deferred maintenance or capital improvement projects over \$1.0 million to ensure they incorporate best available sustainable measures, reduce water use to help mitigate possible water shortages,

install photovoltaic cells where possible to help alleviate energy use, and use inspections to identify potential energy savings in facilities. Each of these measures helps to alleviate greenhouse gas emissions. Finally in working with our public land users, the BLM will develop a program to help visitors understand how climate change may affect their ability to use and enjoy the public lands.

*Performance Metrics:* The Department is presently employing a set of internal measures and milestones to monitor and track achievement of the priority goals. Progress in these areas will be reported and reviewed throughout the year by the Deputy Secretary's Principals Operations Group to identify and address any need for enhanced coordination or policy measures to overcome barriers to the achievement of the priority goal.

***Engaging the Next Generation*** – By September 30, 2017, the Department of the Interior will provide 100,000 work and training opportunities over four fiscal years (FY 2014 through FY 2017) for individuals age 15 to 35 to support Interior's mission.

*BLM Contribution:* The BLM has incorporated this priority goal into its Engaging the Next Generation Initiative. The Bureau will continue to focus on providing a continuum of experiences through its youth education, engagement, and employment programs. Special consideration is given to those programs that involve young people ages 15 to 35 through various student employment programs, the 21<sup>st</sup> Century Conservation Service Corps and other youth partnership organizations. The BLM is also emphasizing recruiting youth from diverse backgrounds. Programs for school age youth such as Hands on the Land and conservation corps and internship programs for high school and older youth expose young people to natural and cultural resources and to career pathways in those fields. The 2017 BLM budget includes \$1.0 million for the Engaging the Next Generation initiative, which maintains funding at the 2016 enacted level. This funding will provide youth opportunities assisting the BLM with habitat restoration, inventory, and monitoring in support of a wide range of projects, as well as climate change impacts.

*Implementation Strategy:* In 2016 and 2017, the BLM will continue to pursue opportunities to facilitate, develop, and sustain partnership activities to support BLM's mission and will continue pursuing collaborative opportunities to educate, engage, and employ youth, particularly throughout the National Landscape Conservation System.

*Performance Metrics:* The Department is presently employing a set of internal measures and milestones to monitor and track achievement of the priority goals. Progress in these areas will be reported and reviewed throughout the year by the Deputy Secretary's Principals Operations Group to identify and address any need for enhanced coordination or policy measures to overcome barriers to the achievement of the priority goal.

***Oil and Gas Resources Management*** – By September 30, 2017, the Bureau of Land Management (BLM) will complete 100 percent of the inspections for Federal and Indian potential high risk oil and gas production cases annually to better ensure accountability and safety.

*BLM Contribution:* The inspection of high-risk-producing oil and gas cases ensures that hydrocarbon production on federally-managed lands is properly accounted for and results in accurate royalty payments to the public and Indian owners of the minerals. Oil and gas production on federally-supervised lands represents a significant part of the Nation's hydrocarbon production. Operating regulations at 43 CFR 3161.3 (a) require the BLM to inspect at least once a year all leases which produce high volumes of oil or natural gas and those leases that have a history of non-compliance. By focusing on high-risk-producing cases, rather than randomly selecting producing cases for inspection, the BLM's resources are more efficiently used. The high-risk cases comprise about 13 percent of the total cases but account for over 60 percent of the oil and gas produced on Federal and Indian mineral estates. This effort is a component of addressing the deficiencies identified in the GAO High Risk report, including ensuring data on production verification and royalties are consistent and reliable, meeting goals for oil and gas verification inspections, and ensuring that informal employee training is supported by formalized training courses offered on a consistent basis. The 2017 budget includes \$48.0 million in proposed inspection fees to cover the cost of the inspections, which continues inspection program capacity at the 2016 enacted level. The 2017 budget also proposes an increase to complete the final phase of the Automated Fluid Minerals Support System (AFMSS) modernization project allowing collection of inspection and enforcement data across Federal onshore operations. This will strengthen BLM's oversight and permitting functions and enable the BLM to effectively implement its leasing reforms.

*Implementation Strategy:* High-risk cases are determined by four risk factors generated by the BLM: production rating; number of missing Oil and Gas Operations Reports; non-compliance rating; and last production inspection date rating. The Field Offices inspect the cases throughout the year, which are then entered into AFMSS. The Washington Office then runs reports from AFMSS showing the number of high-risk-production inspections completed. The number of high-risk-production cases is determined by the individual Field Offices, based on the Bureau's risk-based inspection strategy. The BLM proposes to inspect 100 percent of the high-risk cases in 2016 and 2017.

*Performance Metrics:* The BLM is presently employing the following milestones to monitor and track achievement of this priority goal: 1) Revising Onshore Oil and Gas Orders 3, 4, 5, and 9 which cover how oil and gas is measured and stored in a secure facility to prevent theft and mishandling of production, waste, and beneficial use; 2) Evaluating and adjusting onshore royalty rates; and 3) Continuing to require managers and supervisors to take the revised training class on oversight of oil and gas operations. Progress in these areas is reported and reviewed throughout the year by the Deputy Secretary's Principals Operations Group to identify and address any need for enhanced coordination or policy measures to overcome barriers to the achievement of the priority goal.

## **The BLM's Contribution to the Department's Strategic Plan**

The FY 2014-2018 DOI Strategic Plan, in compliance with the principles of the GPRA Modernization Act of 2010, provides a collection of mission objectives, goals, strategies and corresponding metrics that provide an integrated and focused approach for tracking performance across a wide range of DOI programs. While the DOI Strategic Plan for 2014 – 2018 is the foundational structure for the description of program performance measurement and planning for the 2017 President's Budget, further details for achieving the Strategic Plan's goals are presented in the DOI Annual Performance Plan and Report (APP&R). Bureau-and program-specific plans for 2017 are fully consistent with the goals, outcomes, and measures described in the 2014-2018 version of the DOI Strategic Plan and related implementation information in the Annual Performance Plan and Report (APP&R).

**Target Codes:** SP = Strategic Plan measure, BUR = Bureau specific measure

**Type Codes:** C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
<b>Mission Area 1: Celebrating and Enhancing America's Great Outdoors</b>						
<b>Goal 1: Protect America's Landscapes</b>						
<b>Strategy 1: Improve land and water health.</b>						
Percent of DOI stream/shoreline miles that have achieved desired conditions where condition is known and as specified in management plans. (SP)	86% 133,055/ 155,274	86% 133,866 155,151	85% 132,344/ 154,976	86% 133,070/ 154,976	86% 133,090/ 154,976	86% 134,010/ 154,976
<u>Contributing Programs:</u> Land Resources; Wildlife and Fisheries Management; O&C Resources; Contributed Funds; Challenge Cost Share; and Other Subactivities.						
Percent of DOI acres that have achieved desired conditions where condition is known and as specified in management plans. (SP)	66% 163,558,379/ 248M	63% 155,210,537/ 248M	63% 155,317,905/ 248M	63% 155,861,568/ 248M	63% 156,650,000/ 248M	64% 158,000,000/ 248M
<u>Contributing programs:</u> Land Resources; Wildlife Management; O&C Resources Management; Contributed Funds/Reimbursables; and Other Subactivities.						
Percent of baseline acres infested with invasive plant species that are controlled. (SP)	0.57% 204,667/ 35,762,000	0.68% 246,710/ 35,762,000	0.58% 210,395/ 35,762,000	1.6% 1,237,360/ 79,236,079	1.3% 1,050,000/ 79,236,079	1.3% 1,050,000/ 79,236,079
<u>Contributing Programs:</u> Land Resources; Burned Area Rehabilitation; O&C Resources Management; Challenge Cost Share; and Other Subactivities.						
Number of DOI riparian (stream/shoreline) miles restored to the condition specified in management plans. (BUR)	867	671	510	639	650	700
<u>Contributing Programs:</u> O&C Resources Management; Land Resources; Wildlife Management; Reimbursables; Challenge Cost Share and Contributed Funds; and Range Improvements.						
Number of DOI acres restored to the condition specified in management plans. (BUR)	556,457	502,787	487,770	543,663	500,000	540,000
<u>Contributing Programs:</u> Land Resources; Wildlife Management; O&C Resources Management; Range Improvements; Forest Ecosystems; SNPLMA Conservation; Resource Management Planning; Forestry Pipeline Restoration; NM&NCA's; Other Reimbursables.						

**Target Codes:** SP = Strategic Plan measure, BUR = Bureau specific measure

**Type Codes:** C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Percent of surface waters (acres) managed by BLM that meet State (EPA-approved) water quality standards. (BUR)	91% 335,765/ 371,060	90% 11,631,022/ 12,923,358	89% 3,049,333/ 3,426,217	89% 3,049,333/ 3,426,217	89% 3,049,333/ 3,426,217	89% 3,049,333/ 3,426,217
<u>Contributing Programs:</u> Land Resources; Wildlife Management; O&C Resources Management; Range Improvements; Forest Ecosystems; SNPLMA Conservation; Resource Management Planning; Forestry Pipeline Restoration; NM&NCA's; Other Reimbursables.						
Percent of surface waters (stream miles) managed by BLM that meet State (EPA-approved) water quality standards. (BUR)	89% 103,700/ 116,937	91% 221,722/ 243,706	91% 142,583/ 143,959	91% 131,003/ 143,959	91% 131,003/ 143,959	91% 131,003/ 143,959
Percent of Wild Horse and Burro Herd Management Areas (HMAs) achieving appropriate management levels. (BUR)	40% 72/179	26% 47/179	17% 31/179	15% 26/179	15% 26/179	TBD
Percent of Resource Management Plans completed within four years of start. (BUR)	39% 28/72	39% 29/75	38% 29/77	31% 30/95	36% 38/104	35% 39/110
Percent of Resource Management Plan evaluations completed within 5 years. (BUR)	44% 65/149	42% 66/157	45% 73/164	47% 78/164	49% 81/164	60% 100/164
Percent of Resource Management Plans with Implementation Strategies. (BUR)	38% 56/149	37% 58/157	34% 55/164	35% 58/164	40% 66/164	48% 79/164
Percent of Resource Management Plans evaluated as making significant progress toward achieving riparian condition goals. (BUR)	22% 33/149	22% 34/157	25% 41/164	28% 44/164	32% 52/164	43% 71/164
Percent of public lands where Visual Resource Management data have been recorded in digital format for both inventory and management classes. (BUR)	76% 187,663,813/ 248M	80% 198,541,465/ 248M	82% 201,506,063/ 248M	82% 201,506,063/ 248M	85% 211,706,063/ 248M	90% 224,406,063/ 248M

**Target Codes:** SP = Strategic Plan measure, BUR = Bureau specific measure

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Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Percent of sites (acres) reclaimed or mitigated from the effects of degradation from past mining. (BUR)	51% 4,723/ 9,262	64% 8,834/ 13,747	9% 2,982/ 34,510	8% 2,851/ 35,434	8% 2,925/ 36,000	7% 2,720/ 37,500
Percent of known contaminated sites remediated on BLM-managed land. (BUR)	39% 108/ 272	46% 126/ 272	49% 131/269	9% 15/175	9% 15/175	9% 16/175
Percent of physical and chemical hazards mitigated in appropriate time to ensure visitor or public safety. (BUR)	91% 9601/1,052	92% 1,026/1,112	85% 980/1,159	100% 1,398/1,398	85% 1,037/1,220	83% 1,000/1,1210
Number of incidents/investigations closed for natural, cultural, and heritage resources offenses.(BUR)	4,450	6,330	6,774	10,613	10,613	10,613
Number of natural, cultural, and heritage resource crimes detected that occur on BLM lands.(BUR)	9,434	15,307	17,640	15,941	15,941	15,941
<b>Strategy 2: Sustain fish, wildlife, and plant species by protecting and recovering the Nation's fish and wildlife, in cooperation with partners, including States.</b>						
Number of threatened and endangered species recovery activities implemented. (SP)	1,921	1,844	1,519	1,740	1,680	1,680
<u>Contributing Programs:</u> Threatened and Endangered Species Management; O&C Wildlife Habitat Management, and NM&NCA's.						
Number of stream/shoreline miles of habitat restored or enhanced that directly support the conservation of Bureau species of management concern. (BUR)	225	307	510	263	237	263
<u>Contributing Programs:</u> Fisheries; Wildlife Management; Threatened and Endangered Species Management; O&C Wildlife Management; and NM&NCA's.						

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Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Number of acres of habitat restored or enhanced that directly support the conservation of Bureau species of management concern. (BUR)	250,000	250,000	218,500	293,200	394,216	448,000
<u>Contributing Programs:</u> Wildlife; Fisheries ; T&E Management; O&C Wildlife Management; and NM&NCA's.						
<b>Goal 2:</b> Protect America's Cultural and Heritage Resources						
<b>Strategy 1:</b> <i>Protect and maintain the Nation's most important historic areas and structures, archeological sites, and museum collections.</i>						
Percent of archaeological sites on DOI inventory in good condition (SP)	86% 69,362/ 80,653	85% 64,562/ 75,918	85% 68,588/ 80,685	85% 72,267/ 84,788	87% 80,400/ 92,000	87% 84,000/ 97,000
Comments: Archaeological sites are evaluated to be in good condition when they are intact and maintains their character and material, with no noticeable deterioration.						
Percent of historic structures on DOI inventory in good condition (SP)	48% 197/410	52% 217/421	51% 221/431	51% 218/429	53% 230/435	54% 234/435
Comments: Historic structures are evaluated to be in good condition when they are intact, structurally sound, and maintain character and material.						
Percent of collections on DOI inventory in good condition. (SP)	83% 120/144	86% 123/ 143	84% 132/158	85% 135/159	87% 139/160	87% 142/163
Comments: Collections are considered to be in good condition when professional environmental and security controls employed by the facility are in place to secure and stabilize the artifacts and specimens.						
Percent of paleontological localities in BLM inventory in good condition. (BUR)	99% 26,376/ 26,621	98% 19,259/ 19,609	36% 6,191/17,129	22% 6,191/ 27,629	45% 9,000/ 20,000	22% 6,690/ 30,413
Comments: Paleontological localities are assessed to be in good condition when they are intact with no noticeable deterioration and potential impacts are being mitigated.						

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Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Number of units of National Scenic and Historic Trail inventory completed to standards. (BUR)	222	106	91	70	43	45
Number of units of National Scenic and Historic Trail monitoring completed to standards. (BUR)	2,542	153% 718/ 469 units	189	197	167	165
Percent of designated Wild and Scenic River miles achieving goals, objectives, and desired conditions in maintaining, protecting, and/or enhancing river-related values. (BUR)	88% 2,371/2,681	61% 1,505 / 2,450	62% 1,526/ 2,450	64% 1,562/2,450	64% 1,562/2,450	64% 1,562/2,450
Percent of Wilderness Areas under BLM Management with Completed Baseline Wilderness Character Monitoring. (BUR)	New Measure in 2015	New Measure in 2015	Baseline to be established	50% 112/223	73% 162/223	84% 187/223
Percent of designated Monuments and NCAs inventoried for the resources, objects, and values for which they were designated, (BUR)	New Measure in 2014	New Measure in 2014	47% 4,557,999/ 9,697,871	53% 5,140,384/ 9,698,841	55% 5,333,829/ 10,546,766	60% 5,819,305/ 10,546,766
<b>Goal 3: Provide Recreation and Visitor Experience</b>						
<b>Strategy 1: Enhance the enjoyment and appreciation of our natural and cultural heritage by creating opportunities for play, enlightenment, and inspiration.</b>						
Percent of visitors satisfied with the quality of their experience. (SP)	94% 94/100	96% 96/100	96% 96/100	96% 96/100	96% 96/100	96% 96/100
Percent satisfaction among visitors served by facilitated programs. (SP)	97% 97/100	94% 94/100	95% 95/100	94% 94/100	94% 94/100	95% 95/100
Percent of customers satisfied with the value for fee paid. (BUR)	70%	83% 83/100	75% 75/100	74% 74/100	74% 74/100	74% 74/100

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Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Percent of recreation fee program receipts spent on fee collection. (BUR)	3%	3%	3%	3%	3%	3%
<b>Mission Area 3: Powering Our Future and Responsible Use of the Nation's Resources</b>						
<b>Goal 1: Secure America's Energy Resources</b>						
<b>Strategy 1: Ensure environmental compliance and the safety of energy development.</b>						
Percent of oil and gas acres reclaimed to appropriate final land condition. (SP)	23% 1,949/ 8,651	24% 1,661/ 6,992	24% 2,122/ 8,822	41% 2,328/ 5,643	38% 1,920/ 5,078	38% 1,900/ 5,000
Percent of producing fluid mineral cases that have a completed inspection during the year. (SP)	33% 10,297/ 27,419	37% 10,204/ 27,719	27% 7,915/ 29,321	27% 7,758/ 29,212	31% 9,000/ 29,200	31% 9,000/ 29,200
Percent of required coal inspection and enforcement reviews completed. (BUR)	101% 2,731/ 2,700	95% 2,467/ 2,600	91% 2,353/ 2,600	103% 2,277/ 2,212	100% 2,100/ 2,100	100% 2,200/ 2,200
Percent of Federal oil and gas lease assignments processed. (BUR)	90% 12,706/ 14,087	80% 12,140/ 15,361	87% 12,194/ 14,000	91% 10,800/ 11,844	92% 12,000/ 13,000	92% 12,000/ 13,000
<b>Strategy 2: Develop Renewable Energy Potential</b>						
Number of megawatts of approved capacity authorized on public land and the Outer Continental Shelf (OCS) for renewable energy development while ensuring full environmental review. (SP)	9,844	15,767	16,534	17,526	18,360	19,000
<b>Strategy 3: Manage Conventional Energy Development</b>						

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Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Percent of coal lease applications processed. (SP)	18% 8/45	15% 6/40	10% 4/41	23% 9/39	10% 4/42	11% 4/35
Percent of pending fluid mineral Applications for Permit to Drill (APDs) which are processed. (SP)	61% 5,861/ 9,549	60% 4,892/ 8,180	56% 4,924/ 8,862	57% 4,913/ 8,596	56% 4,500/ 7,885	56% 4,500/ 7,852
Number of coal post-leasing actions approved for energy minerals. (BUR)	375	325	263	270	260	260
Percent of pending cases of right-of-way grant applications. (BUR)	47% 1,380/ 2,965	47% 1,402/ 3,000	49% 1,458/ 2,989	54% 1,675/ 3,110	50% 1,500/ 3,000	50% 1,500/ 3,000
Percent of oil and gas Reservoir Management Agreements processed. (BUR)	82% 3,605/4,385	86% 3,443/ 4,000	91% 4,089/4453	111% 4,468/4,009	91% 3,557/4,044	91% 3,557/4,044
<b>Goal 2: Sustainably Manage Timber, Forage, and Non-Energy Minerals</b>						
<b>Strategy 1: Manage Timber and Forest Products Resources</b>						
Percent of allowable sale quantity timber offered for sale consistent with applicable resource management plans. (SP)	85% 172/ 203	80% 162/ 203	77% 155/ 203	80% 162/ 203	80% 162/ 203	80% 162/ 203
Volume of wood products offered consistent with applicable management plans (Public Domain & O&C) (SP)	242	243	269	251	228	228
<u>Contributing Programs:</u> O&C Forest Management; Forestry Management						

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Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Administrative cost per thousand board feet of timber offered for sale. (BUR)	\$194	\$207	\$182	\$164	\$200	\$200
Volume of wood products offered (biomass for energy) consistent with applicable management plans. (BUR)	157,751	137,347	116,559	125,076	100,000	100,000
<u>Contributing Programs:</u> Forestry Management; Hazardous fuels; O&C Resources Management ; and Forest Ecosystem Health .						
Percent of forestry improvements (acres) completed as planned. (BUR)	62% 15,906/ 25,700	100% 16,050/ 16,000	111% 17,720/ 16,000	106% 16,946/ 16,000	91% 14,500/ 16,000	91% 14,500/ 16,000
<b>Strategy 2: Provide for Sustainable Forage and Grazing</b>						
Percent of grazing permits and leases processed as planned consistent with applicable resource management plans. (SP)	22% 1,491/ 6,685	21% 1,344/ 6,300	22% 1,374/ 6,300	18% 1,213/ 6,900	20% 1,350/ 6,800	22% 1,500/ 6,800
<u>Contributing Programs:</u> Range Land Management; National Monuments and National Conservation Areas; O&C Range Management .						
Number of grazing administration actions conducted. (BUR)	108% 34,200/ 31,617	115% 35,298/ 30,752	120% 33,738/28,000	111% 35,717/ 31,994	100% 32,016/ 32,016	100% 34,500/ 34,500
<u>Contributing Programs:</u> Range Land Management; National Monuments and National Conservation Areas; O&C Range Management .						
<b>Strategy 3: Manage Non-Energy Mineral Development</b>						
Percent of non-energy mineral exploration and development requests processed. (SP)	11% 73/ 645	25% 114/475	22% 105/475	12% 58/482	27% 110/415	30% 125/415

Target Codes: SP = Strategic Plan measure, BUR = Bureau specific measure

Type Codes: C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Number of mined acres reclaimed to appropriate land condition and water quality standards. (SP)	1,408	2,279	1,554	5,637	1,500	1,500
Percent of Mineral Material permits and contracts processed for non-energy minerals. (BUR)	37% 740/ 2,000	21% 503/ 2,028	47% 513/1,082	42% 511/1,224	45% 710/1,565	40% 400/1,000
Percent of Reclamation Bond Adequacy. (BUR)	98% \$2,363,046,865/ \$2,404,511,715	99% 2,543,000,000/ 2,563,000,000	96% 2,590,000,000/ 2,697,000,000	97% 2,801,567,645/ 2,875,053,978	98% 1,960,000,000/ 2,000,000,000	98% 1,960,000,000/ 2,000,000,000
Average time for processing Plans of Operation for locatable minerals. (BUR)	14 mo	14 mo	17 mo	23 mo	15 mo	16 mo
Percent of Notices and Plans of Operations inspected. (BUR)	44% 1,338/3,039	47% 1,393/ 2,954	48% 1,293/ 2,674	65% 1,624/ 2,514	50% 1,525/ 3,050	50% 1,525/ 3,050
Percent of Mineral Material trespass actions resolved for non-energy minerals. (BUR)	23% 42/ 180	13% 15/ 117	27% 12/ 44	44% 31/71	44% 31/71	27% 19/70
Number of mining notices processed. (BUR)	525	516	521	454	460	450
Percent of time the Crude Helium Enrichment Unit (CHEU) was operating during the fiscal year. (BUR)	105% 357/340	105% 356/ 340	102% 347/ 340	100% 340/ 340	100% 340/ 340	100% 340/ 340
Number of Mineral Material inspections and production verifications. (BUR)	3,076	2,969	3,106	2,899	2,770	2,770
Number of Non-energy Solid Mineral inspections and production verifications. (BUR)	1,817	1,757	1,684	1,651	1,474	1,500
<b>Mission Area 6: Building a Landscape Level Understanding of Our Resources</b>						

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Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
<b>Goal 1: Provide Shared Landscape-Level Management and Planning Tools</b>						
<b>Strategy 1:</b> <i>Ensure the use of landscape level capabilities and mitigation actions</i>						
Number of landscape-scale mitigation actions taken that directly expand the conservation of natural resources. (SP)	New in 2014	New in 2014	2	6	21	4
<b>Management Initiatives : Building a 21st Century Department of the Interior</b>						
<b>Goal 4:</b> Improving Acquisition & Real Property Management						
Percent of buildings maintained in adequate condition, determined by Facilities Condition Index (FCI) < 0.15. (BUR)	92% 4,546/4,971	90% 3,978/ 4,323	92% 3,976/4327	93% 3,960/4,288	92% 3,967/4,294	92% 3,967/4,294
Percent of sites maintained in adequate condition, determined by Facilities Condition Index (FCI) < 0.15. (BUR)	89% 3,079/3,464	88% 3,128/3,490	89% 3,120/3,499	89% 3,137/3,535	89% 3,141/3,542	89% 3,141/3,542
Number of lane miles of roads maintained in adequate condition. (BUR)	34,376	33,765	33,625	33,568	33,600	33,600
Number of Deferred Maintenance and Construction projects completed. (BUR)	311	70	220	220	220	220
Increase the percentage of BLM organizational units rated in good safety, health, and environmental condition (CASHE). (BUR)	96% 115/ 120	95% 114/ 120	94% 113/ 120	94% 113/ 120	95% 114/ 120	95% 115/ 120

Target Codes: SP = Strategic Plan measure, BUR = Bureau specific measure

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Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Number of public land title records posted on the Internet to assist title, survey, historical, and genealogical research and retrieval. (BUR)	250,844	235,590	191,202	264,798	160,000	200,000
Percent of survey projects of Federal and Indian Trust lands that are funded. (BUR)	20% 317/1,570	14% 258/1,862	16% 248/1,570	20% 319/1,575	18% 291/1,639	18% 291/1,639
Percent of cadastral surveys approved within 18 months of the funding date. (BUR)	82% 335/409	69% 388/559	59% 241/409	52% 219/409	37% 227/606	37% 227/606
Percent of land entitlements patented to the State and Alaskan Native Corporations as required by statute. (BUR)	63% 94,244,957/ 150,149,836	65% 97,000,457 150,149,836	65% 97,544,793/ 150,149,836	66% 99,150,624/ 150,262,087	67% 100,344,793/ 150,149,836	67% 101,544,793/ 150,148,836
Number of acres conveyed out of public ownership through sale or exchange. (BUR)	20,491	114,924	58,363	41,884	40,000	40,000
Number of acres acquired to consolidate ownership and improve management. (BUR)	1% 111/ 11,849	62% 7,371/ 11,849	144% 17,054/ 11,849	82% 20,292/ 24,696	50% 12,000/ 24,000	50% 12,000/ 24,000
Number of land exchange cases completed to consolidate ownership, improve management, and acquire important resources. (Bureau Measure)	New Measure in 2014	New Measure in 2014	12	0	10	10

# Crosscutting Programs



# CROSSCUTTING PROGRAMS

The BLM has a number of programs that are funded through multiple sources. The National Conservation Lands is one such example; its components are described below. In addition, the BLM has partnership, education, and volunteer programs that are supported by a number of funding sources. Service First and BLM's partnership program provide tools to BLM managers to more efficiently and effectively use funding and to provide results on the ground.

## The National Conservation Lands

The BLM is unique in its mission within the Department of managing the public lands for multiple use and sustained yield of resources, including conservation. More than 30 million acres of BLM land is recognized for outstanding conservation values and designated for special management by Acts of Congress or Presidential Proclamations.



*Cashe Creek Natural Area, Barryessa Snow Mountain  
2015 Newly Designated National Monument, BLM California*

The BLM manages these special areas to maintain and enhance their conservation values with the goal to conserve, protect, and restore these important landscapes and their outstanding cultural, ecological, and scientific values. These areas range from broad Alaskan tundra to red-rock deserts and from deep river canyons to rugged ocean coastlines and include some of America's finest natural and cultural treasures.

The National Conservation Lands include the following unit designations. Each of these unit designations and information about each unit type can be found in the following sections.

- National Monuments and National Conservation Areas and similar designations;
- Wilderness/Wilderness Study Areas;
- National Wild and Scenic Rivers; and
- National Scenic and Historic Trails.

**Natural and Cultural Benefits** - The diverse ecosystems designated in the National Conservation Lands protect a myriad of endangered species and habitats, and the ecosystems help ensure that the Nation's extraordinary biodiversity will be sustained for present and future generations to enjoy. National Conservation Lands also are a refuge for native plant communities that are important for species adapting to a changing climate. As landscape pressures associated with drought, climate change and the effects of landscape stressors on species habitat and migration corridors continue to be of concern, units of the National Conservation Lands offer opportunities for scientists to conduct important research and data collection. Additionally, the National Conservation Lands contain over 30 percent of all special-status animal species found on BLM lands.

Also preserved within the National Conservation Lands are priceless artifacts from our Nation's history, including explorer William Clark's 1806 signature on a sandstone bluff in Montana. This signature is the only on-site physical evidence of the Lewis and Clark expedition. Dinosaurs and other prehistoric species left countless evidence of their passing through the National Conservation Lands and many of their fossils are now displayed in visitor centers and cooperating museums. New species of dinosaurs have been discovered in the past decade on National Conservation Lands, including *Nasutoceratops titusi*, a type of big-bodied horned dinosaur in the same family as the famous Triceratops, at the Grand Staircase-Escalante National Monument.

**Recreation Benefits** - As wide-open spaces and opportunities for natural exploration continue to dwindle, the National Conservation Lands conserve over 30 million acres of rugged landscapes for the public to explore and enjoy and host more than one-fourth of all recreation on BLM lands. These diverse lands provide opportunities for recreationists of all kinds, from white-water rafters and rock climbers to hunters and fishermen, hikers and mountain bikers to boaters and off-highway vehicle riders. The BLM manages units that include over 2,700 recreation sites and 22 visitor centers, and



*Silver Lake Aquatic Camp, BLM Alaska*

serve approximately 14 million visitors annually. Because of the high rate of visitation, the communities surrounding the National Conservation Lands reap significant economic benefits through tourism services. In southeast Nevada, Red Rock Canyon National Conservation Area alone serves over one million visitors each year. These visitors generate more than \$1.7 million in recreation fees that are reinvested in the unit and directly contribute to the regional tourist economy, benefitting local communities and businesses located there.

The BLM, in cooperation with local communities, supports the creation of recreation and visitor facilities in nearby gateway communities rather than building extensive facilities within the units. In New Mexico, the BLM worked with the Las Cruces Museum of Nature and Science to establish exhibits on the Prehistoric Trackways National Monument. The new visitor center will provide educational opportunities highlighting BLM-managed resources at the nearby Prehistoric Trackways National Monument. These facilities also draw additional tourism which supports the local economy and creates economic diversity.

These lands are critical to the implementation of important Administration initiatives, including America's Great Outdoors, Engaging the Next Generation, Let's Move Outside, and the Department of the Interior's Every Kid in a Park Initiative. For example, the National Conservation Lands connect youth, veterans, and families to the outdoors through a number of programs and recreational opportunities including internship opportunities for students, employment and training opportunities for veterans, and volunteer opportunities on designated units of the National Conservation Lands. The incredible beauty and sense of adventure provided by these lands entice both individuals and families to be a part of these public lands.

In addition to the revenue generated by tourism, the National Conservation Lands also provide revenue from energy development, ranching, mineral extraction, and art. The BLM promotes the sustainable use of these lands as supported through the proclamation or designating legislation to conserve these lands for present and future generations.

The following table displays the amount of funding allocated to the National Conservation Lands. These amounts represent recurring base funding only.

<b><u>National Conservation Lands</u></b>				
	<b>2015 Actual</b>	<b>2016 Enacted</b>	<b>2017 Request</b>	<b>Program Change from 2016</b>
<b><i>Management of Land &amp; Resources:</i></b>				
NMs & NCAs	31,819	36,819	50,645	+13,826
Wilderness Management	18,264	18,264	18,392	+128
<b><i>Oregon &amp; California Grant Lands:</i></b>				
NMs & NCAs	753	767	779	+12
<b><i>Crosscutting Programs:</i></b>				
National Wild & Scenic River Program	6,948	6,948	6,948	+0
National Scenic & Historic Trails Program	6,358	6,358	6,358	+0
<b>Total, National Conservation Lands</b>	<b>64,142</b>	<b>69,156</b>	<b>83,122</b>	<b>+13,966</b>

### **Units of the National Conservation Lands**

The following table displays the individual units, by designation type, included in BLM's National Conservation Lands System (NCL). The NCL includes National Monuments, National Conservation Areas and Similar Designations, Wilderness Areas, Wilderness Study Areas, National Wild and Scenic Rivers, National Historic Trails, National Scenic Trails, and Other Congressional Designations.

<b><u>23 National Monuments</u></b>	
<b>Arizona</b>	Agua Fria 70,980 acres
	Grand Canyon-Parashant 808,747 acres
	Ironwood Forest 128,734 acres
	Sonoran Desert 486,600 acres
	Vermilion Cliffs 279,568 acres
<b>California</b>	Berryessa Snow Mountain 133,566 acres
	California Coastal 3937 acres along 840 miles of coastline
	Carrizo Plain 208,698 acres
	Fort Ord National Monument 7,205 acres
	Santa Rosa-San Jacinto Mountains 94,055 acres
<b>Colorado</b>	Browns Canyon 9,783 acres
	Canyons of the Ancients 174,560 acres
<b>Idaho</b>	Craters of the Moon 274,693 acres

<b><u>23 National Monuments cont.</u></b>		
<b>Montana</b>	Pompeys Pillar	51 acres
	Upper Missouri River Breaks	374,976 acres
<b>New Mexico</b>	Kasha-Katuwe Tent Rocks	4,124 acres
	Prehistoric Trackways	5,255 acres
	Organ Mountains-Desert Peaks	496,330 acres
	Rio Grande del Norte	242,555 acres
<b>Nevada</b>	Basin and Range	703,585 acres
<b>Oregon/Washington</b>	Cascade-Siskiyou	63,977 acres
	San Juan Islands	970 acres
<b>Utah</b>	Grand Staircase-Escalante	1,866,134 acres

<b><u>21 National Conservation Areas and Similar Designations</u></b>		
<b>Alaska</b>	Steese NCA	1,208,624 acres
<b>Arizona</b>	Gila Box Riparian NCA	21,767 acres
	Las Cienegas NCA	41,972 acres
	San Pedro Riparian NCA	55,495 acres
<b>California</b>	King Range NCA	56,167 acres
	Headwaters Forest Reserve	7,542 acres
	Piedras Blancas Historic Light Station Outstanding National Area (ONA)	18 acres
<b>Colorado</b>	McInnis Canyon NCA	123,430 acres
	Gunnison Gorge NCA	62,844 acres
	Dominguez-Escalante NCA	210,172 acres
<b>Florida</b>	Jupiter Inlet Lighthouse ONA	63 acres
<b>Idaho</b>	Morley Nelson Snake River Birds of Prey NCA	482,100 acres
<b>Nevada</b>	Black Rock Desert High Rock Canyon Emigrant Trails NCA	799,165 acres
	Red Rock Canyon NCA	198,065 acres
	Sloan Canyon NCA	48,438 acres
<b>New Mexico</b>	Fort Stanton-Snowy River Cave NCA	24,977
	El Malpais NCA	230,000 acres
<b>Oregon</b>	Steens Mountain Cooperative Management and Protection Area	428,446 acres
	Yaquina Head ONA	95 acres
<b>Utah</b>	Red Cliffs NCA	44,825 acres
	Beaver Dam Wash NCA	63,478 acres

- **223 Wilderness Areas** 8,760,029 acres
- **517 Wilderness Study Areas** 12,607,811 acres
- **69 National Wild and Scenic Rivers** 2,423 miles  
(1,001,353 acres or/ 20% of the national system)
- **18 National Scenic and Historic Trails** 5,761 miles

<b>13 National Historic Trails</b> <b>5,078 miles</b> (Majority of all Federal miles)	
California	1,493 miles
Captain John Smith Chesapeake	2 miles
El Camino Real de Tierra Adentro	60 miles
Iditarod	149 miles
Lewis and Clark	369 miles
Mormon Pioneer	498 miles
Nez Perce	70 miles
Oregon	848 miles
Pony Express	596 miles
Juan Bautista De Anza	103 miles
Old Spanish	887 miles
Star Spangled Banner National Historic Trail	2 miles
Washington-Rochambeau Revolutionary Route	1 mile

<b>5 National Scenic Trails</b> <b>683 miles</b>	
Arizona	46 miles
Continental Divide	389 miles
Pacific Crest	233 miles
Pacific Northwest	12 miles
Potomac Heritage	3 miles

<b>Other Congressional Designations</b>	
California Desert*	10,671,080 acres

\*The lands of the California Desert are congressionally designated, but are not a part of the National Landscape Conservation System.

## National Wild and Scenic Rivers System

The National Wild and Scenic Rivers (WSR) System was created by Congress on October 2, 1968, to preserve rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. The BLM plans to commemorate the Act and WSR System through special public events and activities through the 50<sup>th</sup> anniversary in 2018.



The Act is notable for safeguarding the special character of these rivers, while also recognizing the potential for their appropriate use and development. It encourages river management that crosses political boundaries and promotes public participation in developing goals for river protection. Through the America's Great Outdoors (AGO) initiative, the President emphasized the value of rivers and waterways to our Nation's history, economy, and way of life. Rivers connect people and communities to America's great outdoors and are vital migration corridors for fish and wildlife. In the 21<sup>st</sup> century, healthy rivers will enhance the resilience of human and natural communities. Millions of people visit WSRs annually either on their own or through hundreds of permitted commercial outfitters and the associated use provides significant economic impact to local communities and helps them to sustain the natural heritage of their wild and scenic rivers.

The BLM WSR program is part of the National Conservation Lands and engages local communities to help them foster a sense of shared stewardship and pride in their local WSRs.

The BLM has the responsibility to protect and enhance river values (free flowing condition, water quality, and outstandingly remarkable values) on 69 designated rivers in seven States covering over 2,400 miles and 1,001,353 acres (about 20 percent of the WSR) and on hundreds of eligible and suitable rivers across the western States. The BLM WSR Program focuses on the protection and enhancement of river values with the following activities:

- Evaluate free flowing rivers to determine if they are eligible and suitable for inclusion within the WSR System and determine tentative classifications (wild, scenic or recreational);
- Submit recommendations resulting from studies on potential WSRs;
- Manage eligible, suitable and designated WSRs to protect and enhance their free flowing condition, water quality and outstandingly remarkable values;
- Develop and implement statutorily required comprehensive river management plans that reflect the requirements of the WSR Act and national policies and guidance;
- Monitor designated WSR and eligible and suitable river segments to minimize noxious weed infestations, trespass activities, and the impacts from commercial and non-commercial recreation activities;
- Provide visitor services and public information and interpretation through publications, wayside exhibits, appropriate instructional signage, and river-related visitor centers;

- Restore riparian habitats to healthy and functioning condition by removing or modifying activities creating unacceptable impacts along rivers;
- Protect or enhance water quality on WSRs by requiring and implementing best management practices for new land use authorizations and activities, changing current management practices where appropriate, and restoring degraded watershed function;
- Make determinations regarding the impacts of proposed water resources projects on designated WSRs, congressionally authorized study rivers, and on rivers identified for study by the BLM; and
- Maintain relationships with tribal governments, other Federal agencies, State and local governments, friends' groups and other non-profit organizations, and the general public concerned with comprehensive river-related plans, studies, and/or management.

The BLM's revised Wild and Scenic Rivers Manual provides policy and program direction for identification, evaluation, planning, and management of designated rivers, congressionally authorized study rivers, and BLM-identified eligible and suitable rivers. The BLM will continue to implement this updated policy and program guidance by providing training courses that enable staff and managers to work collaboratively with partners and communities to protect river values and manage river uses. The BLM will coordinate with other programs, agencies and organizations to strengthen and improve monitoring strategies and best management practices; using partnerships, science and outreach to help monitor and manage river values.

The WSR program works to implement the AGO initiative through collaborative landscape and watershed protection and restoration work, improved recreation access and opportunities, and community partnerships that enhance quality of life outcomes for residents and visitors. The WSR program also supports the Department of the Interior's Every Kid in a Park initiative. The BLM will focus on protecting and restoring rivers for people and wildlife; enhancing river recreation which supports jobs in tourism and outdoor recreation; working with communities to take action to secure economic, social and ecological benefits of having a healthy river; and working collaboratively with local, State, tribal and other Federal agencies on river protection, restoration, and recreation access.

The WSR program is funded by multiple subactivities at \$6.9 million within the MLR and O&C appropriations (see table below). Fees collected at specific recreation sites and for Special Recreation Permits are returned to those locations to support management of WSRs. The BLM also leverages base funding by matching volunteer labor and contributions; cooperating with the National Park Service (NPS), the U.S. Forest Service (USFS) and State agencies where river areas are co-managed. Donations of labor and contributed funds from river and other partnership organizations increase BLM's capability and improve outcomes. The BLM plans to align funding and performance to increase program efficiencies and transparency.

<b>National Wild &amp; Scenic River Program</b>				
	<b>2015 Actual</b>	<b>2016 Enacted</b>	<b>2017 Request</b>	<b>Change from 2016</b>
Soil, Water & Air Management	181	181	181	+0
Rangeland Management	457	457	457	+0
Public Domain Forest Mgmt	118	118	118	+0
Riparian Management	419	419	419	+0
Cultural Resources Mgmt	320	320	320	+0
Wild Horse & Burro Mgmt	9	9	9	+0
Wildlife Management	214	214	214	+0
Fisheries Management	352	352	352	+0
Threatened & Endangered Species	213	213	213	+0
Recreation Resources Management	2,947	2,947	2,947	
Oil & Gas Management	31	31	31	+0
Alaska Conveyance	113	113	113	+0
Cadastral, Lands & Realty Mgmt	50	50	50	+0
Land & Realty Management	0	0	-	+0
Hazardous Materials Management	121	121	121	+0
Annual Maint. & Ops	1,220	1,220	1,220	+0
Administrative Support	59	59	59	+0
O&C Other Forest Resource Mgmt	124	124	124	+0
<b>National Wild &amp; Scenic Rivers</b>	<b>6,948</b>	<b>6,948</b>	<b>6,948</b>	<b>+0</b>

### **National Scenic and Historic Trails Program**

The U.S. Congress authorized the Nation's National Trails System through the National Trails System Act on October 2, 1968. The BLM plans to commemorate the Act and the National Trails System through special public events and activities through the 50<sup>th</sup> anniversary in 2018. As part of the National Trails System, and as BLM National Conservation Lands, National Scenic and Historic Trails are protected as corridors of cultural heritage, resource conservation, and outstanding recreation opportunities. National Trail corridors span thousands of miles in nearly all 50 States, crossing Federal, State, tribal, local government, and private lands. Program responsibilities include managing eighteen National Trails (five scenic and 13 historic) on the ground, crossing nearly 6,000 miles of BLM public lands in 15 States. The BLM serves as interagency Trail Administrator, or trail-wide lead, for the Iditarod, Old Spanish, and El Camino Real de Tierra Adentro National Historic Trails. The BLM coordinates closely with the NPS and the USFS Trail Administrators and other National Trail managing agencies to promote a seamless system of public trails. The BLM also supports five National Trail-related visitor centers which tell the stories of the trails, fostering public enjoyment, appreciation, volunteerism, and learning, while inspiring people to get outside to experience these National Trail treasures.

The BLM safeguards the nature and purposes of National Trails, and protects the scenic, historic, natural, and cultural resources and qualities of the areas through which the trails pass for recreational and conservation purposes. The BLM strives to model the America's Great

Outdoors initiative along these trails in its work with volunteers, nonprofit trail groups, long-term partners, and willing landowners and supports the Secretary's Youth Initiative by providing opportunities for recreation, education, and volunteerism. National Trail work is guided by the 15-year National Conservation Lands Strategy and the National Trails Strategy.

National Scenic Trails provide outdoor recreation opportunities, public enjoyment, and promote conservation. They are planned, constructed, and maintained by the BLM and volunteers to provide visitors with long-distance hiking, backpacking, day hiking, and horseback riding opportunities, and to support related recreational activities such as camping, fishing, hunting, wildlife observation, nature study, and photography. National Scenic Trails provide public access to some of the Nation's most spectacular vistas, guiding visitors through canyons, along arid deserts, across windswept alpine, and to the summit of snowcapped peaks.



*Moab Brand Trails, BLM Utah*

National Historic Trails tell the iconic stories of America, including exploration, western expansion and settlement, economic development, cultural divides, and the pursuit of religious freedom. These pathways of history and the associated settings are identified, protected, restored, stabilized, and interpreted by the BLM and volunteers for future generations. Physical remnant and artifact discoveries include wagon ruts, swales, wagon train encampments, structures, signature rocks, pioneer grave sites, and skirmish sites, and artifacts such as period coins, weapons, household items, and tools. Public land visitors can experience National Historic Trails and the stories of the trails at visitor centers, wayside exhibits, historic sites, recreational trails, auto tour routes, and along intact trail segments. The BLM manages more miles of National Historic Trails than any other Federal agency.

Capacity-building and leveraging limited funding is critical to program success. The BLM recognizes its charge under the National Trails System Act of 1968 in encouraging and assisting nonprofit organizations, and provides limited support for training, education, workshops, conferences, publications, and youth apprenticeships. National Trails stewardship work is effected through cooperative agreements to acknowledge, support, and leverage resources. As part of this effort, approximately twenty major nonprofit trail organizations, such as the Nez Perce Trails Foundation, Oregon-California Trails Association, National Pony Express Association, and the Pacific Crest Trail Association, contribute thousands of hours working with the BLM in National Trail planning, development, operations, maintenance, and acquisition. National Trail organizations estimate that volunteer organizations contribute more than \$35.0 million in annual program value through volunteer hours and fiscal contributions.

BLM National Trail inventory and monitoring work is a BLM performance requirement, critical for the establishment of National Trail management corridors in land use planning and for proposed project review for priority renewable and nonrenewable energy development and transmission projects. Based on the current policy, the BLM plans to develop a standard methodology for this work and to engage agency professionals, partners, contractors, and universities.

The BLM National Trails Program remains funded by multiple subactivities within the MLR appropriation (see table below). The budget proposes \$6.4 million in 2017, the same as the 2016 level. Fees collected at National Trail Visitor Centers and specific recreation sites are returned to those locations. The BLM also leverages base funding by matching volunteer labor and contributions; applying for grants or other Federal or State funding; and through cooperative agreements at the local, State, and national level. The BLM plans to align funding and performance to increase program efficiencies and transparency.

<b><u>National Scenic &amp; Historic Trail Program*</u></b>				
	<b>2015 Actual</b>	<b>2016 Enacted</b>	<b>2017 Request</b>	<b>Change from 2016</b>
Soil, Water & Air Management	112	112	112	+0
Rangeland Management	68	68	68	+0
Riparian Management	20	20	20	+0
Cultural Resources Mgmt.	557	557	557	+0
Wildlife Management	93	93	93	+0
Threatened & Endangered Species	99	99	99	+0
Recreation Resources Management	4,397	4,397	4,397	+0
Annual Maint. & Ops	1,012	1,012	1,012	0
<b>National Scenic &amp; Historic Trails</b>	<b>6,358</b>	<b>6,358</b>	<b>6,358</b>	<b>0</b>

\*Several additional subactivities have provided funding, but to increase budget efficiencies they are no longer included in the table.

## Service First

Service First is a partnership authority (P.L. 106-291, as amended by P.L. 109-54, P.L. 112-74, and further amended by P.L. 113-76) between the agencies and offices of the Department of the Interior and the agencies and offices of the Department of Agriculture. Service First authority was made permanent in the Consolidated Appropriations Act, 2012 (P.L. 112-74) and further expanded to include all agencies and offices in both the Department of the Interior and Department of Agriculture in the Consolidated Appropriations Act, 2014 (P.L. 113-76).

The BLM continues to strengthen partnerships among the NPS, the U.S. Fish and Wildlife Service (FWS), and the USFS to attain the three Service First goals of improving natural and cultural resource stewardship, enhancing customer service, and increasing operational efficiency. The four agencies provide national leadership, direction, and counsel on implementing the authorities and promoting the principles of Service First through the Service First Leadership Team (SFLT). The SFLT's goals include enhancing each agency's ability to meet its mission; increasing collective capacity to manage Federal resources on a landscape basis; overcoming institutional barriers that hinder interagency programs and initiatives; and improving constituent and customer service and resource management through streamlined processes, increased efficiencies, and use of emerging technologies.

Discussions are already underway with the legal community in both Departments about implementing the expanded authority in the new agencies. Further, both Departments and other agencies are exploring how and where to use the newly expanded authority in existing and new partnerships.

In 2017, Service First will continue to focus on opportunities for co-location of agency facilities where feasible and appropriate. Co-location better facilitates inter-agency communication and results in integration of natural resource management across the landscape. It is one method for increasing coordination across resource programs that include conserving water, hazardous fuels reduction, landscape-scale species conservation, sustaining rural communities, nurturing youth through education and connections to the outdoors, and recreation management, including off-highway vehicle use and trail management.

Service First will also continue to make advances in creating an integrated information technology system where employees will be able to access other agencies' data and systems while maintaining appropriate security levels. Joint access to the more complex databases including geographic information systems, invasive weed inventories, and other natural resource data will result in more seamless customer service and improve operational efficiency for shared employees and co-located offices.

Finally, the agencies plan to build a strong interagency network with focused tools and regular outreach and information exchange such as best practices on Service First opportunities, challenges and successes.

## Engaging the Next Generation

The BLM has a long history of working with its Federal and non-Federal partners to engage young people and veterans in projects that protect, restore, and enhance America's Great Outdoors. Building on youth education and engagement programs that foster personal connections with our Nation's public lands, the BLM is engaging millennials, including veterans and members of the 21<sup>st</sup> Century Conservation Service Corps (21CSC), in work that supports the multiple-use mission of the Bureau. Young people are employed in priority projects such as trail construction and maintenance, habitat restoration, and inventorying and monitoring in support of a wide range of program needs, including archaeological resources; wilderness characteristics; soil, water, air and climate resources; and renewable energy compliance.



*Meadowood Special Recreation Management Area  
BLM Eastern States*

The BLM's National Strategy on Education, Interpretation, and Youth Engagement envisions young people involved from an early age in learning and recreation on public lands, who then go on to become active stewards and conservation leaders as adults. The BLM's strategic focus aligns well with the four pillars of the Secretary's youth platform announced early in FY 2014. The Secretary has pledged that the Department will engage the next generation by providing opportunities to play, learn, serve, and work on public lands by:

- Creating recreational opportunities for more than 10 million young people by 2017;
- Providing educational opportunities in the natural classrooms that our public lands provide to at least 10 million K-12 students annually;
- Engaging one million volunteers in support of public lands; and
- Providing 100,000 work and training opportunities over four fiscal years, 2014 through 2017, for individuals ages 15 to 35 to support the mission of the Department.

The 2017 President's budget request supports the Secretary's goals for the Engaging the Next Generation initiative. Funding will be used to support the BLM's capacity to offer educational and recreational programs for 4<sup>th</sup> graders involved in Every Kid in a Park, a White House initiative. Funding will also support engagement of youth interns and crews in rivers and trails projects as part of the upcoming anniversary celebrations of the Wild & Scenic Rivers Act and the National Trails System Act.

By supporting work and training opportunities for young people across a broad range of resource programs, the funding will enable the bureau to accomplish high-priority projects in a cost-effective way.

The BLM will continue to partner with youth corps organizations, with a special emphasis on those organizations that meet the needs of underserved youth, including those from Tribes and rural communities. In 2017, the BLM will also continue to identify science and resource priorities

that can be addressed through short- or long-term projects involving the 21 CSC and other youth corps and veteran's crews, as well as volunteers, field schools, and interns.

In 2017, the BLM will also focus on identifying mission-critical jobs and skills that are needed for entry-level positions in those occupations. This includes continued support for the Direct Hire Authority/Resource Assistant Internship program, which is focused on hiring students and recent graduates from diverse backgrounds into mission-critical jobs. In addition, by expanding partnerships with universities and professional organizations, the Bureau will enable more young people to explore careers in Science, Technology, Engineering, and Mathematics (STEM). Opportunities to pursue field-based investigations and experiences, such as those provided to college interns and to K-12 students involved in the BLM Hands on the Land network of outdoor classrooms, can nurture and sustain student interest in pursuing STEM degrees and careers.

The BLM will also support the DOI/VISTA volunteers who have been engaged in several States to serve impoverished communities with programs that engage youth in outdoor educational experiences and STEM education, foster economic opportunities in conservation and land management, and promote healthy futures for underserved populations.

### Education

In 2017, the BLM will complete development of the education manual section, formalizing policy and guidance on the role of education in supporting the BLM's land management mission, expand competency training opportunities for staff, volunteers, and partners who deliver educational programming, and continue evaluating the effectiveness of education products, programs, and partners to enhance and guide improvements in the education program.



*Water Discovery Days, BLM Alaska*

The BLM offers a range of education programs for youth and adults, including the following signature programs:

- ***Hands on the Land:*** Through the national HOL network of outdoor classrooms, the BLM's 80 HOL sites collaborate with local schools and communities to educate 70,000 students on the public lands each year. Launched in 2013, the HOL Teachers on the Public Lands program, which engages classroom teachers as summer interns in BLM offices, will further ensure even stronger connections with schools and standards-based classroom curriculum. Field-based educational programming at HOL sites fosters connections to nature, exposes students to issues confronting 21st-century land managers, and creates broad-based community support for the BLM to address the Department's STEM Education and Employment Pathways Strategic Plan and other Interior Department and national youth initiatives. In order to achieve the BLM's goal of 108 HOL sites by 2017, the BLM will continue to expand the number of sites involved in the HOL program, as well as the number of Teachers on the Public Lands.

- **Project Archaeology:** Since its inception, Project Archaeology, the BLM's primary heritage education program, has served more than 13,000 educators through professional development for classroom teachers and informal educators, and through high-quality curricular materials. These educators reach an estimated 260,000 learners every year with high-quality cultural resource materials and programs. In addition to hosting professional development workshops for teachers, BLM field offices incorporate Project Archaeology materials into programs such as HOL and into materials and programs for local schools and the general public.
- 
- **Take It Outside!** Opportunities for young people and families to get outdoors and informally learn about the public lands are offered through Take It Outside! activities and partnerships with over 300 organizations annually, including the Boy Scouts of America and Girl Scouts of the USA. Annually, Take It Outside! reaches over 70,000 youth and families through more than 200 different types of activities on BLM lands, including overnight and day camps; National Public Lands Day projects; and recreational outings such as fishing, hiking, and paleontology explorations.
  - **Stewardship:** For over 20 years, the BLM has partnered with the Leave No Trace Center for Outdoor Ethics and Tread Lightly!, Inc., to teach BLM staff and visitors how to behave responsibly on public lands through outdoor ethics education. Outdoor ethics education, training, and materials help the public learn to take care of the lands they visit and foster a sense of stewardship for public lands. BLM visitors also learn outdoor ethics through Take It Outside! activities, educational signs, printed materials, and informal training.
  - **Public Education Opportunities:** Field trips, classroom visits by resource professionals, and service learning opportunities not only educate but also foster conservation and stewardship ethics. Additionally, BLM lands provide a rich opportunity for collegiate-level research, professional development opportunities for teachers and continuing education for seniors.

The BLM's increased use of technology helps the agency reach a broad array of audiences to enhance public understanding, achieve management goals, foster stewardship, and build public support. BLM offices also use social media, web, and mobile technologies to provide educational programs, information, and materials to an ever-expanding virtual audience.

## Interpretation

Serving audiences with diverse backgrounds, viewpoints, and needs, BLM interpretive programs and services connect public land visitors to BLM's natural and cultural resources, enhance understanding of resource management issues, add to the quality of visitor experiences, and build public interest in conserving and protecting America's public lands. In 2015, interpretive programs and products served over 4 million people at 160 sites.



*Jupiter Environmental Research and Field Studies Academy  
Jupiter Inlet Outstanding Natural Area, Florida*

In 2017, the interpretation program as outlined in the BLM Education, Interpretation and Youth Engagement National Strategy will complete the development of the interpretation manual section, formalizing policy and guidance on the role of interpretation in supporting the BLM's land management mission. The program will continue to expand training opportunities in interpretation for staff, volunteers, and partners who deliver interpretive programming, and continue to evaluate the effectiveness of interpretive products, programs, and partners to enhance and guide improvements in the interpretation program.

**Junior Explorers/Junior Ranger:** The BLM's Junior Explorer program was formally launched in 2013 with the goal of encouraging awareness of the BLM and public land stewardship, and informally educating children about the natural and social sciences. In 2016, the program began a transition over to a Junior Ranger program, which included creation of an implementation plan, execution of some actions under that plan, and the publication of three national level Junior Ranger booklets. The purpose will remain the same and provide an avenue for BLM district and field offices to develop and provide engaging, high-quality educational materials and activities to elementary-age children, as well as their parents and teachers.

**Artist in Residence:** The BLM's Artist in Residence (AIR) program began in 2011. AIR participants are encouraged to use their skills to depict the variety of cultural and natural resources on BLM lands, including historic structures, artifacts, cultural landscapes, geologic features, and plant and animal life. These artists "translate" the resources--the heart of BLM's mission--into images, objects, and performances that bring others enjoyment and a deeper understanding of the public lands.

## Volunteers

Volunteer contributions to the BLM are highly valued and vitally important to achieving agency goals. In 2015, more than 25,000 volunteers (about one-quarter of them youth) provided over one million hours of service valued at approximately \$23.5 million to BLM lands and resources, including national monuments and national conservation areas, recreation areas and trails, wild and scenic rivers, rangelands, cultural resources, and wild horses and burros. The return on investment was more than 34:1 in 2015; in other words, for every dollar invested in volunteer

program management, which includes volunteer recruitment, training, and recognition, as well as costs such as the purchase of volunteer uniforms, the agency received \$34 worth of service.

**National Public Lands Day:** National Public Lands Day (NPLD) is the Nation's largest volunteer workday on behalf of the public lands and a contributor to the America's Great Outdoors, Let's Move, and Take It Outside! initiatives. In 2015 alone, the 22<sup>nd</sup> celebration of this annual service day, the BLM coordinated 195 projects in 16 States, and over 10,000 volunteers participated in a variety of enhancement and restoration activities. The BLM is a leading Federal partner this and every year on NPLD.

**The BLM's Annual "Making a Difference" National Volunteer Awards:** The BLM's National Volunteer Awards take place each year in late May. In 2015, the BLM marked the 20<sup>th</sup> anniversary of this program, which has recognized scores of volunteers from around the country. States submit nominations for volunteers in three categories (outstanding achievement, lifetime achievement, and outstanding youth) as well as a separate category for outstanding efforts to support volunteers by BLM employees. This cost-effective program brings agency leadership and volunteers together across the Nation by linking senior agency and Department leadership with State office leadership in their home offices as they host their winners via the use of BLM's extensive video teleconferencing system, allowing for both a national ceremony and individual State-based celebrations.

**BLM Volunteer Administration Training:** The BLM holds an average of four in-person, instructor-led training classes each year for BLM employees who work with volunteers. Field, District and State offices nominate their site to host a training course based on local demand, and seasoned volunteer coordinators and State leads within the BLM travel to their offices to instruct, offering a needs-based, highly cost-effective training course for maximum results. In 2015 over 75 staff members received training through these courses as well as through a newly developed, self-paced, on-line introductory training course.

In 2017, the BLM will focus on scaling up citizen science initiatives, rolling out new national policy to guide the agency's volunteer programming, and continuing to expand the slate of available volunteer administration training tools in order to both strengthen the skill sets of agency volunteer coordinators and staff working with volunteers and increase the capacity of long-term, highly-skilled volunteers.

## Partnerships

The BLM has long depended on working with others, through partnerships, to enhance public lands and to carry out its multiple-use mission. Meaningful engagement with diverse partners helps ensure that management decisions and efforts reflect the interests of affected communities while accomplishing shared or complementary goals. Working with partners also helps improve rangeland health, guard fragile biological and cultural resources, support a wide range of recreational activities, and tackle other stewardship goals.

In 2017, the BLM will further bolster its capacity to support partnerships to continually improve the management, stewardship, and public enjoyment of the Nation's public lands. To achieve these objectives, the BLM will continue implementing its national partnerships strategy, which provides a framework to support and coordinate the use of partnerships across the BLM. Areas of focus include staffing and training, guidance and tools, practitioner networks, and data

collection and reporting. The strategy and implementation plan build on the BLM's successful partnership history and will help advance and strengthen partnerships across BLM programs.

Successful and diverse partnerships across the BLM address agency and Department priorities. Some recent examples include:

- **Seeds of Success (SOS)** is a national native seed collection partnership program composed of a network of more than 50 collection teams, with participation from Federal and non-Federal partners. Since 2001, these partners have made over 16,000 wildland native seed collections representing more than 5,000 species. These collections provide a hedge against native plant loss from climate change and help to ensure that iconic American species and their plant communities are preserved for future generations. SOS collections are the basis for much of the work that is conducted under the BLM's Native Plant Materials Development Program, whose mission is to increase the quality and quantity of native plant materials available for restoring and supporting resilient ecosystems, especially after wildfire, flooding and other disturbances. SOS also supports national pollinator goals as seed collecting teams across BLM field offices contribute to the seed reserve of pollinator friendly species.
- The **Burly Landscape Sage-Grouse Habitat Restoration Partnership** in Idaho works to restore sage-grouse habitat by removing juniper to allow healthy sage-brush communities to thrive in southern Idaho. The public-private partnership has treated more than 8,000 acres and engaged youth and volunteers in planting sagebrush seedlings in areas burned by wildfire adjacent to or near treated junipers. Lek counts provide evidence that sage-grouse are returning to areas once overgrown with juniper. Removing juniper also improves recreational opportunities such as hunting, photography, and bird watching and lessens wildfire impacts created by the flammable plant. Wildfire is currently the foremost threat to sustaining sage-grouse populations in Idaho. The project's goal is to treat 38,000 acres of BLM land by 2017 in addition to treating State and private lands.
- The **Phoenix District Youth Initiative** in Arizona is a model youth engagement partnership that encourages urban and Native American youth involvement in natural resource careers. The partnership delivers hands-on certification, environmental education, and employment programs on public lands; natural resource course and degree offerings; and tribal internships. Youth gain valuable work experience monitoring riparian habitats, removing invasive plants, performing stewardship and conservation projects, and participating in field-based science programs. Their work fosters sustainable youth engagement in the stewardship of America's natural and cultural heritage.

## Landscape Approach to Managing the Public Lands

The 2017 budget request enhances BLM's capacity to effectively use regional information to manage the public lands to achieve conservation and development priorities in the face of compounding stressors such as prolonged drought, catastrophic wildland fire, invasive species and urban growth.

Over the last ten years, the BLM has developed a number of tools to help manage the public lands on a landscape basis. These tools include creating the capacity to systematically synthesize large amounts of geospatial information to help the BLM and its partners develop a shared understanding of regional trends and regional conservation and development opportunities; working with public land users to institutionalize the "mitigation hierarchy" to help achieve conservation and development goals; developing regional partnerships to coordinate and focus multiple funding streams to help achieve regional conservation goals; and identifying core indicators, standard methods and multi-scale sampling frameworks to monitor changes in terrestrial and aquatic condition across a region.

The BLM is incorporating the use of these tools into a number of major initiatives including the California Desert Renewable Energy Conservation Plan (DRECP), the Greater Sage-Grouse Conservation Plans, the Western Solar Energy Plan, and the plan for the National Petroleum Reserve – Alaska (NPRA).

In 2017, the BLM will build on these successes by moving forward with the development of critical corporate geospatial data and a multi-scale approach to planning for the public lands.

In 2017, the BLM will move forward with the implementation of a number of major Executive and Secretarial orders including:

- Secretarial Order 3289: Addressing the Impacts of Climate Change (September 2009) which establishes DOI's Energy and Climate Change Task Force and Climate Change Working Group.
- Executive Order 13514: Federal Leadership in Environmental, Energy and Economic Performance (October 2009) which directs agencies to reduce GHG emissions and support the development of renewable energy.
- Executive Order 13604: Improving Performance of Federal Permitting and Review of Infrastructure Projects (March 2012) which directs agencies to significantly reduce the aggregate time required to make decisions in the permitting and review of infrastructure projects and improve environmental and community outcomes.
- The President's Climate Action Plan (June 2013) which outlines executive actions to cut carbon pollution in America; prepare the United States for the impacts of climate change, and lead international efforts to combat global climate change and prepare for its impacts.
- Executive Order 13653: Preparing the United States for the Impacts of Climate Change (November 2013) which directs Federal agencies to help improve climate preparedness and resilience through deliberate preparation, close cooperation, and coordinated planning.
- Secretarial Order No. 3330: Improving Mitigation Policies and Practices of the Department of the Interior (October 2013) which promotes a landscape-scale approach to identify and facilitate investments in key regional conservation priorities.
- The President's Priority Agenda for Enhancing the Climate Resilience of America's Natural Resources (October 2014) which identifies strategies to: foster climate-resilient lands and waters; manage and enhance US carbon sinks; enhance community preparedness and resilience by utilizing and sustaining natural resources; and modernize Federal programs, investment, and delivery of services to build resilience and enhance sequestration of biological carbon.
- Secretarial Order No. 3336: Rangeland Fire Prevention, Management, and Restoration (January 2015) which enhance the protection, conservation, and restoration of a healthy sagebrush-steppe ecosystem, and to address important public safety, economic, cultural, and social concerns.

The Landscape Approach:

The BLM is working with Federal, State, tribal and non-governmental partners to develop a landscape approach to managing the public lands. This approach will use broad ecological assessments to better understand resource conditions and trends and to identify opportunities for resource conservation and development. As shown on the diagram to the right, the landscape approach to managing the Nation's public lands consists of several interconnected actions, including regional assessments, regional conservation and development strategies, land use plans, projects and permits, monitoring for adaptive management, science integration, and geospatial services. Taken together, these components will enable the BLM and its partners to more effectively evaluate and address conservation and development needs across

programmatically, organizational and administrative boundaries.



Regional Assessments: The BLM released ten Rapid Ecoregional Assessments (REAs) between 2013 and 2015 and is planning to release five additional REAs in 2016 and 2017. Taken together, these 15 REAs cover over 700 million acres of public and non-public lands. The REAs are peer-reviewed science products that synthesize existing information (including a significant amount of non-BLM data) about resource conditions and trends. They highlight and map areas of high ecological value; gauge potential risks from stressors including climate change; and establish landscape-scale baseline ecological data to gauge the effect and effectiveness of future management actions. The REAs provide the BLM with a large amount of information about current and projected resource condition, which the Bureau can then use along with similar information from other large-scale assessments to help identify potential development and conservation priorities; prepare land use plans and plan amendments; conduct cumulative impact analyses; develop best management practices; and authorize public land uses. The REAs and other sources for regional information, such as the Western Governors Association's Crucial Habitat Assessment Tool, are foundational to the landscape management approach.

To help address the President's priority to manage and enhance US carbon sinks, the BLM will work with USGS and the other natural resource management agencies to ensure that the public lands managed by the BLM are covered by the Nation's inventory of land carbon. This will include completing baseline assessments of ecosystem carbon sequestration and greenhouse gas fluxes and conducting studies to better understand how land management practices affect carbon stocks.

Additionally, the BLM will continue working with partners to understand the interaction of changes in climate with the major habitat types that sustain the ecological and economic health of our Nation. The spatial analysis will identify spatial and temporal trends of climate change that have already occurred across the Western US landscapes. For specific ecosystems, e.g.,

sagebrush, 'leading' and 'losing' edges will be identified. Potentially resilient systems will be mapped, along with those with highest chances for transition. The resulting web-based mapping interface will support decision making for resource management across the West.

Regional Conservation and Development Strategies are critical bridges between ecoregional assessments and land use planning and other decision making processes. The BLM is working with partners to inventory and compile existing assessments and cross-walk the priority areas identified in each assessment.

In 2014 and 2015, the BLM began work with a number of Landscape Conservation Cooperatives (LCCs) and other regional partnerships to develop shared understandings of the conservation and development opportunities highlighted by the REAs and other large-scale assessments, to identify what the BLM and its partners are already doing to address regional challenges and opportunities, and to outline additional actions that could be undertaken over the next five to ten years to help achieve regional goals. These regional strategies will significantly help the BLM implement the recent Secretarial Order on Improving Mitigation Policies and Practices. Because the REA information will be applied to many different types of management concerns, it is likely that more than one ecoregional strategy will be developed in each ecoregion. In 2016 and 2017, the BLM will continue work with the LCCs, as well as the Climate Science Centers and other regional partnerships, to complete ongoing regional strategies with a geographic emphasis on the Great Basin, the Southern Rockies, and the Southwestern Deserts.

In 2016-2017, the BLM will complete and begin to implement the regional mitigation strategies mandated by the approved Greater Sage Grouse Conservation Plans. And, in a closely related effort, the BLM

will also complete and begin to implement phase one of the Conservation and Restoration Strategy mandated by the Department's 2015 Integrated Rangeland Fire Strategy. This will set the stage for developing multi-year programs of work to more effectively focus and integrate conservation and restoration projects funded from multiple appropriated and non-appropriated funding sources.

Land Use Plans: BLM field offices are incorporating these regional assessments and strategies as appropriate into ongoing planning and other resource management activities. For example, data from completed REAs is being used to inform the Desert Renewable Energy Conservation Plan in California, to develop regional mitigation plans for Solar Energy Zones in Arizona, Colorado and Nevada, and to identify where National Conservation Lands units are important

The landscape approach to public land management is a multi-year investment. The BLM anticipates that in each ecoregion it will take several years to implement this multi-scale approach to management.

- The first two to three years focuses on conducting REAs. In these assessments, the BLM and its partners: identify management questions; develop conceptual models; evaluate significant ecological values such as native fish, wildlife, and plants; evaluate terrestrial condition and aquatic condition; and identify four potential change agents (climate change, fire, invasive plants and animals, and urban and industrial development).
- In the third and fourth years, efforts to develop Regional Conservation and Development strategies are kicked-off. To provide a solid understanding of the components of REAs and the data, scientific approaches, modeling tools, and results for each ecoregion, the BLM is offering hands-on workshops and on-line content delivery, such as YouTube videos, to staff, partners, and the public that will increase our ability to utilize the vast amount of data and information in the REAs to enhance decision making.
- The next three to ten years are devoted to implementing planned actions, effectiveness monitoring, and data analysis and review for adaptive management.

for resource protection and conservation within a broader landscape context. The BLM Division of Planning, Assessment and Monitoring has provided guidance on the use of REAs and other large-scale assessments for planning purposes, and is developing an efficient and adaptive approach to landscape level land use planning in which plans are more responsive to changing ecological systems over political and jurisdictional boundaries. This effort, referred to as Planning 2.0, facilitates the ability to effectively conduct land use planning across landscapes. Planning 2.0 will focus the planning process on collaborative work with partners at different scales to produce highly useful decisions that readily address the rapidly changing environment and conditions posed by the changing climate, rapid growth and development and other ecological stressors.

General guidance about BLM's Landscape Approach to Managing the Public Lands can be found in the following locations:

- Climate Change:  
<http://www.blm.gov/wo/st/en/prog/more/climatechange.html>
- Landscape Approach:  
<http://www.blm.gov/wo/st/en/prog/more/LandscapeApproach.html>
- Rapid Ecoregional Assessments (REAs):  
<http://www.blm.gov/wo/st/en/prog/more/LandscapeApproach/reas.html>
- Monitoring for Adaptive Management:  
[http://www.blm.gov/wo/st/en/prog/more/LandscapeApproach/Monitoring\\_for\\_Adaptive\\_Management.html](http://www.blm.gov/wo/st/en/prog/more/LandscapeApproach/Monitoring_for_Adaptive_Management.html)

Projects and Permits: Field implementation puts the management strategies into practice through existing BLM programs, including the public participation and intergovernmental coordination opportunities associated with implementation planning and environmental impact assessment procedures. Examples of field implementation include authorizing land use, constructing facilities, and implementing on-the-ground treatments and projects. As a matter of policy, the BLM is committed to using the "mitigation hierarchy" to help site and design new developmental projects and focus off-site mitigation in areas with high value and high probability of success.

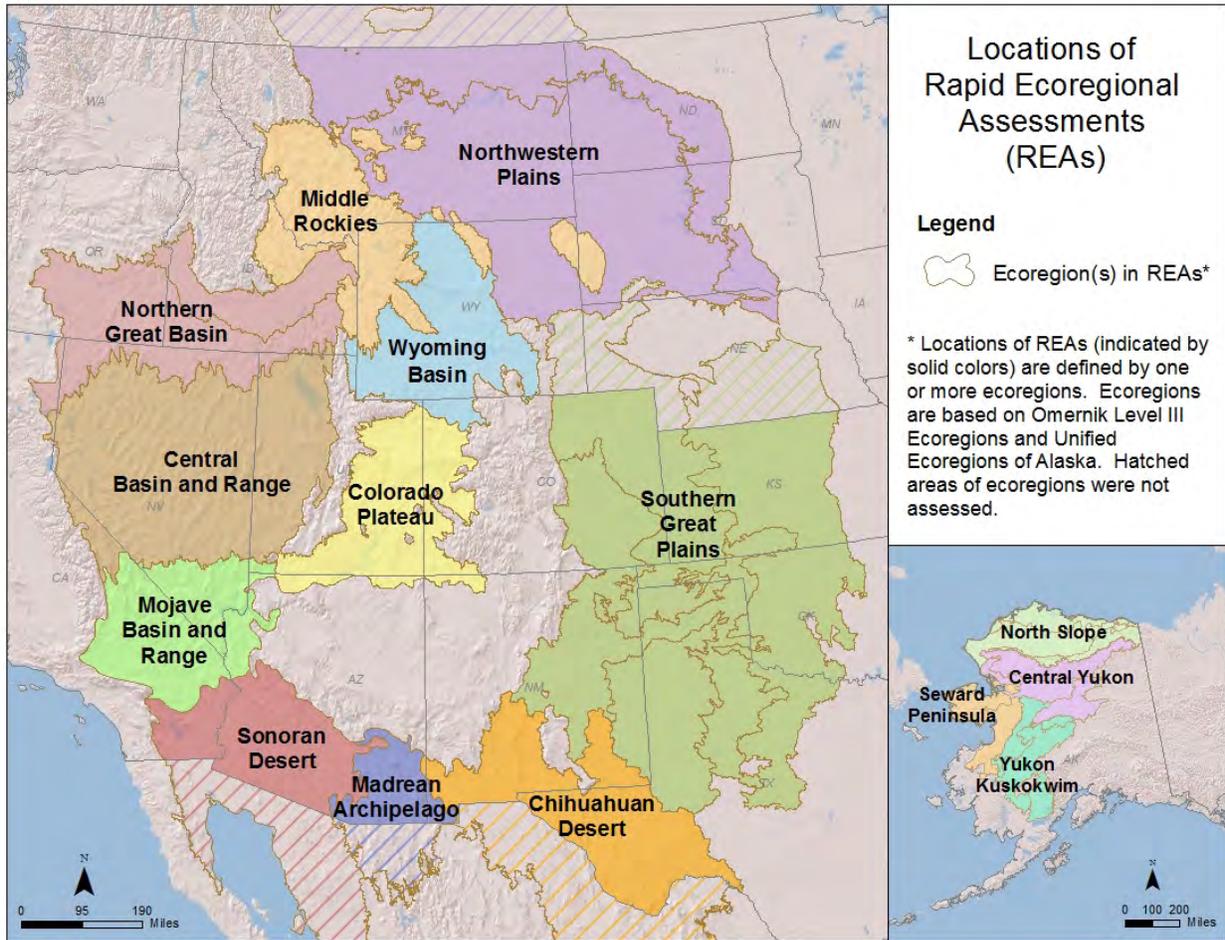
Healthy Landscapes (HL) is a critical effort to integrate and focus on-the-ground restoration projects. The HL effort helps target project dollars from multiple BLM programs, partner contributions, and compensatory mitigation to fund conservation and restoration work in identified, cross-jurisdictional, priority areas. For example, HL funds may be combined or coordinated with other funds to complete a portfolio of projects in one focus area, such as vegetation treatments, travel management planning, Land and Water Conservation Fund acquisitions, and applied regional mitigation funds, when each project contributes to the objective of conserving intact habitat or defragmenting habitat. Coordinating and focusing integrated resource stewardship investments can help to generate added value, over and above what individual programs or mitigation funds could accomplish. Since its inception in 2007, HL has supported: more than 1.7 million acres of treatments in New Mexico through the Restore New Mexico program; more than 1 million acres of treatments in Utah in partnership with the Utah Watershed Initiative; and hundreds of thousands of acres of restoration projects through such partnerships as the Wyoming Landscape Conservation Initiative, the Great Basin Restoration Initiative and many lesser known projects coordinated at District Office levels. Although exact rates vary project to project, the BLM's HL funds are typically leveraged by at least a 3:1 ratio.

The BLM has developed a proposal to address the reforestation/afforestation backlog on the public lands. When implemented, it will enhance carbon sequestration on western BLM lands.

Monitoring for Adaptive Management: Informed decision making and adaptive management require current data about the status and trend of terrestrial and aquatic systems, about the

location and extent of natural and human-caused disturbances, and about the location and effectiveness of land treatments. The BLM's Assessment, Inventory, and Monitoring (AIM) Strategy is the framework for this data collection. This strategy outlines a process for using core indicators, standardized field methods, remote sensing, and a statistically valid study design to provide nationally consistent and scientifically defensible information to determine the status of and track changes to natural resources on the public lands over time. The AIM Strategy is currently being implemented through five sets of interrelated projects. The first three are designed to implement West-wide monitoring that is coordinated, and where possible, integrated with the monitoring activities of other Federal, State and non-governmental partners. The West-wide projects include the BLM Rangeland Assessment, the BLM Western Rivers and Streams Assessment, and the BLM Grass-Shrub Fractional Mapping Project. Some of the Federal partners included in these efforts are the National Resources Conservation Service, U.S. Environmental Protection Agency, U.S. Geological Survey, and U.S. Forest Service. The two remaining projects are designed to help support immediate multi-State and field office priorities. These projects include efforts to monitor the effectiveness of BLM land use plans and to determine the effectiveness of BLM treatments and actions. In 2016 and 2017, these five interrelated monitoring efforts will be implemented to inform the regional mitigation and monitoring strategies for the Solar Programmatic EIS and for the Greater Sage-Grouse Conservation Plans.

Adapting to Climate Change: In 2016 BLM issued policy on Adapting to Climate Change that identifies six priorities: sustain basic ecological processes; conserve and enhance areas with significant resource values; manage new development to avoid, minimize and when necessary compensate for direct, indirect and cumulative impacts; identify the potential effects of climate change on public land users and adjacent communities and help them develop and implement strategies to adapt to these changes; identify and manage risks from landscape scale change agents to cultural, paleontological and tribal resources; and foster an understanding of the role of protected area networks in climate change adaptation. In 2017, BLM will continue to incorporate these priorities in its land use planning and other decision making processes.



**Map of Rapid Ecoregional Assessments and Landscape Conservation Cooperatives**

*The BLM initiated seven REAs in 2010, two assessments in 2011, and six more in 2012. The BLM published 10 completed REAs in 2013-2015 and is planning to publish 5 more REAs in 2016-2017. BLM is coordinating with other agencies and partners to keep the REAs updated and fresh.*

# Budget at a Glance



# BUDGET AT A GLANCE

Budget at a Glance  
(dollars in thousands)

	2015 Actual	2016 Enacted	Fixed Costs	2017 President's Budget		
				Transfers	Program Change	Requested Amount
<b>Management of Lands and Resources</b>						
<b>Soil, Water &amp; Air Management</b>	43,239	43,609	+145	-	+1,624	45,378
<i>Enhance Core Capability</i>	-	-	+0	-	+983	-
<i>National Mitigation Team</i>	-	-	+0	-	+641	-
<b>Rangeland Management</b>	79,000	79,000	+332	-	-16,500	62,832
<i>Shift Cost to Fee</i>	-	-	+0	-	-16,500	-
<b>Grazing Administration Management</b>	-	-	+0	-	+0	16,500
Grazing Administration Fee	-	-	+0	-	+16,500	-
<b>Grazing Administration Fee Offset</b>	-	-	+0	-	-16,500	(16,500)
<b>Public Domain Forest Mgmt</b>	9,838	9,980	+96	-	+0	10,076
<b>Riparian Management</b>	21,321	21,321	+136	-	+1,463	22,920
<i>Enhance Core Capability</i>	-	-	+0	-	+1,463	-
<b>Cultural Resources Mgmt</b>	15,131	16,131	+122	-	+1,075	17,328
<i>Safeguarding Our Irreplaceable Heritage</i>	-	-	+0	-	+1,075	-
<b>Wild Horse &amp; Burro Mgmt</b>	77,245	80,555	+125	-	-572	80,108
<i>General Program Decrease</i>	-	-	+0	-	-572	-
<b>Activity Total, Land Resources</b>	245,774	250,596	+956	-	-12,910	238,642

**Budget at a Glance**  
(dollars in thousands)

	2015 Actual	2016 Enacted	Fixed Costs	2017 President's Budget		
				Transfers	Program Change	Requested Amount
<b>Management of Lands and Resources</b>						
<b>Wildlife Management</b>	52,338	89,381	+160	-	+19,150	108,691
<i>Sage-grouse Conservation</i>	-	-	-	-	+14,150	-
<i>National Seed Strategy</i>	-	-	-	-	+5,000	-
<b>Fisheries Management</b>	12,530	12,530	+98	-	-	12,628
<b>Subtotal Wildlife &amp; Fisheries</b>	64,868	101,911	+258	-	+19,150	121,319
<b>Threatened &amp; Endangered Species</b>	21,458	21,567	+131	-	-	21,698
<b>Wilderness Management</b>	18,264	18,264	+128	-	-	18,392
<b>Recreation Resources Management</b>	48,697	51,197	+229	-	+2,039	53,465
<i>Improve Accessibility</i>	-	-	-	-	+2,039	-
<b>Subtotal, Recreation Resource Management</b>	66,961	69,461	+357	-	+2,039	71,857

(continued)

**Budget at a Glance**  
(dollars in thousands)

	2015 Actual	2016 Enacted	Fixed Costs	2017 President's Budget Transfers	Program Change	Requested Amount
<b>Management of Lands and Resources</b>						
<b>Oil &amp; Gas Management</b>	53,183	59,671	+289	-	+20,614	80,574
<i>Strengthening Oil and Gas Oversight and Systems AFMSS II</i>	-	-	-	-	+15,227	-
<i>Oil &amp; Gas Special Pay</i>	-	-	-	-	+2,576	-
<i>Alaska Legacy Wells</i>	-	-	-	-	+2,811	-
<b>Oil &amp; Gas Permit Processing</b>	32,500	7,125	-	-	-760	6,365
<i>Updated Fee Estimate</i>					-760	
<b>Oil &amp; Gas Inspection Activities</b>	41,126	48,000	-	-	-	48,000
<b>Less: Offsetting Fees (Permit Processing and Inspection)</b>	(28,697)	-	-	-	-48,000	-48,000
<b>Coal Management</b>	9,595	10,868	+94	-	-	10,962
<b>Other Mineral Resources</b>	10,586	11,879	+99	-	-1,000	10,978
<i>Anticipated Completion of Mineral Tracking System</i>	-	-	-	-	-1,000	-
<b>Renewable Energy</b>	29,061	29,061	+128	-	-	29,189
<b>Subtotal, Energy and Minerals Management</b>	147,354	166,604	+610	-	-29,146	138,068
<b>Alaska Conveyance</b>	22,000	22,000	+107	-	-4,780	17,327
<i>Streamline Conveyance Process</i>	-	-	+0	-	-4,780	-
<b>Cadastral, Lands &amp; Realty Management</b>	45,658	51,252	+228	-	-	51,480
<b>Communication Site Management</b>	2,000	2,000	-	-	-	2,000
<b>Comm Site Offset</b>	(2,000)	-2,000	-	-	-	(2,000)
<b>Activity Total, Realty &amp; Ownership Management</b>	67,658	73,252	+335	-	-4,780	68,807

(continued)

**Budget at a Glance**  
(dollars in thousands)

	2015 Actual	2016 Enacted	2017 President's Budget			
			Fixed Costs	Transfers	Program Change	Requested Amount
<b>Management of Lands and Resources</b>						
<b>Resource Mgmt Planning, Assessment &amp; Monitoring</b>	<b>38,125</b>	<b>48,125</b>	<b>+162</b>	-	<b>+16,916</b>	<b>65,203</b>
<i>Assessment, Inventory, &amp; Monitoring Strategy</i>	-	-	-	-	+4,300	-
<i>Enterprise Geospatial System</i>	-	-	-	-	+6,916	-
<i>High-Priority Planning Efforts</i>	-	-	-	-	+5,700	-
<b>Abandoned Mine Lands</b>	<b>16,987</b>	<b>19,946</b>	<b>+90</b>	-	-	<b>20,036</b>
<b>Law Enforcement</b>	<b>25,325</b>	<b>25,495</b>	<b>+121</b>	-	-	<b>25,616</b>
<b>Hazardous Materials Management</b>	<b>15,612</b>	<b>15,612</b>	<b>+102</b>	-	<b>-251</b>	<b>15,463</b>
<i>General Program Decrease</i>					-251	
<b>Activity Total, Resource Prot. &amp; Maint.</b>	<b>96,049</b>	<b>109,178</b>	<b>+475</b>	-	<b>+16,665</b>	<b>126,318</b>
<b>Annual Maint. &amp; Ops</b>	<b>38,637</b>	<b>38,942</b>	<b>+183</b>	-	-	<b>39,125</b>
<b>Def. Maint. &amp; Cap. Improvements</b>	<b>26,995</b>	<b>31,387</b>	<b>+88</b>	-	<b>-2,274</b>	<b>29,201</b>
<i>General Program Decrease</i>	-	-	-	-	-4,049	-
<i>DOI Southwest Border Radio Initiative</i>	-	-	-	-	+1,775	-
<b>Activity Total, Trans. &amp; Fac. Maintenance</b>	<b>65,632</b>	<b>70,329</b>	<b>+271</b>	-	<b>-2,274</b>	<b>68,326</b>

(continued)

**Budget at a Glance**  
(dollars in thousands)

	2015 Actual	2016 Enacted	2017 President's Budget			
			Fixed Costs	Transfers	Program Change	Requested Amount
<b>Management of Lands and Resources</b>						
<b>Challenge Cost Share</b>	2,413	2,413	-	-	-2,413	-
<i>Program Elimination</i>	-	-	-	-	-2,413	-
<b>National Conservation Lands</b>	31,819	36,819	+175	-	+13,651	50,645
<i>New Designations and Enhanced Operations</i>	-	-	-	-	+13,651	-
<b>Administrative Support</b>	47,127	50,942	+197	-	-	51,139
<b>Bureauwide Fixed Costs<sup>1</sup></b>	91,010	93,645	-996	-	-	92,649
<b>IT Management</b>	25,696	25,958	+119	-	-	26,077
<b>Activity Total, Workforce &amp; Organizational Support</b>	163,833	170,545	-680	-	-	169,865
<b>Mining Law Administration</b>	39,696	39,696	-	-	-	39,696
<i>Mining Law Offset</i>	(39,696)	(39,696)	-	-	-	(39,696)
<b>Total, Management of Lands &amp; Resources</b>	973,819	1,072,675	+2,888	-	-18	1,075,545

(continued)

**Budget at a Glance**  
*(dollars in thousands)*

	2015 Actual	2016 Enacted	2017 President's Budget			
			Fixed Costs	Transfers	Program Change	Requested Amount
<b>Land Acquisition</b>						
<b>Land Acquisition</b>	16,226	35,014	-	-	+5,287	40,301
<i>Line-item Projects</i>	-	-	-	-	+5,287	-
<b>Emergency &amp; Hardships</b>	1,616	1,616	-	-	-	1,616
<b>Acquisition Management</b>	1,904	2,000	+42	-	-	2,042
<b>Total, Land Acquisition</b>	19,746	38,630	+42	-	+5,287	43,959

*(continued)*

**Budget at a Glance**  
*(dollars in thousands)*

	2015 Actual	2016 Enacted	2017 President's Budget			
			Fixed Costs	Transfers	Program Change	Requested Amount
<b>Oregon and California Grant Lands</b>						
Deferred Maintenance	-	-	-	-	-	-
Annual Maintenance & Operations	9,517	9,602	+26	-	-	9,628
<b>Activity Total, Trans. &amp; Facilities Maint.</b>	<b>9,517</b>	<b>9,602</b>	<b>+26</b>	<b>-</b>	<b>-</b>	<b>9,628</b>
Forest Management	33,447	33,752	+73	-	-	33,825
Reforestation & Forest Development	23,851	24,023	+43	-	-	24,066
Other Forest Resource Mgmt	36,985	33,495	+61	-	-	33,556
Resource Mgmt Planning	7,140	3,985	+13	-	-1,000	2,998
<i>Anticipated Plan Completion</i>	-	-	-	-	-1,000	-
<b>Activity Total, Resources Management</b>	<b>101,423</b>	<b>95,255</b>	<b>+190</b>	<b>-</b>	<b>-1,000</b>	<b>94,445</b>
Info. & Resource Data Systems	1,772	1,786	+12	-	-	1,798
Construction & Acquisition	312	324	+11	-	-	335
NMs & NCAs	753	767	+12	-	-	779
<b>Total, Oregon &amp; California Grant Lands</b>	<b>113,777</b>	<b>107,734</b>	<b>+251</b>	<b>-</b>	<b>-1,000</b>	<b>106,985</b>

*(continued)*

**Budget at a Glance**  
(dollars in thousands)

	2015 Actual	2016 Enacted	2017 President's Budget			
			Fixed Costs	Transfers	Program Change	Requested Amount
Range Improvements	9,270	9,320	-	-	+680	10,000
Miscellaneous Trust Funds (Current)	21,972	24,000	-	-	-1,070	22,930
Service Charges, Deposits & Forfeitures	28,070	31,050	-	-	-	31,050
<i>Service Charges, Deposits &amp; Forfeitures (Offset)</i>	<i>(28,070)</i>	<i>(31,050)</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>(31,050)</i>
<b>Total, Service Charges, Deposits &amp; Forfeitures</b>	-	-	-	-	-	-
<b>TOTAL, DIRECT APPROPRIATIONS</b>	<b>1,138,584</b>	<b>1,252,359</b>	<b>+3,181</b>	-	<b>+3,879</b>	<b>1,259,419</b>

## Notes:

- Change in Range Improvements between 2016 and 2017 reflects the change in available appropriations due to a sequester of 6.8% in 2016, not a request for an increase in appropriated funds.

# Collections



# COLLECTIONS

## BLM Collections, 2014 - 2017 (\$000)

Collection Source	2014 Actual	2015 Actual	2016 Estimated	2017 Estimated
Sale of Public Lands	76,580	99,861	96,057	88,597
Miscellaneous Filing Fees	122	56	60	60
Mineral Leasing National Grasslands	1,897	1,159	1,780	1,780
Grazing Fees & Land Utilization Project Lands	12,117	14,516	12,755	11,704
Timber Sales & Vegetative Material	43,708	48,897	34,260	28,770
Recreational Use Fees	18,645	21,842	18,662	19,204
Earnings on Investments	369	275	2,200	5,260
Sale of Helium	242,111	181,699	207,297	125,811
Mining Claim & Holding Fees	57,437	57,341	54,981	55,117
Service Charges, Deposits and Forfeitures	29,998	28,070	31,050	31,050
Application for Permit to Drill Fees	35,413	28,698	38,950	42,437
Grazing Administrative Processing Fees	0	0	0	16,500
Onshore Oil and Gas Lease Inspection Fees	0	0	0	48,000
Other Collections	94,220	106,584	105,682	126,195
<b>Total</b>	<b>612,617</b>	<b>588,998</b>	<b>603,734</b>	<b>597,485</b>

### 2017 Collections

In 2017, the Bureau of Land Management (BLM) will directly collect an estimated total of \$600.3 million in revenue. Revenue is collected by the BLM from sources such as the sale of land and materials, grazing fees, timber sales, recreation use fees, and various filing fees. These collections assist State and local governments, support all programs funded from the General Fund of the U.S. Treasury, and offset charges for program operations where certain fees collected can be retained by the BLM.

In addition, the Office of the Natural Resources Revenue (ONRR) will collect an estimated \$2.7 billion in receipts from BLM's onshore mineral leasing activities (bonuses, rents, and royalties). Because ONRR collects them, these mineral leasing receipts are reflected in the ONRR budget materials (within the Office of the Secretary Budget Justification).

The amount of revenue expected to come from some sources varies for the reasons described below.

**Sales of Public Land** – This category includes receipts from the sale of public land, including land sales in Clark County, Nevada. Excluded from this collection source are the sales of timber and vegetative materials from the public domain land, sale of land and timber and vegetative materials from the Oregon & California Grant Lands and Coos Bay Wagon Road

Lands, sale of land from Land Utilization project lands, sale of land and materials from reclaimed lands (reserved or withdrawn), and sale of town sites and reclamation projects.

The main sources of collections in the Sale of Public Land category are described below. The collection amounts described here represent 100 percent of the funds collected. In many cases, portions of the funds collected are distributed to State governments, to the U.S. Treasury, or other entities, before the remaining portion is distributed to the BLM. The Management of Lands and Resources, Permanent Operating Funds, Miscellaneous Permanent Payments, and Miscellaneous Trust Funds chapters describe the portions allocated to the BLM and how the BLM uses the funds.

- ***Southern Nevada Public Land Management Act (SNPLMA) Sales Proceeds*** –SNPLMA, as amended, provides a process for the orderly sale of certain public lands in Clark County, Nevada, near the city of Las Vegas. Approximately 50,000 acres of public land are within the disposal boundary area. The BLM has conducted land sales for 15 years under the authority of this statute. Collections in 2014 and 2015 were \$61,430,000 and \$78,441,000 respectively. Sales in 2016 are projected to produce \$75,065,000. The increase is due to an increase in estimates of acres sold offsetting a lower price per acre. Estimated collections for 2017 are expected to be \$66,660,000 mainly coming from final payments received from the spring 2016 sale less 15% payments on the estimated total gross revenue. Collections are reported when payments are received regardless of when sales are held and the estimates make allowance for the normal lag of 180 days between sales and collections. For more information see SNPLMA, P.L. 105-263, as amended by P.L. 107-282.
- ***Southern Nevada Public Land Management and Lincoln County – Earnings on Investments*** – SNPLMA authorizes the Secretary to manage the collections account for the purposes set out above, and is also authorized to use interest generated from the above-mentioned funds. The BLM is authorized to invest the unspent balance of collections from SNPLMA and Lincoln County Lands Act land sale receipts. Earnings on investments for 2014 and 2015 were \$369,000 and \$275,000 respectively. Interest estimated to be earned in 2016 and 2017 is \$2,200,000 and \$5,260,000 respectively. Projected investment earnings take into account revenue from land sales, earnings on investments, and projected interest rates and outlays.
- ***Federal Land Transaction Facilitation Act (FLTFA)*** – No receipts were collected from the sale of land under *FLTFA, Title II* of P.L. 106-248 in 2013 or 2014 because the authority expired in July 2011; the unobligated balance was transferred to the Land and Water Conservation Fund as required by law. The 2017 Budget includes a proposal to reauthorize FLTFA and allow lands identified as suitable for disposal in current land use plans to be sold using the FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally-sensitive lands and the administrative costs associated with conducting sales. Estimated collections for 2017 are \$5,000,000. The Permanent Operating Funds section provides more information on the proposal. Four percent of FLTFA collections are paid to the State in which the land is sold.
- ***Lincoln County Land Sales*** – Revenue in the amount of \$3,353,000 was collected in 2015 from land sales under the Lincoln County Land Sales Act, P.L. 106-298, as amended. Receipts, mainly from Coyote Springs sales, are estimated to be \$436,000 and \$427,000 in 2016 and 2017, of which five percent and ten percent will be paid to the State and County.

- **Owyhee Land Acquisition Account** – Revenue collected prior to the enactment of the Omnibus Public Land Management Act of 2009 in the amount of \$2,451,000 was deposited to this account in 2010. No revenue was collected in the account since then, but \$100,000 is estimated to be collected in 2016; and sales in 2017 are estimated to produce \$1,500,000. Four percent of those amounts are paid to the State.
- **Washington County, Utah Land Acquisition Account** – Revenue in the amount of \$806,000 was collected in 2015 from the sale of land under the Washington County, Utah Acquisition Account, P.L. 111-11, (Section 1978). Estimated collections in 2016 are \$4,432,000. No revenue is estimated in 2017.
- **Silver Saddle Endowment Account** – Revenue in the amount of \$375,000 was collected in 2015 from the sale land under the Silver Saddle Endowment Account, P.L. 111-11, (Section 2601). Estimated collections in 2016 are \$823,000. Four percent of collections will be paid to the State. No revenue is estimated in 2017.
- **Carson City Special Account** – Revenue in the amount of \$55,000 was collected in 2015 from the sale of land under the Carson City Special Account, P.L. 111-11, (Section 2601). None is estimated to be collected in 2016 and 2017.

**Miscellaneous Filing Fees** – Collections in this category are primarily from fees received for filing or recording documents; charges for registration of individuals, firms, or products; and requests for approval of transfer of leases or permits under statutory authorities that do not permit the BLM to retain and spend those collections.

**Mineral Leasing-National Grasslands** – The Office of Natural Resources Revenue, formerly a component of the Minerals Management Service, is responsible for the collection and distribution of most mineral leasing receipts; however, the BLM administers and collects rentals from oil and gas pipeline rights-of-way associated with lands leased under the *Mineral Leasing Act* and the *Mineral Leasing Act for Acquired Lands*. Also, the BLM pays 25 percent of mineral leasing collections on acquired lands to counties where the collections were generated. The BLM continues to collect first-year rentals and initial bonuses from mineral leasing but transfers these receipts to ONRR accounts.

**Grazing Fees from Public Lands and Land Utilization Project Lands** – This category includes all grazing fees collected from public lands and Land Utilization Project lands administered by the BLM. It also includes mineral leasing and other receipts from Land Utilization Project lands. Grazing fees are collected under the authority of the *Taylor Grazing Act*, *Federal Land Policy and Management Act*, and the *Public Rangelands Improvement Act of 1978*. For more information on the use of these fees see the Range Improvements section.

**Timber and Vegetative Material Sales –**

- Receipts from the Oregon and California (O&C) and Coos Bay Wagon Road Grant (CBWR) Lands – In 2015, the BLM collected \$47,571,000, mostly from timber receipts from Oregon and California and Coos Bay Wagon Road lands.
- Under the Medicare Access and CHIP Reauthorization Act of 2015, and the Extension of Secure Rural Schools and Community Self-Determination Act of 2000 (P.L 114-10), Secure Rural Schools payments were authorized for two years. The payments were authorized to be made in 2015 (for 2014) and 2016 (for 2015). The 2017 Budget proposes a five-year reauthorization of the Secure Rural Schools Act with funding through mandatory U.S. Forest Service (USFS) appropriations. The USFS will make the Secure Rural Schools (SRS) payments to western Oregon counties. This SRS proposal revises the allocation split between the three portions of the program from the current authority emphasizing enhancement of forest ecosystems, restoration and improvement of land health and water quality and the increase of economic activity. (Please refer to the Miscellaneous Permanent Payments section for more information about the SRS and the USFS budget for more information on the reauthorization proposal.)
- **Timber Receipts from the Public Domain Forest Lands** – In 2016, the BLM expects to offer for sale 25 million board feet of timber products from public domain lands, and estimates collections of \$1,154,000 in timber sales receipts from public domain lands. Collections in 2014 and 2015 were \$1,920,000 and \$2,185,000 respectively, and the estimates for 2016 and 2017 are \$2,600,000 and \$1,550,000. Collections from salvage timber sale on public domain lands were \$1,270,000 in 2014 and \$1,099,000 in 2015. Estimates are \$2,000,000 in 2016 and \$1,000,000 in 2017.
- **Stewardship Contracting Fund** – With stewardship contracting, the BLM may apply the value of timber or other forest products removed as an offset against the cost of services received, and monies from a contract under subsection (a) may be retained by the USFS and the BLM. These monies are available for expenditure without further appropriation at the project site from which the monies are collected or at another project site. In 2014 and 2015, the BLM deposited \$175,000 and \$237 to this fund. The authority expired on September 30, 2013, but was extended by the Agriculture Act of 2014, Public Law No: 113-79. The BLM estimates deposits will be \$20,000 in 2016 and 2017.

**Recreation Use Fees** – Recreation use fees are derived from collecting fees on public lands at recreation sites, issuing recreation use permits, and selling Federal recreation passports such as the Golden Eagle and Golden Age passes. These funds are used to improve recreation facility conditions and user services at recreation sites where the fees were generated. In 2014, and 2015 recreation fee collections were \$18,645,000 and \$21,842,000. The BLM anticipates collecting \$18,662,000 in 2016 and \$19,204,000 in 2017 under its recreation fee collection authorities. The use of recreation fee collections is described in the Permanent Operating Funds section. Under current law, authority for these collections expires in December, 2016. The 2017 Budget proposes to permanently extend the authority to collect and spend these fees.

**Naval Oil Shale Reserve** – On August 7, 2008, the Secretaries of the Interior and Energy certified that sufficient funds had been collected to cover the cost of the cleanup and of equipment installed on the oil shale reserve. Because of the certification, no more deposits were to be made to the Naval Oil Shale Reserve Fund. New revenue from operations at the site is now distributed under the Mineral Leasing Act. The unappropriated account balance is \$76,665,506 which will not change unless new legislation is enacted.

**Sales of Helium** – The Helium Privatization Act of 1996 required the Secretary to offer for sale a portion of the Conservation Helium stored underground at the Cliffside Field north of Amarillo, Texas. Revenue from sales in 2014 was \$242,111,000. That amount was sufficient to pay the remaining debt owed to the Treasury, and the authority for the Helium Revolving Fund expired after that payment was made. Authority for the helium program was reauthorized by the Helium Stewardship Act of 2013, P.L. 113-40. Collections from annual sales were \$181,699,000 in 2015 and are projected to be \$207,297,000 and \$125,811,000 in 2016 and 2017. Revenues in excess of the cost of operating the helium program will be deposited to the General Fund. Additional information is available in the helium program section.

**Mining Claim-Related Fees** – Authority to collect these fees was initially enacted in the *Department of the Interior and Related Agencies Appropriations Act for 1989*, which provided that fees established by the Secretary of the Interior for processing actions relating to the administration of the General Mining Laws shall be immediately available to BLM for Mining Law Administration program operations.

The *Omnibus Budget Reconciliation Act of 1993, P.L. 103-66, (Section 10101)* provided for the annual \$100 per claim maintenance fee for unpatented mining claims and sites to continue through 1998. The authority has been modified and extended by Interior appropriations acts. The law allows a waiver from the fee for those claimants who hold 10 or fewer claims. The authority also established a \$25.00 per claim location fee for new claims, to be paid at the time of recordation. The law requires that the fee be adjusted for inflation. The maintenance fee is currently \$155.00 per claim and the location fee is currently \$37.00 per claim. Collections in 2014 and 2015 were \$57,437,000 and \$57,341,000. They are estimated to be \$54,981,000 in 2016 and \$55,117,000 in 2017. Additional information is included in the Mining Law Administration section.

A \$20.00 processing fee is required for new mining claim locations in addition to the initial maintenance fee and location fee. BLM collects this fee under its cost recovery regulations (see 43 CFR 3000.12). These fees are accounted for separately from the maintenance and location fees and therefore are not included in the above total. Additional information is included in the Activity: Mining Law Administration section.

**Service Charges, Deposits, and Forfeitures** – These receipts include revenue from providing special program services, such as rights-of-way application processing fees; wild horse and burro adoption fees; fees charged to timber sale purchasers when the BLM performs work required by the contract; reimbursement to the government for damage to lands and resources; collections for processing disclaimers of interest applications; and photocopying fees. The collection and retention of each of these receipts are authorized through legislation. Collections in 2015 were \$28,070,000 and are estimated to be \$31,050,000 in 2016 and in 2017. Additional information is included in the Service Charges, Deposits and Forfeitures section.

**Application for Permit to Drill Fees** – For several years, the annual Interior, Environment, and Related Agencies Appropriations Act authorized the BLM to collect a fee when an application for a permit to drill for oil and natural gas was submitted. The fee in 2014 and 2015 was \$6,500 per application. In 2014 and 2015, \$35,413,000 and \$28,698,000 were collected. Up to \$32,500,000 from those collections were authorized to be credited to the Management of Lands and Resources appropriation. Collections in excess of that amount were deposited to the General Fund. The National Defense Authorization Act, P.L. 113-291, now requires that in 2016 and beyond that the fee per application be increased to \$9,500 and be adjusted for inflation. It also

requires that the fees be deposited to the Permit Processing Improvement Fund. Estimated APD fees are \$38,950,000 in 2016 and \$42,437,000 in 2017. For more information, please refer to the discussion in the Oil and Gas Management Program and the Permanent Operating Funds Chapter.

**Onshore Oil and Gas Lease Inspection Fees** – The 2017 budget continues to propose that inspection fees be instituted for onshore oil and gas leases, similar to the fees already collected from offshore oil and gas operations. The fees would support Federal efforts to provide services to ensure the proper reporting of oil and gas production, protect human safety and the environment, and conserve energy resources. These fees will be credited to the Management of Lands and Resources appropriation. The estimate for 2017 is \$48,000,000.

**Grazing Administrative Processing Fees** – The Budget includes appropriations language for a three-year pilot project to allow the BLM to recover some of the costs of issuing grazing permits/leases on BLM lands. The BLM would charge a fee of \$2.50 per Animal Unit Month, which would be collected along with current grazing fees. The fee will assist the BLM in processing pending applications for grazing permit renewals. During the period of the pilot, the BLM would work through the process of promulgating regulations for the continuation of the grazing administrative fee as a cost recovery fee after the pilot expires. The fees will be credited to the Management of Lands and Resources appropriation. The estimate for 2017 is \$16,500,000.

**Other Collections** – Other receipts collected by the BLM are from land rentals for authorized commercial, industrial, and residential purposes; annual rentals from rights-of-way permits (except those issued under the authority of the *Mineral Leasing Act*); and from contributions. These consist of funds contributed to the BLM from non-Federal sources for projects or work authorized by the *Federal Land Policy and Management Act*, *Taylor Grazing Act*, *Sikes Act*, and other laws. Additional information on other collections is included in the Miscellaneous Permanent Payments, Permanent Operating Funds, and Miscellaneous Trust Fund sections. In 2015, the BLM collected \$17,500,000 from wind and solar renewable energy rights-of-way rents. Estimates for 2016 and 2017 are of \$17,500,000 and \$21,900,000 respectively.

**Amounts Not Included in Collections** – Payments to western Oregon counties under the *Secure Rural Schools and Community Self-Determination Act of 2000*, as amended, were made partially from receipts produced in those counties in the preceding year. Over half of the amounts paid, however, are derived from an appropriation from the General Fund. Of the total of payments of \$38,291,000 to the western Oregon counties for 2014 in 2015, \$7,731,000 million were appropriated from the General Fund. The estimated payments for 2015 (to be made in 2016) are \$36,377,000. At this time, the amount that will be appropriated from the General Fund is not known. The 2016 payment is the final payment authorized under the current law.

SRS payments were enacted by P.L. 106-393 for Fiscal Years 2002 through 2006. They were extended for one year (FY 2007) by Public Law 110-28, extended for Fiscal Years 2008 through 2011 by Public Law 110-343; extended 2012 by Public Law 112-141; extended for 2013 by Public Law 113-40; and were extended for 2014 and 2015 by Public Law 114-10. (Payments are made in the year following the year for which the payments are authorized.) The 2017 Budget reflects a five-year reauthorization of funding through mandatory USFS appropriations.

# Management of Lands and Resources



# MANAGEMENT OF LANDS AND RESOURCES

## Appropriations Language

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), [~~\$1,072,675,000~~] *\$1,075,545,000*, to remain available until expended, including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), except that amounts from permit processing fees may be used for any bureau related expenses associated with the processing of oil and gas applications for permits to drill and related use of authorizations; of which \$3,000,000 shall be available in fiscal year [~~2016~~] *2017* subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump-sum grant without regard to when expenses are incurred.

In addition,

(1) *\$48,000,000, to remain available until expended, is for conducting oil and gas inspection activities, to be reduced by amounts collected by the Bureau and credited to this appropriation that shall be derived from onshore oil and gas inspection fees that the Bureau shall collect, as provided for in this Act, except that, for fiscal year 2017, inspection fees collected by the Bureau of Land Management may be used to fund personnel and mission-related costs to expand capacity and expedite orderly energy development subject to environmental safeguards, on Federal land, pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), including the review of applications for permits to drill;*

(2) *\$16,500,000, to remain available until expended, is for the processing of grazing permits and leases, to be reduced by amounts collected by the Bureau and credited to this appropriation, which shall be derived from the \$2.50 per animal unit month administrative fee, as provided for in this Act; and*

(3) *\$39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year [~~2016~~] *2017*, so as to result in a final appropriation estimated at not more than [~~\$1,072,675,000~~] *\$1,075,545,000*, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities. (Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.)*

## Appropriation Language Citations

- 1. For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau**

Appropriates funds to implement the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1701 et seq.) for management of the public lands on a multiple-use and sustained yield basis and such laws applicable to the management of the public lands.

- 2. and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a))**

The Alaska National Interest Lands Conservation Act, Public Law 96-487 (16 U.S.C. 3150(a)) established the Alaska mineral resource assessment program to assess the oil, gas, and other mineral potential on all public lands in the State of Alaska in order to expand the data base with respect to the mineral potential of such lands. The appropriations language provision allows the funds appropriated under this section to also be used for the Alaska mineral resource assessment program to assess the oil, gas, and other mineral potential on all public lands in the State of Alaska in order to expand the database with respect to the mineral potential of such lands.

- 3. \$1,075,545,000 to remain available until expended**

The language makes the appropriations to the account available on a no-year basis. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, maintenance, construction, operations, and rehabilitation of public lands.

- 4. including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), as amended, except that amounts from permit processing fees may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use authorizations,**

Included within the appropriated amount is 15 percent of the fees collected from applications for permits to drill (APD) not permanently appropriated by the National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291), Section 3021(b), BLM Oil and Gas Permit Processing Fee, which amended the Mineral Leasing Act to authorize a fee of \$9,500 per APD (in 2016) on lands under the management of the BLM. The NDAA authorizes the fee for fiscal years 2016 through 2026. For years 2016 through 2019, the NDAA permanently appropriates 85 percent of the fees collected, and makes the remaining 15 percent of fee revenues subject to appropriation. For years 2020 through 2026, 100 percent of the fee revenues are permanently appropriated.

- 5. of which \$3,000,000 shall be available in fiscal year 2016 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared**

**projects supporting conservation of Bureau lands and such funds shall be advanced to the Foundation as a lump-sum grant without regard to when expenses are incurred.**

Provides authority for the BLM to transfer \$3.0 million to the National Fish and Wildlife Foundation (NFWF) for the purposes described and that the grant is advanced to NFWF as a lump sum in advance of them incurring or planning the expenses associated with the projects, provided NFWF matches the grant on a dollar for dollar basis from other funds.

- 6. \$48,000,000, to remain available until expended, is for conducting oil and gas inspection activities, to be reduced by amounts collected by the Bureau and credited to this appropriation that shall be derived from onshore oil and gas inspection fees that the Bureau shall collect, as provided for in this Act,**

This new provision appropriates to the BLM an amount to be offset by revenues generated by new fees to be assessed for oil and gas inspection activities. The appropriations language authorizes the BLM to spend the estimated \$48.0 million in fee collections on inspection activities, and this \$48.0 million appropriation is then reduced by the amount of inspection fees actually collected. The fee schedule is located in Section 114 of the General Provisions, and is also shown in the Summary of Program Changes and Legislative Proposals chapter of the BLM Budget Justification.

- 7. except that, for fiscal year 2017, inspection fees collected by the Bureau of Land Management may be used to fund personnel and mission-related costs to expand capacity and expedite orderly energy development subject to environmental safeguards, on Federal land, pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), including the review of applications for permits to drill;**

This language provides BLM a valuable degree of flexibility by permitting the \$48 million for oil and gas inspection activities to also be used to support orderly, rational development of oil and gas on public lands. In 2017, BLM's Oil and Gas Management program will be increasingly dependent on permanent appropriations, in the form of lease rental revenues and APD fees deposited into the Permit Processing Improvement Fund, which are not provided at the beginning of the year, but instead only become available as they are collected over the course of the fiscal year. The appropriations language will assist BLM in executing all of its oil and gas management responsibilities effectively throughout the year.

- 8. \$16,500,000, to remain available until expended, is for the processing of grazing permits and leases, to be reduced by the amounts collected by the Bureau and credited to this appropriation, which shall be derived from a \$2.50 per animal unit month administrative fee, as provided for in this Act;**

This new provision appropriates the BLM an amount to be offset by revenues generated by an administrative processing fee to offset the increased cost of administering the livestock grazing program on public lands managed by the BLM. BLM would charge a fee of \$2.50 per Animal Unit Month, which would be collected along with current grazing fees. The fee will assist the BLM in processing pending applications for grazing permit renewals. The proposed fee

authority is located in Section 416 of the General Provisions and is also shown in the Summary of Program Changes and Legislative Proposals chapter of the BLM Budget Justification.

- 9. \$39,696,000 is for Mining Law Administration program operations including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2016,**

This continued provision appropriates to the BLM an amount to be offset by revenues generated by mining claim fees (maintenance fees and location fees) to offset the cost of managing BLM's hardrock minerals program, including providing access to mineral resources in an environmentally responsible manner on public lands managed by the BLM.

- 10. so as to result in a final appropriation estimated at not more than \$1,075,545,000,**

This is the final budget authority, net of offsetting collections for oil and gas inspection and enforcement, mining law administration, and grazing permit administration.

- 11. \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.**

This continued provision authorizes the BLM to spend revenues (actual collections, but not to exceed \$2.0 million) generated by a fee on rights-of-way authorizations under Title V of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1701 et seq.).

## Authorizations

**General Authorizing Legislation** - The following authorize the general activities of the Bureau of Land Management or govern the manner in which BLM's activities are conducted.

**Reorganization Plan No. 3  
of 1946, §403**

Establishes the BLM.

**Federal Land Policy and  
Management Act of 1976,  
as amended (43 U.S.C.  
1701 et seq.)**

Outlines functions of the BLM, provides for administration of public lands through the BLM, provides for management of the public lands on a multiple-use basis, and requires land-use planning including public involvement and a continuing inventory of resources. The Act establishes as public policy that, in general, the public lands will remain in Federal ownership, and also authorizes:

- Acquisition of land or interests in lands consistent with the mission of the Department and land use plans;
- Permanent appropriation of road use fees collected from commercial road users, to be used for road maintenance;
- Collection of service charges, damages, and contributions and the use of funds for specified purposes;
- Protection of resource values;
- Preservation of certain lands in their natural condition;
- Compliance with pollution control laws;
- Delineation of boundaries in which the Federal government has right, title, or interest;
- Review of land classifications in land use planning; and modification or termination of land classifications when consistent with land use plans;
- Sale of lands if the sale meets certain disposal criteria;
- Issuance, modification, or revocation of withdrawals;
- Review of certain withdrawals by October 1991;
- Exchange or conveyance of public lands if in the public interest;
- Outdoor recreation and human occupancy and use;
- Management of the use, occupancy, and development of the public lands through leases and permits;
- Designation of Federal personnel to carry out law enforcement responsibilities;
- Determination of the suitability of public lands for rights-of-way purposes (other than oil and gas pipelines) and specification of the boundaries of each right-of-way;
- Recordation of mining claims and reception of evidence of annual assessment work.

**Omnibus Public Land  
Management Act, 2009  
(P.L. 111-11):**

- Codifies the 26 million acre National Landscape Conservation System as a permanent program in the BLM.
- Established one new National Monument in New Mexico.
- Established four new National Conservation Areas: two in Utah, one in Colorado, and one in New Mexico.
- Added approximately 2 million acres to the National Wilderness Preservation System.
- Added approximately 1,000 miles to the National Wild and Scenic River System.
- Directed eight conveyances of public land out of Federal ownership.

***National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)***

Requires the preparation of environmental impact statements for Federal projects which may have a significant effect on the environment. It requires systematic, interdisciplinary planning to ensure the integrated use of the natural and social sciences and the environmental design arts in making decisions about major Federal actions that may have a significant effect on the environment.

***The Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.)***

Directs Federal agencies to ensure that their actions do not jeopardize threatened and endangered species and that through their authority they help bring about the recovery of these species.

***Energy Policy Act of 2005 (P.L. 109-58)***

Directs Federal agencies to undertake efforts to ensure energy efficiency, and the production of secure, affordable, and reliable domestic energy.

***An Act to Amend the Reclamation Recreation Management Act of 1992 (P.L. 107-69)***

Provides for the security of dams, facilities and resources under the jurisdiction of the Bureau of Reclamation. Authorizes the Secretary of the Interior to authorize law enforcement personnel from the Department of the Interior to enforce Federal laws and regulations within a Reclamation Project or on Reclamation lands.

***The Civil Service Reform Act of 1978 (5 U. S. C. 1701)***

Requires each executive agency to conduct a continuing program to eliminate the under-representation of minorities and women in professional, administrative, technical, clerical, and other blue collar employment categories within the Federal services.

***The Civil Rights Act of 1964, as amended (42 U.S.C. 2000)***

Requires development and maintenance of affirmative action programs to ensure non-discrimination in any employment activity.

***The Paperwork Reduction Act of 1980 (44 U.S.C. 3501-3520)***

Provides national Federal information policy, and requires that automatic data processing and telecommunication technologies be acquired and used to improve services, delivery, and productivity, and to reduce the information processing burden for the Federal government and the general public.

***The Electronic FOIA Act of 1996 (P.L. 104-231)***

Requires that government offices make more information available in electronic format to the public.

***The Information Technology Management Reform Act of 1996 (P.L. 104-106 §5001)***

Requires agencies to more effectively use Information Technology to improve mission performance and service to the public, and strengthen the quality of decisions about technology and mission needs through integrated planning, budgeting, and evaluation.

***The Chief Financial Officers Act of 1990 (U.S.C. 501)***

Requires that a Chief Financial Officer be appointed by the Director of OMB and that this CFO will provide for the production of complete, reliable, timely and consistent financial information for use by the executive branch of the Government and the Congress in the financing, management, and evaluation of Federal programs.

***The Government Performance and Results Act of 1993 (P.L. 103-62)***

Requires 10 federal agencies to launch a 3-year pilot project beginning in 1994, to develop annual performance plans that specify measurable goals, and produce annual reports showing how they are achieving those goals.

***P.L. 101-512, November 5, 1990***

Authorizes BLM to negotiate and enter into cooperative arrangements with public and private agencies, organizations, institutions, and individuals to implement challenge cost share programs.

***Notification and Federal Employee Anti-discrimination and Retaliation Act of 2001 (P.L. 107-174)***

Requires Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws, and for other purposes.

***Safe Drinking Water Act Amendments of 1977 (42 U.S.C. 201)***

Requires compliance with all Federal, State, or local statutes for safe drinking water.

***E-Government Act of 2002 (P.L. 107-374)***

Requires the use of internet-based information technology to improve public access to information and to promote electronic services and processes.

***Specific Authorizing Legislation*** - In addition to the above laws that provide general authorization and parameters, a number of laws authorize specific program activities, or activities in specific or designated areas.

**Soil, Water and Air Management*****Consolidated Appropriations Act, 2005 (P.L. 108-447) – including the authorizations:***

- Watershed Restoration Projects (P.L. 106-291, Section 331, as amended by P.L. 108-447, Division E, Section 336) - permits the Colorado State Forest Service to perform watershed restoration and protection services on BLM lands in the State of Colorado when similar and complementary work is being performed on adjacent state lands.
- Snake River Water Rights Act of 2004 (P.L. 108-447, Division J, Title X) – Directs BLM to transfer, at the selection of the Nez Perce Tribe, certain land managed by the BLM in northern Idaho to the Bureau of Indian Affairs to be held in trust for the Tribe. Existing rights and uses on the selected lands remain in effect until the date of expiration of the lease or permit. The fair market value of the parcels of land selected by the Tribe is not to exceed \$7 million.

***Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2001 (P.L. 107-237)***

Authorizes the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River, Malheur River, Owyhee River, and Powder River Basins.

***Colorado River Basin Salinity Control Act Amendment of 1984 (43 U.S.C. 1593)***

Directs the Department to undertake research and develop demonstration projects to identify methods to improve the water quality of the Colorado River. The amendment requires BLM to develop a comprehensive salinity control program, and to undertake advanced planning on the Sinbad Valley Unit.

***Soil and Water Resources  
Conservation Act of 1977  
(16 U.S.C. 2001)***

Provides for conservation, protection and enhancement of soil, water, and related resources.

***The Clean Air Act of 1990,  
as amended (42 U.S.C.  
7401, 7642)***

Requires BLM to protect air quality, maintain Federal and State designated air quality standards, and abide by the requirements of the State implementation plans.

***The Clean Water Act of  
1987, as amended (33  
U.S.C. 1251)***

Establishes objectives to restore and maintain the chemical, physical and biological integrity of the nation's water.

***P.L. 107-30***

Provides further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and adds responsibilities for the Secretary of the Interior and the Bureau of Land Management.

### **Range Management**

***Taylor Grazing Act of 1934  
(43 U.S.C. 315), as  
amended by the Act of  
August 28, 1937 (43 U.S.C.  
1181d)***

Authorizes the establishment of grazing districts, regulation and administration of grazing on the public lands, and improvement of the public rangelands. It also authorizes the Secretary to accept contributions for the administration, protection, and improvement of grazing lands, and establishment of a trust fund to be used for these purposes.

***Public Rangelands  
Improvement Act of 1978  
(43 U.S.C. 1901-1908)***

Provides for the improvement of range conditions to assure that rangelands become as productive as feasible for watershed protection, livestock grazing, wildlife habitat, and other rangeland values. The act also authorizes:

- Research on wild horse and burro population dynamics, and facilitates the humane adoption or disposal of excess wild free roaming horses and burros, and
- Appropriation of \$10 million or 50 percent of all moneys received as grazing fees, whichever is greater, notwithstanding the amount of fees collected.

***Bankhead Jones Farm  
Tenant Act of 1937 (7  
U.S.C. 1010 et seq.)***

Authorizes management of acquired farm tenant lands, and construction and maintenance of range improvements. It directs the Secretary of Agriculture to develop a program of land conservation and utilization to adjust land use to help control soil erosion, conduct reforestation, preserve natural resources, develop and protect recreational facilities, protect watersheds, and protect public health and safety.

***Carl Levin and Howard P.  
"Buck" McKeon National  
Defense Authorization Act  
for Fiscal Year 2015 (P.L.  
113-291)***

Provides authority to continue the terms and conditions of a grazing permit or leases that has expired until any environmental analysis and documentation has been completed.

### **Forest Management**

***Healthy Forests Restoration Act of 2003 (P.L. 108-148) – 16 U.S.C. 6501 et seq.***

Authorized the BLM and the U.S. Forest Service to conduct hazardous fuels reduction projects on federal land in wildland-urban interface areas and on certain other federal lands using expedited procedures.

***Forest Ecosystem Health & Recovery Fund (P.L. 102-381)***

The initial purpose of this fund was to allow quick response to fire and reforestation of forests damaged by insects, disease, and fire. Expanded authorization in the 1998 Interior and Related Agencies Appropriations Act allows activities designed to reduce the risk of catastrophic damage to forests in addition to responding to damage events. Funds in this account are derived from the Federal share (defined as the portion of receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181-1 et seq., and P.L. 106-393) of receipts from all BLM timber salvage sales and all BLM forest health restoration treatments funded by this account. The authority to make deposits and to spend from this fund was provided in the 2010 Interior Appropriations Act (P.L. 111-88, 123 STAT. 2906) and expires at the end of fiscal year 2015.

***Sec. 347 of Public Law 105-277, as amended by Public Law 108-7 and Public Law 113-79***

Permanently authorizes the Bureau of Land Management, via agreement or contract as appropriate, to enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

### **Riparian Management**

***The Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2814)***

Provides for the designation of a lead office and a person trained in the management of undesirable plants; establishment and funding of an undesirable plant management program; completion and implementation of cooperative agreements with State agencies; and establishment of integrated management systems to control undesirable plant species.

***Noxious Weed Control Act of 2004 (P.L. 108-412)***

Establishes a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, nonnative weeds on public and private lands.

***Carlson-Foley Act of 1968 (42 U.S.C. 1241-1243)***

Authorizes BLM to reimburse States for expenditures associated with coordinated control of noxious plants.

### **Cultural Resources Management**

***P.L. 107-346***

To convey certain property to the City of St. George, Utah, in order to provide for the protection and preservation of certain rare paleontological resources on that property, and for other purposes.

***The Federal Cave Resource Protection Act of 1988 (16 U.S.C. 4301)***

Provides for the protection of caves on lands under the jurisdiction of the Secretary, and the Secretary of Agriculture. Establishes terms and conditions for use permits, and penalties for violations.

***The Historic Sites Act (16 U.S.C. 461)***

Declares national policy to identify and preserve historic sites, buildings, objects, and antiquities of national significance, providing a foundation for the National Register of Historic Places.

***The National Historic Preservation Act of 1966, as amended (16 U.S.C. 470)***

Expands protection of historic and archaeological properties to include those of national, State and local significance. It also directs Federal agencies to consider the effects of proposed actions on properties eligible for or included in the National Register of Historic Places.

***The Archaeological Resources Protection Act of 1979, as amended (16 U.S.C. 470a, 470cc and 470ee)***

Requires permits for the excavation or removal of Federally administered archaeological resources, encourages increased cooperation among Federal agencies and private individuals, provides stringent criminal and civil penalties for violations, and requires Federal agencies to identify important resources vulnerable to looting and to develop a tracking system for violations.

***The Chacoan Culture Preservation Act of 1980 (16 U.S.C. 410; ii)***

Provides for preservation, protection, research, and interpretation of the Chacoan system, including 33 archaeological protection sites, located throughout the San Juan Basin on public, State, Indian and private lands.

***The Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001)***

Requires agencies to inventory archaeological and ethnological collections in their possession or control (which includes non-federal museums) for human remains, associated funerary objects, sacred objects, and objects of cultural patrimony; identify them geographically and culturally; and notify appropriate tribes within 5 years.

***Galisteo Basin (New Mexico) Archaeological Sites Protection Act (P.L. 108-208)***

Authorizes the Secretary of the Interior to administer the designated sites under this Act and other laws to protect, preserve, provide for research on, and maintain these archaeological resources.

**Wild Horse and Burro Management*****Wild Free-Roaming Horse and Burro Act of 1971 (P.L. 92-195), as amended***

The Secretary is authorized and directed to protect and manage wild free-roaming horses and burros as components of the public lands, and he may designate and maintain specific ranges on public lands as sanctuaries for their protection and preservation, where the Secretary after consultation with the wildlife agency of the State wherein any such range is proposed and with the Advisory Board established in section 7 of this Act deems such action desirable. The Secretary shall manage wild free-roaming horses and burros in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands.

***Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1701 et seq.)***

For the purpose of furthering knowledge of wild horse and burro population dynamics and their interrelationship with wildlife, forage and water resources, and assisting the Secretary in making his determination as to what constitutes excess animals, the Secretary shall contract for a research study of such animals with such individuals independent of Federal and State government as may be recommended by the National Academy of Sciences for having scientific expertise and special knowledge of wild horse and burro protection, wildlife management and animal husbandry as related to rangeland management.

***Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1908)***

Based on the information available to him at the time, if the Secretary determines that overpopulation of wild free-roaming horses and burros exists on a given area of the public lands and that action is necessary to remove excess animals, he shall immediately remove excess animals from the range so as to achieve appropriate management levels. Such action shall be taken until all excess animals have been removed so as to restore a thriving natural ecological balance to the range, and protect the range from the deterioration associated with overpopulation.

The Secretary shall cause such number of additional excess wild free-roaming horses and burros to be humanely captured and removed for private maintenance and care for which he determines an adoption demand exists by qualified individuals, and for which he determines he can assure humane treatment and care (including proper transportation, feeding, and handling).

**Wildlife Management**

***National Fish and Wildlife Foundation Establishment Act, as amended, (16 U.S.C. 3701)***

Established the National Fish and Wildlife Foundation as a nonprofit corporation to encourage, accept and administer private gifts of property, and to undertake activities to further the conservation and management of fish, wildlife, and plant resources of the U.S.

***The Migratory Bird Conservation Act of 1929, as amended (16 U.S.C. 715) and treaties pertaining thereto***

Provides for habitat protection and enhancement of protected migratory birds.

***The Sikes Act of 1974, as amended (16 U.S.C. 670 et seq.)***

Provides for the conservation, restoration, and management of species and their habitats in cooperation with State wildlife agencies.

**Wilderness Management**

***Defense Department FY 2006 Authorization Bill (P.L. 109-63)***

Provides for the designation and management of Cedar Mountain Wilderness in Utah.

***Tax Relief and Health Care Act of 2006***

Designates wilderness in White Pine County, Nevada.

<b><i>Otay Mountain Wilderness Act of 1999</i></b>	Establishes the Otay Mountain Wilderness Area in California, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.
<b><i>Clark County Conservation of Public Land and Natural Resources Act of 2002 (P.L. 107-282) (16 USC 460qqq)</i></b>	Establishes Wilderness Areas, including Sloan Canyon National Conservation Area, and to promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.
<b><i>Ojito Wilderness Act (P.L. 109-94)</i></b>	Designates New Mexico's Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, and for other purposes.
<b><i>P.L. 107-361</i></b>	Authorizes the Secretary of the Interior to convey certain public lands within the Sand Mountain Wilderness Study Area in Idaho to resolve an occupancy encroachment dating back to 1971.
<b><i>Northern California Coastal Wild Heritage Wilderness Act (P.L. 106-362)</i></b>	Provides for the designation and management of Wilderness Areas in California.
<b><i>Big Sur Wilderness and Conservation Act of 2002 (P.L. 107-370)</i></b>	Designates certain lands in the State of California as components of the National Wilderness Preservation System, and for other purposes.
<b><i>Utah West Desert Land Exchange Act of 2000 (P.L. 106-301)</i></b>	Authorizes exchange of public lands for certain lands owned by the State of Utah within existing and proposed Wilderness Study Areas in the West Desert Region of Utah.
<b><i>The Land Use Planning Act (P. L. 94-579), as amended by the California Desert Protection Act of 1994 (P.L. 103-433) (43 USC 1781)</i></b>	Establishes boundaries and management responsibilities for areas in the California Desert, and establishes 69 new Wilderness Areas.
<b><i>The Wilderness Act of 1964 (16 U.S.C. 1131 et seq.)</i></b>	Provides for the designation and preservation of Wilderness Areas.
<b><i>Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291)</i></b>	Establishes the Rocky Mountain Front Conservation Management Area in Montana including 13,087 acres of BLM land; withdraws certain lands in the North Fork Federal Lands Withdraw Area from all forms of location, entry, and patent under mining laws, and disposition under all laws relating to mineral leasing and geothermal leasing; and designates 26,000 acres of land as wilderness.

### **Recreation Resources Management**

***Federal Lands Recreation Enhancement Act (P.L. 104-134)***

Provides authority to the Bureau of Land Management for collection of recreation fees to maintain and improve the quality of visitor amenities and services.

***The Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460 et seq.)***

Provides for the establishment of the Land and Water Conservation Fund, special BLM accounts in the Treasury, the collection and disposition of recreation fees, the authorization for appropriation of recreation fee receipts, and other purposes. Authorizes planning, acquisition, and development of needed land and water areas and facilities.

### **Oil & Gas Management**

***The Act of March 3, 1909, as amended, and the Act of May 11, 1938 (25 U.S.C. 396, 396(a))***

Provides the basic mandate under which BLM supervises minerals operations on Indian Lands. Provides that lands allotted to Indians, and unallotted tribal Indian lands, may be leased for mining purposes, as deemed advisable by the Secretary.

***The Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701) (FOGRMA)***

Comprehensive law dealing with royalty management on Federal and Indian leases. In addition to revenue accountability, it includes provisions pertaining to onshore field operations, inspections, and cooperation with State and Indian tribes; duties of lessees and other lease interest owners, transporters, and purchasers of oil and gas; reinstatement of onshore leases terminated by operation of law; and a requirement that the Secretary study whether royalties are adequate for coal, uranium, and non-energy leasable minerals.

***Energy Policy and Conservation Act Amendments of 2000 (P.L. 106-469, Section 604) –***

Directs the Secretary of the Interior, in consultation with the Secretaries of Agriculture and Energy, to conduct an inventory of all onshore Federal lands to determine reserve estimates of oil and gas resources underlying the lands and the extent and nature of any impediments to development of the oil and gas resources.

***The Federal Onshore Oil and Gas Leasing Reform Act of 1987 (30 U.S.C. 226, et seq.)***

Establishes a new oil and gas leasing system, and changes certain operational procedures for onshore Federal lands.

***The Combined Hydrocarbon Leasing Act of 1981 (30 U.S.C. 181, 351)***

Permits the owners of oil and gas leases issued after November 16, 1981, to explore, develop, and produce tar sands. Authorizes the issuance of combined hydrocarbon leases in specified areas designated by the Department of the Interior on November 20, 1980.

***Reorganization Plan No. 3 of 1946, §402 (60 Stat. 1099)***

Transferred mineral leasing functions to the Secretary, from the Secretary of Agriculture, for certain acquired lands.

***The Interior and Related Agencies Appropriations Act for 1981 (42 U.S.C. 6508)***

Provides for competitive leasing of oil and gas in the National Petroleum Reserve in Alaska.

***The Geothermal Steam Act of 1970 (30 U.S.C. 1001)***

Authorizes the Secretary to issue leases for the development of geothermal resources.

***The Geothermal Steam Act Amendments of 1988***

Lists significant thermal features within the National Park System requiring protection, provides for lease extensions and continuation of leases beyond their primary terms, and requires periodic review of cooperative or unit plans of development.

***The Mining and Minerals Policy Act of 1970 (30 U.S.C. 21a)***

Establishes policy of fostering development of economically stable mining and minerals industries, their orderly and economic development, and studying methods for disposal of waste and reclamation.

***The Act of March 3, 1879, as amended (43 U.S.C. 31(a))***

Provides for the inventory and classification of the public lands, and examination of the geologic structure, mineral resources, and products of the national domain.

***Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235)***

Provides authority for an Internet-based oil and gas leasing program.

***Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291)***

Authorizes processing fee for applications for permit to drill (APD) for 2016 through 2026, with collections deposited into and permanently appropriated from the BLM Permit Processing Fund (PPIF), except in years 2016 through 2019 when only 85 percent of APD fee revenues are permanently appropriated. The NDAA also permanently extends BLM access to the mineral lease rent revenues deposited in the PPIF. Prior to enactment of the NDAA, BLM access to the PPIF would have expired at the end of 2015, in accordance with Section 365 of the Energy Policy Act of 2005, which created the PPIF. Amends the Mineral Leasing Act to provide authority for establish and implement internet leasing for on-shore oil and gas leases.

### **Coal Management**

***The Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.)***

Provides that lands may be declared unsuitable for surface coal mining where significant adverse impacts could result to certain wildlife species.

***The Federal Coal Leasing Amendments Act of 1976 (30 U.S.C. 201, et seq.)  
The Mining and Minerals Policy Act of 1970 (30 U.S.C. 21a)***

Requires competitive leasing of coal on public lands, and mandates a broad spectrum of coal operations requirements for lease management.

Establishes policy of fostering development of economically stable mining and minerals industries, their orderly and economic development, and studying methods for disposal of waste and reclamation.

***The Act of March 3, 1879, as amended (43 U.S.C. 31(a))***

Provides for the inventory and classification of the public lands, and examination of the geologic structure, mineral resources, and products of the national domain.

### **Other Mineral Resources**

***Mineral Materials Act of 1947 (30 U.S.C. 601)***

Authorizes the BLM to sell sand, gravel, crushed stone, clay and pumice at fair market value and to grant free-use permits to Government agencies and nonprofit organizations, so long as public land resources, the environment and the public are protected.

***The Multiple Surface Use Act (30 U.S.C. 611)***

Specified that sand, gravel, and certain other minerals were no longer locatable under the General Mining Law of 1872 but were subject to disposal by sale under the Materials Act of 1947.

### **Alaska Conveyance**

***The Alaska Native Claims Settlement Act of 1971 (ANCSA) (43 U.S.C. 1612)***

Requires the survey of Alaska Native lands for conveyance to Native corporations and individuals.

***The Alaska Statehood Act, as amended (48 U.S.C. Chap. 2 note)***

Requires the survey of lands for conveyance to the State.

***The Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3101 et seq.)***

Provides for the designation and conservation of certain public lands in Alaska. BLM responsibilities include six Wild and Scenic Rivers, nine study rivers, one National Conservation Area, one National Recreation Area, and one National Scenic Highway.

***Alaska Native Allotment Subdivision Act (P.L. 108-337)***

Allows Native Alaskans to subdivide their restricted allotment lands with the approval of the Secretary of the Interior.

***Alaska Land Acceleration Act of 2003 (P.L. 108-452)***

Reduces the delays that exist in the adjudication and conveyance of Alaska Native Allotments, State and other land entitlements that are authorized under the Alaska Native Allotment Act of 1906, the Alaska Native Claims Act, and the Alaska Statehood Act.

***43 U.S.C. 2***

Provides that the Secretary shall perform all executive duties pertaining to the surveying and sale of public lands, private claims of public lands, and the issuing of patents for all grants of land under the authority of the Government.

***43 U.S.C. 52***

Provides that the Secretary shall cause all public lands to be surveyed and monumented, that all private land claims shall be surveyed after they have been confirmed, and that the Secretary shall transmit plats of all lands surveyed to such officers as he may designate.

### **Cadastral Survey**

***Executive Order 12906***

The executive branch is developing, in cooperation with State, local, and tribal governments, and the private sector, a coordinated National Spatial Data Infrastructure to support public and private sector applications of geospatial data. BLM is charged with developing data standards, ensuring the capability to share cadastral data from the Public Land Survey System of the U.S. with partners.

### **Lands & Realty**

***Native American Technical Corrections Act of 2004 (P.L. 108-204, Title II)***

Placed in trust for the Pueblo of Santa Clara in New Mexico approximately 2,484 acres of BLM-managed land. Placed in trust for the Pueblo of San Ildefonso in New Mexico approximately 2,000 acres of BLM-managed land.

***P.L. 107-374***

Direct the Secretary of the Interior to grant to Deschutes and Crook Counties, Oregon, a right-of-way to West Butte Road.

***P. L. 109-46***

Directs the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of Interior to convey certain land to Eureka County, Nevada, for continued use of cemeteries.

***P. L. 109-69***

Directs the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada.

***P. L. 109-130***

Directs the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah.

***Southern Nevada Public Land Management Act of 1998 (P.L. 105-263)***

Authorizes the disposal through sale of 27,000 acres in Clark County, Nevada, the proceeds of which are distributed as follows: (a) 5 percent for use in the general education program of the State of Nevada; (b) 10 percent for use by Southern Nevada Water Authority for water treatment and transmission facility infrastructure in Clark County, Nevada; and (c) the remaining 85 percent to be used to acquire environmentally sensitive lands in Nevada; to make capital improvements to areas administered by NPS, FWS and BLM in Clark County, Nevada; to develop a multi-species habitat plan in Clark County, Nevada; to develop parks, trails, and natural areas in Clark County, Nevada; and to provide reimbursements for BLM costs incurred in arranging sales and exchanges under this Act.

***Clark County Conservation of Public Land and Natural Resources Act of 2002 (P.L. 107-282) as amended by P.L. 108-447***

Enlarges the area in which the BLM can sell lands under the Southern Nevada Public Land Management Act; approves a land exchange in the Red Rock Canyon Area; designates wilderness; designates certain BLM lands for a new airport for Las Vegas; and gives land to the State and City for certain purposes.

***Lincoln County Lands Act of 2000 (P.L. 106-298)***

Authorizes disposal of certain Federal lands through public sale in Lincoln County, Nevada, and provides for use of the receipts: 5 percent to the State of Nevada, 10 percent to the County, and 85 percent to an interest bearing account that is available for expenditure without further appropriation.

***Lincoln County Conservation, Recreation and Development Act (PL 108-424)***

Addresses a wide-range of public lands issues in Lincoln County, Nevada, designates as wilderness 768,294 acres of BLM-managed lands and releases from wilderness study area (WSA) status 251,965 acres of public land. The bill also directs the BLM to dispose of up to 90,000 acres of public land and divides the proceeds 85 percent to a federal fund and 15 percent to state and county entities, establishes utility corridors, transfers public lands for state and county parks, creates a 260-mile OHV trail and resolves other public lands issues.

***Consolidated Appropriations Act, 2005 (P.L. 108-447) – including the authorizations:***

- Foundation for Nevada's Veteran's Land Transfer Act of 2004 (P.L. 108-447, Division E, Section 144) – authorizes the transfer of public lands from the BLM to the Veteran's Administration for the construction and operation of medical and related facilities.
- To Resolve a Minor Boundary Encroachment on Lands of the Union Pacific Railroad Company in Tipton, CA (P.L. 108-447, Division E, Section 139) – relinquishes the Federal government's reversionary interest in an abandoned railroad right-of-way in order to clear the cloud on the title of a small parcel of private land.
- Federal Land Recreation Enhancement Act (P.L. 108-447, Division J, Title VIII) – Gives the BLM authority to collect entrance fees at certain recreation areas for ten years beginning in 2005.

***P.L. 107-324***

A bill to direct the Secretary of the Interior to convey certain land to the City of Haines, Oregon.

***T'uf Shur Bien Preservation Trust Area Act (P.L. 108-7, Division F, Title IV)***

Amended FLPMA, Section 316, to require that any corrections to land conveyance documents which affect the boundaries of land administered by a federal agency other than the BLM be made only after consultation with, and the approval of, the head of such other agency.

***P.L. 107-371***

Directs the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in Idaho resulting from possible omission of lands from an 1880 survey.

***P.L. 107-350***

Provides for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range.

***P.L. 107-138***

Require the valuation of non-tribal interest ownership of subsurface rights within the boundaries of the Acoma Indian Reservation, and for other purposes.

***P.L. 106-206***

Revised authority for commercial filming and still photography activities. In doing so, it clarifies authority on the requirements for commercial filming and still photography permits and establishes

	limitations on filming activities for the protection of resources.
<b><i>Ivanpah Valley Airport Public Land Transfer Act (P.L. 106-145)</i></b>	Authorizes sale at fair market value of certain lands in Clark County, Nevada to Clark County, for use as an airport. Provides that the funds be deposited in the special account for the Southern Nevada Public Lands Act, to be used for acquisition of private in-holdings in the Mojave National Preserve and protection of petroglyph resources in Clark County, Nevada.
<b><i>The Burton-Santini Act (P.L. 96-586)</i></b>	Authorizes the Secretary to sell not more than 700 acres of public lands per calendar year in and around Las Vegas, Nevada. The proceeds are to be used to acquire environmentally sensitive lands in the Lake Tahoe Basin of California and Nevada.
<b><i>The Federal Power Act of 1920, as amended (16 U.S.C. 818)</i></b>	Allows other uses of Federal waterpower withdrawals with Federal Energy Regulatory Commission approval.
<b><i>The Act of May 24, 1928, as amended (49 U.S.C. App. 211-213)</i></b>	Authorizes the Secretary to lease contiguous unappropriated public lands (not to exceed 2,560 acres) for a public airport.
<b><i>The Airport and Airway Improvement Act of 1982 (49 U.S.C. 2215)</i></b>	Authorizes conveyance of lands to public agencies for use as airports and airways.
<b><i>The Engle Act of February 28, 1958 (43 U.S.C. 156)</i></b>	Provides that withdrawals for the Department of Defense for more than 5,000 acres shall be made by Congress.
<b><i>The Recreation and Public Purposes Act of 1926, as amended (43 U.S.C. 869)</i></b>	Authorizes the Secretary to classify public lands for lease or sale for recreation or public purposes.
<b><i>The R&amp;PP Amendment Act of 1988</i></b>	Provides that suitable public lands may be made available for use as solid waste disposal sites, in a manner that will protect the U.S. against unforeseen liability.
<b><i>The Desert Land Act of 1877 (43 U.S.C. 321-323)</i></b>	Provides authority to reclaim arid and semi-arid public lands of the western States through individual effort and private capital.
<b><i>The Act of August 30, 1949, as amended (43 U.S.C. 687(b))</i></b>	Authorizes the Secretary to dispose of public lands, and certain withdrawn Federal lands in Alaska, that are classified as suitable for housing and industrial or commercial purposes.
<b><i>The Utah School Lands Act (P.L. 103-93)</i></b>	Authorizes the Secretary to enter into land exchanges for certain purposes.
<b><i>Federal Land Exchange Facilitation Act of 1988 (43 U.S.C. 1716)</i></b>	Amends FLPMA to provide for the streamlining of Federal land exchange procedures.
<b><i>The Arkansas-Idaho Land Exchange Act of 1992 (P.L. 102-584)</i></b>	Authorizes the Secretary to enter into land exchanges for certain purposes.

***Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291)***

Authorizes the Secretary to enter into land exchanges and to convey land for certain purposes.

***The Clean Water Act of 1987, as amended (33 U.S.C. 1251)***

Establishes objectives to restore and maintain the chemical, physical and biological integrity of the nation's water.

***The Resource Conservation and Recovery Act as amended by Federal Facility Compliance Act of 1992 (42 U.S.C. 6901-6992)***

Authorizes EPA to manage, by regulation, hazardous wastes on active disposal operations. Waives sovereign immunity for Federal agencies with respect to all Federal, State, and local solid and hazardous waste laws and regulations. Makes Federal agencies subject to civil and administrative penalties for violations, and to cost assessments for the administration of the enforcement.

***The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended by the Superfund Amendments and Reauthorization Act of 1986 (42 U.S.C. 9601-9673)***

Provides for liability, risk assessment, compensation, emergency response, and cleanup (including the cleanup of inactive sites) for hazardous substances. Requires Federal agencies to report sites where hazardous wastes are or have been stored, treated, or disposed, and requires responsible parties, including Federal agencies, to clean-up releases of hazardous substances.

***Community Environmental Response Facilitations Act of 1992 (42 U.S.C. 9620(h))***

Amendment to the *Comprehensive Environmental Response, Compensation, and Liability Act of 1980*, as amended, which expands on the risk assessment requirements for land transfers and disposal.

***The Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11001-11050)***

Requires the private sector to inventory chemicals and chemical products, to report those in excess of threshold planning quantities, to inventory emergency response equipment, to provide annual reports and support to local and State emergency response organizations, and to maintain a liaison with the local and state emergency response organizations and the public.

***The Pollution Prevention Act of 1990 (42 U.S.C. 13101-13109)***

Requires and encourages prevention and reduction of waste streams and other pollution through minimization, process change, and recycling. Encourages and requires development of new technology and markets to meet the objectives.

### **Annual Maintenance**

***National Dam Inspection Act of 1972 (33 U.S.C. 467)***

Requires the Secretary of the Army, acting through the Chief of Engineers, to carry out a dam inspection program to protect human life and property.

**National Conservation Lands**

***The King Range National Conservation Area Act of 1970, as amended (P.L. 91-476) (16 U.S.C. 460y)***

Provides for management and development of the King Range National Conservation Area for recreational and other multiple-use purposes. It authorizes the Secretary to enter into land exchanges and to acquire lands or interests in lands within the national conservation area.

***Alaska National Interest Lands Conservation Act (P.L. 96-487) (16 USC 460mm)***

Established the Steese National Conservation Area to be managed by the BLM.

***National Parks and Recreation Act of 1978 Amendment (P.L. 101-628)***

Establishes the Yaquina Head Outstanding Natural Area in the State of Oregon in order to protect the unique scenic, scientific, educational, and recreational values of such lands. Requires the Secretary of the Interior to develop a management plan for such Area. The Secretary of the Interior shall manage the monument through the Bureau of Land Management.

***Arizona Desert Wilderness Act of 1990 – Title II – Designation of the Gila Box Riparian National Conservation Area (P.L. 101-628) (16 USC 460ddd)***

Establishes the Gila Box Riparian National Conservation Area. The Secretary of the Interior shall manage the monument through the Bureau of Land Management.

***The Snake River Birds of Prey National Conservation Area Act of 1993 (P.L. 103-64) (16 USC 460iii)***

Establishes the Snake River Birds of Prey National Conservation Area, Idaho, to provide for the conservation, protection, and enhancement of raptor populations, habitats, and associated natural resources and of the scientific, cultural, and educational resources of the public lands. Requires the Secretary of the Interior to finalize a new comprehensive management plan for the Area. Authorizes the Secretary, acting through the Bureau of Land Management, to establish a visitor's center to interpret the history and geological, ecological, natural, cultural and other resources of the Area and biology of the raptors and their relationships to humans.

***An Act to Establish the Red Rock Canyon National Conservation Area in Nevada (P.L. 101-621) as amended by 107-282 (16 U.S.C. 460ccc)***

Provides for the conservation, protection, and enhancement of cultural and natural resources values by the BLM within the Red Rock Canyon National Conservation Area.

***An Act to Establish the El Malpais National Monument and the El Malpais National Conservation Area in New Mexico, P.L. 100-225 (16 U.S.C. 460uu 21)***

Provides for the protection and management of natural and cultural resource values within the El Malpais National Conservation Area by the BLM.

***An Act to Provide for the Designation and Conservation of Certain Lands in Arizona and Idaho(P.L. 100-696) (16 U.S.C. 460xx)***

Establishes the San Pedro Riparian National Conservation Area in Arizona and provides for management and development for recreation and other multiple-use purposes.

***Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999 (6 USC 410fff), as amended (PL 106-76 & 108-128)***

Establishes the Gunnison Gorge National Conservation Area to be managed by the Secretary, acting through the Director of the Bureau of Land Management. PL 108-128 amended the boundaries of the National Conservation Area.

***Black Rock Desert/High Rock Canyon Emigrant Trails National Conservation Area Act of 2000, as amended, (P.L. 106-554 & P.L. 107-63). (16 U.S.C. 460ppp)***

Establishes the Black Rock Desert/High Rock Canyon Emigrant Trails National Conservation Area in Nevada, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

***Colorado Canyons National Conservation Area and Black Ridge Canyon Wilderness Act of 2000 (16 U.S.C. 460mmm, P.L. 106-353 ), as amended by P.L. 108-400 (43 USC 460mmm)***

Establishes the McInnis Canyons National Conservation Area (formerly Colorado Canyons National Conservation Area) and Black Ridge Canyon Wilderness Area in Colorado, to be managed by the BLM.

***Las Cienegas National Conservation Area Act (P.L. 106-538) (16 U.S.C. 460ooo)***

Establishes the Las Cienegas National Conservation Area in Arizona, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

***Santa Rosa and San Jacinto Mountains National Monument Act of 2000 (P.L. 106-351) (16 U.S.C. 431)***

Establishes the Santa Rosa and San Jacinto Mountains National Monument in California, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

***Steens Mountain Cooperative Management and Protection Act of 2000 (P.L. 106-399) (16 U.S.C. 460nnn)***

Establishes the Steens Mountain Cooperative Management and Protection Area in Oregon, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

***Presidential Proclamation 6920 of 1996***

Established the Grand Staircase - Escalante National Monument, to be managed by the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

<b><i>Presidential Proclamation 7265 of 2000</i></b>	Established the Grand Canyon - Parashant National Monument. The Secretary of the Interior shall manage the monument through the Bureau of Land Management and the National Park Service. The Bureau of Land Management shall have primary management authority for those portions of the Monument outside of the Lake Mead National Recreation Area.
<b><i>Presidential Proclamation 7264 of 2000</i></b>	Established the California Coastal National Monument. The Secretary of the Interior shall manage the monument through the Bureau of Land Management.
<b><i>Presidential Proclamation 7263 of 2000</i></b>	Established the Agua Fria National Monument. The Secretary of the Interior shall manage the monument through the Bureau of Land Management.
<b><i>P.L. 107-213</i></b>	Re-designate certain lands within the Craters of the Moon National Monument, and for other purposes.
<b><i>The Wild and Scenic Rivers Act of 1968, as amended (16 U.S.C. 1271 et seq.)</i></b>	Provided for the development and management of certain rivers. Authorized the Secretary to exchange or dispose of suitable Federally-owned property for non-Federal property within the authorized boundaries of any Federally-administered component of the National Wild and Scenic Rivers System.
<b><i>The National Trails System Act of 1968, as amended (16 U.S.C. 1241- 1249)</i></b>	Established a national trails system and requires that Federal rights in abandoned railroads be retained for trail or recreation purposes, or sold with the receipts to be deposited in the LWCF.
<b><i>The National Parks and Recreation Act of 1978 (16 U.S.C. 1242-1243)</i></b>	Established a number of national historic trails which cross public lands.
<b><i>Old Spanish Trail Recognition Act of 2002 (P.L. 107-325)</i></b>	A bill to amend the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail.
<b><i>Presidential Proclamation 8803 of 2012</i></b>	Established the Fort Ord National Monument.
<b><i>Presidential Proclamation 8946 of 2013</i></b>	Established the Rio del Norte National Monument.
<b><i>Presidential Proclamation 8947</i></b>	Established the San Juan Islands National Monument.
<b><i>Presidential Proclamation 9131</i></b>	Established the Organ Mountains-Desert Peaks National Monument.
<b><i>Presidential Proclamation 9297</i></b>	Established the Basin and Range National Monument.
<b><i>Presidential Proclamation 9298</i></b>	Established the Berryessa Snow Mountain National Monument.

### **Mining Law Administration**

***The Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66)***

Establishes an annual \$100 per claim maintenance fee for unpatented mining claims and sites through 1998 and requires that the fee be adjusted for inflation. The law allows a waiver from the fee for those claimants who hold 10 or fewer claims. It also establishes a \$25 per claim location fee for new claims, to be paid when they are recorded with BLM. The Act also broadened the BLM's authority to collect recreation use fees.

***The General Mining Law of 1872, as amended (30 U.S.C. 22, et seq.), as amended by P.L. 108-447, Division E, Section 120, (30 U.S.C. 23 et seq.)***

Provides for locating and patenting mining claims where a discovery has been made for locatable minerals on public lands in specified States, mostly in the western U.S.

***The Act of March 3, 1879, as amended, (43 U.S.C. 31(a))***

Provides for the inventory and classification of the public lands, and examination of the mineral resources and products of the national domain.

***The Mining and Minerals Policy Act of 1970, (30 U.S.C. 21a) (30 U.S.C. 1601, et seq.)***

Sets out the policy of fostering development of economically stable mining and mineral industries, and studying methods for waste disposal and reclamation.

***The Department of the Interior and Related Agencies Appropriations Act for 1989 (43 U.S.C. 1474)***

Provides that receipts for 1989 and thereafter from administrative fees (service charges) established by the Secretary for processing actions relating to the administration of the General Mining Laws shall be immediately available to BLM for mining law administration program operations.

***The 1994 Interior and Related Agencies Appropriations Act (P.L. 103-138)***

Provides that funds shall be available to BLM for mining law administration program operations, to be reduced by amounts collected from annual mining claim fees.

***The 1999 Interior and Related Agencies Appropriations Act ( P.L. 105-277)***

Reauthorizes the collection of annual mining claim maintenance fees through 2001. Extends the recreation fee demonstration program through fiscal year 2001, with collected funds remaining available through fiscal year 2004.

***The 2002 Interior and Related Agencies Appropriations Act ( P.L. 107-63)***

Reauthorizes the collection of annual mining claim maintenance fees through 2003. Extends the recreation fee demonstration program through fiscal year 2004, with collected funds remaining available through fiscal year 2007.

**Other Authorizations*****The Food Security Act of  
1985 (7 U.S.C. 148f)***

Provides for the transfer of funds to the Secretary of Agriculture for Mormon cricket and grasshopper control.

***Indian Self Determination  
And Education Assistance  
Act (P.L. 93-638)***

Provides for non-competitive contracts, grants, or cooperative agreements entered into between a tribal organization and the Federal government for the planning, conduct, and administration of programs which enhance Indian educational achievement or provide other Federal services more responsive to the needs and desires of those communities.

***Oregon Land Exchange  
Act of 2000 (P.L. 106-257)***

Authorizes exchange of specified parcels of public and national forest lands in Oregon for specified parcels of private lands.

***P.L. 109-127***

Revokes a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California.

Summary of Requirements  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	Transfers		2017 President's Budget Program Change		2017 President's Budget Requested Amount		Change from 2016	
	FTE	Amount	FTE	Amount		FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Land Resources</b>													
Soil, Water & Air Management	218	43,239	218	43,609	+145	-	-	+7	+1,624	225	45,378	+7	+1,769
Rangeland Management	634	79,000	634	79,000	+332	-	-	-85	-16,500	549	62,832	-85	-16,168
Grazing Administration Management	-	-	-	-	-	-	-	+85	+16,500	85	16,500	+85	+16,500
<i>Grazing Administration Management Offset</i>	-	-	-	-	-	-	-	-	-16,500	-	-16,500	-	-16,500
Public Domain Forest Mgmt	75	9,838	75	9,980	+96	-	-	-	-	75	10,076	-	+96
Riparian Management	146	21,321	146	21,321	+136	-	-	+2	+1,463	148	22,920	+2	+1,599
Cultural Resources Mgmt	104	15,131	104	16,131	+122	-	-	-	+1,075	104	17,328	-	+1,197
Wild Horse & Burro Mgmt	153	77,245	153	80,555	+125	-	-	-	-572	153	80,108	-	-447
<b>Total, Land Resources</b>	<b>1,330</b>	<b>245,774</b>	<b>1,330</b>	<b>250,596</b>	<b>+956</b>	<b>-</b>	<b>+0</b>	<b>+9</b>	<b>-12,910</b>	<b>1,339</b>	<b>238,642</b>	<b>+9</b>	<b>-11,954</b>
<b>Wildlife &amp; Fisheries</b>													
Wildlife Management	237	52,338	257	89,381	+160	-	-	+21	+19,150	278	108,691	+21	+19,310
Fisheries Management	77	12,530	77	12,530	+98	-	-	-	-	77	12,628	-	+98
<b>Total, Wildlife &amp; Fisheries</b>	<b>314</b>	<b>64,868</b>	<b>334</b>	<b>101,911</b>	<b>+258</b>	<b>-</b>	<b>+0</b>	<b>+21</b>	<b>+19,150</b>	<b>355</b>	<b>121,319</b>	<b>+21</b>	<b>+19,408</b>
<b>Threatened &amp; Endangered Species</b>	<b>131</b>	<b>21,458</b>	<b>131</b>	<b>21,567</b>	<b>+131</b>	<b>-</b>	<b>+0</b>	<b>-</b>	<b>+0</b>	<b>131</b>	<b>21,698</b>	<b>-</b>	<b>+131</b>
<b>Recreation Management</b>													
Wilderness Management	134	18,264	134	18,264	+128	-	-	-	-	134	18,392	-	+128
Recreation Resources Management	349	48,697	349	51,197	+229	-	-	+3	+2,039	352	53,465	+3	+2,268
<b>Total, Recreation Management</b>	<b>483</b>	<b>66,961</b>	<b>483</b>	<b>69,461</b>	<b>+357</b>	<b>-</b>	<b>+0</b>	<b>+3</b>	<b>+2,039</b>	<b>486</b>	<b>71,857</b>	<b>+3</b>	<b>+2,396</b>
<b>Energy &amp; Minerals Management</b>													
Oil & Gas Management	326	53,183	326	59,671	+289	-	-	+25	+20,614	351	80,574	+25	+20,903
Oil & Gas Permit Processing from Fee Collection	268	32,500	41	7,125	-	-	-	-	-760	41	6,365	-	-760
Oil & Gas Inspection Activities	295	41,126	295	48,000	-	-	-	-	-	295	48,000	-	-
<i>Less: Offsetting Fees (Permit Processing and Inspection)</i>	-	-28,697	-	-	-	-	-	-	-48,000	-	-48,000	-	-48,000
Coal Management	71	9,595	71	10,868	+94	-	-	-	-	71	10,962	-	+94
Other Mineral Resources	81	10,586	81	11,879	+99	-	-	-	-1,000	81	10,978	-	-901
Renewable Energy	145	29,061	145	29,061	+128	-	-	-	-	145	29,189	-	+128
<b>Total, Energy &amp; Minerals Management</b>	<b>1,186</b>	<b>147,354</b>	<b>959</b>	<b>166,604</b>	<b>+610</b>	<b>-</b>	<b>+0</b>	<b>+25</b>	<b>-29,146</b>	<b>984</b>	<b>138,068</b>	<b>+25</b>	<b>-28,536</b>

Summary of Requirements (continued)  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	Transfers		2017 President's Budget Program Change		Requested Amount		Change from 2016	
	FTE	Amount	FTE	Amount		FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Realty &amp; Ownership Management</b>													
Alaska Conveyance	109	22,000	109	22,000	+107	-	-	-	-4,780	109	17,327	-	-4,673
Cadastral Survey	3	-	-	-	-	-	-	-	-	-	-	-	-
Land & Realty Management	8	-	-	-	-	-	-	-	-	-	-	-	-
Cadastral, Lands & Realty Mgmt	319	45,658	319	51,252	+228	-	-	-	-	319	51,480	-	+228
<b>Total, Realty &amp; Ownership Management</b>	<b>439</b>	<b>67,658</b>	<b>428</b>	<b>73,252</b>	<b>+335</b>	<b>-</b>	<b>+0</b>	<b>-</b>	<b>-4,780</b>	<b>428</b>	<b>68,807</b>	<b>+0</b>	<b>-4,445</b>
<b>Communication Site Management</b>	<b>17</b>	<b>2,000</b>	<b>17</b>	<b>2,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>+0</b>	<b>-</b>	<b>17</b>	<b>2,000</b>	<b>+0</b>	<b>-</b>
Offsetting Collections	-	-2,000	-	-2,000	-	-	-	-	-	-	-2,000	+0	-
<b>Resource Protection &amp; Maintenance</b>													
Resource Mgmt Planning, Assessment, & Monitoring	207	38,125	210	48,125	+162	-	-	+3	+16,916	213	65,203	+3	+17,078
Abandoned Mine Lands	75	16,987	75	19,946	+90	-	-	-	-	75	20,036	-	+90
Law Enforcement	124	25,325	124	25,495	+121	-	-	-	-	124	25,616	-	+121
Hazardous Materials Management	85	15,612	85	15,612	+102	-	-	-	(251)	85	15,463	-	-149
<b>Total, Resource Protection &amp; Maintenance</b>	<b>491</b>	<b>96,049</b>	<b>494</b>	<b>109,178</b>	<b>+475</b>	<b>-</b>	<b>+0</b>	<b>+3</b>	<b>+16,665</b>	<b>497</b>	<b>126,318</b>	<b>+3</b>	<b>+17,140</b>
<b>Transportation &amp; Facilities Maintenance</b>													
Annual Maint. & Ops	243	38,637	243	38,942	+183	-	-	-	-	243	39,125	-	+183
Def. Maint. & Cap. Improvements	49	26,995	49	31,387	+88	-	-	-	-2,274	49	29,201	-	-2,186
<b>Total, Trans &amp; Facilities Maint.</b>	<b>292</b>	<b>65,632</b>	<b>292</b>	<b>70,329</b>	<b>+271</b>	<b>-</b>	<b>+0</b>	<b>-</b>	<b>-2,274</b>	<b>292</b>	<b>68,326</b>	<b>+0</b>	<b>-2,003</b>
<b>Mining Law Administration</b>	<b>308</b>	<b>39,696</b>	<b>308</b>	<b>39,696</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>308</b>	<b>39,696</b>	<b>+0</b>	<b>-</b>
Offsetting Collections	-	-39,696	-	-39,696	-	-	-	-	-	-	-39,696	+0	-
<b>Workforce &amp; Organizational Support</b>													
Administrative Support	284	47,127	284	50,942	+197	-	-	-	-	284	51,139	-	+197
Bureauwide Fixed Costs	-	91,010	-	93,645	-996	-	-	-	-	-	92,649	-	-996
IT Management	109	25,696	109	25,958	+119	-	-	-	-	109	26,077	-	+119
<b>Total, Workforce &amp; Organizational Support</b>	<b>393</b>	<b>163,833</b>	<b>393</b>	<b>170,545</b>	<b>-680</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>+0</b>	<b>393</b>	<b>169,865</b>	<b>+0</b>	<b>-680</b>
<b>Challenge Cost Share</b>	<b>5</b>	<b>2,413</b>	<b>5</b>	<b>2,413</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-5</b>	<b>-2,413</b>	<b>-</b>	<b>-</b>	<b>-5</b>	<b>-2,413</b>
<b>National Monuments and National Conservation Areas</b>	<b>240</b>	<b>31,819</b>	<b>250</b>	<b>36,819</b>	<b>+175</b>	<b>-</b>	<b>-</b>	<b>+30</b>	<b>+13,651</b>	<b>280</b>	<b>50,645</b>	<b>+30</b>	<b>+13,826</b>
<b>Total, Management of Lands &amp; Resources</b>	<b>5,629</b>	<b>973,819</b>	<b>5,424</b>	<b>1,072,675</b>	<b>+2,888</b>	<b>-</b>	<b>-</b>	<b>+86</b>	<b>-18</b>	<b>5,510</b>	<b>1,075,545</b>	<b>+86</b>	<b>+2,870</b>

**Justification of Fixed Costs and Internal Realignments  
Management of Lands and Resources**

*(Dollars In Thousands)*

<b>Fixed Cost Changes and Projections</b>	<b>2016 Total or Change</b>	<b>2016 to 2017 Change</b>
<b>Change in Number of Paid Days</b> This column reflects changes in pay associated with the change in the number of paid days between the 2016 and 2017.	+2,079	-4,008
<b>Pay Raise</b> The change reflects the salary impact of the 1.6% programmed pay raise increases as provided in the June, 2015 Circular A-11.	+6,815	+7,893
<b>Departmental Working Capital Fund</b> The change reflects expected changes in the charges for centrally billed Department services and other services through the Working Capital Fund. These charges are detailed in the Budget Justification for Department Management.	+25,402	+1,662
<b>Worker's Compensation Payments</b> The amounts reflect projected changes in the costs of compensating injured employees and dependents of employees who suffer accidental deaths while on duty. Costs for the BY will reimburse the Department of Labor, Federal Employees Compensation Fund, pursuant to 5 U.S.C. 8147(b) as amended by Public Law 94-273.	+8,153	-62
<b>Unemployment Compensation Payments</b> The amounts reflect projected changes in the costs of unemployment compensation claims to be paid to the Department of Labor, Federal Employees Compensation Account, in the Unemployment Trust Fund, pursuant to Public Law 96-499.	+6,981	-930
<b>Rental Payments</b> The amounts reflect changes in the costs payable to General Services Administration (GSA) and others for office and non-office space as estimated by GSA, as well as the rental costs of other currently occupied space. These costs include building security; in the case of GSA space, these are paid to Department of Homeland Security (DHS). Costs of mandatory office relocations, i.e. relocations in cases where due to external events there is no alternative but to vacate the currently occupied space, are also included.	66,298	-1,667
<b>Baseline Adjustments for O&amp;M Increases</b> In accordance with space maximization efforts across the Federal Government, this adjustment captures the associated increase to baseline operations and maintenance requirements resulting from movement out of GSA or direct-leased (commercial) space and into Bureau-owned space. While the GSA portion of fixed costs will go down as a result of these moves, Bureaus often encounter an increase to baseline O&M costs not otherwise captured in fixed costs. This category of funding properly adjusts the baseline fixed cost amount to maintain steady-state funding for these requirements.	+0	+0

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# Land Resources



## Activity: Land Resources

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Soil, Water & Air Management	<i>\$000</i> <i>FTE</i>	43,239 218	43,609 218	+145	+0 +0	+1,624 +7	45,378 225	+1,769 +7
Rangeland Management	<i>\$000</i> <i>FTE</i>	79,000 634	79,000 634	+332	+0 +0	-16,500 -85	62,832 549	-16,168 -85
Grazing Administration Management	<i>\$000</i> <i>Offset</i> <i>FTE</i>	0 0 0	0 0 0	+0 +0 +0	+0 +0 +0	+16,500 -16,500 +85	16,500 -16,500 85	+16,500 -16,500 +85
Public Domain Forest Mgmt	<i>\$000</i> <i>FTE</i>	9,838 75	9,980 75	+96	+0 +0	+0 +0	10,076 75	+96 +0
Riparian Management	<i>\$000</i> <i>FTE</i>	21,321 146	21,321 146	+136	+0 +0	+1,463 +2	22,920 148	+1,599 +2
Cultural Resources Mgmt	<i>\$000</i> <i>FTE</i>	15,131 104	16,131 104	+122	+0 +0	+1,075 +0	17,328 104	+1,197 +0
Wild Horse & Burro Mgmt	<i>\$000</i> <i>FTE</i>	77,245 153	80,555 153	+125	+0 +0	-572 +0	80,108 153	-447 +0
<b>Total, Land Resources</b>	<i>\$000</i> <i>FTE</i>	<b>245,774</b> <b>1,330</b>	<b>250,596</b> <b>1,330</b>	<b>+956</b>	<b>+0</b> <b>+0</b>	<b>+3,590</b> <b>+9</b>	<b>255,142</b> <b>1,339</b>	<b>+4,546</b> <b>+9</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Land Resources activity is \$238,642,000 and 1,254 FTE. This reflects net program changes totaling -\$12,910,000 and -76 FTE from the 2016 enacted level. In terms of total program resources, including proposed grazing administration fees, the budget represents a program increase of +\$3,950,000 over the 2016 enacted level.

### Activity Description

This activity provides for integrated management of public land renewable and cultural resources. The BLM manages these resources on a landscape basis, with each program contributing to the overall health of the land. Conserving, restoring, and sustaining land health is the foundation for the BLM's renewable resources management and is key to the agency's long-term strategic vision. Livestock grazing, timber harvesting and other resource uses can be sustained over time only if the land is managed to restore or sustain a healthy condition.

The programs in this activity, in concert with other BLM programs, work together to support the BLM mission by providing renewable resources, commercial and recreational uses and aesthetic benefits through healthy forests, healthy rangeland ecosystems, functioning watersheds and properly functioning riparian habitat. The BLM provides forage for livestock, protects cultural values, and manages wild horse and burro herds.

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## Activity: Land Resources

### Subactivity: Soil, Water & Air Management

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Soil, Water & Air Management	<i>\$000</i> <i>FTE</i>	43,239 218	43,609 218	+145	+0 +0	+1,624 +7	45,378 225	+1,769 +7

Summary of 2017 Program Changes/Internal Transfers for Soil, Water & Air Management:	(\$000)	FTE
Enhance Core Capability	+983	+3
National Mitigation Team	+641	+4
<b>Total</b>	<b>+641</b>	<b>+7</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Soil, Water & Air Management Program is \$45,378,000 and 225 FTE, a program change of +\$1,624,000 and +7 FTE from the 2016 enacted level.

**Enhance Core Capability (+\$983,000/+3 FTE)** – To support monitoring and analysis of soil, water and air resources needed to implement a landscape management approach including 1) ecological site descriptions supporting land health treatments, 2) adaptation strategies in response to a changing climate, as well as, 3) sediment and salinity reductions within the Colorado River Basin.

**National Mitigation Team (+\$641,000/+4 FTE)** – Following guidance from the Council on Environmental Quality, the BLM has committed to analyze and implement mitigation actions to avoid, minimize and compensate for residual impacts to at-risk resources in the Western Solar Plan, the greater sage-grouse (GRSG) Conservation Strategy, and other permitted activities. The need to analyze and implement mitigation actions is also a requirement of the May 2013 Presidential Memorandum, “Modernizing Federal Infrastructure Review and Permitting Regulations, Policies, and Procedures”, Secretarial Order 3330, “Improving Mitigation Policies and Practices of the Department of the Interior”, and draft BLM regional mitigation policy.

The analysis and implementation of mitigation actions is new work for the BLM and will require resources that are beyond the Bureau’s current capacity. The \$641,000 increase would provide funds to establish a mitigation team. This team, which would be located in BLM State offices and at the Washington Office, will provide crucial expertise necessary to support field staff, work with Bureau partners to develop local and regional mitigation strategies, develop an all-lands program of work, oversee mitigation funds, interact with mitigation banks and exchanges, and integrate other restoration activities. Absent these funds, the BLM would likely have to curtail other important activities in order to fulfill the commitments made in the Western Solar Plan and the GRSG Conservation Strategy, and other permitted activities such as those recently authorized for the National Petroleum Reserve – Alaska.

## Program Overview

The Soil, Water & Air Management Program supports the full suite of BLM activities and use authorizations focused on the priority of compliance with existing laws and regulations. These actions and authorizations include energy development, endangered species recovery, grazing, recreation, and fire rehabilitation that rely on the appropriate management of soil, water and air resources. The Soil, Water & Air Management Program collects and analyzes the soil, water, and air resource data needed to manage these foundational resources effectively, as well as apply expertise to assess, sustain, protect, and improve the productivity and resiliency of public lands. This data is a key component of sustainable BLM decisions and can be used to implement a landscape management approach. The program relies heavily on collaborative public-private partnerships to address, improve and enhance watershed, landscape, and airshed conditions.

The Soil, Water & Air Management Program is responsible for:

- Compliance with anti-pollution laws such as the Clean Water Act and the Clean Air Act;
- Conducting cooperative soil surveys to understand soil distribution, properties and responses to various uses, as well as to understand important processes related to a changing climate such as terrestrial carbon capture and sequestration;
- Developing ecological site descriptions to understand the processes that influence the type, amount, and distribution of vegetation within defined landscapes as well as provide key information to land managers for climate adaptation strategies;
- Monitoring and managing soils to support current land-health standards, sustain plant and animal productivity, maintain associated water and air quality, as well as reduce threats to human health and safety;
- Monitoring water resource conditions and trends, protecting Federal water rights and, where appropriate, acquiring water rights to ensure adequate quantities of water for public land management purposes;
- Monitoring water quality as well as identifying, promoting and implementing best-management practices to maintain and improve functioning aquatic ecosystems;
- Reducing salt and sediment discharge to waters particularly in the Colorado River Basin in order to ensure usable water supplies for millions of downstream users;
- Monitoring, assessing and analyzing air quality, visibility and noise impacts of current and proposed BLM authorized uses ;
- Reporting greenhouse gas emissions as required under Executive Order 13514.

### Means and Strategies

- The Soil Water & Air Management Program will continue to promote local and landscape scale watershed function, soil stability and air quality compliance as the primary means to achieve BLM performance goals. Priority will be placed on providing land managers with access to the expertise needed to identify, assess and monitor the environmental effects of BLM actions, use authorizations and their associated decisions.

A five-year soil resource strategy was completed in 2015. The goals of this strategy include: (1) update soil resource policy guidance; (2) improve the availability of soil information used in planning and decisions; (3) support the landscape approach with soil resource guidance; (4) support the use of soil measurements and effect analysis; (5) limit the transport of soil into water and air; (6) improve relationships with other programs, agencies and stakeholders; and, (7)

enhance BLM's technical expertise relevant to understanding, assessing and managing soil resources.

A five-year water resource strategy was completed in 2015. The goals highlighted in this strategy include: (1) increase proactive measures taken to reduce traditional pollutants; (2) incorporate collaborative, regional assessments into BLM standard practices; (3) improve the breadth, depth and efficiency of water quality monitoring and analysis; (4) improve the availability of water quality monitoring data; (5) improve relationships with other agencies and stakeholders; and, (6) enhance and maintain BLM's expertise relevant to water resources. Drought conditions continue to affect the western U.S. and are exacerbating soil erosion, air quality issues and water availability. The Soil, Water & Air Program developed its water strategy with these threats at the forefront, and is working with other BLM programs and partners to develop approaches that assist in managing this valuable fundamental resource under a changing climate.

- The BLM issued a manual for water quality and drafted one for groundwater with plans to finalize it in 2016.
- The BLM issued guidance in 2015 which improves water quality analysis in the Colorado River Basin by reporting data and descriptions of actions across programs that assist in reducing sediments and controlling salinity.
- The BLM is drafting a comprehensive strategy to improve the implementation of salinity control and outreach efforts within the Colorado River Basin.

A five-year air resource strategy was completed in 2015. The goals of this strategy include: (1) reduce and mitigate emissions to promote environmental stewardship; (2) improve air quality analyses on a regional level in collaboration with stakeholders; (3) strengthen BLM's abilities to address emerging air quality issues; (4) build relationships with stakeholders to promote collaborative air quality efforts; (5) improve availability and access to air quality monitoring data; and, (6) enhance and maintain technical expertise relevant to air resources.

- An air resource handbook has been drafted and will be completed in 2016.

### **Critical Factors and Demands**

The BLM addresses a number of critical factors and demands in its Soil, Water and Air Program. These include the following:

- A changing climate and its potential to alter landscapes; the quantity, quality and distribution of water resources; soil quality; air quality; vegetative conditions and wildlife habitat; as well as associated socioeconomic values;
- Many uncertainties remain regarding groundwater flows, soil properties and air resource impacts that, in many areas, influence BLM decision-making;
- The establishment of significant renewable energy development opportunities on public lands is a BLM priority. Hydrologists, soil scientists and air resource specialists are needed to assess, analyze and manage the resource impacts associated with this development.
- Greater water demands for economic development and requirements for ecosystem function are increasing the need to perfect and protect water right interests on public lands.
- Stricter air quality standards, existing and emerging non-attainment areas, as well as more stringent visibility regulations are increasing the monitoring and analysis workload

as well as technical demands associated with ensuring that authorized uses that emit dust, ozone, smoke and other pollutants comply with the Clean Air Act.

- Increases in landscape disturbances magnify the challenges associated with meeting applicable water and air quality standards.

### 2017 Program Performance

The Soil, Water & Air Management Program will continue to make progress towards key performance goals in 2017. Primary focus areas will include:

**Water Quality** - Improving or maintaining water quality on public lands remains an important objective. Efforts will continue to focus on implementing and refining best management practices for new and existing land use authorizations and activities, changing current management practices where appropriate, and restoring degraded watershed function in conjunction with incorporating a landscape approach to implementing actions and assessing results. Increasing core capabilities will allow the program to support integrated watershed assessment and implementation pilot projects.

**Ecological Site Descriptions (ESD)** - ESDs are considered the best analytical approach for predicting how vegetation will respond to changes in management or climate conditions at the local and landscape scales. The Soil, Water & Air Management Program will fund multiple projects to aid in the development of ESDs needed for sage-grouse habitat management implementation actions as well as conventional and renewable energy development planning. The BLM will continue to collaborate with the Natural Resources Conservation Service and the U.S. Forest Service through an Interagency Workgroup to address ESD development and uses as they relate to soils, as well as developing interagency training opportunities. The Interagency Workgroup will remain active in 2017. Increasing core capabilities will allow BLM's full participation in the implementation of ESDs across the landscape at all levels of the Bureau and provide funding for completion of ESDs in critical planning areas as well as in support of climate change priorities.

**Water Rights** – Demands for processing reserved and appropriative water rights actions with related litigation activities are expected to remain high. The typical workload ranges from 3,000 to 5,000 actions per year nationwide.

**Colorado River Salinity Control** - Efforts to reduce the transport of sediment and salts in the Colorado River Basin will continue. The BLM performance goal associated with the Colorado River Salinity Control Program aims to reduce the transport of sediment and salts from public lands into the Colorado River system as well as support the improvement of land health within the basin.

**Air Resources** – The BLM expects to increase monitoring and assessment work in 2017 by approximately 20 percent above 2016 levels, with the focus on regional and landscape scale projects.

**Groundwater Resources** - Efforts to understand the impacts of hydraulic fracturing and energy developments on groundwater will continue in 2017.

## Activity: Land Resources

### Subactivity: Rangeland Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Rangeland Management	\$000	79,000	79,000	+332	+0	-16,500	62,832	-16,168
	FTE	634	634		+0	-85	549	-85
Grazing Administration Management	\$000	0	0	+0	+0	+16,500	16,500	+16,500
	Offset FTE	0	0		+0	+85	85	+85

*Notes: "The Range Improvements current mandatory appropriation is a collaborative activity of the Rangeland Management program. The 2015 and 2016 enacted amounts (post-sequester) for Range Improvements are \$9.27 million. The 2016 President's budget request for Range Improvements is \$10 million.*

*- The Resource Development Protection & Management permanent mandatory appropriation is a collaborative activity of the Rangeland Management program. The 2014 estimated new budget authority amount (post-sequester) for Resource Development Protection & Management is \$1.059 million. The 2015 estimated actual new budget authority amount for Resource Development Protection & Management is \$1.1415 million, and the 2016 and 2017 estimated amounts are \$2.2 million..*

*- More information on these collaborative activities is found at the end of this section in a table titled Other Resources Supporting Rangeland Management and in the Range Improvements and Miscellaneous Trust Funds chapters, respectively.*

### Justification of 2017 Program Changes

The 2017 budget request for the Rangeland Management Program is \$62,832,000 and 549 FTE, a program change of -\$16,500,000 and -85 FTE from the 2016 enacted level.

**Grazing Permit Issuance/Shift Cost to Fees (-\$16,500,000/-85 FTE)** – The budget proposes to shift a portion of the costs of issuing and managing grazing permits from appropriated funds to fees. (Reference the Legislative Changes section below for a detailed description of the proposed administrative fee).

### Legislative Changes

**Permit Administrative Processing Fee (+\$16,500,000)** – The 2017 budget includes appropriations language for a three-year pilot project to allow the BLM to recover some of the costs of issuing grazing permits/leases on BLM lands. The BLM would charge a permit administrative fee of \$2.50 per Animal Unit Month, which would be collected along with current grazing fees. The budget estimates the permit administrative fee will generate \$16.5 million in 2017 and that it will assist the BLM in processing pending applications for grazing permit renewals. During the period of the pilot, the BLM will promulgate regulations for the continuation of the administrative fee as a cost-recovery fee, to be in place once the pilot expires.

SEC. 417. In fiscal year 2017, beginning on March 1, 2017, and only to the extent and in the amount provided in advance in appropriations Acts, the Secretary of the Interior shall collect an administrative fee to offset the increased cost of administering the livestock grazing program on public lands managed by

the Bureau of Land Management by charging \$2.50 per Animal Unit Month, which shall be billed, collected, and subject to the penalties using the same process as the annual grazing fee in 43 C.F.R. 4130.8–1. Penalties assessed shall be deposited in the General Fund of the Treasury. Nothing in this provision affects the calculation, collection, distribution, or use of the grazing fee under 43 U.S.C. 315–315rr, 43 U.S.C. 1751(b), 43 U.S.C. 1905, Executive Order 12548, or administrative regulation.

## Program Overview

### Program Components

The Rangeland Management Program focuses on efforts to maintain or improve public land health through monitoring and land health evaluations; administration of grazing use through permit renewals (largely 10-year permits); development of grazing systems and range improvements; grazing permit compliance inspections; management of permittee, allotment and resource data; and management of invasive species and noxious weeds. Priorities are placed on processing the most environmentally sensitive permits first, in order to best manage livestock use and improve or maintain healthy land conditions.

The BLM manages approximately 17,750 livestock grazing permits and leases on the public lands. Livestock grazing is an integral part of the BLM multiple-use mission and is authorized by the Taylor Grazing Act (1934) as amended, the Federal Land Policy Management Act (1976) as amended, and the Public Rangeland Improvement Act (1978) as amended.

Livestock grazing serves as an important tool that provides environmental benefits such as preservation of open space, managing fuel loads to reduce wildfire risks and enhancing distribution of available water for wildlife. Ranchers often serve as the eyes and ears for public land managers and assist with public health and safety. They provide public lands information, report wildfires, assist in wildfire suppression when appropriate, restore land health, and assist in search and rescue operations.

The BLM also leverages grazing receipts with funds from local permittees/lessees to construct range improvement projects (reference the Range Improvement Account section for additional information). As described in the 2014 DOI Economic Report, the BLM's management of livestock grazing had a positive impact of \$1.38 billion on the economy and supported 16,008 jobs nationwide.

Noxious weed and invasive species management is a critical component of the Rangeland Management Program. Cooperative Weed Management Area partnerships and other cooperative efforts leverage funding to assist with weed inventory, land treatments, monitoring, and project work to improve land health. The BLM is also striving to create Coordinated Invasive Species Management partnerships to leverage partnerships that will target invasive species on the public lands.

### Critical Factors

Critical factors affecting the Rangeland Management Program include the following:

- Commitments to monitoring and managing sage-grouse habitat will require additional monitoring, coordination, and review of existing and potential range improvements needed

to meet habitat objectives

- A changing climatic regime, resulting in more frequent and severe floods and extended droughts, requires aggressive pursuit of adaptive management strategies.
- Frequent and severe wildfires have reduced the diversity of the western rangelands and have accelerated the spread of invasive species and noxious weeds.
- Changing and competing public demands require continuous assessment and modification of grazing practices and have made environmental reviews more complex.
- Development of public lands as part of the Secretary's Powering Our Future initiative for renewable and non-renewable energy and mineral resources may require mitigation efforts to offset loss of rangeland resources.
- Limited baseline data about soils, ecological sites, and factors associated with land health stressors, combined with limited monitoring data, have led to a large number of environmental lawsuits.
- Invasive and noxious weeds spreading over seventy-nine million acres of BLM-managed lands require greater efforts to control and manage.
- Commitments to improving sage-grouse habitat will require additional weed and invasive species inventory, treatments and coordination with other BLM resource programs.
- The complexity of permit processing has increased due to heightened National Environmental Policy Act complexity and legal challenges, mitigation and monitoring requirements, severe weather patterns, drought, catastrophic fire and other multiple-use public land challenges.
- Catastrophic outbreaks of grasshopper and Mormon cricket populations that impact vegetation require emergency responses by the BLM and other Federal agencies.

### Means and Strategies

The Rangeland Management Program coordinates with other BLM programs and partner organizations to achieve integrated vegetation management at the landscape level. In this coordinated effort, the Rangeland Management Program is addressing critical factors through multiple avenues, including:

- Using eco-regional assessments to identify conservation, development and restoration opportunities and strategies;
  - Monitoring the effectiveness of grazing management in achieving land use plan and activity plan objectives, and in meeting land health standards;
  - Collecting core indicator data in upland habitats and supporting landscape-level land health and condition monitoring;
  - Conducting interdisciplinary land health evaluations on a watershed or landscape scale to help ensure a balanced approach to livestock grazing;
  - Promoting adaptive management strategies;
  - Ensuring that land health considerations and resource conflicts are the primary factors used to prioritize allotments for processing livestock grazing permit renewals;
- 
- Using the permit issuance process, the Allotment Management Plans, and the Coordinated Resource Management Plans (RMP) to ensure scientifically-based livestock grazing management;
  - Tiering permit renewals to RMPs and larger-scale NEPA documents;
  - Tiering vegetation treatments to larger-scale NEPA and Section 7 consultation documents;

- Coordinating with other programs to work towards a national land treatment geospatial dataset that documents the location of treatments on the landscape and tracks their effectiveness;
- Educating youth about the importance and complexity of rangeland resources;
- Leveraging program funds with other Federal, State, and local agencies, permittees, and non-governmental organizations to implement on-the-ground Healthy Landscape and invasive species and noxious weed projects;
- Continuing research efforts in the use of livestock as a tool to decrease fuel loads, especially annual cheatgrass, to prevent catastrophic wildfire and restore desirable perennial grasses and forbs; and
- Launching an external web portal through the National Invasive Species Information Management System (NISIMS) to collect and share weed and invasive species inventory data to identify weed and invasive species infestation locations, with Federal, State, county partners. Issue pesticide use proposals (PUP's) and collect pesticide use data through NISIMS from partners and private contractors.

**Grazing Permit Renewal**

In 2017, the BLM will continue to focus on processing the most environmentally sensitive grazing permits, particularly those authorizing grazing in priority sage-grouse habitat. Focusing on the most environmentally sensitive allotments allows for increased land health assessment and quantitative data collection efforts; improves the usefulness of RMP/EIS and site-specific NEPA analyses; and results in grazing management decisions that guide land health solutions for the future. This strategy will assist in ensuring that the backlog of unprocessed permits consists of the least environmentally-sensitive allotments where management is more custodial in nature or allotments that are already meeting land health standards.

**Chart 1**

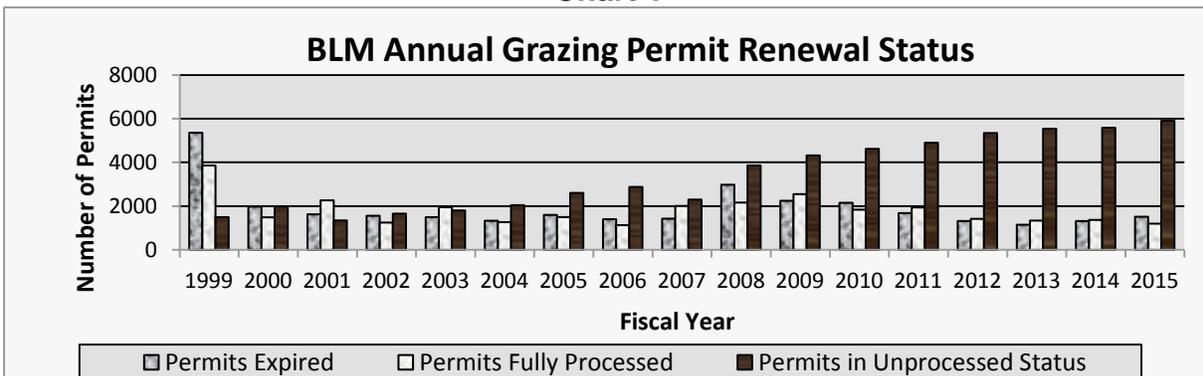


Chart 1 illustrates the status of processing grazing permits since 1999. Processing permits includes, at a minimum, NEPA and Endangered Species Act (ESA) compliance. Unprocessed permits are those issued in accordance with General Provision language in Appropriations Acts.

Chart 2

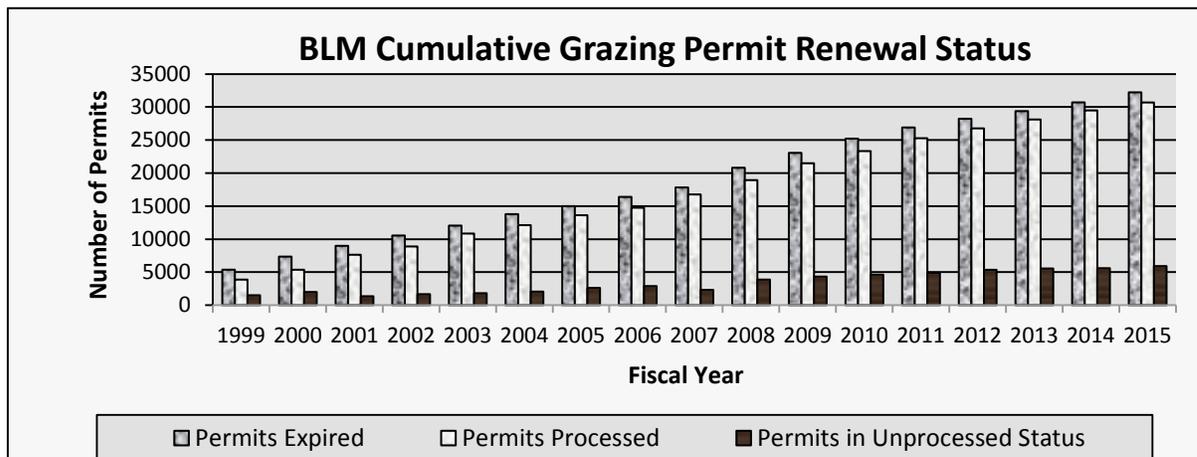


Chart 2 illustrates the cumulative number of permits processed since 1999. The number of permits processed per year is greater than the number of permits administered because some permits have expired more than once since 1999.

**Invasive Species and Weed Management**



Land areas that contain fire-adapted ecosystems and surface disturbance activities are most vulnerable to noxious weed and invasive species. The Noxious Weed and Invasive Species Management Program, within the BLM Rangeland Management Program, addresses these issues on BLM lands throughout the West. The BLM manages invasive species and weeds to improve habitat in the riparian areas that are critical to 60 percent of the wildlife species in semi-arid environments and to improve the terrestrial habitat areas that are critical for the Greater

Sage-Grouse. As part of the President’s Priority Agenda on “Enhancing the Climate Resilience of America’s Natural Resources”, the BLM will continue to prioritize its ongoing Early Detection and Rapid Response efforts and focus on areas where invasive species were previously unknown or limited in their expansion on public lands.

Internal and external partners are critical for the BLM to succeed in detecting, controlling and managing noxious weeds and invasive species. The Partners Against Weeds Action Plan, Pulling Together, National Strategy for Invasive Plant Management, and the National Invasive Species Management Plan assist in education, prevention, inventory, and monitoring efforts while using an Integrated Pest Management approach to control and restore areas impacted by weeds and invasive species. The 2016 Department of the Interior Invasive Species Strategy will provide Interior agencies further guidance for forming partnerships and leveraging resources across agencies to implement an Early Detection Rapid Response plan

Chart 3

BLM's Weed Inventory, Monitoring and Treatments of Weeds



Chart 3 illustrates the number of acres of invasive and noxious weeds inventoried, treated, and monitored by the Rangeland Management program since 2010.

Other Program Resources

Other Resources Supporting Rangeland Management:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
Resource Development Protection & Management	\$000	1,505	2,220	2,220	+0
	FTE	3	3	3	+0
Range Improvements	\$000	9,270	9,320	10,000	+0
	FTE	35	35	35	+0

Notes:

- Resource Development Protection & Management amounts are shown as new budget authority derived from non-federal sources (contributed funds); the Taylor Grazing Act of 1934, as amended (43 USC 315h, 315i) appropriates these funds on a permanent basis. More information on Resource Development Protection & Management is found in the Miscellaneous Trust Funds chapter
  - Range Improvements amounts are shown as new budget authority derived from 50 percent of the grazing fees collected on BLM-managed lands, with any difference appropriated from the General Fund; the annual Interior, Environment, and Related Agencies Appropriation Act appropriates these funds on a current basis. More information on Range Improvements budget request is found in the Range Improvements chapter
  - Actual and estimated obligations, by year, for Resource Development Protection & Management and Range Improvements are found in President's Budget Appendix under the BLM section
- \*Amounts for Rangeland Management in 2015 and 2016 are shown net of sequestration

## 2017 Program Performance

**Permit Renewal:** The BLM will continue to prioritize permit renewals based on environmental sensitivities and continue to review and use existing NEPA analyses as appropriate. When necessary, the BLM will supplement or tier to existing NEPA to address changes or analyze new information. When new NEPA is needed, BLM will analyze grazing use on an allotment or multiple allotment basis where appropriate. The BLM will continue to emphasize the collection of quantitative resource data for more defensible decisions, and will work closely with stakeholders, local governments, and the public during allotment plan development, evaluations and the NEPA process.

The BLM will use authorities provided in Federal Land Policy and Management Act, as amended by PL 113-291, to continue to process the most environmentally sensitive allotments in preparation for renewing grazing permits. Through a combination of appropriations and proposed grazing administration fee revenues, total program resources in 2017 will remain level with the 2016 enacted level. The BLM plans to use the \$16.5 million collected under the proposed permit administrative fee to process 235 of the 1500 grazing permits and leases, monitor 200 of the 1277 allotments, assess 1.5 of the planned 9.6 million acres of watersheds, and complete 185 of the 1180 planned land health evaluations.

The grazing permit/lease processing work is included within DOI Strategic Measure 'Percent of grazing permits and leases processed as planned consistent with applicable resource management plans. Barring a catastrophic fire season in 2017, BLM field offices would be able to utilize the monitoring and land health assessment data collected from the past few years to complete NEPA and other work related to grazing permits renewals.

**Noxious and Invasive Weeds and other invasive species:** The BLM will continue to inventory invasive and noxious weeds and other invasive species infestation on BLM lands. The BLM will identify and treat high-priority areas and monitor treated areas to determine the effectiveness of treatments. These efforts contribute to the DOI Strategic Measure 'Percent of baseline acres infested with invasive plant species that are controlled.'

**Land Health Assessment and Monitoring:** BLM-managed rangelands are assessed and monitored to direct management actions to areas not meeting desired conditions. Data collected during rangeland assessment and monitoring activities are used as one component in determining the DOI Strategic Measure 'Percent of DOI acres that have achieved desired conditions where condition is known and as specified in management plans.'

**Land Restoration:** Land treatments and project completion data will be used to determine the DOI Strategic Measure 'Number of DOI acres restored to the condition specified in management plans'.

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## Activity: Land Resources

### Subactivity: Public Domain Forest Management

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Public Domain Forest Management	\$000	9,838	9,980	+96	+0	+0	10,076	+96
	FTE	75	75		+0	+0	75	+0

Other Resources Supporting Public Domain Forest Mgmt:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
Forest Ecosystem Health & Recovery	\$000	12,018	14,633	7,942	-6,691
	FTE	48	48	48	+0
USFS Forest Pest Control	\$000	357,695	500,000	500,000	+0
	FTE	0	0	0	+0

**Notes:**

- Forest Ecosystem Health & Recovery amounts are shown as new budget authority derived from the federal share of receipts from all BLM timber salvage sales, and from BLM forest health restoration treatments funded by this account; 43 USC 1736a appropriates these funds on a permanent basis. Forest Ecosystem Health & Recovery is used on both Public Domain Forestry and Oregon and California Grant Lands. More information on Forest Ecosystem Health & Recovery is found in the Permanent Operating Funds chapter.

- Amount in for Forest Ecosystem Health & Recovery shown net of sequestration and funds previously not available due to sequestration (i.e. pop-ups).

- Actual and estimated obligations, by year for Forest Ecosystem Health & Recovery are found in President's Budget Appendix under the BLM section

- USFS Forest Pest Control amounts are shown as estimated transfers. More information on USFS Forest Pest Control is found in the U.S. Forest Service Budget Justifications. USFS Forest Pest Control is used on both Public Domain Forestry and Oregon and California Grant Lands

### Justification of 2017 Program Changes

The 2017 budget request for the Public Domain Forest Management Program is \$10,076,000 and 75 FTE.

### Program Overview

#### Program Components

The PD Forest Management Program manages and conserves 58 million acres of forests in 12 western States, including Alaska. The PD Forests have broad uses and serve the public, both directly and indirectly. Forests store and filter water for aquifers and reservoirs; offer opportunities for recreation; provide habitat for thousands of species; support timber and other jobs; provide millions of board feet of lumber and thousands of tons of biomass for alternative energy. Maintaining resilient forests and woodlands also plays an important role in carbon sequestration and providing clean air. According to the Department of the Interior's 2014 Economic Impact Report, timber harvested from PD forests supported \$142.6 million in economic activity, and biomass from BLM forests has become part of the feedstock that meets various State and Federal renewable energy portfolio standards.

In coordination with other vegetation management programs, the PD Forest Management Program seeks large landscape approaches to managing land resources. The program maintains and improves the resilience of forest and woodland ecosystems. Density

management through timber sales and stewardship contracts is essential to maintaining resilient forests. The program also administers various requirements of the Department of the Interior such as regulation, accounting and record keeping, volume estimation, appraisal, and permitting of vegetative materials under the Materials Act of 1947.

Healthy, resilient forests provide habitat for a variety of flora and fauna, including whitebark pine, an Endangered Species Act (ESA) candidate currently classified as “warranted, but precluded.” Maintaining healthy and productive forests requires active management. A century of wildfire suppression has left forests choked with fuels that contribute to costly, catastrophic fires, while changing climate and drought reduces the resiliency of the forests and leaves the trees vulnerable to damage from insects and disease.

The BLM leverages Forest Ecosystem Health and Recovery funding, USDA Forest Health Protection funding, and stewardship authority to maximize program accomplishments. The program also coordinates with the Wildland Fire Management Program to leverage funds for hazardous fuels reduction projects.

### Critical Factors

Critical factors affecting the Public Domain Forest Management program include:

- Approximately 14 million acres (or 24 percent) of PD forests are overstocked and at increased risk of insect and disease attacks and catastrophic wildfire. Prime among these risks are the mountain pine beetle and the spruce budworm, which are currently killing intermountain pine and fir on BLM forestlands. In addition, an invasive fungus, white pine blister rust, has infiltrated the colder altitudes where whitebark pine thrives. The U.S. Fish and Wildlife Service (FWS) judges that these factors, along with fire and warming climate, undermine species’ viability and may cause the whitebark pine to disappear within two to three generations. Other high elevation species such as limber pine and bristlecone pine are likely to face similar threats soon.
- The capacity of BLM foresters to plan and implement treatments on the ground to take advantage of the increase in demand for wood products as economic conditions are improving, sawmills are reopening, and bioenergy facilities are coming online is critical to increasing forest resilience. Since most forest health and restoration treatments are accomplished through the sale of timber and by-products resulting from the treatments, purchasers of forest product raw materials decrease the BLM’s cost of conducting treatments and restoration on a per acre basis.
- Maintaining support and supply to local industry infrastructure is critical to accomplishing necessary forest management treatments over the long term.
- Demand for firewood in rural areas continues, and in the past has led to illegal taking of woodland resources. For example, in Cuba, New Mexico, thousands of local individuals, including many Native Americans, use pinyon-juniper forests for cooking and heating their homes, cutting trees with a legal permit. Illegal woodcutting has occurred in areas

#### Drought, Wildfire, and Forests

Extreme drought and drought-fueled wildfires plagued much of the West over the past decade, impacting forest health and local economies. In 2015, fire impacted over 883,000 acres of BLM forest. Each year, fire can impact hundred of thousands of acres of forest managed by BLM. Over 1.7 million acres of forest mortality exists due to bark beetles and insect attack. Many of these acres are salvageable for timber,

popular for hiking and valued for scenic and resource values. BLM New Mexico foresters quickly moved to develop more legal firewood areas to meet local demand; inventory stolen trees for timber theft reports and citations; patrol both legal firewood areas as well as areas of illegal woodcutting; and conduct community outreach and educational meetings. As a result, Farmington and Rio Puerco Field Office Law Enforcement Rangers have seen a decline in illegal woodcutting.

- Collaborating with local communities and partners is critical to implementing successful forest conservation projects that support rural economies and provide outstanding customer service.
- Biomass from BLM forest and woodland projects has become part of the feedstock that energy companies are relying on to meet various State and Federal renewable energy portfolio standards.

### Means and Strategies

The BLM coordinates the strategies of PD Forest Management with other BLM programs and partner organizations to achieve integrated vegetation management at the landscape level using a corporate approach to managing ecosystem functions and services by emphasizing shared on-the-ground vegetation goals across programs, processes, and scales.

The BLM integrated the national-level coordination of vegetative management, including forestry, rangeland management, riparian management, plant conservation, invasive weeds, and fire rehabilitation into a cohesive team that leverages resources to make policy development more collaborative at a landscape scale. In this coordinated effort, the BLM is addressing forest management critical factors through multiple activities, including using results from the BLM's Rapid Ecoregional Assessment process to identify focal areas for forest management activities at the ecoregional scale.

The PD Forest Management Program achieves land use goals by:

- Implementing science-based forest restoration projects to improve forest health and resilience, which increases resistance to wildfires, disease, drought, invasive pests, and climate change at the landscape scale;
- Sustainably harvesting and regenerating forests and woodlands to produce a continuous supply of wood products and renewable energy feedstocks;
- Salvaging dead and dying timber to promote forest health and reduce hazardous fuels, in balance with the need for wildlife habitat, watershed function, and soil stability, while supporting local economies;
- Providing the public with commercial and personal use opportunities to harvest products such as firewood, Christmas trees, boughs, greenery, medicinal plants, fence posts, and pinyon pine nuts from forests and woodlands. In 2015, over 10,000 firewood permits, with a market value of over \$13.5 million, were sold that continue to provide a renewable energy source for heating thousands of households in rural communities;
- Inventorying 58 million acres of forest resources through a national database;
- Utilizing the Good Neighbor authority to achieve forest health treatments on a landscape level across BLM, State, and private lands to increase forest resiliency;
- Utilizing stewardship contracting authority, a vital tool for forest and woodland conservation. From 2008 - 2015, Stewardship contracting offered approximately 93 MMBF from Public Domain (PD) land, which is approximately 25 percent of the total volume offered in the PD over that period. Stewardship contracting is also an effective

tool for increasing biomass utilization. During the same period, the BLM offered 493,000 tons of biomass through Stewardship contracts. These volumes are essentially by-products of forest health treatments implemented through Stewardship contracts with acreage totaling over 86,000 acres.

- Collaborating with conservation districts to implement forest restoration, support rural economies, and meet multiple use objectives. For example, in Weaverville, California the BLM and Trinity County Conservation District are expanding a community forest. Through a stewardship agreement, the BLM works with the community to manage the forest, including reducing hazardous fuels, providing timber to meet local industry needs, preserving the scenic view from downtown Weaverville, maintaining and building recreational trails, using the forest as an outdoor classroom, and protecting cultural and historical resources.
- Engaging, employing, and educating youth, Native Americans, and veterans in forestry. BLM continues to engage students, interns, and volunteer youth in forestry project work. In 2015, BLM held a forester intern recruitment using the Pathways hiring authority at the Society of American Foresters national convention. Four college students were hired of which two were veterans of the US Military.
- Implementing stewardship agreements which exchange harvested forest products for the forest health treatments and use matching funds to treat greater acreage;
- Expediting NEPA processes to accelerate the removal of beetle-killed timber to reduce the risk of catastrophic fire and minimize risks to the recreating public. In 2015 two field offices in Colorado completed a pilot project to contract out the NEPA and cultural surveys . Field work on the project area began in FY 2015 and will continue into 2016.
- Investing in new technology to improve efficiencies. In 2016, the forestry program is continuing to consolidate national forestry applications into one system and is developing a national forest inventory platform. Also, in FY 2016, the forestry program is piloting a project to sell special forest products to the public on the web, to improve customer service.
- Working with NatureServe on a project to analyze how climate change is currently affecting pinyon and juniper ecosystems in an effort to identify and appropriately prioritize sustainable treatments;
- Supporting renewable energy goals by promoting the direct conversion and use of woody biomass for energy within BLM-owned facilities, as a part of an interagency bioenergy facility initiative;
- Requiring that all measurable biomass by-products from forest treatments such as timber sales, stewardship contracts, and hazardous fuels reduction are offered for utilization when ecologically appropriate and where biomass markets exist; and
- Implementing the Biomass Crop Assistance Program with the Farm Services Agency to allow for matching payments towards delivery of biomass to bioenergy facilities.

### **2017 Program Performance**

The BLM will accomplish program performance through sales and stewardship contracts to work toward achieving and maintaining desired future conditions on the 58 million acres of forests and woodlands in the public domain, offering economic benefits for the present and managing forest health for the future.

In 2017, the PD Forest Management program will address several DOI strategic and Bureau plan performance measures:

- Forest and woodland areas are assessed and monitored to direct management actions to areas not meeting desired conditions. Data collected during forest and woodland assessment and monitoring are used as one component in determining the Bureau plan measures “Percent of DOI acres that have achieved desired conditions where condition is known and as specified in management plans” and “Number of DOI acres restored to the condition specified in management plans.” Annual increases in forest and woodland acreages continue to contribute to achievement of these performance measures.
- The BLM will continue to use timber sales to achieve desired future conditions of forest stands to meet the Strategic Plan measure “Volume of Wood Products Offered.” Similarly, to the extent possible, the BLM will use forest product sales and permits to achieve desired future conditions of forest and woodland stands by offering wood products as biomass, a Bureau plan measure.

**Spokane District Project Improves Forest Health and Resiliency to Wildfire**

The Huckleberry Stewardship project, which has completed 4800 acres of forest thinning as of FY 2015, was impacted by the Carpenter Road fire in August 2015. The fire burned 63,972 acres northwest of Spokane, Washington under extreme fire weather conditions was observed to have a reduced rate of spread and intensity as it burned into the thinned forest. The success of this project extends beyond the forest resilience benefit to economic benefits including timber for local mills and a net zero cost to the BLM due to the offset and integration of commercial sized timber into the fuels reduction. This project involved collaboration with a diverse group of stakeholders including the Spokane Tribe, Washington DNR, and adjacent land owners.



The foreground shows part of the thinned stand where the fire burned at low severity in the understory and resulted in high tree survival. The background is outside the Huckleberry project area where the unmanaged, dense forest experienced high severity fire.

## Activity: Land Resources

### Subactivity: Riparian Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Riparian Management	<i>\$000</i>	21,321	21,321	+136	+0	+1,463	22,920	+1,599
	<i>FTE</i>	146	146		+0	+2	148	+2

Summary of 2017 Program Changes/Internal Transfers for Riparian Management:	(\$000)	FTE
Enhance Core Capability	+1,463	+2
<b>Total</b>	<b>+1,463</b>	<b>+2</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Riparian Management Program is \$22,920,000 and 148 FTE, a program change of +\$1,463,000 and +2 FTE from the 2016 enacted level.

**Enhance Core Capability (+\$1,463,000/+2 FTE)** - Additional funds will be used to enhance core capacity and restore riparian miles not meeting land health standards in sage-grouse habitat. The Riparian Management program will fund 300 of the 650 miles of stream restoration expected to be completed by BLM in 2017. This is an increase of 50 miles over the 250 miles of restoration planned to be completed by the program in 2016. The BLM will continue to inventory 500,000 riparian acres especially those in priority sage-grouse habitats where grazing permits are expected to be renewed to ensure that conditions meet those specified in management plans.

### Program Overview

#### Program Components

Riparian-wetland areas are important components in every landscape type. In the arid West, these moist, green areas are especially critical to sustaining ecosystem functions and services, providing terrestrial and aquatic wildlife habitat, reducing erosion, improving water quality, and providing recreational opportunities. Although they are a small component of landscapes in the West, the diversity of uses and functions of riparian-wetland resources and their geographical position on the landscape make these areas indicators of overall ecosystem function.

Healthy riparian areas play a prominent role in the Bureau's ability to maintain working landscapes on public lands while managing for sage-grouse populations by providing shelter from predators and supplying the critical foods necessary for the species' survival, especially during the brood rearing life phase.

Highly functioning riparian areas can also help prevent the spread of wildfires. The BLM's Riparian Management Program provides the framework for managing over 150,000 miles of riparian areas and nearly 13 million acres of wetlands. In coordination with the other BLM

programs, the Riparian Management Program pursues a landscape approach to managing BLM vegetation resources.

### Critical Factors

A number of external factors impact the Riparian Management Program, including:

- Increasing urgency to restore and protect habitats as the number of sensitive and special status species grows. Many of these species, including sage-grouse, southwest willow flycatcher, cutthroat trout, bullhead trout, and numerous plant species have a critical nexus with riparian resources. There is a continued need to improve the condition of riparian streams that are not meeting the standards set forth in land health evaluations
- Increasing need to understand the location and condition of lentic resources on public lands and develop standard protocols to monitor their conditions.
- A changing climatic regime resulting in more frequent and severe floods and extended droughts, and requiring aggressive adaptive management strategies.
- Growing demands upon water resources and impacts from land-use changes, which increase monitoring workloads and necessitate adaptive management strategies.
- Development of public lands as part of the Powering Our Future initiative, requiring mitigation efforts to offset water discharge, water pollution, and water loss.
- Spread of invasive terrestrial and aquatic species, such as tamarisk and quagga mussel, requiring additional monitoring and treatment to prevent degradation of functioning ecosystems and native plant and animal communities.
- Urban growth and increasing public use of riparian-wetland areas, requiring additional monitoring to detect degradation from trails, transportation routes, and visitor use activities and to prioritize restoration activities.
- Catastrophic wildfires that negatively impact riparian resources, increasing the workload associated with stabilizing and rehabilitating burned areas and monitoring treatment success, land condition, and trends.

### Means and Strategies

To better achieve program goals and provide improved management of public lands, the BLM has adopted a corporate approach to managing ecosystem functions and services by emphasizing shared on-the-ground vegetation goals across programs, processes, and scales. In this coordinated effort, the Riparian Management Program is addressing critical factors through multiple activities, including:

- Incorporating Rapid Ecoregional Assessment information, where appropriate, into riparian-wetland planning and management activities;
- Implementing riparian restoration in high-priority focal areas especially for sage-grouse using step-down strategies developed from the BLM's Landscape Approach for Managing Public Lands and priorities set by the Fire and Invasive Species Assessment Tool (FIAT);
- Conducting qualitative Proper Functioning Condition Assessments and collecting quantitative core aquatic and terrestrial indicator data per the Assessment, Inventory and Monitoring (AIM) Strategy in coordination with land health assessments on a watershed or landscape-scale basis;

- Supplementing AIM data with critical program data through multiple indicator monitoring to begin devising a quantitative, statistically-robust methodology for landscape-scale riparian monitoring;
- Prioritizing riparian treatments to improve the condition of streams in areas functionally at-risk (especially those with high resource values), in order to protect sage-grouse and ecologically important plant and animal communities;
- Coordinating with the Fisheries Management and Soil, Water & Air Management Programs to devise cross-cutting, watershed-scale strategies and policies that will address water resource impacts from drought, development, and other stressors;
- Educating youth about the importance and complexity of riparian-wetland resources;
- Capturing legacy and new assessment and AIM monitoring data into a national geospatial dataset in order to more efficiently analyze and report on the conditions and trends of riparian resources;
- Using the interagency Creeks and Communities Strategy to cooperate with diverse stakeholders across jurisdictional boundaries and to provide training and coaching to the field; and
- Leveraging Riparian Management Program funds with funds from other Federal, State, and local agencies and NGOs to implement on-the-ground projects, especially in priority sage-grouse habitats.

### **2017 Program Performance**

In 2017, the Riparian Management Program will continue to improve land and water health through ongoing management of wetlands and riparian areas. Program activities will contribute to three DOI performance measures:

- On-the-ground restoration and management activities conducted by the program contribute directly to the improvement of degraded riparian areas. These actions are essential to meeting the Department's performance measure concerning the number of DOI riparian (stream/shoreline) miles restored to the condition specified in management plans. In 2017, the Program will restore approximately 300 miles of riparian area.
- Assessment and monitoring of riparian areas are crucial activities of the Program, directing management actions to those areas not meeting desired conditions as part of an adaptive management strategy. The DOI Strategic Plan measures the percentage of DOI riparian (stream/shoreline) miles that have achieved desired condition.
- Similar to riparian areas, wetland areas also are assessed and monitored in order to direct management actions to areas not meeting desired conditions. Data collected during wetland assessment and monitoring are used to measure the percentage of DOI acres that have achieved desired conditions where condition is known and as specified in management plans.

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**Activity: Land Resources**  
**Subactivity: Cultural Resources Management**

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Cultural Resources Management	\$000	15,131	16,131	+122	+0	+1,075	17,328	+1,197
	FTE	104	104		+0	+0	104	+0

Summary of 2017 Program Changes/Internal Transfers for Cultural Resources Management:	(\$000)	FTE
Safeguarding Our Irreplaceable Heritage	+1,075	+0
<b>Total</b>	<b>+1,075</b>	<b>+0</b>

**Justification of 2017 Program Changes**

The 2017 budget request for the Cultural Resources Management Program is \$17,328,000 and 104 FTE, a program change of +\$1,075,000 and a 0 FTE increase from the 2016 enacted level.

**Safeguarding Our Irreplaceable Heritage (+\$1,075,000/0 FTE)** – The 2017 budget request includes a program increase of \$1.075 million that will be focused on inventory strategies to collect baseline heritage resource data and enhance geospatial modeling efforts to support planning and resource management at a landscape scale. Ten percent of the public lands have been surveyed for heritage resources, largely conducted for land-use compliance, resulting in databases containing considerable information on high-development areas, and less information on other areas. To better understand the nature and extent of resources and inform predictive modeling, BLM will conduct baseline inventory in priority areas vulnerable to climate change, fire, looting, and vandalism. To further engage heritage resources in the landscape approach, BLM will synthesize and analyze available information at a broad scale to produce high-level, comprehensive, regional overviews and sensitivity maps critical for evaluating resources and planning at different scales.

**Program Overview**

The BLM is responsible for the largest, most diverse and scientifically important aggregation of cultural, historical, and paleontological resources on the public lands, as well as the museum collections and data associated with these heritage resources. These cultural resources represent all major periods, events, and communities in the broad sweep of human habitation in the West over a 10,000 year period.

These heritage resources are managed to ensure the cultural, educational, aesthetic, inspirational, and scientific values are preserved, and the recreational and economic benefits are realized for today’s communities

- The BLM’s heritage resources include:**
- 374,434 recorded cultural properties
  - 4,851 cultural properties protected
  - 133 historic properties listed on the National Register, 2,187 contributing properties, and 54,629 properties eligible for listing
  - 5,569 monitored archaeological sites
  - 429 maintained historic structures
  - 27,629 recorded paleontological localities
  - 10 million documented artifacts and specimens in 158 museums and universities.

as well as future generations in compliance with Federal laws and regulations.

The program also provides expertise and capabilities to facilitate compliance with Section 106 of the National Historic Preservation Act (NHPA) required for other BLM programs and land-use proponents to implement proposed actions on the public lands that will effect historic properties, such as energy development, recreation, grazing, and other planned activities. Up to 9,500 land-use proposals are reviewed annually for potential effects to historic properties. Compliance costs are to be funded by the benefitting subactivity program or the proponent. The tools and processes developed by the Cultural Resources Management Program streamline the compliance process, providing significant cost-savings and efficiencies.

### The Cultural Resource Management Program:

- Manages and protects archaeological sites and historic properties as directed by the Archaeological Resources Protection Act (ARPA) and NHPA, including inventorying the public lands for cultural resources, stabilizing and monitoring sites.
- Manages and protects paleontological localities and implements the Paleontological Resources Preservation subtitle of the Omnibus Public Lands Act of 2009 (PRPA), including inventorying the public lands for fossils, and stabilizing and monitoring localities.
- Curates the 10 million documented artifacts, specimens, and associated records in the BLM's three museum facilities and in coordination with the 155 State, tribal, and non-profit partner museums and universities.
- Facilitates Government-to-Government consultation with Indian Tribes and Alaska Native Governments concerning traditional tribal activities and places of special meaning on the public lands, such as sacred sites and places of religious significance.
- Complies with the Native American Graves Protection and Repatriation Act (NAGPRA) to inventory and repatriate Native American human remains and cultural items held in collections and respond to new discoveries of such on the public lands.
- Develops and implements educational and interpretative opportunities for the public to engage with cultural and paleontological resources.
- Facilitates academic and scientific research on cultural and paleontological resources to enhance scientific understanding and support decision-making.

#### NHPA Section 106 Casework

Section 106 of the NHPA requires the BLM to take into account the effects of its actions on historic properties and provides the Advisory Council on Historic Preservation (ACHP) with a reasonable opportunity to comment. Annually, the BLM reviews up to 9,500 land use proposals for their potential effect on properties listed on, or eligible for listing on, the National Register of Historic Places. The BLM's national Programmatic Agreement with the ACHP and National Conference of State Historic Preservation Officers is the primary mechanism for achieving cost efficiencies and flexibility in the NHPA Section 106 review process.

#### Regional Cultural Resource Overviews

The landscape approach and the large-scale projects planned on the public lands necessitates that the BLM maintains high-level, comprehensive, regional overviews that synthesize available information and analysis at a broad scale. The BLM has the tools and processes for meeting this need and will complete or update overviews in key areas. These inventory overviews help identify cultural resources on the ground, inform sampling strategies and predictive modeling, identify areas where cultural resource conflict may occur, and provide a framework for National Register evaluations. They are meant to significantly reduce the cost of subsequent projects or planning efforts.

## Critical Factors

The program faces a broad range of challenges and critical factors, including:

- Increased development of energy resources and transmission facilities, and opportunities for regional mitigation challenge the BLM to compile and synthesize data at a broad scale and provide efficient and effective NHPA Section 106 compliance.
- Theft, destruction, and vandalism of heritage resources as a result of increased accessibility of once-remote public lands, and urban and suburban encroachment.
- Enhanced protection of paleontological resources under the new statutory mandates for the management, preservation, and protection of fossils under PRPA.
- Inventorying Native American cultural items held in museum collections and consulting with Indian Tribes to determine disposition leading toward repatriation as highlighted by a 2010 audit of NAGPRA compliance by the Government Accountability Office.
- Identifying and curating artifacts and specimens recovered from the public lands, upgrading preservation and documentation for accountability, ensuring access and use for research and public benefit, and enhancing partnerships with repositories that curate BLM collections.



*Sloan Canyon Petroglyph Site, BLM Nevada*

## Means and Strategies

The program prioritizes proactive management and achieves efficiencies for NHPA Section 106 compliance by:

- Creating efficiencies in NHPA Section 106 compliance requirements by streamlining the review process for other BLM programs and land-use proponents.
- Enhancing tribal participation in decision-making processes through Government-to-Government consultation with Indian Tribes and Native Alaska villages and corporations, and drafting a new tribal consultation and coordination manual and handbook that addresses government-to-government tribal consultation across all BLM programs.
- Incorporating the BLM's landscape approach to public land management to address landscape-scale concerns associated with the inventory, assessment, mitigation and monitoring of heritage resources.
- Maintaining active working relationships with State Historic Preservation Offices as part of the BLM's Cultural Resources Data Sharing Partnership in order to share costs to automate and digitize site records, and to analyze this information for use in planning and expediting review of land use undertakings as part of NHPA Section 106 compliance at a significant cost savings for the bureau and proponents.
- Supporting Law Enforcement efforts to curb criminal acts prohibited by ARPA, NAGPRA, PRPA and other Federal statutes protecting cultural and paleontological resources.
- Partnering with universities, museums, and other scientific organizations to leverage public/private investments.
- Creating volunteer and youth experiences for community-based conservation and educational activities, and entry-to-journeyman-level opportunities, as seasonal hires, utilizing students and recent graduates.

**2017 Program Performance**

In 2017, the primary performance program goals for the condition of Archaeological Sites, Historic Structures, and Museum Collections will be to inventory, monitor, and stabilize heritage resources to improve their condition, focusing on the highest priority and most vulnerable resources. Efforts will focus on inventory strategies to conduct baseline inventory, synthesize available data to produce regional overviews, modeling, and sensitivity mapping tools for cultural and paleontological resources. Bureau-wide heritage resource monitoring techniques will be evaluated to develop tools for consistency in data collection and to inform prioritization of treatments and management decisions, ensuring stabilization and protection projects are focused on those resources at the greatest risk to improve resource conditions.

## Activity: Land Resources

### Subactivity: Wild Horses & Burro Management

	2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
			Fixed Costs	Transfers	Program Change	Requested Amount	
Wild Horse & Burro Management	\$000 77,245	80,555	+125	+0	-572	80,108	-447
	FTE 153	153		+0	+0	153	+0
Summary of 2017 Program Changes/Internal Transfers for Wild Horse & Burro Management:						(\$000)	FTE
General Program Decrease						-572	
Total						-572	+0

Other Resources Supporting Wild Horse & Burro Mgmt:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
USFS Wild Horses	\$000	1,386	1,000	1,000	+0
	FTE	0	0	0	+0
Adopt-A-Horse Program	\$000	405	400	400	+0
	FTE	0	0	0	+0

## Notes:

- USFS Wild Horses amounts are shown as estimated transfers reported by the U.S. Forest Service in its 2015 Budget Justification (March 2014); the annual Interior, Environment, and Related Agencies Appropriation Act appropriates these funds in the U.S. Forest Service National Forest System appropriation; Public Law 113-76 authorizes the transfer of these funds in 2014

- Adopt-A-Horse Program amounts are shown as new budget authority derived from a minimum \$125 per horse or burro fee under a competitive bidding process for adoption of animals gathered from the public lands, conducted under The Wild Free-Roaming Horse and Burro Act of 1971, as amended by the Public Rangelands Improvement Act of 1978 (16 USC 1331-1340); the annual Interior, Environment, and Related Agencies Appropriation Act appropriates these funds on a current basis. More information on Adopt-A-Horse Program is found in the Service Charges, Deposits, & Forfeitures chapter

- Actual and estimated obligations, by year for Adopt-A-Horse Program are found in President's Budget Appendix under the BLM section

### Justification of 2017 Program Changes

The 2017 budget request for the Wild Horse & Burro Management Program is \$80,108,000 and 153 FTE, a program change of -\$572,000 from the 2016 enacted level.

**General Program Decrease (-\$572,000)** – A reduction of \$572,000 in the Wild Horse and Burro Management program reflects the anticipated completion of short-term activities supported with the \$3.0 million increase provided in 2016. The BLM will continue to maintain core functions in the Wild Horse and Burro (WHB) program by focusing on the highest priority work and implementing program efficiencies where possible. The BLM will also continue expanding the use of contraceptives and the application of spay and neuter treatments to begin to reduce program costs and help address the unsustainable proliferation of wild horses and burros on public lands.

## Program Overview

### Program Components

The WHB Program is responsible for managing wild horses and burros in accordance with the *Wild Free-Roaming Horses and Burros Act of 1971*. The Act requires the protection, management, and control of wild free-roaming horses and burros in a manner designed to achieve and maintain a thriving natural ecological balance in combination with other public land uses. Traditional WHB Program activities include maintaining an accurate current population inventory; establishing appropriate management levels (AML) and when necessary, achieving or maintaining AML by removing animals from the range; and facilitating adoptions and other transfers. Over the past several years, BLM has conducted extensive scientific research to develop effective strategies for the management of wild horses and burros, and this work will help BLM as it takes more aggressive action in 2016 on various activities to better manage this program.

When the Act was passed, approximately 25,000 wild horses and burros existed on public lands managed by the BLM. Today, that population has more than doubled; there are now more than 58,000 wild horses and burros found on 26.9 million acres of public lands, which has led to overpopulation in many herds. Overpopulation on the range, in addition to prolonged drought conditions, has serious practical effects on effective land management, and can lead to the deterioration of the land and of the animals' health. Exacerbating the problems related to population growth, over the last 10 years, adoption rates for wild horses and burros have dropped nearly 70 percent – in the early 2000's, the BLM was able to adopt out nearly 8,000 horses each year; more recently, the annual adoption totals have been closer to 2,600 per year. As a result, the BLM now houses nearly 48,000 unadopted horses and burros in off-range pastures and corrals. As the total lifetime cost for caring for an unadopted animal is nearly \$50,000, this situation has created very serious challenges to effective cost management.

To reduce the need for off-range pastures and corrals, the BLM is broadening its efforts to increase adoptions, including seeking new authority to transfer animals to local, State, and other Federal agencies, as well as extending its use of contraceptives and spay and neuter treatments. Much of this direct action will begin in 2016, and will continue to be supported by on-going general research efforts. For example, the BLM will continue working with leading university and U.S. Geological Survey scientists to better refine its population growth suppression methods and overall herd management techniques. The BLM has also made significant progress in ensuring the humane treatment of wild horses and burros, including ongoing work to strengthen its comprehensive animal welfare program.

### Elements for Reforming and Managing the Wild Horse and Burro Program

Existing wild horse and burro populations on the range far exceed what the land can sustain. The activities described above will develop new tools for managing horses and burros on healthy rangelands, including safe and effective ways to slow the population growth rate of the animals and reduce the need to remove animals from the public lands. Doing so will reduce the number of animals in off-range corrals, and reduce program costs. Major proactive reforms in herd management both on and off the range are critical to meet program goals. The following actions and reforms will contribute to a more sustainable program, and are consistent with and complementary to the June 2013 National Academy of Science (NAS) report:

### Jump Starting Adoptions

- **Adoption Incentive Program:** The BLM will consider efforts to increase adoptions through cooperative agreements that will facilitate and increase adoptions of animals of specific disposition and explore other potential methods for encouraging adoptions.
- **Transfer of Animals to Other Agencies:** The budget includes a legislative proposal that provides authority for the immediate transfer of wild horses and burros to local, State and other Federal agencies that use them in their programs.
- **Reducing Holding Costs:** The BLM will continue efforts to acquire less expensive pasture holding facilities and partner with eco-sanctuaries to reduce holding costs for animals removed from public rangelands. The Bureau will also continue investing in partnerships that increase adoptions by training animals and placing them with new adopters.

### Controlling On-Range Populations

- **Reducing Population Growth (NAS Recommended):** The BLM will increase its use of available fertility control methods including contraceptive vaccines and spay and neuter techniques. The BLM has initiated pilot population growth suppression projects and will continue to prioritize aggressive application of current techniques, consistent with available budget and humane treatment.
- **Developing Herd Management Area (HMA) Sustainability Plans:** The BLM will continue to develop herd management area sustainability plans in the highest priority areas. Each sustainability plan will define a management prescription for appropriate population growth suppression methods and the maintenance of AML, including consideration of low-reproducing and non-reproducing herds.
- **Continuing Research (NAS Recommended):** In tandem with the proactive application of spay and neuter pilot treatments in 2016, the BLM will continue laboratory, pen and field studies to develop even more effective population growth suppression methods that better refine its contraception and spay and neuter methods; continue to assess public knowledge, attitudes, preferences and values of wild horse and burro populations and management; and evaluate demand for wild horses and burros by adoptees and long-term sanctuary providers.

### Other Program Components

- **Comprehensive Animal Welfare Program:** The BLM will continue appropriate policy administration and oversight to ensure humane animal care and handling practices. The BLM will continue to refine a Comprehensive Animal Welfare Program that established program-wide standard operating procedures; create universal training requirements; and institute a Care and Welfare Assessment Tool. This auditing system will help the BLM identify areas of emphasis for future training and ensure humane treatment of wild horses and burros.
- **Conducting Population Surveys (NAS Recommended):** The BLM will continue to conduct surveys utilizing the methods developed by U.S. Geological Survey (USGS) to acquire more accurate population estimates.
- **Promoting Volunteerism in the Management of Wild Horses and Burros:** The BLM will continue public engagement by enhancing outreach, recruiting local volunteers and organizations to assist in range and herd monitoring and management, and encouraging partnerships to increase ecotourism.

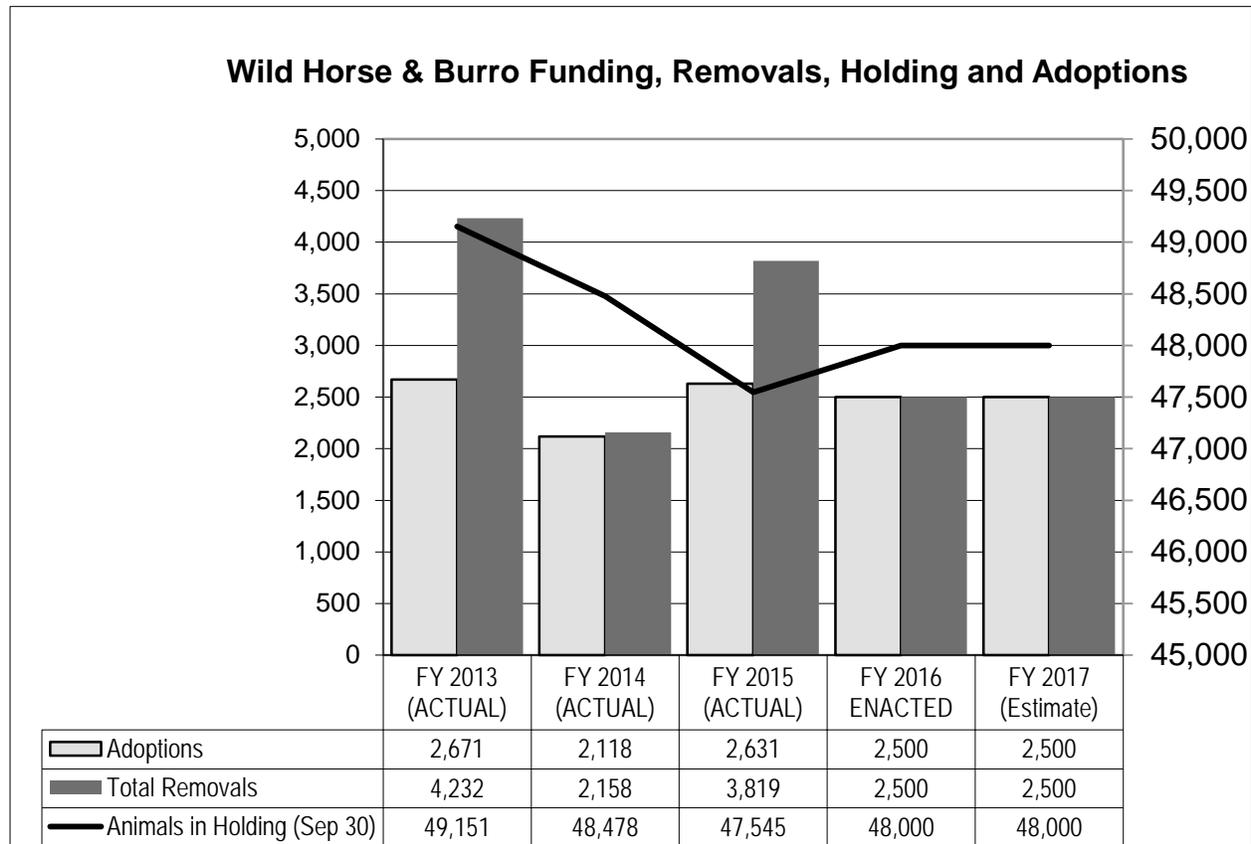
- **Continuing Transparency and Openness:** The BLM is committed to transparency in all facets of the WHB Program. This includes providing public viewing opportunities during gather operations and at holding facilities without compromising the safety of staff, members of the public, or the animals. The BLM is also committed to a proactive public information system that is both accurate and prompt.

### Critical Factors

Critical factors affecting the efficiency of the WHB Program include:

- Increased pasture costs will continue to affect holding costs;
- Wild horses and burros have few natural predators and herds increase at a rate of 15-20 percent each year and may double in size every four years;
- Current wild horse and burro populations exceed AML in nearly all HMAs (~93 percent). Prolonged overpopulation could result in wild horse and burro population die-offs as well as rangeland degradation that may require decades to restore.
- Existing contraceptive vaccines are only effective for one year, and varying terrain, wildness, and the size of herds and HMAs present logistical challenges associated with applying vaccines;
- Adoptions have steadily declined since the early 2000's which has increased the number of animals in off-range holding corrals;
- Lifetime (estimate of 25 years) care for un-adopted animals in off-range holding corrals is nearly \$50,000 per animal; and
- The BLM is experiencing increased litigation, correspondence, *Freedom of Information Act* requests and the need to provide additional personnel at gathers to host public and media visitation, all of which contribute to increased expenses.

In response to these critical factors, the BLM will increase the use of population growth methods including spay and neuter techniques, conduct removals at a substantially reduced level until holding costs can be reduced, and initiate actions to increase adoptions. Removals will be prioritized and will primarily occur in response to public health and safety (i.e., animals on the highway, in agricultural fields); private land encroachment; emergencies; Greater Sage-Grouse Focal Areas; research; and court orders.



**Note:** Future removal and holding numbers are estimated as of January 6, 2016.

### 2017 Program Performance

In 2017, the BLM estimates that it will remove fewer numbers of wild horses and burros from the range (about 2,500 to 3,000), thus exacerbating the existing overpopulation; this number is comparable to the annual mortality in facilities and the number that is adopted and sold each year. When animals are imperiled, resources may not be adequate to respond to all emergency removal needs. The BLM will continue planning and NEPA analysis to implement broad scale aggressive fertility control. The BLM will also conduct population surveys, continue to implement the comprehensive animal welfare program, and continue supporting partnerships that help increase adoptions and reduce short-term holding costs by establishing less expensive additional long-term holding contracts and eco-sanctuaries.

The BLM began implementation of the recommendations received from the NAS in 2014. Population growth suppression research trials initiated in fiscal year 2015 will continue through 2020 with varying completion dates. The BLM will continue refining its scientific foundation that serves as the basis for an ecologically and financially sustainable Wild Horse and Burro Program. The BLM will initiate aggressive application of the most effective available fertility control methods including multiple spay and neuter techniques and contraceptive vaccines. Methods used will vary and may change as research results provide information on effectiveness.

Additional planned performance for 2017 includes:

- Increase the application of the most effective available fertility control methods including contraceptive vaccines and spay and neuter.
- Reduce holding costs by transferring animals from corral facilities to newly acquired, less expensive eco-sanctuaries and private pasture holding contracts;
- Continue research to develop longer acting contraceptive vaccines and spay and neuter methods, including the effects of spay and neuter on herd genetics, animal behavior and rangeland use;
- Continue land use plan revisions, herd management area plan development, and NEPA analysis for HMA sustainability plans;
- Continue to conduct USGS recommended population surveys to obtain more accurate population estimates;
- Conduct removals, primarily limiting removals to those needed in response to public health and safety issues (i.e., animals on the highway, in agricultural fields); private land encroachment; emergencies; Greater sage-grouse Focal Areas; research; and court orders;
- Explore cooperative agreements to increase adoptions and implement as appropriate;
- Increase partnerships with non-governmental organizations, and correctional institutions to increase the number of trained animals for placement in private care;
- Continue herd management/rangeland health monitoring to support AML evaluation;
- Continue compliance inspections of previously adopted animals;
- Continue to develop and conduct comprehensive animal welfare program training and audits for gathers, transportation, corral and pasture holding facilities and adoption events; and
- Continue the maintenance of water developments on public lands.

# Wildlife and Fisheries Management



## Activity: Wildlife and Fisheries Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Wildlife Management	\$000	52,338	89,381	+160	+0	+19,150	108,691	+19,310
	FTE	237	257		+0	+21	278	21
Fisheries Management	\$000	12,530	12,530	+98	+0	+0	12,628	+98
	FTE	77	77		+0	+0	77	+0
Total, Wildlife & Fisheries	\$000	64,868	101,911	+258	+0	+19,150	121,319	+19,408
	FTE	314	334		+0	+21	355	+21

*Notes: The Miscellaneous Trust Funds, Wildlife & Fish Conservation and Rehabilitation (Sikes Act) current mandatory appropriation is a collaborative activity of the Wildlife program. The 2014 enacted amount (post-sequester) for Wildlife & Fish Conservation and Rehabilitation (Sikes Act) was \$0.347 million. The 20156 President's budget request for Wildlife & Fish Conservation and Rehabilitation (Sikes Act) is \$0.354 million.*

*More information on these collaborative activities is found in the Miscellaneous Trust Funds chapter.*

### Justification of 2017 Program Changes

The 2017 budget request for the Wildlife and Fisheries Management activity is \$121,319,000 and 355 FTE, a program change of +\$19,150,000 and +21 FTE above the 2016 enacted level.

### Activity Description

The Wildlife and Fisheries Management activity maintains and restores fish, wildlife, and their habitats by conserving and monitoring habitat conditions, conducting inventories of fish and wildlife resources, and developing cooperative management plans, while providing for environmentally responsible recreation and commercial uses. Funding for this program supports the staff that develops program policy and projects at all levels within the BLM. Management actions emphasize on-the-ground and in-the-water actions that measurably increase the health of fish and wildlife populations to sustain recreational and commercial uses that enhance or maintain many local economies in the West. In addition, these actions reduce the need to federally list species.

This activity supports Cooperative Landscape Conservation activities and the Healthy Landscapes Program by improving the health of watersheds and sustaining biological communities. The overall goal of Fisheries Management and Wildlife Management programs is to restore and maintain proper functioning conditions in aquatic, riparian, wetland and upland systems managed by the BLM, with the goal of providing suitable conditions for biological communities to flourish.

The lands that the BLM manages include numerous wildlife habitat types across a large proportion of America's western landscapes, including major portions of all American arid ecosystems, including the sagebrush biome, and portions of the Colorado Plateau. The BLM is also responsible for managing 15 million acres of short and mid-grass prairies and nearly 55 million acres of forest and woodland habitats. This habitat includes 43 million acres of elk habitat and 131 million acres of mule deer habitat. The BLM manages 23 million acres of

bighorn sheep habitat which include most of the desert bighorn sheep habitat. In addition, the BLM's diverse land base includes over 117,000 miles of fishable streams and rivers, over three million acres of lakes and reservoirs, and an abundance of wetlands. Because of their isolation, BLM lands include many of America's rarest habitats which support many rare plant and animal communities.

## Activity: Wildlife and Fisheries Management

### Subactivity: Wildlife Management

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Wildlife Management	\$000	52,338	89,381	+160	+0	+19,150	108,691	+19,310
	FTE	237	257		+0	+21	278	+21

Summary of 2017 Program Changes/Internal Transfers for Wildlife Management:	(\$000)	FTE
Sage-grouse Conservation	+14,150	+12
National Seed Strategy	+5,000	+9
<b>Total</b>	<b>+19,150</b>	<b>+21</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Wildlife Management Program is \$108,691,000 and 278 FTE, a program change of +\$19,150,000 and +21 FTE from the 2016 enacted level.

**Implement Sage-Grouse Conservation Plans (+\$14,150,000/+12 FTE)** – The Greater Sage-Grouse plans encompass approximately 60 million acres, nearly 25 percent of BLM-managed public lands, and require the active engagement and coordination of hundreds of employees across a myriad of disciplines. Plan implementation will be the single most complex land management effort undertaken by the Bureau in its history and will require a sustained commitment of resources over many years in order to be successful. Effective implementation will also have corollary benefits to rangeland health, supporting the productivity of lands for wildlife and ranching alike.

The Greater Sage-Grouse plans provide a landscape-scale approach to protecting and conserving the Greater Sage-Grouse and its habitat. The plans seek to limit or eliminate additional disturbance as well as target habitat improvements to the most important areas. In addition to establishing protective land use allocations, the plans implement a suite of management actions, such as the establishment of disturbance limits, Greater Sage-Grouse habitat objectives, mitigation requirements, monitoring protocols, and adaptive management triggers and responses, as well as other conservation measures on Greater Sage-Grouse habitat on BLM-managed lands.

The plans focus on avoiding, minimizing, and compensating for surface disturbance and provide for assessments on the threat of fire and invasive species (known as the FIAT assessments) to Greater Sage-Grouse habitats. The 2017 budget request includes additional funding to implement actions to reduce those threats in Greater Sage-Grouse habitats across 10 Western States. Projects and treatments associated with habitat restoration have a multi-year program of work to describe each step towards implementation, monitoring and reporting on the BLM's investment in Greater Sage-Grouse conservation. Increased funding will allow the program to implement on-the-ground projects and monitor habitat treatments at a greater pace.

Of the \$14.15 million increase requested:

- \$6.2 million would be directed to removal of encroaching conifers;
- \$1.4 million for eradication and control of invasive weeds;
- \$1.0 million for restoration of riparian habitats;
- \$2.3 million for reduction of fuel loads;
- \$850,000 to augment post-fire stabilization and rehabilitation efforts through the Sustainability in Prison program that would fund an additional 10 prisons in the Sage-Grouse focal areas habitats to grow 200,000 locally adapted sagebrush plugs for use in restoration of habitat after wildfires or other disturbances. In addition to establishing new prison programs, the funds would be used to maintain the existing ten prison programs that would provide another 320,000 sagebrush plugs annually; and,
- \$1.2 million to support 12 additional permanent FTE. Two FTE at the National Operations Center would assist in managing and training for data management, geospatial support and contracting and agreements, with the remaining ten positions being located in the State, district and/or field offices to implement the programs of work for habitat restoration.

The remaining \$1.2 million would be directed towards additional support for the implementation needs of the States along with additional support for training for field staff, in coordination with State and Federal partners, to help implement the new provisions for habitat conservation and to deploy new tools.

**National Seed Strategy (+\$5,000,000/+9 FTE)** – The requested increase will enable BLM to build upon actions started in 2016 and continue to aggressively implement the National Seed Strategy ([www.blm.gov/seedstrategy](http://www.blm.gov/seedstrategy)), which is critical to BLM's ability to respond with appropriate restoration resources to landscape-scale ecological changes, such as those due to drought, invasive species and catastrophic wildfires. The National Seed Strategy is integral to the success of the Administration's Sage Grouse protection efforts, its wildland fire rehabilitation efforts, and the Secretary's Integrated Rangeland Fire Management Strategy. The National Seed Strategy includes four overarching goals:

- Identify Seed Needs and Ensure the Reliable Availability of Genetically Appropriate Seed Reserves
- Identify Research Needs and Conduct Research to Provide Genetically Appropriate Seed and Improve Technology for Native Seed Production and Ecosystem Restoration
- Develop Tools that Enable Managers to Make Timely, Informed Seeding Decisions for Ecological Restoration
- Develop strategies for internal and external communication

Implementing the National Seed Strategy will result in much needed nationwide networks of native seed collectors, researchers developing wildland seed into commercial crops, farmers and growers increasing seed supplies, nurseries and storage facilities providing sufficient amounts of appropriate seed; and restoration ecologists identifying the appropriate timing and placement for seed and plant material to optimize treatment results. Successful implementation of the strategy will depend on close cooperation with partner federal agencies and the private sector entities under the Plant Conservation Alliance.

Within the amount requested, the BLM will increase the supply of native seed by expanding the native seed inventory by 1,500 seed collections; engage youth to become the next generation of

land stewards by training them to locate and harvest native seed; clean and store native seed in long-term conservation seed banks; identify areas for important native plants to ensure field reserves of these species; and engage federal procurement officers and native seed producers to analyze procurement procedures and facilitate improved federal access to native seed markets.

Implementing the National Seed Strategy will support a number of other major national initiatives, including:

- The President's Climate Action Plan (2013);
- Executive Order 13112 – Invasive Species;
- Department of the Interior Secretarial Order 3330 – Improving Mitigation Policies and Practices of the Department of the Interior;
- Department of the Interior Secretarial Order 3336 – Rangeland Fire Prevention, Management and Restoration;
- National Fish, Wildlife and Plants Climate Adaptation Strategy (NFWPCAP 2012); and
- Pollinator Health Task Force - National Strategy to Promote the Health of Honey Bees and Other Pollinators (2015).

## **Wildlife Management Program**

### **Program Components**

The BLM is responsible for managing more wildlife habitat than any other Federal or State agency. The BLM conducts activities to support healthy and diverse populations of wildlife species on behalf of the American people. Over 3,000 species of wildlife occur on BLM-managed lands, including big game, upland game birds, and waterfowl, as well as amphibians, reptiles, and other birds and mammals. Numerous species occur nowhere else in the country. For all of these species the BLM has important stewardship responsibilities.

The BLM Wildlife Management Program conserves and restores wildlife habitat as an integral part of the bureau's multiple use and sustained yield mission. Priority program activities include:

- Developing science-based strategies and conducting essential conservation actions to maintain sustainable populations of wildlife of local and regional economic importance and sensitive wildlife species;
- Restoring and maintaining habitats to maintain and enhance populations of native wildlife and plants;
- Collecting data to provide a solid foundation for land management planning; and
- Implementing on-the-ground conservation in priority areas which are identified as part of a larger, landscape-scale strategy in partnership with others.

The Wildlife Management Program supports the development and application of science-based management to reduce or minimize the adverse effects of climate change on wildlife and habitats. Working with DOI's network of Landscape Conservation Cooperatives (LCCs) and Climate Science Centers, the BLM will engage with other Federal and State agencies, tribal authorities, and nonprofit conservation organizations to:

- Optimize the quality and quantity of priority habitats to minimize negative effects on wildlife in the face of climate change,

- Expand the availability of climate-related resource management training for staff to identify appropriate impact thresholds on wildlife habitat in the face of permitted use and climate change.

### Critical Factors

The BLM addresses a number of critical factors and demands in its Wildlife Management Program. These include the following:

- Wildlife habitat loss and fragmentation continue to occur, resulting in significant declines for many wildlife species.
- Beyond reducing available surface water and forage for wildlife, drought can have a profound influence on wildfire cycles, which can alter habitat conditions over large areas for many years. According to the National Interagency Fire Center, over 4.26 million acres of sage-grouse habitat have burned since 2012 (according to BLM geospatial data from 2012-2015). Restoring sage-grouse habitat after fire is a complex and difficult undertaking.
- Authorization of land uses that impact wildlife habitat have significantly increased in conjunction with new energy initiatives.
- Other authorized uses such as grazing, logging, and recreation have not substantially changed due to the additional stresses of drought and other factors related to climate change.

### Means and Strategies

- The BLM is working to standardize and integrate data across landscapes and jurisdictions to gain a fuller understanding of changes to wildlife populations across geographic regions and better coordinate actions to mitigate species decline.
- The BLM is working to enhance fish, wildlife and plant conservation by engaging in multi-sector collaborations for data sharing to better understand the conservation needs and trends of fish, wildlife, and native plants.
- In keeping with Secretarial Order 3330, the BLM is developing the tools and directives needed to implement compensatory mitigation at broad landscape scales that will be designed to offset the residual impacts of public land use on wildlife species and their habitats.
- Most species and habitats present on BLM lands do not occur exclusively on lands administered by the BLM. Additionally, BLM land ownership is often not spatially contiguous, either at regional and site scales. Therefore, the BLM works closely with its partners across jurisdictional boundaries to ensure that wildlife conservation measures applied on BLM lands are effective. As a result, the BLM has:
  - Improved coordination and collaboration with important conservation partners, including Federal, State, tribal, academia and non-governmental organizations;
  - Supported development and implementation of standardized wildlife monitoring protocols to ascertain population trends across jurisdictional boundaries; and
  - Developed standardized regionally-specific habitat management guidelines for reptile and amphibian habitats that have been distributed to all BLM field offices;

- Consistent with BLM policy direction, the BLM works closely with State fish and wildlife agencies on natural resource issues, particularly in furtherance of State Wildlife Action Plans, which establish broad-scale wildlife priorities and identify the species of greatest conservation need as well as the habitats necessary for their protection.

### **2017 Program Performance**

In 2017, the BLM Wildlife Management Program will:

- Significantly expand its role in implementing the National Greater Sage-Grouse Conservation Strategy across 11 States;
- Conduct Greater Sage-grouse habitat restoration activities through implementation of the National Seed Strategy for Rehabilitation and Restoration
- Emphasize wildlife habitat improvements in order to reduce the number of species of concern (game and non-game) failing to meet objectives, while maintaining a sufficient level of monitoring to ensure the effectiveness of those improvements;
- Emphasize performance of actions under agency-endorsed plans for the purpose of conserving non-federally listed species to prevent the need for listing under the Endangered Species Act and to maintain the ecosystems they depend upon;
- Accomplish substantial habitat assessment and monitoring to provide an understanding of the range and distribution of priority species, to describe existing conditions, and to determine if management decisions have been implemented and objectives are being met; and
- Partner with FWS, States, and NGOs to accomplish substantial population monitoring to determine if habitat projects are achieving desired outcomes (maintenance and enhancement of priority species populations).
- Maintain and enhance partnerships with States, non-government agencies, and sister Federal agencies to continue to support rural community economies through game and non-game habitat management where the use and appreciation of these species is a high-value component of local economies.

### **Plant Conservation Program**

#### **Program Components**

Public lands contain a diversity of native plant communities that are the habitats for fish, plants, pollinators, and wildlife such as the sage-grouse and desert tortoise. These native plant communities make up over 50 ecoregions across the BLM and each ecoregion contains native plants that have adapted to those environments. The BLM Plant Conservation Program is responsible for protecting, maintaining, and restoring Western native plant communities and rare plants on public lands. The Program provides national leadership in seed collection, seed conservation, seed procurement and storage, and native plant materials development/use for restoration and rehabilitation of public land. This aspect of the program is part of the broader, interagency National Seed Strategy (see above). New funding to implement the National Seed Strategy will enhance and increase the current program of work. In addition, the Plant Conservation Program is responsible for rare plant work.

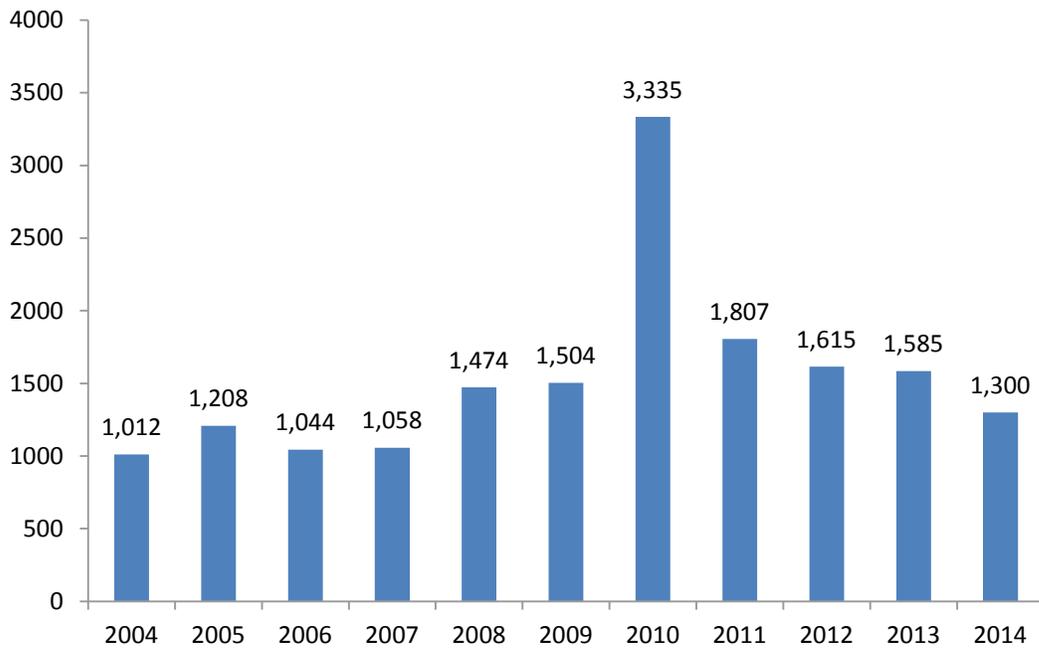
The Plant Conservation Program consists of the following elements:

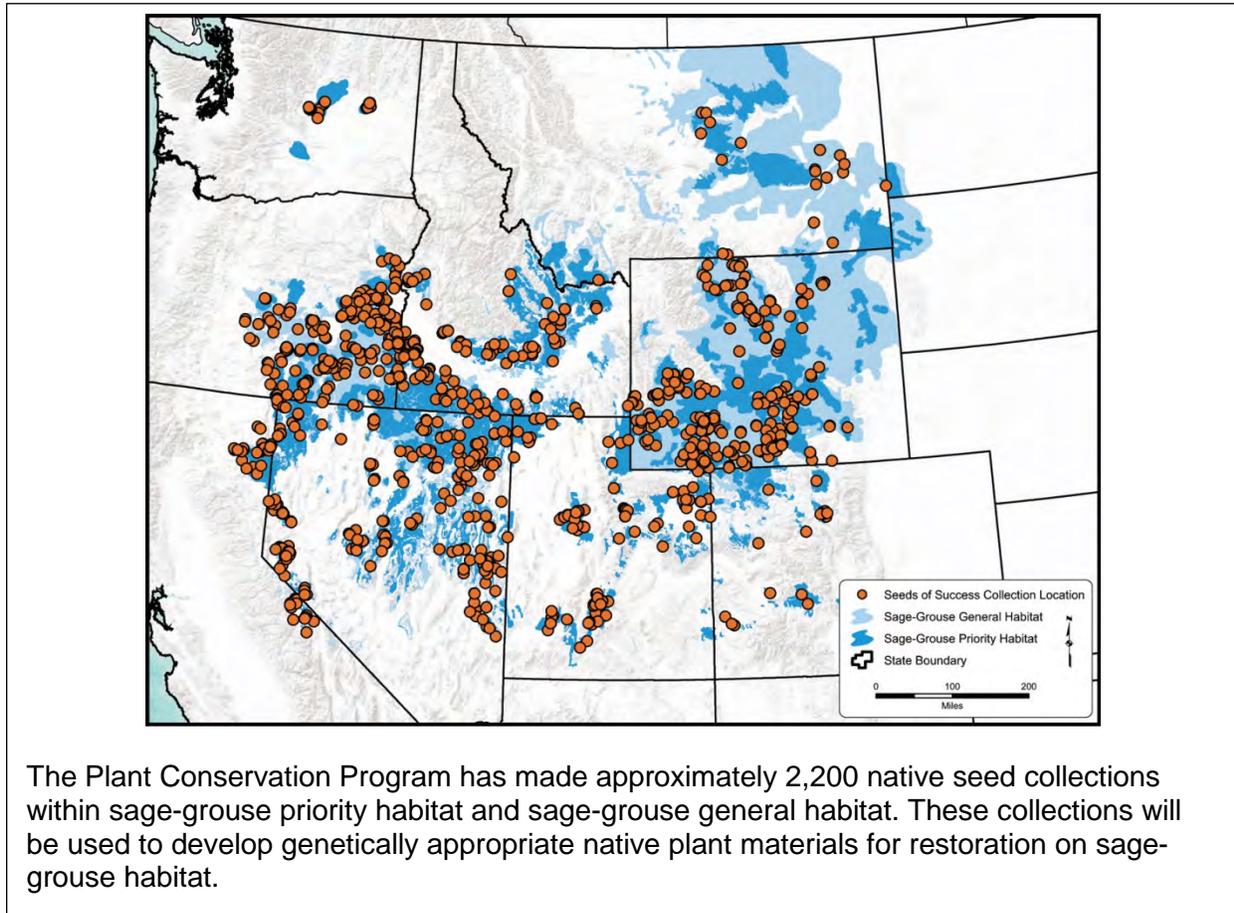
- Identifying, evaluating, and protecting rare plants on public lands, including National Conservation Lands units;
- Understanding the effects of climate change on native plant species and native plant communities on public land;
- Developing genetically appropriate native plant materials for restoring and maintaining habitat for sage-grouse and other animal and plant species;
- Providing leadership and infrastructure on native plant materials development by coordinating with all BLM programs and by establishing ecoregional native plant programs to ensure locally adapted native plant material needs are met;
- Providing national leadership for Seeds of Success;
- Developing seed transfer zones and guidelines;
- Coordinating a national network of seed storage warehouses with environmentally controlled conditions to protect our seed investment;
- Monitoring the effectiveness of native plant materials that have been developed;
- Implementing on-the-ground habitat conservation and restoration treatments on a landscape scale; and
- Enhancing partnerships and volunteer opportunities for plant conservation.

Seeds of Success is the national seed collection program and is the foundation of the native plant materials development process. Over 16,000 native seed collections have been made since 2001 when Congress directed the BLM to establish a Native Plant Materials Development Program. The number of seed collections has remained relatively stable (see graph below) except for an increase in 2010, due to additional funds provided through the American Recovery and Reinvestment Act.

For more information on BLM's Plant Conservation Program please see the following websites:  
[http://www.blm.gov/wo/st/en/prog/more/fish\\_wildlife\\_and/plants.html](http://www.blm.gov/wo/st/en/prog/more/fish_wildlife_and/plants.html)  
BLM Native Plant Materials Development:  
[http://www.blm.gov/wo/st/en/prog/more/fish\\_wildlife\\_and/plants/1.html](http://www.blm.gov/wo/st/en/prog/more/fish_wildlife_and/plants/1.html)  
Colorado Plateau Native Plant Program:  
<http://www.blm.gov/ut/st/en/prog/more/CPNPP.html>  
Great Basin Native Plant Program:  
<http://www.fs.fed.us/rm/boise/research/shrub/greatbasin.shtml>

### 10 Years of Seeds of Success Collections





### Critical Factors

- The effects of landscape health stressors such as drought, disease, catastrophic wildfire, and urban growth and development are altering native plant communities across the West. As rainfall and temperatures change, native plant species and communities may not adapt as fast as the environment changes, thus affecting sage-grouse and other species' ability to survive.
- Healthy, resilient, functioning native sagebrush communities play a significant role in the Bureau's ability to maintain sage-grouse populations in the West. The diversity of native forbs and grasses within the sagebrush communities is vital to the survival of sage-grouse. These native plants provide food and shelter for the sage-grouse, especially the young chicks.
- Healthy landscapes in the West today are at greater risk due to more intense and extended droughts, increasing wildfire frequency, and continuing migration of invasive species. Historically, resilient Western native plant communities burned on average once every 40 years; however, with monocultures of invasive plants and drought, fire frequency is closer to once every five to seven years. Because of these factors, more aggressive development of native plant materials are needed for rehabilitation after fire and restoration of habitats for fish, plants, pollinators, and wildlife.

- Native plant materials, like agronomic crops, take an average of 10 to 20 years to develop as consistent and reliable commercially available seed. Therefore, the BLM must plan ahead for native plant materials to be available for landscape level restoration.
- Development of public lands for renewable energy, non-renewable energy, and mineral resources requires mitigation efforts to offset loss and fragmentation of native plant communities.
- Spread of invasive terrestrial species requires additional monitoring and treatment to prevent degradation of functioning ecosystems and native plant and animal communities.

### Means and Strategies

The Plant Conservation Program coordinates with other BLM programs and partner organizations to conserve, protect, and restore native plant communities at the landscape level. To better achieve program goals and provide improved management of public lands, the Plant Conservation Program is working to implement the National Seed Strategy at a landscape scale. In this coordinated effort, the Plant Conservation Program is addressing critical factors through multiple activities, including:

- Supporting the Department's youth education investments and the America's Great Outdoors (AGO) Initiative by employing recent college graduates in the biological and environmental sciences, through the Conservation and Land Management Internship Program. Over 1,000 recent college graduates have gone through this program.
- Educating America's youth through the development of a high school curriculum on native plants. The BLM will use this model to develop elementary and middle school curricula for younger students.
- Supporting the renewable and conventional energy programs by encouraging use of local genotypes and developing native plant materials for use in reclamation projects. <http://www.blm.gov/wy/st/en/programs/pcp/mgmt.html>.
- Identifying national priority focal areas for native plant community conservation and restoration, as well as developing native plant materials for management activities at the eco-regional scale.
- Coordinating development of native plant materials for restoration with step-down strategies developed from the BLM's landscape approach and implementing restoration within Healthy Landscapes focal areas.
- Supporting ecoregional native plant materials development programs, such as the Colorado Plateau Native Plant Program, the Great Basin Native Plant Program, the Pacific Northwest Native Plant Program, and the Mojave Native Plant Program, to develop locally adapted seed for commercial availability.
- Leveraging Plant Conservation Program funds with other Federal, State, and local agencies and NGOs to implement on-the-ground projects and conduct research in native plant development and restoration techniques.

### 2017 Program Performance

In 2017, BLM will continue to lead the Interagency Native Plant Materials Development Program, including Seeds of Success, Plant Conservation Alliance Federal Committee and regional interagency native plant materials development programs in the Colorado Plateau, Great Basin, Pacific Northwest, Wyoming Basin and Mojave Desert. These programs will work with partners to focus research on native plant materials development and to get more diversity

of native plant materials to the growers in the various ecoregions. In 2017, BLM will expand its ecoregional native seed efforts by developing a Sonoran Desert Native Plant Program

The BLM will implement the National Seed Strategy, developed in 2015, which will assess BLM seed use, stabilize BLM seed requests, integrate native seed collection across the Bureau, and address seed procurement and storage to ensure the highest quality seed for restoration and rehabilitation.

The BLM Plant Conservation Program worked with The Institute for Applied Ecology to develop a protocol for working with State prisons to grow locally sourced sagebrush plants to support restoration of GSG habitat. A pilot project to produce 20,000 sagebrush plants was established in 2014 at the Snake River Correctional Facility in eastern Oregon. The plants grown at this facility were planted into a site damaged by wildfire on nearby BLM lands. In 2015 and 2016, the Plant Conservation Program used the protocol and pilot project to address the lack of locally adapted sagebrush seedlings for restoration and expanded the program to a total of ten prisons within the sagebrush steppe. This program will continue in 2017.

## Activity: Wildlife and Fisheries Management

### Subactivity: Fisheries Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Fisheries Management	\$000	12,530	12,530	+98	+0	+0	12,628	+98
	FTE	77	77		+0	+0	77	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Fisheries Management Program is \$12,628,000 and 77 FTE.

### Program Overview

#### Program Components

The BLM manages the Nation's most ecologically diverse range of aquatic habitat, totaling more than 132,000 miles of fish bearing streams and rivers, over three million acres of lake and reservoir habitat, over 150,000 miles of riparian areas and nearly 13 million acres of wetlands. From isolated desert springs to Alaska's North Slope tributaries, BLM aquatic resources support public recreation and subsistence fisheries that sustain Native American cultural heritages and are critical for sustaining the Nation's native aquatic biodiversity and sport fishing heritages.

The fisheries program, in close partnership with other federal, state, and non-governmental organizations, is responsible for protecting and restoring BLM managed aquatic habitat for aquatic vertebrate and invertebrate organisms.

The BLM Fisheries Program:

- Designs and implements lake, wetland, stream, and riparian treatments to restore and reconnect native, resident game, and nongame aquatic species habitat on public and private lands;
- Assists in special status aquatic species and habitat improvement to prevent the need for federal threatened or endangered listing;
- Assists and contributes to other BLM program areas to ensure fish, other aquatic species, and their habitats receive full consideration;
- Conducts aquatic resource research, inventory, and monitoring to support BLM management decisions and assess effectiveness of management actions;
- Leads and participates in efforts to prevent and limit the spread of Aquatic Invasive Species, including developing materials for education and outreach;

- Enhances anadromous fisheries by increasing habitat integrity and productivity in coastal drainages of the states of Alaska, California, Idaho, Oregon, and Washington.
- Maintains and restores unobstructed routes of movement and passage for all species of native vertebrate and invertebrate aquatic organisms;
- Enhances the quality and quantity of recreational fishing opportunities on BLM managed lands by increasing public access, quality of experience and productivity.
- Works with partners including state agencies, universities, non-governmental organizations such as Trout Unlimited, National Fish and Wildlife Foundation, Wildlife Forever and National Fish Habitat Partnerships;
- Leads and provides support for youth employment opportunities activities and promotes and enhances BLM aquatic recreation, education and rehabilitation experiences for veterans and their families; and
- Creates and establishes Bureau-wide policy, guidance and directives for BLM's aquatic resources.

### Critical Factors

Challenges affecting aquatic resources on BLM lands:

- **Climate Change and Other Stressors:** Aquatic and wetland ecosystems are among the most imperiled on earth. Landscape alterations due to climate change pose serious risks, management challenges, and changes for BLM managed inland freshwater ecosystems (lakes, streams, rivers, wetlands) and coastal wetlands as predicted changes to temperature regimes, precipitation, and flow patterns occur across the United States. The success of fish and other aquatic species will depend largely on the ability to move across landscapes and the availability of connecting dispersal corridors. In addition, new combinations of native and non-native species will interact in new ways which may compromise the reliability with which ecosystem goods and services are provided by BLM managed aquatic and wetland ecosystems. A greater focus on proactive conservation of these habitats will be essential for their long term persistence. The Fisheries program has defined and established management priorities for implementing actions for climate change resiliency for aquatic species and habitats on BLM administered lands. These are to: 1) provide aquatic organism passage and stream network connectivity; 2) ensure adequate water quality and quantity at appropriate times; 3) reduce nutrient loads; and 4) limit the introduction and spread of invasive/exotic aquatic species.
- **Renewable Energy Development:** The priority for developing renewable energy (hydropower, wind, solar, and geothermal) as part of the Powering Our Future initiative places increasing demands on fisheries and aquatics personnel. The program is working to ensure sites of high potential for energy development, and the transmission corridors linking these sites to the energy grid, are developed in a responsible manner consistent with the short and long-term conservation needs of aquatic resources.

- **FERC Relicensing:** The licensing and relicensing of hydropower projects creates a significant opportunity to direct the development of license conditions to conserve fisheries resources so that Federal trust responsibilities are met for the next 30-50 years. It is imperative that the bureau is engaged during these licensing processes.
- **Aquatic Organism Passage (AOP):** The program continues to focus on fish-passable culvert and bridge replacements. Culvert upgrades or removals reconnect high quality habitat for numerous aquatic species. AOP projects have the ability to immediately restore natural stream process and return fish to mature, functioning riparian and in-stream habitats.
- **Legacy Roads:** Road treatments are addressed to stabilize and reduce catastrophic sediment input from historic, poorly planned or failing roads made of soft fill material, which cannot adequately pass downstream water or deposit sediment laden runoff directly into fish bearing streams. Ponding and failure occurs as the standing water upstream overtops or erodes the road, resulting in severe erosion that inundates and smothers downstream fish habitat with sediment.
- **Aquatic Invasive Species:** The Fisheries program is responsible for working with State and other Federal agency partners to develop strategies and programs to combat the ecological and economic threats caused by aquatic nuisance species nationwide. The Fisheries program role is to minimize the threats from aquatic invasive species, such as the quagga and zebra mussel, New Zealand mudsnail, and multiple other non-native plants, vertebrates, and invertebrates. Aquatic invasive species pose a serious threat to our Nation's economy as well as the viability of native fish communities.



### Means and Strategies

BLM Fisheries is meeting these challenges by:

- Managing for the natural chemical, physical, and biological integrity and function of aquatic ecosystems to which species, populations, and communities are adapted;
- Restoring and reconnecting the natural diversity of aquatic biota and watershed features (flow amount and timing, substrate recruitment and transport, and bank and channel configuration);
- Managing habitat for native resident and migratory species and game species that are of high ecosystem, social, economic, or scientific value;
- Expanding and balancing recreational and native fish conservation by strengthening partnerships, developing fishing opportunities and responding to attitudes, values, and desires of the public;

- Implementing activities to promote awareness of and prevent the spread of invasive aquatic species;
- Completing aquatic habitat research, inventory and monitoring for planning, prioritization of conservation activities, and evaluation of restoration projects;
- Educating youth about the importance and complexity of fisheries and fisheries habitat; and
- Working with partners including state agencies, universities, and non-governmental organizations.

### 2017 Program Performance

The BLM Fisheries program will continue to support the bureau's mission-critical goals of maintaining and restoring aquatic ecosystems and related species and their habitats and play a significant role in the identification and implementation of these actions. This includes a special emphasis on salmon and steelhead fisheries resources, Colorado River desert fishes, cutthroat trout conservation, prairie fishes, Alaska stream resources, and riparian areas.

The Fisheries program will continue to work closely with the Aquatic Nuisance Species Task Force, including its Western Regional Panel, the Association of Fish and Wildlife Agencies, the Western Association of Fish and Wildlife Agencies, Trout Unlimited, the National Fish and Wildlife Foundation and the American Fisheries Society.

Numerous active fish habitat restoration activities will benefit native fish, including placer mining reclamation demonstration projects in Alaska; the Escalante, San Rafael River watershed restorations in Utah; Overflow Wetland Pecos pupfish and least chub conservation agreement restoration, San Juan River Basin Recovery Implementation Program; and road decommissioning and instream habitat restoration in Oregon and California. Additional fisheries inventory and monitoring work will take place and inform management decisions via the Gulkana River subsistence monitoring project in Alaska, and Coho salmon monitoring in the Mattole River, California.

Aquatic invasive species work will continue such as through the Lake Havasu Fisheries Habitat improvement program's zebra/quagga mussel outreach program in Arizona, *Didemnum vexillum* tunicate eradication in Alaska, Paynes Creek Wetlands in California and bullfrog eradication in Montana and Arizona. Nationally, the BLM plans to continue its Aquatic Invasive Species outreach work with Wildlife Forever. The program's invasive species prevention messages reach four million people annually through a successful advertising campaign in Western fishing and hunting regulation books.

The program continues to work with irrigators and farmers in Utah, Wyoming, and Idaho on one of the most successful fish passage programs in the country. It is one of the largest scale Trout Unlimited-BLM projects (600 mile river crossing three states). Over the last nine years, the BLM has reconnected 151 miles of critical migration corridors, linking tributary and main stem habitats by removing fish passage barriers, installed over 35 fish passage structures to restore upstream access to critical spawning and rearing habitats in headwater tributaries, and reintroduced cutthroat trout throughout their range.

During 2017, in addition to fish and amphibian eDNA applications in Alaska and Nevada, the program will continue riparian and wetland restoration efforts, such as the ongoing 22-year old Maggie Creek Watershed Restoration effort near Elko, Nevada. Chosen as national model for watershed restoration efforts everywhere under the National Fish Habitat Initiative, the project so far has restored 82 miles of stream, 2,000 acres of riparian habitat, and 40,000 acres of upland watershed in the Maggie Creek basin. The most important fishery result has been the return of Lahontan cutthroat trout to 23 miles of stream where they were formerly extirpated.

Community service and outreach activities will be accomplished through partners including FishingCommunity.Org and Project Healing Waters Veterans activities in Arizona, Alaska, Florida, Virginia, Maryland, Oregon, West Virginia, and Washington DC; family fishing day events throughout BLM field offices; and Cosumnes River Preserve and Redding Environmental education and outreach efforts in California. Finally, program efforts in 2017 will expand and build upon the successful 24-year cooperative conservation partnership with Trout Unlimited to reconnect, restore and sustain critical fisheries habitat and populations throughout the West.

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# Threatened and Endangered Species



## Activity: Threatened and Endangered Species Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Threatened & Endangered Species	\$000	21,458	21,567	+131	+0	+0	21,698	+131
	FTE	131	131		+0	+0	131	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Threatened & Endangered Species Management activity is \$21,698,000 and 131 FTE.

### Program Overview

The primary goal of the Threatened and Endangered (T&E) Species Program is to recover Federally-listed species and preclude the need to list candidate species. The program also provides support for conservation of non-listed, rare plant species. The long-term program vision is to achieve species recovery so that protection under the Endangered Species Act (ESA) is no longer required and to implement conservation programs for Bureau sensitive plants and Federal candidate species so that listing under the ESA is unnecessary.

### Program Components

Over 420 species listed under the ESA occur on BLM-managed lands. Furthermore, over 110 candidate species warranting Federal protection are found on BLM lands. BLM-managed lands are recognized as prime habitat for over 1,000 rare plant species and provide the only known habitat for more than 450 species of rare or listed plants and animals.

The BLM's successful conservation of these species requires implementation of the following tasks:

- Cooperative planning with other stakeholders in the preparation of recovery plans and development of conservation strategies for targeted species;
- Implementing actions identified in species conservation and recovery plans;
- Conducting inventories for newly listed, proposed and candidate species;
- Monitoring species populations to determine if objectives identified in species conservation and recovery plans are being met; and,
- Ensuring and documenting that T&E species and their habitat are conserved and enhanced within a larger landscape context through conservation of ecosystems and watershed health.

## **Critical Factors**

The number of Federally listed species is steadily growing due to increasing conflicts with anthropogenic impacts to the landscape such as urban development, energy development, mineral extraction, grazing and recreational overutilization. Each of these impacts are compounded by the effects of fire, drought, and climate change. The BLM is committed to prevent extirpation of these species on BLM-administered lands and to further recovery and conservation of Federally-listed and candidate species. This is manifested through support and leadership from the T&E program, and the commitment across all BLM programs to balance use with the obligation to conserve and recover imperiled species.

## **Means and Strategies**

The BLM Threatened and Endangered Species Recovery Fund has awarded approximately \$1.0 million annually, on a competitive basis, to recovery actions that culminate in a delisting or down-listing of a Threatened or Endangered species or precluding the need to list a candidate species. This Recovery Fund has supported significant species recovery efforts in the field, but BLM's recovery successes extend well beyond the funding associated with this initiative. Through the tireless efforts of BLM biologists, the invaluable partnerships that they cultivate, and the leveraging of funds from many different sources, the program has achieved a number of successes in species conservation. As the largest land management agency in the country, the BLM's potential to turn the tide of imperiled species is enormous. The BLM is now beginning to get a glimpse of the major contribution that it can offer to recovering species across this nation's landscape. Since the inception of the BLM Recovery Fund in 2010, our agency has shared in the conservation successes of 20 federally listed and candidate species. The BLM's record of accomplishment is building and its successes are accelerating. To continue this momentum requires a strong and durable financial commitment to conduct recovery tasks, data collection and analysis, and provide the capacity necessary to integrate interagency and interdisciplinary efforts in recovery implementation.

## **Youth in the Great Outdoors Initiative**

The T&E Program implements on-the-ground projects that either have an educational or outreach component to engage local youth or employ youth in conservation activities. The T&E Program will continue to hire recent college graduates in the biological sciences as part of the Chicago Botanic Garden's Conservation and Land Management Internship Program.

## **National Conservation Lands**

The T&E Program offers key criteria in selecting projects within the America's Great Outdoors initiative. The National Conservation Lands is an integral network of biologically diverse, wide ranging landscapes and ecosystems. Of the Federally protected species and rare plants that occur on BLM lands, 155 species occur only within designated units of the National Conservation Lands. An additional 114 species have at least 50 percent of their populations represented on National Conservation Lands. The National Conservation Lands are integral to threatened and endangered species conservation and recovery. The T&E Program will continue to partner with our National Monument and National Conservation Area program units to prioritize management actions within the National Conservation Lands that benefit listed species or their habitat.

## Program Collaboration and Partnerships

The range of most of the listed species found on BLM lands includes lands and waters not administered by the agency. The recovery of listed species requires management at the population or metapopulation scale, regardless of jurisdiction lines. Extensive collaboration and cooperation with a number of partners, including other agencies and organizations, is therefore an integral element of the T&E Program. Conservation collaborations typically begin with the development of recovery plans, written under the leadership of the U.S. Fish and Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS). Implementation of recovery actions identified in these plans typically involves collaboration with such partners as State fish and wildlife agencies, other Federal agencies, and non-governmental organizations (NGOs).

An example of this collaboration is the BLM's participation in the Black-Footed Ferret Recovery Implementation Team Executive Committee. Members include: the FWS, the U.S. Geological Survey, the National Park Service, the U.S. Forest Service, The Wildlife Society, The Nature Conservancy and several other NGOs and Federal and State Agencies. Efforts include the development of a sylvatic oral plague vaccine to protect ferrets and their prey, the prairie dog, against plague infection. The BLM continues to offer assistance in providing locations to implement the safety and efficacy trials for the vaccine's use in the field. The BLM also continues to increase its involvement in identifying appropriate areas where prairie dog expansion or re-colonization can take place and identifying potential sites for black-footed ferret reintroduction.



Other examples of regional multi-agency conservation efforts where the BLM is a significant cooperator include the California Condor and Desert Tortoise Recovery Programs.



## Compliance and Consultation

In addition to recovery planning and implementation, consultation under Section 7 of the ESA is a significant BLM endangered species management responsibility. Under the ESA, the BLM must consult with the FWS or the NMFS whenever it determines that an action it authorizes, funds, or carries out may affect a listed species. The BLM completes approximately 600 formal and informal consultations annually under Section 7 of the ESA. The monitoring, inventory, and recovery of Federally-listed species, supported by the T&E program, offer many benefits to

other BLM priority portfolio programs such as energy development, mineral extraction, range management, horse and burro, forestry, and recreation. The inventory and monitoring information collected informs the consultation process, and the recovery efforts for Federally-listed and candidate species bolsters the resiliency of the species on the ground, which may accommodate more opportunities for multiple use.

### **2017 Program Performance**

In 2017, the BLM T&E Program will continue to:

- Emphasize the completion of recovery tasks as identified in species recovery plans;
- Focus on the program's primary goal of completing actions that lead to species recovery with support from the Threatened & Endangered Species Recovery Fund;
- Document the program's accomplishments and efforts towards species recovery through the Special Status Species Tracking System, a reporting system developed by BLM's National Operation Center;
- Inventory and monitor habitat on the millions of BLM acres where Federally-listed species are known or suspected to occur; and
- Leverage additional dollars, equipment, and labor from Federal and non-Federal partners with shared T&E species recovery objectives.

# Recreation Management



## Activity: Recreation Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Wilderness Management	\$000	18,264	18,264	+128	+0	+0	18,392	+128
	FTE	134	134		+0	+0	134	0
Recreation Management	\$000	48,697	51,197	+229	+0	+2,039	53,465	+2,268
	FTE	349	349		+0	+3	352	3
Total, Recreation Management	\$000	66,961	69,461	+357	+0	+2,039	71,857	+2,396
	FTE	483	483		+0	+3	486	3

### Justification of 2017 Program Change

The 2017 budget request for the Recreation Management Activity is \$71,857,000 and 486 FTE, a program change of +\$2,039,000 and +3 FTE from the 2016 enacted level.

### Activity Description

The Recreation Management Activity supports efforts to:

- Provide resource-related recreational opportunities for a wide range of activities;
- Furnish quality visitor services;
- Provide a diversity of recreation facilities, visitor centers, and competitive activities;
- Identify and protect wilderness values;
- Assure that the public receives fair market value for any commercial ventures conducted on public lands; and
- Collect recreation use and entrance fees in the best interest of the general public.

These responsibilities are encompassed by the Bureau's strategic goal to provide opportunities for environmentally responsible recreation.

The Recreation Management Activity provides:

- Recreation planning and visitor use monitoring;
- Trails, access, and rivers management including off-highway vehicle, public access, and comprehensive travel and transportation management;
- Visitor services, information, interpretation and stewardship education;
- Visitor health, safety, and accessibility for persons with disabilities;
- Recreation facility design, operation, and maintenance including visitor centers;
- Recreation and community support partnerships including tourism and marketing;
- Wilderness management in the National Conservation Lands; and
- Support to partnerships, volunteers, and youth programs.

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## Activity: Recreation Management

### Subactivity: Wilderness Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Wilderness Management	\$000	18,264	18,264	+128	+0	+0	18,392	+128
	FTE	134	134		+0	+0	134	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Wilderness Management Program is \$18,392,000 and 134 FTE.

### Program Overview

The Wilderness Management Program is a part of the BLM National Conservation Lands. The BLM's 15-year National Conservation Lands strategy supports the Bureau's multiple-use and sustained yield mission by ensuring that management efforts are focused on conservation, while allowing for compatible uses, consistent with the designating legislation for wilderness areas. In addition to conservation, the strategy emphasizes continued collaboration, public involvement, and youth engagement. Engaging local communities to help them foster a sense of shared stewardship and pride in their local wilderness is a key part of the Wilderness Management Program. The program also contributes to the Department of the Interior's Engaging the Next Generation initiative by providing abundant opportunities for recreation, education, volunteerism, and work experience.

For more information on the National Conservation Lands Strategy, visit the BLM website at: [http://www.blm.gov/wo/st/en/info/newsroom/2011/september/NR\\_09\\_30\\_2011.html](http://www.blm.gov/wo/st/en/info/newsroom/2011/september/NR_09_30_2011.html)

Wilderness Areas are undeveloped Federal lands designated by law to be managed to protect their wilderness character as defined by the Wilderness Act of 1964. These designated areas are generally large, natural, and undeveloped landscapes that offer outstanding opportunities for solitude or primitive and unconfined types of recreation. The BLM is required to meet legal requirements for administering the Wilderness Management Program while also conserving, protecting, and restoring National Conservation Lands values in the 223 Wilderness Areas with over 8.7 million acres in 10 Western States (3 percent of BLM's total acreage in the coterminous United States).

The BLM also continues to conserve, protect, and restore as about 517 Wilderness Study Areas (12.6 million acres) under BLM management as defined below:

- Wilderness Study Areas (WSAs) are roadless areas that contain wilderness characteristics and are protected to maintain those characteristics until Congress designates them as Wilderness Areas or releases them for other uses.

The Wilderness Management Program focuses on the protection and conservation of wilderness and National Conservation Lands values with the following activities:

- Inventorying, monitoring, and preserving wilderness character;
- Managing use and encouraging appropriate wilderness uses;
- Inventorying, monitoring, and managing for noxious weed infestations, trespass activities, and recreation; and
- Restoring impacted areas such as trampled vegetation and eroded soil caused by unauthorized off-highway vehicles (OHV) travelling cross-country.

The National Wilderness Preservation System includes all Wilderness Areas managed by the U.S. Forest Service (USFS), the BLM, the National Park Service (NPS) and the U.S. Fish and Wildlife Service (FWS). It does not include BLM's WSAs. The BLM is unique in that the vast majority of its Wilderness Areas and WSAs are located in delicate desert environments; this adds an important ecosystem component to the National Wilderness Preservation System. Millions of people visit these areas annually either on their own or through the hundreds of permitted commercial outfitters that assist the public in enjoying these unique lands. This use provides significant economic impact to local communities and helps to sustain the natural heritage of their wilderness landscapes.

The Wilderness Management Program frequently addresses challenges associated with unauthorized use such as illegal OHV use, which result in the degradation of wilderness character. Managing the wilderness resource requires collaboratively managing these assets as part of the larger landscape. After a Wilderness Area is designated by Congress, the BLM typically spends the first three years marking and mapping the legal boundary, and providing visitor services such as maps and other public information. Subsequent management includes acquiring in-holdings from willing sellers, restoring wilderness character where needed, engaging in land use planning and monitoring, implementation of wilderness management plans, and providing visitor services. Additionally, BLM staff engages in land use planning to prepare management plans for Wilderness Areas to guide long-term management and protection of wilderness character. These plans raise the public awareness and understanding of the National Conservation Lands, promote stewardship of BLM-managed land, and provide for the use and enjoyment of these lands by present and future generations.

## **Program Emphasis Areas**

### **Preserving Wilderness Character**

Preserving wilderness character is at the heart of the BLM's responsibility to protect its Wilderness Areas for future generations. An interagency strategy for monitoring trends in wilderness character across the National Wilderness Preservation System outlines a unified approach for collecting data and will allow the identification of trends in wilderness character quality across all wilderness-managing agencies. The protocol developed to monitor and describe trends in the quality of wilderness character will eventually enable the BLM to establish a meaningful measure with verified baseline data, which will ensure that the BLM preserves wilderness character as required by the Wilderness Act.

During 2017, the BLM expects to continue gathering baseline data for each of its 223 Wilderness Areas. The BLM will then use this information to make meaningful, efficient management decisions to maintain or improve wilderness character.

**Enhancing Scientific Knowledge**

BLM Wilderness Areas play a critical role in increasing scientific knowledge about a wide array of management challenges. The needs for scientific research and information continues to grow as new issues are identified, including the effects of drought, climate change, and other landscape stressors on species habitat and migration corridors. In addition, improved, higher-resolution satellite imagery and aerial photography aid wilderness managers with the monitoring of Wilderness Areas and WSAs. The BLM is also strengthening the role of science partnerships in wilderness management and collaborating with partners to help manage its Wilderness Areas and WSAs as a part of larger landscapes.

**Developing Partnerships and Engaging People and Communities**

Development and management of partnerships in wilderness stewardship is an important aspect of managing Wilderness Areas and WSAs and allows the BLM to leverage limited resources to achieve management goals. The Wilderness Management Program benefits greatly from a large volunteer workforce that provides thousands of hours of resource monitoring in addition to materials and transportation to manage wilderness projects. The BLM has established nearly 100 formal and informal partnerships to facilitate wilderness stewardship activities. Typical examples of work performed by partners in Wilderness Areas and WSAs include building and maintaining trails, eradicating and monitoring of invasive species, wilderness character monitoring, and reclamation and restoration of degraded areas to create more-natural environments. The BLM has developed a Memorandum of Understanding with the National Wilderness Stewardship Alliance, a national organization that is coordinating the establishment of partners and friends groups to support wilderness stewardship in the National Wilderness Preservation System. Many of these wilderness organizations have strong ties to local communities and can help foster a sense of shared stewardship and pride in wilderness stewardship.

**Connecting Landscapes by Working Collaboratively**

The Wilderness Management Program benefits greatly by working collaboratively with several crosscutting BLM programs and in partnership with other federal land management agencies to achieve larger landscape-scale goals. Programs that manage wildlife, fire, weeds, and rangeland resources routinely benefit wilderness resources and assist the BLM in meeting its legal requirements to protect wilderness character. By establishing connections across boundaries with other Federal, State, local agencies; and private conservation lands, the BLM complements and supplements the management of Wilderness Areas and WSAs as a part of a larger landscapes by strengthening the resilience of all areas.

**2017 Program Performance**

In 2017, the BLM plans to monitor 223 Wilderness Areas and 517 WSAs to ensure that the BLM is protecting wilderness character. Due to competing priorities the BLM did not complete baseline wilderness character data for all of its Wilderness Areas in FY 2015. Baseline inventories of Wilderness Areas are essential to implement the interagency strategy for monitoring trends in wilderness character. In 2016, the BLM will develop an interim performance measure that will assess the percentage of BLM Wilderness Areas that have completed baseline data. A completed baseline will allow the BLM to begin to identify trends in wilderness character using a methodology utilized by federal land management agencies responsible for wilderness stewardship on public lands.

In addition, a priority workload in 2017 will be to continue to update wilderness characteristics inventories. As the BLM begins to finalize many Resource Management Plans (RMP) or other land use plans in 2017 and beyond, it will be necessary to have up-to-date and completed inventories of lands with wilderness characteristics to ensure these plans are completed in a timely manner. Training for BLM staff and contractors responsible for conducting inventories of lands with wilderness characteristics will be planned in FY 2017 and incorporated into the land use planning process. The trainings will be directed by the WO staff and conform to BLM Manual 6310—Conducting Wilderness Characteristics Inventory on BLM Lands, and BLM Manual 6320—Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process.

## Activity: Recreation Management

### Subactivity: Recreation Resources Management

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Recreation Management	\$000	48,697	51,197	+229	+0	+2,039	53,465	+2,268
	FTE	349	349		+0	+3	352	+3

Summary of 2017 Program Changes/Internal Transfers for Recreation Management:	(\$000)	FTE
Improve Accessibility	+2,039	+3
<b>Total</b>	<b>+2,039</b>	<b>+3</b>

Other Resources Supporting Recreation Resources Management:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
Recreation Fees	\$000	21,842	18,683	19,000	+317
	FTE	107	121	121	+0
California Off-Highway Vehicle	\$000	3,999	4,173	4,173	+0
	FTE	22	29	29	+0
Recreation Cost Recovery	\$000	3,353	3,690	3,690	+0
	FTE	7	7	7	+0

**Notes:**

- Recreation Fees amounts are shown as new budget authority derived from recreation fee revenues (nearly all recreation fees are kept at the site where they are collected); the Federal Lands Recreation Enhancement Act (Title VIII of Public Law 108-477) appropriates these funds on a permanent basis. More information on Recreation Fees is found in the Permanent Operating Funds chapter.

- California Off-Highway Vehicle amounts are shown as new budget authority derived from a written commitment by a State government to provide an identified amount of money in support of a project on a reimbursable basis; the Department of Interior, Environment, and Related Agencies Appropriations Act appropriates these funds on a current basis. More information on California Off-Highway Vehicle is found in the Miscellaneous Trust Funds chapter.

- Recreation Cost Recovery amounts are shown as new budget authority derived from revenue from Special Recreation Permits to authorize group activities or recreation events; the annual Interior, Environment, and Related Agencies Appropriation Act appropriates these funds on a current basis.

- Amount in 2014 and 2015 for Recreation Fees and California Off-Highway Vehicle shown net of sequestration.

- Actual and estimated obligations, by year for Recreation Cost Recovery are found in President's Budget Appendix under the BLM

### Justification of 2017 Program Changes

The 2017 budget request for the Recreation Resources Management Program is \$53,465,000 and 352 FTE, a program change of +\$2,039,000 and +3 FTE from the 2016 enacted level.

**Improve Accessibility (+\$2,039,000/+3 FTE)** – The 2017 request includes an increase of \$2.039 million to implement the National Recreation Strategy and the widely shared goals of improving recreation access – including access to information, engaging youth, promoting healthy lifestyles, increasing tourism, improving the economies of our rural communities, and providing for better planning across landscapes and jurisdictions. The BLM recreation program

will expand a multi-year, integrated effort to considerably expand its geospatial data collection, validation, and sharing capabilities – both internally and externally. Expansion of the Bureau's partnership capacity, to leverage staffing so that we can move into the future of data collection, validation and management, and increase the ability to share information, is critical.

The proposed funding increase would expedite implementation of ongoing efforts to showcase recreational opportunities on BLM, gathered in coordination with partners, and utilizing crowd-sourced data. Increased engagement with Bureau partners and community networks of service providers – the locally-based agencies, businesses, and non-profit organizations that rely on the character of public lands – is central to these efforts.

### Program Overview

Public lands managed by the BLM provide some of the most diverse outdoor recreation opportunities on Federal lands in the western U.S. The Bureau's Recreation and Visitor Services Program oversees a broad and complex set of recreation related and social management activities and programs.

The Recreation Management program is responsible for the following components:

- **Recreation Planning** – Evaluating and assessing a wide range of social, economic, and recreational uses of public lands through the land use planning (LUP) process. Recreation Area Management Plans are prepared to implement LUP decisions in designated recreation management areas.
- **Travel and Transportation Management** – Determining public and resource use access needs through the LUP process. The BLM travel and transportation management planning process establishes designations and restrictions for all modes of transportation including motorized and non-motorized uses.
- **Visitor Safety** – Providing opportunities for safe recreational activities for the public, as well as, to educate and encourage safe behavior.
- **Facility Management and Accessibility** – Providing daily operation and routine maintenance of over 3,650 recreation sites and 380 Special Recreation Management Areas, including campgrounds, picnic and day use areas, visitor centers, waysides and kiosks, watchable wildlife sites, historic buildings and lighthouses, trailhead access points, and thousands of miles of rivers and trails. As communities near public lands grow in the West, visitation and demands for new trails and visitor service facilities increase each year. In addition to operating facilities, the BLM is responsible for ensuring facilities and programs meet accessibility standards for persons with disabilities.
- **River Management** – Managing over 500 segments and about 9,000 miles of floatable/boatable rivers and lakes along with associated issues related to water quality, permitting, education and interpretation, visitor safety, enforcement patrols, and resource management. Of these floatable/boatable rivers and lakes, 320 segments and 6,600 miles have significant recreational value. A portion of the funds for river management also serves the needs of Wild and Scenic Rivers, managed by the National Conservation Lands (for more specific WSR information please refer to NCL Crosscut Justification, Chapter IV).
- **National Scenic & Historic Trails** – Monitoring over 4,500 miles of 10 National Historic Trails and is responsible for over 600 miles of three National Scenic Trails. (For more information, reference the National Conservation Lands activity).
- **Hunting, Fishing, and Shooting Sports** – Implementing important provisions of Executive Order 13443, Facilitation of Hunting Heritage and Wildlife Conservation, which directs

agencies to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat.

- **Youth** – Overseeing components of the Bureau’s Engaging the Next Generation initiative, a significant component of the President’s America’s Great Outdoors initiative. The Recreation program also oversees the BLM’s Take It Outside program to promote outdoor activities for kids. The BLM will continue to promote healthy and active lifestyles and better engage the next generation as public land stewards for natural resource conservation.
- **Visual Resources** – Analyzing, managing, and ensuring protection of visual resources to maintain valued landscape aesthetic character.
- **Recreation Permits, Fees, and Commercial Leases** – Reviewing, implementing, and monitoring over 3,200 special commercial and competitive recreation permits and over 800,000 individual use authorizations for special areas each year. The BLM also provides oversight and accountability for the recreation permit, fee, and commercial lease program.
- **Public Outreach, Stewardship and Partnerships** – Promoting and supporting partnerships, volunteerism and stewardship to enhance recreational and educational experiences for visitors and public land users. The BLM is working with community leaders and networks of service providers to manage recreation opportunities that the public wants and that will bring economic benefits to local communities. The Bureau is also partnering with veterans and disabled sportsmen’s groups to ensure access to recreational opportunities.
- **Visitor Information** – Providing visitor information and services including maps, websites, interpretation and environmental education. Enhancing the quality and consistency of baseline visitor and resource data by conducting inventories and implementing visitor use monitoring systems to improve understanding of the full range of social, economic and community resource values and enhance decision making capabilities.
- **Cave Management** – Overseeing cave and karst (an irregular limestone region with sinkholes, underground streams, and caverns) resource management policies and program.
- **Customer/Visitor Service Satisfaction Surveys** – Measuring success in providing quality visitor services through an annual survey. The BLM continues to maintain scores of above the 90 percent range in customer satisfaction in providing recreation program visitor services and facilities to its customers.



### Critical Factors

The primary critical factors impacting the Recreation Program are:

- **Urban Growth:** As communities near public lands grow in the West, visitation and demands for new trails and visitor service facilities have increased each year. There are over 132 million acres of BLM-managed land in the western U.S. within 50 miles of an urban area with a population of 50,000 or greater.
- **Public Demand:** Visitation to public lands has increased from 51 million visitors in 2001 to nearly 62 million in 2015.
- **Public Access Conflict:** Off-highway vehicle (OHV) use on public lands continues to increase. The BLM addresses travel and transportation planning as well as OHV

management and restoration needs through Travel Management Plans and the Resource Management Planning process. In response to the increased OHV use, the BLM is implementing a comprehensive and interdisciplinary approach in developing travel management plans and implementing actions to address the demand for public services, ensure public health and safety, protect natural and cultural resources, and reduce use conflicts.

- **Public Safety and Resource Protection:** Increasing urbanization and motorized activities have resulted in law enforcement personnel spending significant resources on OHV, urban interface and border-related enforcement activities.

### Means and Strategies

The primary means and strategies utilized in the Recreation Program are:

- **Visitor Data:** Improving baseline visitor and resource data by conducting inventories and implementing visitor use monitoring systems.
- **Travel and Public Access Management:** Balancing off-highway vehicle access and use with resource protection and public access needs by updating and implementing comprehensive travel management plans;
- **Visitor Information and Education:** Expanding visitor information delivery and quality by improving signing and websites, and developing travel maps.
- **Visitor health, safety and accessibility:** Ensuring and enhancing visitor health and safety and improving access for the disabled by conducting recreation facility condition assessments and fixing problems or hazards.
- **Permits and Use Authorizations:** Regulating uses by issuing and monitoring recreation use permits and allocating use for commercial, competitive, organized, and individual uses within specially designated areas.
- **Accountability and transparency:** Improving accountability and effectiveness by issuing recreation special permits, conducting fee program and fee site business practices assessments, and conducting audits and program evaluations.
- **Visitor Use Monitoring:** Protecting resources, improving services, and enhancing the quality of recreational experiences by monitoring visitor use and satisfaction, as well as monitoring vehicular use and their impacts on resources.
- **Partnerships and Public Service:** Reducing operational costs by emphasizing the use of volunteers and providing extensive public service opportunities. The recreation program has been particularly successful in engaging volunteers, accounting for almost half of the entire Bureau's volunteer hours and nearly doubling the seasonal recreation workforce to serve visitors, maintain facilities and restore resources.

### 2017 Program Performance

The public lands attract millions of visitors each year that are economic engines for local communities across the West. In 2014, over 62 million recreational visits to Federal public lands and waters generated over \$5.5 billion in economic outputs, and supported over 42,000 jobs. In 2016 and 2017, the BLM will invest in the programs that support recreational visits, build strong partnerships, and create the maximum potential for recreation benefits to local communities.

Additional funding requested in 2017 would allow the BLM to implement the National Recreation Strategy with the following priority areas:

- ***Backyard to Backcountry:*** More than 120 urban centers in the western United States and thousands of rural towns are located within 25 miles of BLM lands, according to data from the 2010 census. Although many in the past have viewed this intermingling of public lands with State, county, and private lands as a weakness, this ready accessibility to public lands creates a unique recreation-tourism product, a distinctive niche in the Federal recreation marketplace that offers a competitive advantage.

Typically, the BLM has engaged with recreation partners when opportunities have presented themselves for specific activities. The National Recreation Strategy would move the Bureau away from a reactive approach to these partnerships and would devote the necessary resources to making sustained efforts to identify and develop outcome-focused partnerships with community networks of service providers as a matter of good business. Partnership in community networks will also help the BLM focus on its recreation brand and develop systematic plans that maximize the most significant shared benefits, without trying to be “all things to all people.”

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# Energy and Minerals Mangement



## Activity: Energy and Minerals Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Oil & Gas Management <sup>(1)</sup>	\$000	53,183	59,671	+289	+0	+20,614	80,574	+20,903
	FTE	326	326		+0	+25	351	+25
Oil & Gas Permit Processing from Fee Collections	\$000	32,500	7,125	+0	+0	-760	6,365	-760
	FTE	268	41		+0	+0	41	+0
Onshore Oil & Gas Inspection Activities <sup>(2)</sup>	\$000	41,126	48,000	+0	+0	+0	48,000	+0
	FTE	295	295		+0	+0	295	+0
Less Offsetting Fees	\$000	-28,697	0	0	+0	-48,000	-48,000	-48,000
(Permit Processing and Inspection)	FTE	0	0	+0	+0	+0	0	+0
Net Appropriations for Oil and Gas Management	\$000	98,112	114,796	+289	+0	-28,146	86,939	-27,857
	FTE	889	662	+0	+0	+25	687	+25
Coal Management	\$000	9,595	10,868	+94	+0	+0	10,962	+94
	FTE	71	71		+0	+0	71	+0
Other Mineral Resources	\$000	10,586	11,879	+99	+0	-1,000	10,978	-901
	FTE	81	81		+0	+0	81	+0
Renewable Energy	\$000	29,061	29,061	+128	+0	+0	29,189	+128
	FTE	145	145		+0	+0	145	+0
<b>Total, Energy &amp; Minerals Management</b>	<b>\$000</b>	<b>147,354</b>	<b>166,604</b>	<b>+610</b>	<b>+0</b>	<b>-29,146</b>	<b>138,068</b>	<b>-28,536</b>
	<b>FTE</b>	<b>1,186</b>	<b>959</b>		<b>+0</b>	<b>+25</b>	<b>984</b>	<b>+25</b>

(1): The 2017 budget proposes to shift the cost of inspections to inspection fees, which are estimated to generate \$48.0 million.

### Justification of 2017 Program Changes

The 2017 budget request for current appropriations for the Energy and Minerals Management activity is \$138,068,000 and 984 FTE, a program change of -\$29,146,000 and +25 FTE from the 2016 enacted level. This reduction in requested appropriations is more than offset by an estimated \$48,000,000 in fee collections that would be available to support inspection activities under new inspection fee authority proposed in the budget. In addition to the requested current appropriations and offsetting collections, permanent funds are also available to support the Oil and Gas Management program as authorized by the National Defense Authorization Act for 2015. These are shown and discussed in the Permanent Operating Funds chapter, as well as in the Oil and Gas Management subactivity. All told, total funding resources available to the Oil and Gas Program in 2017 through current appropriations, offsetting collections, and permanent appropriations are estimated to be \$186.6 million, an increase of \$27.6 million over the 2016 estimate (the actual increase would be affected by any sequestration to permanent funds that may occur in 2017).

## Activity Description

Energy and mineral resources generate the highest revenue values of any uses of the public lands from royalties, rents, bonuses, sales, and fees. In 2015, onshore Federal lands produced approximately 44 percent of the Nation's coal, 40 percent of the Nation's geothermal capacity, eight percent of domestic natural gas, and five percent of domestically-produced oil.

The goal of the Oil and Gas Program is to provide access to oil and gas where appropriate, and to manage exploration and development activities in an environmentally sound way.

Coal is used to generate approximately 44percent of the Nation's electricity. The electric power sector (electric utilities and independent power producers) accounts for about 87 percent of all coal consumed in the U.S. and is the driving force for the Nation's coal consumption.

The BLM provides other minerals needed to support local infrastructure and economic development. Demand is increasing globally for non-energy solid minerals such as potassium, phosphate, sodium, and potash. Other important mineral resources produced from public lands include uranium, gold, silver, gypsum, sodium, building stone, sand, and gravel. The BLM processes sales and issues permits for mineral materials such as sand, gravel, stone, and clays, which are essential to maintenance and construction of roads and buildings, including those used by the BLM to fulfill its land management objectives.

The Renewable Energy Management Program is responsible for processing right-of-way applications for wind and solar energy, overseeing geothermal energy leasing and development, and prioritizing transmission development associated with renewable energy production.

Geothermal energy development was historically managed as part of the Oil and Gas Management Program. Funding for geothermal leasing and development was transferred from the Oil and Gas Management Program to the Renewable Energy Program in 2013 as management oversight of renewable energy development was consolidated into a single program. The BLM has the delegated authority for leasing 249 million acres of Federal land (including just over 100 million acres of National Forest land) with geothermal potential.

<b>Activity: Energy and Minerals Management</b> <b>Subactivity: Oil and Gas Management</b>
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		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Oil & Gas Management								
	<i>\$000</i>	53,183	59,671	+289	+0	+20,614	80,574	+20,903
	<i>FTE</i>	326	326		+0	+25	351	+25
Oil & Gas Permit Processing from Fee Collections								
	<i>\$000</i>	32,500	7,125	+0	+0	-760	6,365	-760
	<i>FTE</i>	268	41		+0	+0	41	+0
Oil & Gas Inspection Activities								
	<i>\$000</i>	41,126	48,000	+0	+0	+0	48,000	+0
	<i>FTE</i>	295	295		+0	+0	295	+0
Subtotal, Discretionary Program Funding		126,809	114,796	+289	-	+19,854	134,939	20,143
Less Offsetting Fees (Permit Processing and Inspection)								
	<i>\$000</i>	-28,697	0	0	0	-48,000	-48,000	-48,000
	<i>FTE</i>	0	0	+0	+0	+0	0	+0
Total, Oil & Gas Mgmt (net appropriation)								
	<i>\$000</i>	98,112	114,796	+289	+0	-28,146	86,939	-27,857
	<i>FTE</i>	889	662	+0	+0	+25	687	+25

Summary of 2017 Program Changes/Internal Transfers for Oil & Gas Management:	(\$000)	FTE
Strengthening Oil and Gas Oversight and Systems (AFMSS II)	+15,227	+25
Oil & Gas Special Pay	+2,576	+0
Alaska Legacy Wells	+2,811	+0
Shift Cost to Inspection Fees	-48,000	+0
Total	-27,386	+25

Summary of 2017 Program Changes/Internal Transfers for Oil & Gas Permit Processing from Fee Collections	(\$000)	FTE
Updated Estimate for 15 Percent of APD Fees Subject to Appropriation by NDAA	-760	+0
Total	-760	+0

Other Resources Supporting Oil & Gas Management:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
Energy Act Permit Processing Fund	\$000	11,799	44,192	51,667	+7,475
	FTE	76	430	430	+0
Energy and Minerals Cost Recovery	\$000	2,653	5,160	5,160	+0
	FTE	22	22	22	+0
Abandoned Wells Remediation Fund	\$000	33,372	0	0	+0
	FTE	0	0	0	+0
Subtotal, Oil & Gas Discretionary Funding	\$000	126,809	114,796	134,939	+20,143
Total, Oil & Gas Resources	\$000	174,633	164,148	191,766	+27,618

## Notes:

- BLM mandatory amounts for Permit Processing Improvement Fund in 2015 and 2016 reflect the impact of both previously unavailable authority and sequestration, while the 2017 amount only reflects the impact of previously unavailable authority

- Energy Act Permit Processing Fund amounts are shown as new budget authority derived from 50 percent of rents from onshore mineral leases for oil and gas, coal, and oil shale on Federal lands; Section 365 of the Energy Policy Act of 2005 (Public Law 109-58) appropriates these funds on a permanent basis. Beginning in 2016, PPIS also includes APD fees authorized by the National Defense Authorization Act. More information on Energy Act Permit Processing Fund is found in the Permanent Operating Funds chapter

- Energy and Minerals Cost Recovery amounts are shown as new budget authority derived from fees that include costs of actions such as environmental studies performed by the BLM, lease applications, and other processing related costs; Independent Offices Appropriations Act (IOAA), as amended (31 USC 9701), Section 304(a) of the Federal Land Policy and Management Act of 1976, as amended (43 USC 1734) appropriates these funds on a current basis. More information on Energy and Minerals Cost Recovery is found in the Service Charges, Deposits, & Forfeitures chapter

- Abandoned Wells Remediation Fund amounts are shown as new budget authority derived from General Fund; Section 349 of the Energy Policy Act of 2005 (Public Law 109-58), as amended by Public Law 113-40, the Helium Stewardship Act of 2013 (42 USC 15907) appropriates these funds on a permanent basis. More information on Abandoned Wells Remediation Fund is found in the Abandoned Wells Remediation Fund chapter

- The 2015 amount for Abandoned Wells Remediation Fund reflects a sequestration of 6.8%

- Actual and estimated obligations, by year for Abandoned Wells Remediation Fund are found in President's Budget Appendix under the BLM section

- The 2016 and 2017 amounts for the Permit Processing Fund in this table are updated from the estimates in the Appendix, Budget of the United States Government, Fiscal Year 2017. Specifically, the 2016 and 2017 estimates have been adjusted in this table to correctly include both estimated APD fees and 50 percent of rent revenues from onshore leases.

## Justification of 2017 Program Changes

The 2017 budget request for discretionary appropriations for the oil and gas program is \$134.9 million, which represents a program increase of \$19.9 million above the 2016 enacted level. Of that amount, the request for the traditional Oil and Gas Management subactivity is \$80,574,000, and 351 FTE, a program change of +\$20,614,000 and +25 FTE from the 2016 enacted level. The request also includes \$6,365,000 (and 41 FTE) for permit processing activities, representing 15 percent of fees projected to be collected in FY 2017 from applications for permits to drill (APD), as authorized by the *National Defense Authorization Act of 2015 (NDAA)*, which the NDAA makes subject to future appropriation. The 2017 projection represents a \$760,000 reduction from the 2016 estimate. The budget also proposes \$48.0 million for oil and gas inspection activities, which would be offset by \$48.0 million in inspection fees, resulting in a net total of \$86,939,000 in discretionary appropriations for oil and gas management.

In addition, the oil and gas program is supported by mandatory funding that is deposited in the Oil and Gas Permit Processing Improvement Fund (PPIF) account in BLM's Permanent Operating Funds account. This includes 50 percent of rents from onshore mineral leases, pursuant to Section 365 of the Energy Policy Act of 2005, as amended by Section 3021 of the NDAA. It also includes the mandatory portion of APD fees, which under the NDAA is set at 85 percent of APD fees collected. In 2017, these combined mandatory funds are estimated to be \$51.7 million compared to an estimated \$44.2 million in 2016 (note: the 2016 estimate reflects the impact of sequestration). The significant changes occurring in the oil and gas markets make it difficult to accurately project the number of APDs likely to be submitted and the associated fee collections. The mandatory funds are shown in the Permanent Operating Funds section of the budget.

The following are the individual program change descriptions.

**Strengthening Oil and Gas Oversight and Systems AFMSS II (+\$15,227,000/+25 FTE) –**

The 2017 budget request includes an increase of \$15.2 million to improve the agency's capacity to provide effective oversight of onshore oil and gas operations, including implementation of new rules and regulations, better implementation of existing rules, and continued development of the new automated information technology system that is increasing the efficiency and transparency of processing drilling permits, inspection reports and other post lease actions. Both the regulatory and oversight reforms and the automated system (AFMSS II) will address recent Government Accountability Office (GAO) and Office of Inspector General (OIG) audit recommendations to improve program oversight, better account for revenues, increase efficiency and protect natural resources.

Additional Funds for Implementation of the Oil and Gas Rules/Regulations (+\$13,100,000/+25 FTE) – The BLM anticipates publishing several final rules in the near future. One set of final regulations will address site security of oil and gas facilities and the measurement of oil and gas production. These new oil and gas measurement regulations set appropriate standards, based upon current technology, to ensure that operators accurately measure and properly report and account for production. These standards will be used by the Office of Natural Resources Revenue (ONRR) to ensure collection of appropriate royalties, directly responding to the GAO and OIG audit recommendations. A portion of these funds will be used to provide an additional 25 FTE to field offices in order to process and verify 125,000 additional site diagrams, 220,000 new Facility Measurement Points, and additional operational elements of the regulations. These additional staff will support production accountability activities to ensure accurate reporting of production data and a fair return to the taxpayers. Funds will also be used to support implementation of other regulations critical to the protection of the environment, such as the hydraulic fracturing regulation and the requirements of the proposed venting and flaring regulation.

Continuation of the Automated Tracking System for Oil and Gas Operations Development Project in FY 2017 (+\$2,127,000/0 FTE) - The Automated Fluid Minerals Support System (AFMSS) is used to track oil and gas information on public and Indian land. It contains data concerning lease and agreement ownership, well identification, location and history, including casing information, geologic formations, resource protection, production, and operator compliance. The system has an electronic commerce module (WIS) to interface with the oil and gas industry. AFMSS tracks oil and gas well operations from over 23,500 producing leases.

Recent audit findings indicated that upgrades to the system are necessary in order to appropriately document, report on, and manage oil and gas activities. Phase I of the AFMSS II development provided a number of program improvements and efficiencies over the legacy system, including: ensuring consistent data quality in permit applications and providing transparency and accountability for industry on approval processes, in part through the use of a dashboard feature, where applicants can check the status of their permits throughout the approval process. It is anticipated that industry will see a significant reduction in oil and gas permit processing times with the full implementation of the new system. Once fully functional, the BLM anticipates a significant reduction in the time required for permit decisions.

The BLM is requesting \$2.1 million to allow completion of the additional modules associated with Phase II of the AFMSS II database. AFMSS II will standardize permit processing and facilitates sharing of technical resources across office boundaries to more effectively manage workload. Other agencies -- such as the Bureau of Indian Affairs (BIA), U.S. Forest Service (USFS), and ONRR -- rely on BLM's well and production data for necessary revenue verification. Additionally, AFMSS II will consolidate the functionality of several other systems into a single system, including the oil and gas industry electronic commerce portal and the geothermal database, for wells associated with geothermal resources on public land. AFMSS II allows data sharing between other modernized BLM national applications such as those used for maintaining land records and land use planning, thereby reducing duplication. By accounting for new Facility Measurement Points and additional site diagrams, Phase II functionality will support implementation of the rules currently being developed and expected to be finalized in 2016, including the oil and gas measurement regulations and the venting and flaring regulations. These rules are fundamental for carrying out the BLM's oil and gas mission, including ensuring proper payment of royalties and maximizing the conservation of oil and gas resources and reducing waste. An adequate IT support system to manage the associated record keeping, workload and oversight is critical to implementation of the regulations. The requested funding support in 2017 will be crucial to achieving future milestones, providing necessary program improvements and assuring project success for both the DOI and industry users of the system.

**Oil & Gas Special Pay (+\$2,576,000)** – The BLM continues to face challenges from staffing shortages. The BLM is experiencing a higher than average attrition rate in certain occupational groups due to retirements, as is the government as a whole. In addition to these losses, over the past several years the oil and gas industry experienced a boom and many of the BLM's seasoned permitting and inspection staff left public service to go into private industry for higher pay. The BLM has spent considerable time and resources training these staff and they are not readily replaceable. Typically it takes three to six months to complete recruitment for oil and gas specialists. On average, it requires a minimum of 18 months to train and certify a Petroleum Engineering Technician to be an inspector with proficiency in the regulations and processes for all phases of well operation. Because this certification is not available outside the BLM, most training takes place on the job. Due to the substantial investment BLM makes in its oil and gas employees, retaining staff is essential to the agency meeting its mission critical goals. In keeping with the BLM's commitment to support the oil and gas operations on public lands, several steps have been taken to recruit and retain oil and gas staff, including group recruitment and retention incentives, student loan repayment, and special pay rates. In 2015, the Office of Personnel Management (OPM) approved the Department's request to establish special pay rate tables for specific occupational series and locations engaged in oil and gas activities. The 2017 budget request will provide up to a 35 percent pay increase for certain technically specialized employees that are funded through the Oil and Gas program and described below.

Additional funding is needed to support increased pay for certain oil and gas-related occupations in some field locations that typically see more permitting and drilling activity. These five occupations are Environmental Protection Specialists, Natural Resource Specialists, Civil Engineers, Hydrologists, and Geologists. These positions are critical to the operations of all aspects of oil and gas development, including permitting, drilling, plugging, surface and environmental protection, site security, and measurement. This special incentive pay is in addition to the increased pay already provided to petroleum engineers and petroleum engineer technicians, discussed below. The Department is working with the OPM to establish and implement appropriate pay schedules for these occupations in order to attract and retain highly skilled, qualified employees for these mission critical positions. Pending final approval by OPM, the requested increase supports revised pay rates, which will enable the BLM to provide pay increases of up to 35 percent above base pay rates for these specific occupational series.

**Alaska Legacy Well Remediation (+\$2,811,000/0 FTE)** – The 2017 budget requests an increase of \$2.8 million to allow the BLM to continue to remediate legacy wells within the National Petroleum Reserve in Alaska (NPR-A). Legacy wells were drilled within and adjacent to the NPR-A between 1944 and 1981, many of them prior to the transfer of the reserve to the Department of the Interior in 1976. A total of 136 test holes were drilled to gather geologic data or identify petroleum reserves present in the NPR-A. No wells produced oil or gas. These drill holes are categorized as exploratory oil wells, core tests, or temperature monitoring wells. As part of its continuing commitment to protect public safety and Alaska's environment, the BLM, in its strategic plan entitled *2013 Legacy Wells Strategic Plan*, has outlined priorities and actions it is taking in the near-term to close and clean up these wells in the National Petroleum Reserve in Alaska (NPR-A). This funding will augment the permanent funding authorized by the Helium Stewardship Act of 2013 for remediation of these wells.

**Oil and Gas Permit Processing from Fee Collections (-\$760,000/0 FTE)** – The 2017 request reflects a projected decrease in APD fees collected in 2017. The National Defense Authorization Act of 2015 amended the Mineral Leasing Act to authorize APD fees in 2016 through 2026, and to permanently appropriate the majority of these fees. For fiscal years 2016 through 2019, the NDAA permanently appropriates only 85 percent of the fee revenues, leaving the other 15 percent of fee revenues subject to appropriation. The proposed reduction of \$760,000 represents 15 percent of the projected reduction in total APD fees collected in 2017.

**Oil and Gas Inspection Activities(-\$48,000,000/0FTE)** – The 2017 budget proposes to institute new onshore oil and gas inspection fees to cover the costs of BLM's inspection activities and reduce the net cost to taxpayers of operating BLM's oil and gas inspection program. The fees are similar to those already in place for offshore operations. Such authority will reduce the net costs to taxpayers of operating BLM's oil and gas program and allow BLM to be more responsive to industry demand and increased inspection workload in the future while reducing the need for current appropriations that could be directed toward other priority programs. Proposed appropriations language to implement the fees is included in the proposed General Provisions for the Department of the Interior, and is also shown in the General Statement chapter of this Budget Justification.

## Program Overview

The BLM's Oil and Gas Management Program is responsible for providing access to onshore energy resources in an environmentally responsible manner. The BLM manages approximately 44,000 Federal onshore leases across 32 States. These leases have generated in excess of

\$2.0 billion annually in recent years. In addition, BLM manages operations on roughly 4,500 oil and gas leases on behalf of Tribes and individual Indian mineral owners.

During FY 2015 and 2016, the BLM placed emphasis on conducting inspections of high-priority wells and on addressing the recommendations of the Government Accountability Office (GAO) and DOI's Office of the Inspector General (OIG) for program improvements. Through these two focal areas, BLM seeks to ensure that the public's oil and gas resources are properly developed in a manner that maximizes recovery while minimizing waste and provides a fair return for the taxpayer through accurate revenue collection.

### Program Components

The primary components of the oil and gas program are leasing, well permitting, and administration of operations including inspections and oversight of ongoing operations as well as reclamation and abandonment activities. Another important function is the BLM's Fiduciary Trust Responsibility to Indian Tribes.

Specific activities include:

#### Leasing

- Conducting oil and gas lease sales, primarily across the West and in Alaska, consistent with statutory requirements, land use plans and requirements for public participation;
- Collecting, processing and tracking lease protest information, addressing program inconsistencies and public transparency. The National Fluid Lease Sale System (NFLSS) was approved as a BLM IT investment in December 2014. The BLM also received permanent authority to conduct online lease sales in the *2015 National Defense Authorization Act* (enacted in December 2014). This system is a DOI and BLM priority and is needed to implement the program improvement recommendations of the GAO; and
- Administering existing oil and gas leases and processing post-lease actions such as assignments, operating rights, mergers, bonds, unit and communitization agreements, and terminations of leases.

#### Permitting

- Processing oil and gas Applications for Permits to Drill (APDs) and subsequent modifications of the permits, by evaluating and prescribing conditions for both the subsurface and surface operations.
- Maintaining an inventory of about 7,000 valid APDs, which have been approved and are ready for industry to drill.

#### Inspection Activities

- The BLM uses a risk-based inspection strategy and is focused on inspecting 100 percent of the wells designated as high priority by BLM's National Oil and Gas I&E Strategy.
- Inspecting about 29,000 existing oil and gas authorizations; determining the adequacy of operators' financial bonding, with a review of risk factors to weigh potential liability; and evaluating well inventories in the field to address inactive wells.

#### Fiduciary Tribal Trust Responsibilities

- Carrying out trust responsibilities by managing operational activities (including permits to drill, inspections and enforcement, and unit and communitization agreements) on approximately 4,500 oil and gas leases for Indian Tribes and individual Indian allottees.
- Providing technical advice on leasing and operational matters to the Bureau of Indian Affairs, Indian Tribes, and individual Indian mineral owners.
- Validating that Indian leases are being diligently developed.

### Special Areas of Emphasis for Current Year Funding Requests

#### Addressing GAO's High Risk Program Designation and Other Program Recommendations

In its February 2011 High Risk Report, the Government Accountability Office (GAO) determined that certain aspects of the Federal oil and gas leasing program, including production verification and revenue collection, was at high risk because the Department of the Interior did not have reasonable assurance that it was collecting a fair share of the revenue from oil and gas produced on Federal lands. In its High Risk Report, the GAO also pointed to continued problems in hiring, training, and retaining sufficient staff to provide oversight and management of oil and gas operations on lands and waters.

The BLM has adjusted its workload priorities to place an emphasis on the recommendations of the GAO and the Department's Office of the Inspector General (OIG). Accordingly, the BLM has taken a number of steps to improve program effectiveness in these areas. The BLM is implementing recommendations of the GAO to correct and improve the inspection and enforcement program and provide oversight and guidance to coordinate activities consistently across office boundaries. An internal control review conducted by the BLM is assisting in determining the effectiveness of program changes. The objective is to evaluate the accuracy and completeness of data in the records and to confirm that the data is sufficient to ensure orderly development and accounting of the Nation's finite energy mineral resources.

#### Inspection Activities

The BLM seeks to better ensure that oil and gas operations on Federal and Indian lands are conducted in a manner that provides for personnel and environmental safety along with proper accountability for taxpayer resources extracted from public lands. It is the BLM's responsibility to prioritize the oil and gas inspections to be conducted, track accomplishments, and document results. The BLM seeks to better ensure oil and gas production from Federal and Indian lands is properly handled, measured accurately, and reported correctly. To that end, as discussed above, the BLM is in the process of completing the final regulations that will govern venting and flaring of natural gas, improve site security, and update oil and gas measurement on Federal and Indian lands.

In FY 2011, the BLM initiated a risk-based strategy, the National Oil and Gas I&E Strategy, to provide consistent nationwide oil and gas inspection accomplishment goals to the field offices. Just as important, the Strategy is a tool for managers and staff to determine how many and what type of oil and gas inspections can be accomplished with available resources, prioritize operational sites to be inspected, identify funding needs to succeed in accomplishing nationwide goals, and monitor oil and gas inspection progress.

The risk-based strategy helps the BLM maximize the impact of a limited inspection staff. The BLM will continue to recruit and train new inspectors in order to be able to meet its minimum inspection requirements going forward and more effectively target inspection resources to meet other inspection goals established by BLM policy. The BLM also will continue to use qualified natural resource specialists to conduct environmental inspections and improve reclamation practices that minimize disruptions and impacts to habitat and to enable the certified petroleum engineering technicians to concentrate on production verification inspections.

The BLM performs several types of oil and gas inspections, which are detailed below, in an effort to ensure that the American people receive the fair value from the development of oil and gas resources on their lands, and to ensure that those resources are managed responsibly. With the higher funding levels provided in 2015, the BLM focused on completing the high priority production inspections identified by the National Oil and Gas I&E Strategy, and as many of the lower priority inspections as the residual funding would allow. These high-priority cases account for about 13 percent of the total wells, but more than 60 percent of the oil and gas produced on Federal and Indian mineral estates. As the number of active wells has increased in recent years, the BLM's inspection workload has risen.

#### Production Inspections

The BLM conducts inspections on production facilities to ensure that equipment, practices and procedures are in accordance with the regulations, orders, and any applicable approval documents, and that the taxpayer is receiving a fair return for these resources. The *Federal Oil and Gas Royalty Management Act* (FOGRMA) requires the BLM to perform at least one inspection annually at each lease site producing or expected to produce significant quantities of oil or gas in any year. In addition, BLM now applies its risk-based strategy to ensure that any other high risk operations are high priority inspections.

In FY 2015, the BLM conducted 2,008 high-priority production inspections, which included 100 percent of the identified risk-based inspections. Similarly, for FY 2016, the BLM developed and is now carrying out risk-based inspection. The BLM's goal is to again achieve 100% of all high-priority production inspections, as well as other high priority idle well, drilling, abandonment, workover and environmental inspections.

#### Drilling Inspections

The BLM conducts time-sensitive inspections on wells at key points during the well drilling, with an emphasis on witnessing high priority drilling cases first. These inspections ensure, among other things, that wellbores are properly drilled and cemented to protect useable water. These inspections play a critical role in protecting the environment and public health and safety.

#### Abandonment Inspections

The BLM conducts abandonment inspections to witness the plugging of oil and gas wells to ensure wellbore integrity and zonal isolation of underground formations, with an emphasis on high priority abandonment cases. These inspections are time sensitive and include depleted producing wells or newly drilled dry holes.

#### Workover Inspections

The BLM inspects workover operations on existing wells that are producing, or nearly depleted and service wells. The goal of the inspections is to ensure that equipment, practices, and procedures are in accordance with the workover permit's conditions of approval. In order to protect the environment and responsibly develop the energy resources on public lands it is

imperative that the BLM ensure compliance with lease stipulations and the conditions of approval issued with drilling permits.

#### Environmental Inspections

Natural Resource Specialists, Environmental Protection Specialists, and other resource program specialists (wildlife biologists, archaeologists, etc.) typically perform BLM environmental inspections. Environmental inspections include inspection of reclamation efforts, erosion control measures, topsoil stockpiling, well location, access road location, pit construction and use, spills, water disposal methods, containment systems for production tanks, and surface hazards. Environmental inspections also include inspections to ensure that abandoned locations are properly reclaimed. Post-approval inspections look specifically at surface environmental impacts.

#### Records Verification Inspections

The BLM uses records verification inspections to review production records and compare them to production reports sent to ONRR. These inspections may require additional review, including onsite visits. The BLM uses production accountability through records verification inspections to determine whether appropriate royalties have been paid and to correct errors in reporting.

#### Undesirable Event Inspections

The BLM conducts undesirable event inspections when spills or accidents associated with an oil and gas lease occur. These inspections provide a means to determine the extent of environmental impacts and monitor remediation of the spill or accident site to ensure appropriate reclamation occurs.

#### Alleged Theft Inspections

When an alleged theft of production is reported to a BLM Field Office by an operator or the public, the BLM conducts an alleged theft inspection. These inspections document the circumstances surrounding alleged theft of production and assist law enforcement investigations.

#### Idle Well Inspections

The BLM conducts idle well inspections of wells that have had zero production reported for the previous 7 years. These inspections may result in orders to the operator to perform specific actions. Due to age or neglect, and often to a combination of both, it is probable that some idle wells have deteriorated well casings and tubulars. These wells can be a threat to the environment. BLM ensures that idle oil and gas wells do not act as conduits for wellbore fluids to migrate and endanger valuable surface or groundwater resources. The BLM's policy is to reduce the number of idle wells on Federal lands to those that truly have a future beneficial use, reducing potential liability for the Federal government to plug and abandon wells on BLM-managed lands. These inspections encourage operators to return wells to production and to properly plug uneconomic wells.

The table below shows a breakout of inspections completed in 2012-2015, and those estimated to be completed for 2016 and 2017. The number of total inspections in 2015 decreased compared to previous years, although BLM added some new inspectors in 2015. The net gain in inspectors was only about half as much as expected because of losses due to retirements. Additionally, the beneficial impact of additional inspection capacity is delayed initially due to training requirements, which, on average, require a minimum of 18 months to complete. The inspection accomplishments are expected to increase in 2016 and 2017 as more new

inspectors are added and those hired in 2015 complete their training. Drilling and production inspections are expected to remain essentially flat through 2016 and 2017 as the oil and gas industry continues to contract due to low commodity prices.

### Inspections Completed and Estimated

	<i>FY 2012 Completed</i>	<i>FY 2013 Completed</i>	<i>FY 2014 Completed</i>	<i>FY2015 Completed</i>	<i>FY2016 Estimated</i>	<i>FY2017 Estimated</i>
<b>Production Inspections</b>						
1. High-Risk Cases <sup>1</sup>	2,148	2,083	2,483	2,008	1,958	2,000
2. Other Production	5,126	3,330	3,749	4,237	6,829	6,900
<b>Total Production Inspections</b>	<b>7,274</b>	<b>5,413</b>	<b>6,232</b>	<b>6,245</b>	<b>8,787</b>	<b>8,900</b>
1. Drilling Inspections	1,951	1,396	1,456	873	1,000	1,000
2. Abandonment Inspections	1,268	1,325	997	1,106	1,000	1,000
3. Workover Inspections	417	337	272	252	300	400
4. Environmental Inspections	20,171	19,691	17,690	16,000	17,000	17,000
5. Record Verification Inspections	3,023	3,451	3,379	3,145	3150	3150
6. Undesirable Event Inspections <sup>2</sup>	467	385	605	518	400	400
7. Alleged Theft Inspections <sup>2</sup>	0	0	0	0	0	0
8. Idle Well Inspections	N/A	1,257	1,171	1,187	820	800
<b>Total Other Inspections</b>	<b>27,297</b>	<b>27,842</b>	<b>25,570</b>	<b>23,081</b>	<b>23,670</b>	<b>24,550</b>
<b>Total Inspections<sup>3</sup></b>	<b>34,571</b>	<b>33,255</b>	<b>31,802</b>	<b>29,326</b>	<b>32,457</b>	<b>33,450</b>

<sup>1</sup>In 2011, the BLM instituted a risk-based strategy for production inspections. This category consists of wells and leases that meet BLM's high-risk criteria. Based on this strategy, each year's list of required high-risk cases is determined based on the previous year's history. For this reason, the actual quantity of required high-risk inspections cannot be determined until the previous year is complete. The FY 2016 and FY 2017 estimated numbers are based on assuming the BLM completes 100% of required high-risk inspections

<sup>2</sup>These inspections are conducted on an as-needed basis.

<sup>3</sup>This table combines inspections on cases and inspections on individual wells.

Note: FY2014 saw a Federal shutdown loss of available time impacting nearly 3 weeks of operation (over 1500 inspections lost).

### Processing of Applications for Permit to Drill

The complexity and unit cost of processing APDs has grown in recent years, with more analysis of both down-hole engineering and potential surface impacts. The BLM received 4,475 APDs in 2015. BLM approval times have remained relatively constant due to the increased complexity of resource issues analyzed, in addition to industry turnover of permitting specialists. The BLM has worked with operators to improve the quality and completeness of submitted drilling permit applications. The new automated system (AFMSS II) module should facilitate submittal of more

complete APDs, and aid improving the BLM review process. A reduction in processing time of 100 days is expected after the new module is fully implemented.

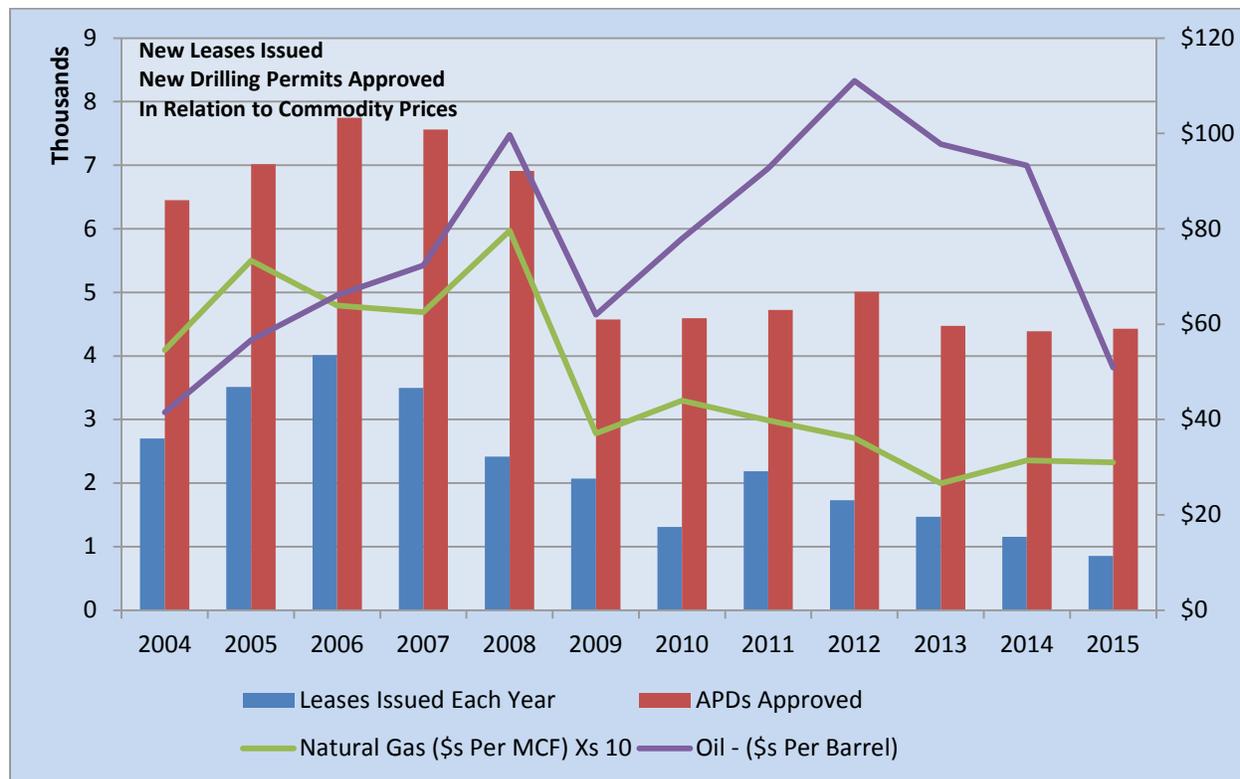
As shown in the table below, the number of approved APDs currently available for industry to drill, but which have not been utilized, has increased to over 7,000. Despite the availability of approved permits, companies have been drilling less as a result of falling commodity prices. Oil prices, at the time of this publication, are now below \$30 per barrel. The current year (2016) and budget year (2017) estimates for APDs received in the following table are more tentative than usual. The significant changes occurring in the oil and gas markets make it difficult to accurately project the number of APDs likely to be submitted and the associated fee collections.

**APDs: Pending, Received, Approved, Processed and Available to Drill**

	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Estimated	2017 Estimated
Total APDs pending at start of year	4,108	3,683	3,546	4,120	3,785	3,385
New APDs received	5,240	4,757	5,316	4,475	4,100	4,467
APDs approved	5,009	4,472	4,389	4,228	4,000	4,000
Total APDs processed	5,861	4,892	4,924	4,913	4,500	4,500
APDs pending at year end	3,683	3,546	4,121	3,785	3,385	3,352
APDs approved, waiting to be drilled	6,960	6,711	5,919	7,532	7,000	7,000

APDs pending at the end of the year are a snapshot at that point in time and do not account for permits that remain in process at the end of the fiscal year.

The chart below illustrates the relationship between prices for oil and gas and leasing and permitting activity from 2004-2015. Leasing and permitting demand is significantly influenced by oil and gas prices.



EIA Data Source For Oil and Gas Spot Prices  
 1. Oil - Cushing, OK WTI Spot Price FOB (Dollars per Barrel)  
 2. U.S. Natural Gas Wellhead Price (Dollars per Thousand Cubic Feet)

### Master Leasing Plans

Onshore fossil fuels will continue to make an important contribution in fulfilling the Nation's energy needs, but development of these resources needs to be conducted responsibly. In May 2010, the BLM finalized several reforms to its oil and gas program to improve environmental protection of important natural resources on public lands while aiding in orderly leasing with measured and balanced development of these resources. These reforms include developing Master Leasing Plans (MLPs), through which the BLM engages the public and stakeholders prior to leasing in certain areas with important environmental resource values and where new oil and gas development is anticipated. The intent is to consider fully other important environmental resource values before making a decision on leasing and development in an area.

In June 2014, the BLM issued its first MLP, the Beaver Rim MLP, as part of the revision of the Lander Resource Management Plan. In FY 2015, six additional MLPs were completed. These MLPs balance development of oil and gas minerals with protection of important natural and cultural resources, such as habitat for elk and mule deer, and important archaeological sites. Several more BLM field offices are developing MLPs as part of current RMP efforts.

In FY 2016, the BLM received \$5.8 million to fund the development of oil and gas master leasing plans (MLPs) that are currently in process or are scheduled to begin in 2016. The MLPs build upon Resource Management Plan decisions by providing a more focused and detailed

analysis, including an analysis of optimal lease parcel configurations and potential development scenarios; identifying and addressing resource conflicts and associated environmental impacts; and identifying mitigation strategies and constraints. Through the MLP process, the BLM analyzes and resolves these issues prior to conducting lease sales; therefore, the MLPs will provide oil and gas operators increased development certainty when obtaining and developing lease parcels. The funding provided in FY 2016 will be used to complete the Moab MLP in Utah; and begin or continue MLPs for certain BLM lands in Utah, New Mexico, Colorado, and Wyoming. MLPs are typically a multi-year effort, averaging three years to complete. The work on MLPs in 2016 will continue in the four states listed above in 2017 with this funding with hopes that in 2018 the BLM can complete 3-4 of these MLPs.

### **Primary Factors Affecting Program Management**

The primary factors impacting the management of the program are:

- As production activity has increased in recent years, the BLM must increase the number of oil and gas inspections and increase efforts to ensure appropriate accountability of production volumes across the over 23,500 producing leases.
- An expanded well inventory and more complex operations require additional monitoring and inspections to ensure safety and protection of the environment, including protection of important species and habitat conservation.
- The BLM faces challenges with recruitment, training, and retention of technical staff.
- Automation of activities in the AFMSS II and NFLSS systems will increase the productivity of BLM staff. In addition, providing modern tools and capabilities will support recruitment and retention.
- The BLM reviews and analyzes increasingly complex environmental issues and sophisticated field operations, including environmental impacts, mitigation plans, lease sales, APDs, and subsequent production operations.

### **Performance Measures**

The BLM consistently tracks the number of inspections completed to ensure that oil and gas production on public land is carried out in an environmentally responsible manner while generating a fair return for the American people.

The BLM uses a Strategic Plan measure that tracks the percent of leases from which production verification has occurred. This new measure will compare the total number of cases, which refers to a BLM record in the LR 2000 database, against the number of production and records verification inspections completed on those cases annually. Prior to the establishment of this measure, the BLM tracked the number of inspections completed on both wells and cases using the total number of required inspections as a baseline.

The older measure was ineffective in two ways. First, a single case may have multiple wells associated with it, especially where the case record is for a unitization agreement with dozens of wells. When measurement of inspections projected versus inspections completed conflated wells and cases, it increased the potential for erroneous reporting. Second, the metrics used to measure performance resulted in multiple years in which more than 100 percent performance was reported, creating a lack of clarity in the actual performance measured.

## 2017 Program Performance

As noted earlier, in FY 2015, the BLM completed 100 percent of its high-priority production inspections. In FY2016, and into the future, the BLM plans to accomplish 100 percent of all high-priority inspections, regardless of type. The percentage of leases with approved APDs is expected to increase slightly due to an overall decrease in the number of active leases. The percentage of APDs processed is expected to increase from previous levels based on current estimates.

<b>Activity: Energy and Minerals Management</b> <b>Subactivity: Coal Management</b>
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		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Coal Management	<i>\$000</i>	9,595	10,868	+94	+0	+0	10,962	+94
	<i>FTE</i>	71	71		+0	+0	71	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Coal Management activity is \$10,962,000 and 71 FTE, no program change from the 2016 enacted level.

### Program Overview

#### Program Components

The BLM is responsible for leasing the Federal mineral estate on approximately 700 million acres. While producible coal resources are found on only a small fraction of these acres, Federal coal leases contribute a large share of total domestic coal production and consumption. In 2014, coal resources accounted for nearly 40 percent of the Nation's electricity generation, and Federal lands currently supply roughly 40 percent of all U.S. coal production.

The BLM's coal program consists of approximately 310 Federal coal leases and 475,692 acres under lease. During the last decade:

- Over 4.36 billion tons of coal were produced from Federal leases with a total value of \$61.4 billion;
- Over \$3.85 billion in bonus payments and over \$6.6 billion in royalties, rents, and other revenues were collected on BLM administered coal leases; and
- The BLM held 39 successful coal lease sales, accepted bonus bids of over \$3.6 billion (deferred bonus bid payments occur over five years) for over 74,362 acres containing 4.2 billion tons of mineable coal.

Through its leasing program, BLM facilitates private sector development of Federal coal resources and supports the production of this reliable domestic energy resource.

BLM has a responsibility to all Americans to ensure that the coal resources it manages are administered in a responsible way to help meet our energy needs while ensuring that taxpayers receive a fair return for the sale of these public resources. A range of concerns have been raised about the program in the last few years by Government Accountability Office, the Department's Inspector General, Members of Congress and other stakeholders. In March 2015, Secretary of the Interior Sally Jewell called for an "open and honest conversation about modernizing the federal coal program," and launched a series of listening sessions across the country to hear from the public on a number of complex questions.

In 2015, the BLM held 5 listening sessions (Washington, DC; Billings, MT; Gillette, WY; Denver CO; and Farmington, NM) to provide the public an opportunity to comment on the coal program and provide recommendations for enhancement of the program. As a result of comments expressed during the listening sessions and recommendations from OIG/GAO audits, in January 2016, the Secretary issued a Secretarial Order that places a pause on new leasing under the program (with certain limited exceptions) until the BLM completes a full programmatic review of the program.

A programmatic review of the coal leasing program has not been undertaken in more than 30 years. This review will take a careful look at issues related to the Bureau of Land Management's (BLM) administration of the federal coal program, primarily:

- The appropriate leasing mechanisms to determine how, when and where to lease;
- How to account for the environmental and public health impacts of the coal program; and
- How to ensure the sale of these public resources results in a fair return to the American taxpayers, including whether current royalty rates should be adjusted.

The review will also explore whether U.S. coal exports should factor into leasing or other program decisions; how the management, availability and pricing of federal coal impacts domestic and foreign markets and energy portfolios; and the role of federal coal in fulfilling the energy needs of the United States.

The review will include extensive opportunities for public participation. The PEIS will kick off with public sessions in early 2016 to help determine the precise scope of the review. The Interior Department will release an interim report by the end of 2016 with conclusions from the scoping process about alternatives that will be evaluated and, as appropriate, any initial analytical results. It is expected that the review will take approximately three years to complete.

### **Initial Program Improvements**

While a more comprehensive review of the leasing program is being conducted, BLM has taken a number of steps over the last two years to address issues that have been raised in external reviews. In 2014 and 2015, the BLM completed a number of actions to strengthen the overall management of its coal program, while at the same time responding to recommendations from three key sources: the June 2013 audit by the Department of the Interior Office of Inspector General; a February 2014 Government Accountability Office report; and the Royalty Policy Committee Report *Mineral Revenue Collection from Federal and Indian Lands and the Outer Continental Shelf*, which provided several recommendations on improving production accountability.

Since 2014 and 2015 the BLM has completed the 21 initiatives responding to the Office of Inspector General and Government Accountability Office audits. The initiatives consisted of the development of 2 manuals and 2 handbooks, 8 instruction memoranda, and coordination with the Solicitor to analyze the existing and potential statutory enforcement authorities, and new use authorization terms and conditions. These documents addressed concerns regarding lease sales, exports, inspection, enforcement, royalty rate reduction, and transparency.

The BLM recently completed a major update of policies regarding production accountability, verification, and inspection through the release of a new Inspection, Enforcement and Production Verification manual and an Inspection and Enforcement handbook. This manual and

handbook provide policy and guidance regarding safety, inspections, and production verification. The guidance is being used to help promote responsible development of coal resources on the Nation's public lands, and includes requirements for improved documentation for coal operation inspections on coal exploration licenses, licenses to mine, leases, and logical mining units. It also includes requirements for increased training for the BLM Mineral Mine Inspectors and requirements for certification of the inspectors. The BLM has begun working on the Mineral Tracking System (MTS) for the coal program; this program will further enhance the inspection program, and the full implementation of that system will enable further progress in this area.

The BLM also updated the Coal Evaluation manual and handbook, which can be used to help ensure a consistent and efficient coal lease sale process, increase clarity in determining fair market value and provide guidance on the independent review of appraisal reports. This guidance will enable the Bureau to account for export potential through analysis of comparable sales and income. In developing this guidance, the BLM worked closely with the Department's Office of Appraisal Services, Division of Mineral Evaluations, and that office is serving as the independent reviewer of BLM determinations of the pre-sale estimate of the value of the coal.

Taken together, these updated and revised policies on inspections, enforcement, production verification and fair market value are significantly strengthening the Bureau's coal program and enhancing the skills, knowledge and abilities of its employees as they carry out their responsibilities to ensure the public receives fair market value for leases, to ensure maximum economic development of the recoverable reserves, and to ensure that the coal resources are developed in an environmentally sound and sustainable manner.

The BLM is responsible for the following activities in the Coal Management program:

- Conducting competitive coal lease sales and ensuring the public receives fair market value for the coal;
- Determining the pre-sale estimate of the value of the coal by considering both domestic and export markets, among other factors, and obtaining an independent review of the value;
- Approving modifications to existing coal leases and ensuring the public receives fair market value for the coal;
- Administering existing coal leases and providing additional approvals to ensure the lessee's compliance with the terms and conditions of the lease;
- Processing and approving coal exploration licenses and monitoring operations for compliance with the terms of the exploration licenses;
- Processing and approving Federal coal resource recovery and protection plans and modifications to protect the public's resources from waste and to ensure maximum economic recovery;
- Processing and approving Indian coal use authorization mining plans and modifications to protect the resources from waste and to ensure the greatest ultimate recovery;
- Inspecting operations at Federal and Indian coal use authorizations to ensure compliance with the authorization's terms and conditions;
- Independently verifying the coal production reported by lessees from Federal and Indian coal leases;
- Taking appropriate action when Federal coal has been mined without approval (coal trespass actions);

- Taking enforcement actions to ensure compliance with terms and conditions of licenses, leases, and other BLM coal authorizations; and
- Providing pre-lease evaluations of mineral tracts when requested by the Bureau of Indian Affairs for Indian Tribes and Indian mineral owners.

### **Critical Factors**

The January 2016 Secretarial Order places a pause on new leasing until a Programmatic Environmental Impact Statement (PEIS) is completed. Prior to considering additional lease requests, the BLM will launch the multi-year PEIS development to review and evaluate potential environmental impacts and reforms to the federal coal program in order to ensure that it is properly structured to provide a fair return to taxpayers.

Much of the federally owned coal reserves in the Western U.S. are overlain by private surface ownership. Before the BLM can hold a new lease sale for federally owned coal, the potential lessees must obtain the consent of the surface owners.

The BLM continues to work with the U.S. Forest Service, the Office of Surface Mining Reclamation and Enforcement, and other Federal and State agencies to streamline multiple agency processes to minimize the time necessary to process applications to explore for and produce Federal coal resources. Federal surface management agencies are required to provide the BLM their decision whether to lease Federal coal or not.

The BLM and the Mine Safety and Health Administration are collaborating to provide a safer workplace for developing Federal and Indian coal. Both agencies have developed a Memorandum of Understanding to delineate procedures for reporting unsafe conditions.

The BLM is facing the loss of institutional knowledge needed to manage the Coal Program as many of its engineers, geologists, and land law adjudicators are retiring or become eligible for retirement. Recruitment activities are ongoing to fill vacancies. Further, the BLM works to prepare new employees to accomplish coal workloads successfully by ensuring that mining engineers and geologists complete the new mine employee's safety training, attend certification courses and new coal evaluation courses, and are provided with adequate on the job training.

Ensuring environmental protection and maximum recovery of coal resources continues to be a priority for the BLM.

### **Other Funding Sources**

Coal program operations are primarily funded through this subactivity. Another funding source is the service charges the BLM collects from applicants to process coal lease applications, lease modification requests, royalty rate reduction requests, and logical mining unit applications. Broader planning efforts are frequently supported by other BLM programs, including the Resource Management Planning program and, when appropriate, other affected Federal agencies may contribute funds.

The BLM has been implementing cost recovery for these applications filed with the BLM since a final cost recovery regulation became effective on November 7, 2005. Amounts that the BLM collects each year vary as the workload varies between applications filed prior to or after the

cost recovery regulation became effective. The BLM will continue to charge users all appropriate cost recovery fees according to regulations.

Coal Management Cost Recovery (\$000)	2013	2014	2015	2016 Estimated	2017 Estimated
	381	229	239	235	235

### 2017 Program Performance

The BLM anticipates completing processing of approximately 10 percent of the pending coal lease applications, called “Lease by Applications” (LBA) during 2017. This estimate takes into consideration the pending applications that will be allowed to continue to be processed under the Secretarial Order that places a pause on most new leasing. In 2014, applicants requested that the BLM delay processing of several LBA actions due to recent reductions in market demand for coal resources; the future market demand for BLM to process additional LBAs is unclear at this time.

To process LBAs, the BLM often uses a single environmental analysis to determine cumulative impacts for multiple LBAs and other use authorizations received in a relatively close geographic area. This allows for the more efficient use of BLM coal specialists, as they are needed to complete environmental, geological and engineering analyses, coal evaluations, hold lease sales, and process coal lease applications. LBAs that are excluded from the Secretarial pause will continue to be processed in this manner. LBAs that are subject to the moratorium will have the option to continue their NEPA work during the pause but will not receive final approval until after the pause is lifted. These applications will be subject to any requirements or stipulations that may have been developed as a result of the completed Programmatic EIS for coal. The BLM completed processing for five percent of coal LBAs in 2009 and 2010, seven percent in 2011, 18 percent in 2012, 15 percent in 2013, 10 percent in 2014, and 23 percent in 2015. There are several grouped environmental analyses in progress that will yield multiple lease application process completions in 2016 and 2017.

The BLM completes approximately 2,400 coal inspection, enforcement, and production verification actions each year. Inspections are performed to ensure compliance with the lease terms and conditions and mining plan approvals. Enforcement actions are necessary where the lessee fails to conform to the lease requirements. During the inspection process, the BLM inspector will collect production data to independently determine if the coal production being reported by the lessee is reasonable. The BLM completes approximately 300 post lease administrative actions annually while managing leases. These post lease actions vary from lease readjustments and lease modifications, to approvals of resource recovery and protection plans. Normally, the number of coal inspection, enforcement, and production verification and post lease actions are market dependent.

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<b>Activity: Energy and Minerals Management</b> <b>Subactivity: Other Mineral Resources</b>
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		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Other Mineral Resources	\$000	10,586	11,879	+99	+0	-1,000	10,978	-901
	FTE	81	81		+0	+0	81	+0

Summary of 2017 Program Changes/Internal Transfers for Other Mineral Resources:	(\$000)	FTE
Anticipated Completion of MTS	-1,000	+0
<b>Total</b>	<b>-1,000</b>	<b>+0</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Other Mineral Resources activity is \$10,978,000 and 81 FTE, a program change of -\$1,000,000 and 0 FTE from the 2016 enacted level.

**Mineral Tracking System (-\$1,000,000/+0 FTE)** – The 2016 appropriation included increased funding in the Other Minerals Resources Management program and in the Coal Management program to develop the Mineral Tracking System (MTS). The BLM anticipates making substantial progress in the development of the MTS in FY 2016. The 2017 budget request eliminates this increase to focus on the program's primary objectives.

In 2016, funding for the MTS was used to support the automation and tracking of licenses, leases and permitting as well as inspection activities, including production verification, associated with coal and other solid mineral commodities (e.g. phosphate, sodium, potassium, etc.). Similar to the BLM's modernization of its Automated Fluid Minerals Support System (AFMSS), the MTS is intended to enhance the overall management of very complex solid mineral commodity permitting and leasing regimes.

### Program Overview

The public lands are an important source of non-energy solid leasable mineral resources and mineral materials for the Nation. These minerals are vital components of basic industry and quality of life in the United States. The goal of the Other Mineral Resources Program is to provide the minerals needed to support local infrastructure and economic development. Demand is increasing worldwide for some products generated from non-energy solid leasable minerals, such as gilsonite, which is used in drilling fluids for energy exploration.. The BLM processes sales and permits for mineral materials, such as sand, gravel, stone, and ordinary clays, which are essential for maintenance and construction of the access that is needed to provide basic land management and for building and maintaining energy development and production infrastructure and facilities.

## Program Components

The Other Mineral Resources Subactivity funds two distinct programs:

- Through the Non-Energy Solid Leasable Minerals Program, the BLM manages the production of potash, phosphate, sodium, and gilsonite. This program also includes metallic minerals on acquired lands (lead, zinc, copper, etc.). These minerals are used for fertilizers, glass and papermaking, flue-gas desulfurization, lead-acid batteries, oil well drilling, water treatment, detergents, and many chemicals.
- Through the Mineral Materials Program, the BLM leases and sells mineral materials such as ordinary clay, sand, gravel, and building stone. These materials are used for construction of roads, foundations, and buildings.

The Non-Energy Solid Leasable Minerals Program is responsible for:

- Processing permit, license and lease applications;
- Administering existing permits, licenses and leases;
- Approving exploration and mining plans;
- Conducting *National Environmental Policy Act (NEPA)* analyses;
- Inspecting and monitoring existing authorizations;
- Inspecting producing operations to ensure proper reporting of production;
- Taking enforcement actions to ensure compliance with terms and conditions of permits, licenses and leases; and
- Administering trust responsibilities by managing post-leasing and production activities for Indian Tribes and individual Indian mineral owners.

The Mineral Materials program is responsible for:

- Performing *NEPA* analyses of disposal applications;
- Performing appraisals to determine the value of disposals;
- Conducting sales;
- Administering existing contracts and collecting revenue;
- Processing free use permits for State and local governments and non-profit organizations;
- Processing exploration permits and mining authorizations;
- Inspecting existing mineral materials authorizations;
- Inspecting sites to ensure proper reporting of and payment for production;
- Taking enforcement actions to ensure compliance with terms and conditions of contracts and authorizations; and
- Investigating and taking enforcement actions on unauthorized removal of mineral materials from Federal mineral estate.

## Critical Factors

Several factors impact the Other Mineral Resources Program. Most demand for mineral materials comes from sales directly to the local public and industry for construction and development of businesses and housing in urban and rural areas, and for the infrastructure for renewable and conventional energy and mineral projects. The level of public demand tends to mirror the state of the economy. Demand for non-energy solid leasable minerals also fluctuates with the economy, but production from public lands supplies regional and international markets, particularly for fertilizer minerals.

State and local governments and nonprofit organizations are provided free use of sand, gravel, and other mineral materials used in the development and maintenance of infrastructure for communities. The BLM processes these applications at no cost to those entities which involves increased workload for the BLM.

There has been an increase in unauthorized operations, particularly on split-estates, due to many factors, such as an increase in urban development and zoning restrictions reducing private sources of mineral materials. The BLM will continue to conduct inspections to determine if there are unauthorized operations on public lands.

The cost of processing authorizations and leases for mineral materials and non-energy minerals varies for each authorization or lease due to the size and complexity of the each, but in general has risen due to the increasing level of complexity in environmental impacts and the need to design enhanced mitigation.

### **Other Funding Sources**

The Other Mineral Resources Program is primarily funded through appropriations in this subactivity. Other funding sources include cost recovery fees, averaging \$284,000 per year, for processing mineral disposal actions such as mineral material competitive sales. There are also cost recovery fees for processing new applications for non-energy leases, licenses and permits. The BLM will continue to charge users appropriate cost recovery fees according to regulation.

The BLM also receives reimbursement for the costs of material sales for the pipeline system in Alaska as required under Public Law 93-153, Section 101, which amended Section 28 of the *Mineral Leasing Act of 1920*. Funds are also collected from trespass recovery settlements and are used for rehabilitation of damaged property at the trespass site and other sites damaged by past mineral materials operations pursuant to Public Law 94-579, as amended, and Public Law 93-153. Fees are also collected for development, operation and reclamation of mineral materials community pits and common use areas.

## **2017 Program Performance**

Demand for non-energy solid leasable minerals, especially potash, phosphate and hardrock minerals (copper, nickel, etc.) on acquired lands increased substantially in past years, but has been recently affected by the overall downturn in the commodity markets. These markets are very cyclical, and demand is expected to increase in the future. Some authorizations for non-energy minerals are expected to be issued as long-term NEPA analyses are completed, and some applications are expected to be withdrawn due to market conditions and development restrictions.

The percentage of pending cases of permits and lease and contract applications processed is expected to remain the same for non-energy leasing and for mineral materials contracts as in 2016, but the number of authorizations may decline due to environmental constraints such as sage grouse restrictions.

The BLM also will continue to issue updated guidance and instructions addressing the valuation of other mineral resources in 2017. BLM will work with the DOI Office of Valuation Services to rewrite handbooks and issue other guidance to strengthen the valuation process, increase consistency of procedures among offices, correct deficiencies, and improve performance.

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## Activity: Energy and Minerals Management

### Subactivity: Renewable Energy Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Renewable Energy	\$000	29,061	29,061	+128	+0	+0	29,189	+128
	FTE	145	145		+0	+0	145	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Renewable Energy Management Program is \$29,189,000 and 145 FTE, no program change from the 2016 enacted level.

### Program Overview

The Renewable Energy Management Program is responsible for processing right-of-way applications for wind energy, solar energy, geothermal energy projects and transmission lines connecting to renewable energy-related projects. The BLM conducts full environmental reviews under the National Environmental Policy Act (NEPA) on all renewable energy projects proposed on BLM-administered public lands. The environmental review process includes the same opportunities for public involvement as other BLM land-use decisions.

The President has established an aggressive goal to increase permitting of new renewable electricity generation on public lands to 20,000 megawatts (MWs) by 2020. The BLM is committed to contributing to this goal by permitting environmentally responsible renewable energy projects on public lands. State renewable energy portfolios, investment tax credits for projects, fluctuating fossil fuel prices, and international concern about climate change have all contributed toward public and industry interest in utility-scale solar and wind energy development.

The BLM and the Department continue to place a high priority on the processing of renewable energy projects on the public lands. Secretarial Order 3285, issued on March 11, 2009, established the development of environmentally responsible renewable energy as a priority for the Department. Increased production of renewable energy will create jobs, provide clean energy, and enhance U.S. energy security by adding to the domestic energy supply. As part of the priority goal for renewable energy, the Department and the BLM established an aggressive goal of approving 10,000 megawatts (MW) of permitted capacity by the end of 2012. The BLM exceeded this goal by approving a total of 12,862 MWs of renewable energy projects (including connected-action projects) before the end of 2012. The BLM will continue to prioritize permitting of renewable energy development on the public lands in a “smart-from-the-start” manner to meet its future permitting goals.

The Renewable Energy Management Program oversees development of three main renewable energy sources:

- Solar Energy
- Wind Energy
- Geothermal Energy

Each of these types of energy are described in more detail below, along with the BLM's efforts to approve transmission projects that will allow renewable energy developers to bring their energy to markets. Projects related to wood biomass and bioenergy are overseen by the BLM's Forest and Woodlands Division.

### **Solar Energy**

Solar radiation levels in the Southwest are some of the best in the world. The BLM manages more than 20 million acres of public lands with excellent solar potential in six States: California, Nevada, Arizona, New Mexico, Colorado and Utah. On October 12, 2012, the Department of the Interior and the Department of Energy, as co-lead agencies, published the Record of Decision (ROD) on the Programmatic Environmental Impact Statement (PEIS) for Solar Energy Development in Six Southwestern States. The Solar PEIS established, for the first time, a solid foundation for long-term, landscape-level planning to help facilitate improved siting of utility-scale solar projects that avoids or minimizes conflicts with important wildlife and cultural and historic resources. The ROD on the Solar PEIS responded to extensive comments on the Supplemental Draft PEIS and includes incentives for solar developers who site projects in solar energy zones, offering reduced permitting times within zones and a sufficiently flexible variance process to allow development of well-sited projects outside of zones. The ROD also makes clear that the Solar Energy Program will continue to incorporate other parallel planning efforts, including State level efforts, to establish additional solar energy zones to meet market demand. The ROD includes 17 solar energy zones, totaling about 285,000 acres potentially available for solar energy development. The BLM has since added two additional solar energy zones through land use planning efforts for the Arizona Restoration Design Project and the West Chocolate Mountains Renewable Energy Evaluation Area in California. More are anticipated with future land use planning efforts.

To date, the BLM has approved 34 solar projects, including both generation projects on public lands and access and transmission projects that are essential to facilitate solar generation projects on private land. The projects include a variety of solar technologies and range in size from a 45-megawatt photovoltaic system on 422 acres to a 750-megawatt parabolic trough system on 7,700 acres. These 34 projects have the potential to generate 9,761 megawatts of clean, renewable solar energy—enough energy to power over 2.8 million homes.

### **Wind Energy**

The BLM manages 20.6 million acres of public lands with wind potential and to date has approved 40 wind energy projects, including connected action projects that include electric transmission support authorizations. These projects are capable of producing 5,608 megawatts of clean, renewable energy. Eleven of these wind energy projects have been approved since 2009. The total approved capacity includes both wind energy production facilities on public lands and a number of access and transmission projects on public lands essential to facilitate wind energy production projects on private land.

The BLM completed a PEIS relating to the authorization of wind energy projects in June 2005. This PEIS provides an analysis of the possible development of wind energy projects in the West. In conjunction with the publication of this PEIS, the BLM amended 52 land use plans to allow for the use of appropriate lands for wind energy development. BLM offices are able to use this PEIS as an aid in analyzing impacts for specific applications for the use of public lands for wind energy use. In addition to the PEIS, the BLM issued a wind energy policy in December 2008 to provide guidance on best management practices; suggestions for measures to mitigate potential impacts on birds, wildlife habitat, and other resource values; and guidance on administering wind energy authorizations.

The BLM continues to conduct studies necessary to evaluate and process applications for rights-of-way for the siting of wind energy projects and applications for rights-of-way for electric transmission lines from these projects. There are currently a total of 40 approved wind energy and transmission connected-action projects on the public lands with a total approved capacity of over 5,608 megawatts. The BLM also continues to improve “Wind Mapping” tools that will be available in 2016 for agency and industry users to better identify the public lands with the best wind energy development potential.

### **Geothermal Energy**

The BLM has the delegated authority for leasing on more than 245 million acres of public lands (including 104 million acres of National Forest managed by the U.S. Forest Service) with geothermal potential in 11 western States and Alaska. The BLM currently manages more than 800 geothermal leases, with over 70 leases in producing status generating over 2,000 megawatts of installed geothermal energy on public lands. This amounts to over 40 percent of the total U.S. geothermal energy capacity. In May 2007, the Department of the Interior published final regulations on geothermal energy production on public lands requiring more competitive leasing and offering simplified royalty calculations.

A PEIS to assess geothermal leasing on the public lands was completed in October 2008. The subsequent ROD amended 114 BLM resource management plans and allocated about 111 million acres of Bureau-managed public lands as open for leasing. An additional 79 million acres of National Forest System lands are also open for leasing. Currently, the BLM has authorized a total of 48 geothermal projects (72 producing geothermal leases) with a total approved capacity of 2,142 MWs.

### **Competitive Leasing Process**

In 2014, the BLM published a proposed rule for competitive leasing in the Federal Register. The BLM has evaluated the public comments on that proposed rule, and anticipates issuing a final rule in 2016. The proposed rule articulates an innovative strategy to promote renewable energy development at appropriate sites in areas that have been determined in advance to be optimal for wind and solar energy production. Under the proposed rule, the BLM would offer these specific parcels to potential applicants through a competitive process and would approve right-of-way applications in an expedited fashion due to the upfront environmental analysis that will be conducted as part of the leasing process. Offering lands through a competitive leasing process would allow BLM to target future development toward lower conflict lands that are closer to existing or planned transmission lines.

## Performance Goals

The President's and the Secretary's goals to increase smart renewable energy development on public lands, as well as State renewable energy portfolio standards that require utility companies to increase renewable energy supplies as part of their electricity capacity, have dramatically increased the renewable energy right-of-way processing workload for the BLM. Interior's current Renewable Energy Priority Performance Goal is to increase, by September 30, 2017, approved capacity authorized for renewable (solar, wind, and geothermal) energy resources affecting Department of the Interior managed lands, while ensuring full environmental review, by at least 16,600 megawatts since 2009. Though the specifics of any priority goals beyond fiscal year 2016 will be developed as part of the 2018 budget process, the BLM will continue processing renewable energy applications in 2017 to stay on a path toward meeting the President's goal of permitting 20,000 MW of renewable energy capacity by 2020.

The Department will successfully meet these goals if a majority of the energy projects that were designated as priority projects for 2016 and beyond are approved. The primary factors that will influence renewable energy growth going forward are the status of tax credits and incentives; Renewable Portfolio Standards developed by State governments; the capacity of the transmission system to bring renewable energy to markets; as well as the Nation's investment in infrastructure and technological improvements in the method and efficiencies of generation of renewable energy.

## Project Status

For Fiscal Years 2016 and beyond, the BLM has identified a number of priority projects representing about 1,600 megawatts. This list is used to focus bureau efforts on the projects that will help the bureau meet Department of the Interior and the President's renewable energy goals. The projects list continues to evolve as market conditions change and individual developers finalize plans for projects. As of the time of publication four of these projects, representing about 495 megawatts, are anticipated to be approved in 2016. The BLM anticipates that it will approve a number of other projects in 2017 and beyond. The BLM develops the priority project list in collaboration with the Bureau of Indian Affairs, the U.S. Fish and Wildlife Service, the National Park Service and the Department of Defense.

A number of factors influence the design, approval and construction of renewable energy development projects. These factors include uncertainty during 2015 of the status of the production tax credit and incentive; the ability of project developers to acquire Power Purchase Agreements; the preference by some developers for smaller-scale renewable energy projects due to constraints in nearby transmission capacity; and the difficulties of some developers to finance projects due to current market conditions. However, the BLM anticipates improvements in the future demand for projects on the public lands due to the incentives under the Clean Power Plan; the recent extension of tax credits; and the increase of the Renewable Portfolio Standard (RPS) in California to 50% by 2030, which will further stimulate the renewable energy market in California and associated transmission line projects. Project applications received today typically require two to three years of analysis before the BLM and other State and Federal agencies issue final decisions.

The BLM approved three projects in 2015 located within the Dry Lake Solar Energy Zone (SEZ). The BLM held a combined sealed- and oral-bid auction in June 2014, to allow interested parties to submit right-of-way applications and plans of development for utility-scale solar energy

projects on six parcels across 3,083 acres of public lands in Clark County, Nevada. In this SEZ, the BLM subsequently received applications for each of the six parcels and the auction generated \$5,835,000 in high bids. The BLM anticipates increased competitive leasing for future project development in this SEZ and other SEZs across the West.

The BIA is processing applications for transmission lines to connect to two solar energy projects (“connected-action” projects) in Nevada. Both projects would potentially involve authorization of transmission lines across BLM-managed public lands. Connected-action projects are projects located on BLM-managed lands, such as transmission lines or roads, that connect to renewable energy projects on tribal lands or private lands. These renewable energy projects on tribal or private lands would not be feasible without the transmission and road access on adjacent public lands.

### **2017 Program Performance**

In 2017, the BLM will continue to implement the strategy to:

- Emphasize development of smart renewable energy development on public lands, which includes development of regional mitigation strategies and corresponding implementation plans to mitigate for project development impacts;
- Support Interior’s Renewable Energy Priority Performance Goal; and
- Implement actions to identify additional leasing and development opportunities for solar energy projects in designated solar energy zones. Making these lands available for leasing proposals will provide for the best siting locations for environmentally sound solar energy development projects. The BLM will implement the rule for a competitive leasing program to accelerate the process of offering public lands for solar and wind energy development.

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# Realty and Ownership Management



## Activity: Realty and Ownership Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Alaska Conveyance	\$000	22,000	22,000	+107	+0	-4,780	17,327	-4,673
	FTE	109	109		+0	+0	109	+0
Cadastral, Lands & Realty Mgmt	\$000	45,658	51,252	+228	+0	+0	51,480	+228
	FTE	319	319		+0	+0	319	+0
Total, Realty & Ownership Management	\$000	67,658	73,252	+335	+0	-4,780	68,807	-4,445
	FTE	428	428		+0	+0	428	+0

The 2017 budget request for the Realty and Ownership Management activity is \$68,807,000 and 428 FTE. The total reflects a program change of -\$4,780,000 from the 2016 enacted level.

### Activity Description

The Realty and Ownership Management activity has two programs that are focused on the use of lands and transfer of BLM-managed lands.

- The Alaska Conveyance Program transfers land title from the Federal Government to individual Alaska Natives, Alaska Native Corporations, and the State of Alaska pursuant to the 1906 Native Allotment Act, the Alaska Native Veterans Allotment Act of 1998, the Alaska Native Claims Settlement Act of 1971 (ANCSA) and the Alaska Statehood Act of 1959 (Statehood Act). Conveyance work has been ongoing since the 1960s. In 2004, the Alaska Land Transfer Acceleration Act (Acceleration Act) resolved conflicts between these laws and established deadlines for Alaska Native corporations and the State of Alaska to file final selection priorities.
- The Cadastral, Lands, and Realty Program provides cadastral survey services that are an important component to managing both Federal and private lands and manages authorized uses of the land for rights-of-way for pipelines, transmission lines for electricity and renewable energy, and other uses. This program also authorizes uses of the public lands for commercial filming and other purposes, and implements changes to land ownership by exchanging and purchasing lands, and by selling lands no longer needed for Federal purposes.

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## Activity: Realty and Ownership Management

### Subactivity: Alaska Conveyance and Lands

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Alaska Conveyance	\$000	22,000	22,000	+107	+0	-4,780	17,327	-4,673
	FTE	109	109		+0	+0	109	+0

Summary of 2017 Program Changes/Internal Transfers for Alaska Conveyance:		(\$000)	FTE
Streamline Conveyance Process		-4,780	
<b>Total</b>		<b>-4,780</b>	<b>+0</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Alaska Conveyance and Lands Management subactivity is \$17,327,000 and 109 FTE, a program reduction of -\$4,780,000 from the 2016 enacted level.

**Streamline Conveyance Process (-\$4,780,000/+0 FTE)** – The Alaska State Land Transfer Program is the largest remaining workload in the BLM’s cadastral survey program. The BLM has identified a faster, more accurate, and more cost-effective method that would provide a higher quality survey record than is currently available and would allow the BLM to more efficiently complete the survey and conveyance work for all remaining State land selections. This innovation provides a unique opportunity to save time and money for both the Federal government and the State of Alaska, while supporting economic development within the State. The BLM intends to implement this new survey method as quickly as possible in the coming months.

### Program Overview

The Alaska Conveyance and Lands Program transfers land title from the Federal government to individual Alaska Natives, Alaska Native Corporations, and the State of Alaska pursuant to the *1906 Native Allotment Act*, the *Alaska Native Veterans Allotment Act of 1998*, the *Alaska Native Claims Settlement Act of 1971* (ANCSA) and the *Alaska Statehood Act of 1959* (Statehood Act). Conveyance work has been ongoing since the 1960s. In 2004, the *Alaska Land Transfer Acceleration Act* (Acceleration Act) resolved conflicts between these laws and established deadlines for Alaska Native corporations and the State of Alaska to file final selection priorities.

The Alaska Conveyance and Lands Program performs adjudication, cadastral survey, easement identification, land examination, land record review to complete the land patent process, and Standards for Boundary Evidence assessments for Federal land, Indian land, and Native Corporation land managers. These processes are detailed below.

**Adjudication:** Adjudication is used to determine the legal sufficiency of a land title application for the purpose of passing right, title and interest of the Federal government of public lands.

The BLM provides extensive outreach to Native corporations, including face-to-face meetings with corporate boards in local communities and to the State of Alaska to obtain final conveyance priorities.

**Cadastral Survey:** The cadastral survey component of the Alaska Conveyance and Lands Program provides the cadastral services necessary to issue patents. These services include:

- Preparing supplemental plats from existing survey plats and other information when possible,
- Making administrative title navigability determinations to facilitate conveyance,
- Making administrative determinations of emerged island title claims,
- Issuing recordable 'Disclaimers of Interest of Title' for the beds of navigable rivers and other waterways,
- Performing responsibilities as trustee for Alaska Native townsites created under the *Alaska Native Townsite Act*,
- Providing assistance in determining maps of boundaries and performing surveys for Village corporation reconveyances required under Section 14(c) of the ANCSA,
- Collecting Public Land Survey System data to distribute through the web-based Spatial Data Management System (SDMS),
- Issuing 'Standards for Boundary Evidence Certificates' prior to transactions and projects to assist the authorized officer assess the risk caused by errors and misrepresentations in the public record and by antiquated surveys, and
- Maintaining up-to-date digital copies of all survey records to distribute through the SDMS.

**Easement Identification:** Easement identification must be completed pursuant to Section 17(b) of the ANCSA for Native corporation selections that have not been transferred. This process involves participation by the public, the State of Alaska and the corporations themselves.

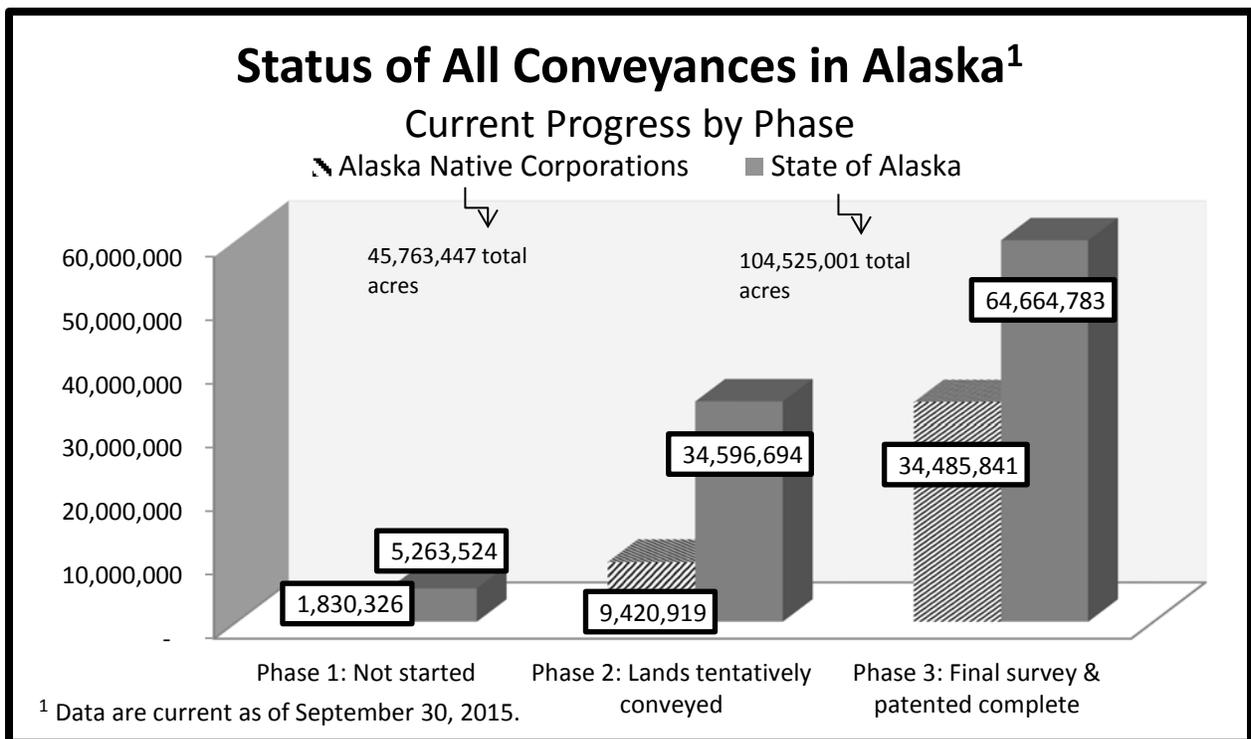
**Land Examination:** On the ground land examinations are conducted to resolve conflicts between Native allotment claims and to settle use and occupancy matters, including trespass and the presence of hazardous materials.

**Land Record Review:** In 2004, the Acceleration Act established deadlines for ANCSA corporations and the State to file priorities. Throughout Alaska, millions of the same acres were applied for by village corporations, regional corporations and the State. As part of the conveyance process, the BLM reviews selections to identify conflicts and ensure correct depiction in land records.

Provisions in ANCSA and the Statehood Act allow transfers of equitable title to unsurveyed lands through 'Interim Conveyance' for Native corporation selections and 'Tentative Approval' for State selections. Both types transfer right, title and interest of the Federal government, but final patents (legal title) cannot be issued until cadastral survey of the final boundaries has been completed. Land patents are required by Federal law for completion of transfers and are required for almost all types of State and private development, financing, leasing, and disposing of property. Patent issuance is dependent upon survey plats and the patenting process follows approximately 18 months after field survey operations have been completed (i.e. field survey work completed in FY 2017 may have final title issued in early FY 2019).

In 2014, BLM began a new and innovative process that will fulfill the BLM’s commitment to the State of Alaska years ahead of previously projected schedules, and at reduced costs. This process allows for a reallocation of resources to address subsequent land tenure adjustments. This approach fully complies with the Statehood Act, is fiscally responsible, and maximizes use of modern technology. With this method, there are fewer days in the field, less exposure to risks and hazards encountered in the field, including encounters with bears and performing helicopter landings on unimproved landing areas. The new survey products will allow the State and its stakeholders to locate final patent corners on-the-ground using the Global Navigation Satellite System, with Online Positioning User Service on the National Spatial Reference System.

By the end of 2015, the BLM surveyed and patented 99.2 million acres, or 66 percent of the original 150 million acres (Phase 3, below). Approximately 44 million acres, or 29 percent, are under some form of ‘Tentative Conveyance’ but have not been surveyed (Phase 2, below). Additionally, about seven million acres or five percent, of the lands need to be both surveyed and conveyed. The chart below displays the status of all conveyances, as of the end of 2015.



In 2016, the BLM plans to complete 2,500 miles of new field survey (Phase 1, above) and approve 6,300 miles of prior cadastral field survey (Phase 2, above.). The BLM will also process 30 Native allotment claim applications. Approximately 1,300,000 acres of Native corporation entitlements and 800,000 acres of the State of Alaska entitlement will be patented.

The current phase of Native Corporation and State adjudication requires meetings to resolve conflicts between corporation and State selections so the BLM can write field survey instructions with sufficient detail to allow BLM to develop a legally acceptable final patent description. In addition, meetings between the corporations and the State will be coordinated by BLM personnel to resolve easement conflicts so the easements on unsurveyed land can be matched with easements on land that has already been patented.

The Acceleration Act provides authority to resolve conflicts between various land claimants by allowing the BLM to round up acreages, settle final selection entitlement matters, and determine land selections where lands had been previously withdrawn, segregated or relinquished. Since 2003, the BLM has conducted face-to-face meetings with Alaska Natives in hundreds of remote locations to obtain or clarify evidence on Native allotment claims, and with Native corporation representatives to discuss selection and title matters. Because it is not appropriate to use 'Interim Conveyance' and 'Tentative Approval' where unresolved issues remain, title conveyances are increasingly dependent upon field survey and survey plats for issuance of patents.

### 2017 Program Performance

In 2017, the BLM anticipates approving 500 miles of prior cadastral field survey and complete 500 miles of new field survey. The BLM also anticipates processing 20 Native allotment claim applications, and patent acreage surveyed and platted in previous years. Approximately 600,000 acres of Native corporation entitlements and 600,000 acres of the State of Alaska entitlements will be patented. Transfer of title through 'Interim Conveyance' or 'Tentative Approval' will continue to be completed, as necessary, for Native corporations and the State of Alaska.

#### Status

A combined total of 19,231 parcel applications were filed under the *1906 Native Allotment Act* and the *Alaska Native Veteran Allotment Act of 1998*. Over 18,910 of these claims have been closed through patent or rejection, leaving 321 applications pending. Although the *1906 Native Allotment Act* was repealed by ANCSA, claims pending with the Department up to the time of repeal still must be addressed by the BLM.

A total of 45.8 million acres of Native corporation entitlements have been identified; survey has been completed and patents have been issued for 34.5 million acres (76 percent), leaving 11.3 million acres (25 percent) that still require survey and patent. The State of Alaska entitlement is 104.5 million acres; survey has been completed and patents have been issued for 64.7 million acres (62 percent), leaving 39.9 million acres (38 percent) that still require survey and patent. The majority of the land not surveyed and patented has been tentatively conveyed.

## Activity: Realty and Ownership Management

### Subactivity: Cadastral, Lands and Realty Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Cadastral, Lands & Realty Management	\$000	45,658	51,252	+228	+0	+0	51,480	+228
	FTE	319	319		+0	+0	319	+0

Other Resources Supporting Oil & Gas Management:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
Energy Act Permit Processing Fund	\$000	11,799	44,192	51,667	+7,475
	FTE	76	430	430	+0
Energy and Minerals Cost Recovery	\$000	2,653	5,160	5,160	+0
	FTE	22	22	22	+0
Abandoned Wells Remediation Fund	\$000	36,000	0	0	+0
	FTE	0	0	0	+0

## Notes:

- BLM mandatory amounts for Permit Processing Improvement Fund in 2015 and 2016 reflect the impact of both previously unavailable authority and sequestration, while the 2017 amount only reflects the impact of previously unavailable authority

- Energy Act Permit Processing Fund amounts are shown as new budget authority derived from 50 percent of rents from onshore mineral leases for oil and gas, coal, and oil shale on Federal lands; Section 365 of the Energy Policy Act of 2005 (Public Law 109-58) appropriates these funds on a permanent basis. More information on Energy Act Permit Processing Fund is found in the Permanent Operating Funds chapter

- Energy and Minerals Cost Recovery amounts are shown as new budget authority derived from fees that include costs of actions such as environmental studies performed by the BLM, lease applications, and other processing related costs; Independent Offices Appropriations Act (IOAA), as amended (31 USC 9701), Section 304(a) of the Federal Land Policy and Management Act of 1976, as amended (43 USC 1734) appropriates these funds on a current basis. More information on Energy and Minerals Cost Recovery is found in the Service Charges, Deposits, & Forfeitures chapter

- Abandoned Wells Remediation Fund amounts are shown as new budget authority derived from General Fund; Section 349 of the Energy Policy Act of 2005 (Public Law 109-58), as amended by Public Law 113-40, the Helium Stewardship Act of 2013 (42 USC 15907) appropriates these funds on a permanent basis. More information on Abandoned Wells Remediation Fund is found in the Abandoned Wells Remediation Fund chapter

- The 2015 amount for Abandoned Wells Remediation Fund reflects a sequestration of 6.8%

- Actual and estimated obligations, by year for Abandoned Wells Remediation Fund are found in President's Budget Appendix under the BLM section

- The 2016 and 2017 amounts for the Permit Processing Fund in this table are updated from the estimates in the Appendix, Budget of the United States Government, Fiscal Year 2017. Specifically, the 2016 and 2017 estimates have been adjusted in this table to correctly include both estimated APD fees and 50 percent of rent revenues from onshore leases.

### Justification of 2017 Program Changes

The 2017 budget request for the Cadastral, Lands, and Realty Management Program is \$51,480,000 and 319 FTE, no program change from the 2016 enacted level.

## Program Overview

### Transmission

Facilitating efficient, responsible energy development and transmission facilities is a critical component of the BLM multiple use and sustained yield mission as stated in the Federal Land Policy and Management Act. As the largest Federal land manager in the West, the BLM plays a leadership role in planning for conventional and renewable energy development and corridors as well as siting transmission facilities. The BLM is working to enhance its environmental review and permitting procedures as well as improve the designation of existing and future energy corridors in land use plans.

In FY 2016, the BLM was appropriated \$5.0 million to review the west-wide energy corridors for high-voltage transmission lines and energy pipelines. The outcome of the reviews will result in more efficient and effective use of the energy corridors for siting transmission lines and energy pipelines in an environmentally responsible manner. The energy corridor reviews will better position the BLM to strategically plan for long term infrastructure needs and increased demand for improved capacity and reliability of the electrical grid throughout the West.

The BLM anticipates that the industry will continue to pursue new multi-jurisdictional projects across the West for distributed generation and transmission line upgrades and expansions, among other uses. To address these demands, and to strengthen the environmental review and permitting process, in accordance with Secretarial Order Number 3330 entitled "Improving Mitigation Policies and Practices of the Department of the Interior," issued by Secretary of the Interior Sally Jewell in October 2013, the BLM will employ a "smart from the start" approach over the next decade. This approach will identify areas of conflict and opportunity during early planning and follow up by selecting the most appropriate areas for siting transmission facilities. The BLM will establish high standards for collaboration with industry, States and local governments, Tribes, Federal agencies and other stakeholders and build strong functional partnerships among all entities engaged in permitting these transmission lines and pipelines. Better planning and permitting to maximize the use of corridors will help reduce the proliferation of separate ROW across the landscape and will be key to protecting resources and minimizing environmental impacts. The BLM will look for innovation, research and technology to assist in meeting these goals. Continuing to develop and maintain an expert workforce of project managers, resource specialists, and managers with knowledge of electric transmission planning and operations, permitting construction, reclamation and mitigation techniques will be key to success of this effort.

Over the past several years, the BLM has made great strides in a variety of areas related to transmission permitting and energy corridors. Since 2010, the BLM has authorized over 20 major pipeline projects for oil, water, and natural gas totaling 2,950 miles with nearly 6002,350 miles on BLM lands in California, Utah, Colorado, Nevada, New Mexico, North Dakota, Montana, and Wyoming.

Since 2011, the BLM has participated as a member of the Rapid Response Team for Transmission with the goal of improving coordination, expediting permitting and identifying lessons learned on seven priority pilot projects identified by the President. The BLM is lead or co-lead agency on four of the pilot projects. The President's Executive Order No. 13604 on infrastructure further increased the emphasis on interagency collaboration in the siting and permitting of high voltage transmission projects. The BLM is actively coordinating with the U.S.

Department of Energy and USFS to review existing corridors designated pursuant to Section 368 of the Energy Policy Act of 2005. The BLM and USFS have designated priority regions in the western U.S. to focus on reviews to determine needed corridor revisions, additions and deletions. The BLM is also working with stakeholders to review and update interagency operating procedures that are required when siting projects within energy corridors designated pursuant to Section 368 of the Energy Policy Act of 2005. The BLM is finalizing a policy this fiscal year for major transmission lines which will provide guidance for the NEPA process.

In June 2013, the BLM deployed an eight person National Transmission Support Team dedicated full-time to high voltage transmission and related infrastructure projects. The BLM plans to integrate these staff with the National Project Managers to more closely align workloads, and is also working to update core training courses with an increased emphasis on distance learning options. The BLM has taken steps to align and coordinate the activities of staff working on transmission line projects with staff in our Renewable Energy Coordination Offices through joint meetings, calls and training efforts.

### **Rights-of-Way**

The BLM grants land use authorizations for a wide variety of commercial and noncommercial purposes as allowed by law. Many companies, non-profit organizations, and State and local governments apply to the BLM each year to obtain ROW grants to use the public lands for roads, pipelines, transmission lines and communication sites. Energy-related ROWs play an essential part in the transportation of energy sources. Cadastral surveys and other boundary services are provided to facilitate these actions and help reduce boundary disputes, trespass and litigation.

### **Cadastral & Lands**

Through the Cadastral Survey Program, the BLM conducts the official Federal Authority Surveys that are the foundation for all land title records in large sectors of the United States and provides Federal and tribal land managers, and their adjoining non-Federal landowners, with information necessary for land management. Several statutes and delegations vest authority in the BLM to provide cadastral services for itself and the other Federal land management agencies, including the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Reclamation, the USFS, and other Federal and tribal entities.

Conducting Federal Authority Surveys requires the determination of boundaries, the marking of corner positions with brass cap markers, posting and marking the boundary lines, and the filing of associated approved records in the Official United States Records System. Additional support services provided by the Cadastral Survey Program include accurately positioning legal descriptions for timber sales, rights-of way, protection of special areas, oil and gas leases, and mineral leases; providing standards for boundary evidence assessments and management of land boundary plans to reduce risks including unauthorized use; providing cadastral services and Public Land Survey System (PLSS) Data Set services to support development of renewable energy projects; and updating and modernizing riparian boundaries where resources and land values are at a premium.

Companies, non-profit organizations, and State and local governments use the land records to apply to obtain ROW grants to use the public lands. The BLM uses these records to process ROWs for roads, pipelines, transmission lines and communication sites. ROWs based on

accurate land records play an essential role in the cost-effective development and transportation of energy sources by providing the certainty necessary for infrastructure building. Similarly, accurate land and survey records are essential for the development and construction of communication sites that provide equipment necessary for the transmission of television broadcasts and the cellular phone network, which among other important benefits, enhance emergency services and decrease impacts to human health and safety on sensitive public lands.

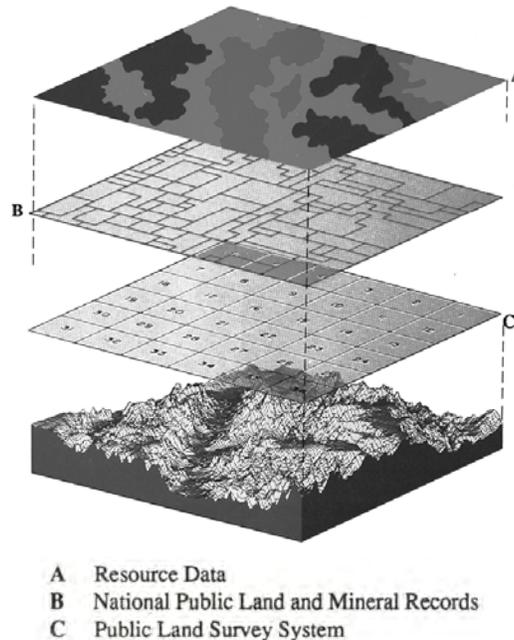
The BLM also prepares the documents required to conduct land sales, exchanges and withdrawals to ensure efficient and effective management of the public lands. Each record is stored and tracked for every authorization, review, and land withdrawal to ensure the most appropriate uses. The BLM works closely with the Department of Defense (DOD) to coordinate the documentation of withdrawals for military purposes and coordinate records management of adjacent military and public lands. The BLM also manages the documents of grants of lands to State, local governments and non-profit organizations for recreation and public purposes.

The BLM generates the PLSS Data Set to represent land ownership boundaries in a coordinated, standardized digital fashion. GIS layers depend on the PLSS Data Set as the base layer for many BLM processes including surface management agency, withdrawals, leasing, rights-of-way, sales, exchanges and stipulations.

In addition, the BLM is the custodial agency for land tenure records that date back to the 1800s. The BLM currently manages over nine million title documents as well as cadastral survey records from across the Nation. The General Land Office Automated Records System (GLO Records) is responsible for making land tenure records available on the Internet via the GLO Records website (<http://www.glorerecords.blm.gov>).

The image below illustrates the complexities of the BLM's Land Information System.

### BLM's Land Information System



Cadastral Survey provides accurate location of the Public Land Survey System which in turn supports the BLM multiple use mandate while protecting the BLM's land and resources from unauthorized use.

### Realty Management

The BLM manages the grant documents system for ROW and other use authorizations for public lands. ROWs are granted for many purposes, including electricity transmission, roads, and water pipelines. The program also prepares land tenure documents for realty activities including land sales, land exchanges, and withdrawals.

ROWs assist in providing for basic access, power, and communication infrastructure needs of cities, towns, and rural communities. The BLM manages these governing ROW and land tenure documents, including the tracking of new and amended ROW authorizations.

Land sales, exchanges and withdrawals are also conducted to ensure efficient and effective management of the public lands. Land exchanges and withdrawals are useful land management tools to meet the multiple use mission of the BLM. The BLM authorizes, reviews, and revokes land withdrawals to ensure the most appropriate uses and works closely with the DOD to coordinate withdrawals for military purposes, resolve issues with over-flights, and coordinate management of adjacent military and public lands. The BLM also administers grants of lands to State, local governments and non-profit organizations for recreation and public purposes at reduced cost using its authority under the Recreation and Public Purposes Act.

## Other Funding Sources

- Benefitting Programs & Agencies: Approximately 45 percent of all work completed by the Cadastral Survey Program is funded by other benefitting BLM subactivities and other benefitting agencies.
- The Federal Land Transaction Facilitation Act (FLTFA) is proposed for reauthorization in 2017 to allow lands identified as suitable for disposal in recent land use plans to be sold using the FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally sensitive lands and the administrative costs associated with conducting sales. FLTFA was first enacted in July 2000. It provided for the use of a percentage of revenues from the sale or exchange of public lands identified for disposal under land use plans in effect as of the date of enactment in order to acquire inholdings within certain federally designated areas, or lands adjacent to those areas, which contain exceptional resources, and to administer the lands sale program. Of the funds used for acquisition, 80 percent were to have been expended in the same State in which the funds were generated, but 20 percent could have been expended for acquisition in any of the 11 other western states. Up to 20 percent of revenues from disposals may have been used for administration costs and other expenses. FLTFA expired in July 2010, but was subsequently reauthorized for one year, expiring in July 2011. The 2017 budget proposes to reauthorize FLTFA and allow lands identified as suitable for disposal in recent land use plans to be sold using the FLTFA authority. The FLTFA sales revenues would continue to fund the acquisition of environmentally sensitive lands and to cover the administrative costs associated with conducting sales.
- The Southern Nevada Public Land Management Act of 1998 (SNPLMA) became law in October 1998. It allows the BLM to sell public lands within a specific boundary around Las Vegas, NV. The revenue derived from these land sales is split between the State of Nevada General Education Fund (five percent), the Southern Nevada Water Authority (10 percent), and a special account (85 percent) available to the Secretaries of the Interior and Agriculture for use throughout Nevada for parks, trails and natural areas; capital improvements; conservation initiatives; multi-species habitat conservation plans; environmentally sensitive land acquisition; and Lake Tahoe restoration projects. Other provisions in SNPLMA direct certain land sale and acquisition procedures and provide for the sale of land for affordable housing.
- Cost Recovery: The BLM recovers costs for processing applications and monitoring ROW grants on public lands. Although the BLM is authorized to collect cost recovery in certain circumstances, some customers, such as State and local governments are not subject to cost recovery. Cost recovery for cadastral services is also collected as appropriate.

Please see the Permanent Operation Funds Chapter for more information on FLTFA, SMPLMA, and other land sales accounts. For more information on cost recovery efforts, please see the Service Charges, Deposits, and Forfeitures Chapter.

## Critical Factors

Urban growth near BLM lands is creating costly management problems, such as encroachment, trespass, and unauthorized recreational activities on public lands. Proactive utilization of cadastral surveys along the urban interface provides valuable information about boundary locations to alleviate this emerging issue and reduce the number of lawsuits and recover revenues associated with lost resources and uncollected rents.

The demand for cadastral services to support energy development activities is increasing. Review of survey plats is a necessary step in processing Applications for Permits to Drill. Program staff review the plats to ensure that the construction of access roads, well pads, and well bottom drilling targets do not infringe on other property or mineral rights. Chain of survey and legal description reviews also help to determine whether land ownership and boundary locations are legally defensible prior to development. There is greater demand for GCDB data to provide accurate digital graphic portrayal of the Public Land Survey System. The energy programs use this digital version of the PLSS Data Set to display all stipulations and current leases in an automated format. This facilitates more efficient energy development and enables public land managers to make more informed decisions.

With the President's and the Secretary's goals to increase renewable energy development on the public lands and with many States enacting renewable energy portfolio standards that require utility companies to increase renewable energy supplies as part of their electricity capacity, renewable energy right-of-way processing workload for the BLM has increased dramatically. Much of this work is customer and market driven which makes it difficult to predict the number of applications that will be filed for the various authorizations with a high level of certainty.

## 2017 Program Performance

The BLM plans to leverage technology in land tenure management to become more efficient in land use decisions and resource planning. BLM's land record system was developed in the 1980s and last was updated to account for the year 2000 issues. In 2015, the BLM began seeking solutions to modernize and consolidate these existing systems. The goal is to develop a comprehensive system to collect, maintain and publish the official Federal land status records, including accurate and consistent land acreage and other statistical data used by the public and Federal land management agencies. Improvements would include using authenticated data sources, consolidating data, and using spatial and survey data. The system will link this data to all relevant land records and information on land title, use, restrictions and resources. The system will support legal, policy and regulatory requirements and efficiently deliver key business products (Public Land Statistics, Master Title Plats, Historical Indices, Reports, geospatial maps and orthophotographs, etc.).

Also, in 2016 and 2017, the bureau will implement a new geospatial publication web service to replace its outdated internal and external sites. The web service will provide search, retrieve, display and delivery functionality for authenticated BLM mineral, land status and resource data.

The BLM will continue to improve the quality of LR2000 data. This effort involves guidance and direction to ensure the information entered into the LR2000 system is of the highest level of accuracy possible and ensures that the database accurately reflects the actual case files.

In 2017, the BLM will continue to perform the core functions of directing and approving surveys, addressing public inquires on Federal land status, consulting with staff members from other programs to advise on boundary, title, and geospatial issues, providing direction and control for field surveys paid for by other entities, and managing the geographic coordinates of PLSS data. In addition, the BLM completed all nine recommendations from an Office of the Inspector General (OIG) audit report on management of land boundaries. This report states “proper survey and management of high-risk lands with antiquated surveys has the potential to generate hundreds of millions of dollars in revenue from lands with valuable surface and subsurface resources.” In response, the BLM will continue issuing guidance to BLM State Offices through BLM Handbook guidance directing them to identify lands with revenues lost or at risk due to antiquated boundary evidence and propose a plan for resolution.

In a separate response to the OIG report, the BLM has developed and implemented new policies to ensure that cadastral surveyors review the adequacy of boundary evidence prior to approval of significant land transactions and commercial projects. These policies will ensure the proper collection of rents and protection of public lands and resources from unauthorized uses.

In 2017, the BLM will continue to focus on responsible energy development and associated transmission lines. Specifically the BLM will have a continued emphasis on completing timely environmental reviews and permitting for the four transmission Pilot Projects identified as a priority by the President in October 2011. Similarly, the BLM will focus resources on environmental reviews and permitting of transmission lines that serve BLM’s 2016 Priority Renewable Energy Projects. Collectively, these priority transmission projects will replace aging infrastructure, enhance grid reliability, and facilitate renewable energy development while serving the needs of communities across the western U.S.

The BLM will continue to conduct public land sales, revoke land withdrawals, and facilitate military base closures. The bureau will focus on revoking withdrawals that are no longer needed for their intended purposes.

# Communications Site Management



## Activity: Communication Site Management

### Subactivity: Communication Site Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Communication Site Management	\$000	2,000	2,000	+0	+0	+0	2,000	+0
	Offset	-2,000	-2,000	+0	+0	+0	(2,000)	+0
	FTE	17	17		+0	+0	17	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Communication Site Management Program is \$2,000,000 and 17 FTE. Beginning with FY 1996 and annually since, when rental receipts were approximately \$2,000,000, Congress appropriated up to \$2,000,000 of communications site rental received to be returned to the BLM for the administration and management of communication uses on public lands.

### Program Overview

The BLM grants and administers authorizations for communications sites, while working to protect the natural resources associated with both public and adjacent land owners. The BLM works to prevent unnecessary or undue degradation to public lands by promoting collocation on the communication site rights-of-way considering engineering and technological compatibility, national security and land use plans. The BLM also coordinates to the fullest extent possible, all actions under the program with State and local governments, interested individuals, and appropriate quasi-public entities.

### ***Demands and Trends***

Prior to 1996, each user was required to have a separate authorization, even when users shared a site. In response to the *Telecommunications Act of 1996*, the BLM implemented new regulations and policies that greatly simplified and streamlined the authorization and administration of these sites. The BLM now requires only the owners of the towers or facilities to have a right-of-way authorization, while other users of the sites can collocate in these facilities, as tenants or customers, without further BLM approval. However, each of these tenants or customers must pay rent to the United States.

In 1996, there were 3,313 authorized communications facilities on BLM-administered land. The BLM currently has over 3,800 sites authorized for separate communication use rights-of-way located on approximately 1,500 mountain tops. In 2015, the BLM performed 17 communication site audits which encompassed approximately 85 facilities. The BLM identified \$127,000 of unreported rent, 15 unauthorized trespass facilities, and finalized approximately 17 communication site management plans. The BLM has increased the collection of rental fees from \$2.0 million in 1996, to \$8.5 million in 2015 and will collect an estimated \$9.0 million in 2016.

A significant challenge facing the BLM is ensuring that holders of communication site rights-of-way authorizations report accurate inventories of communications uses within their facilities to allow the Bureau to assess and collect the appropriate rent. Based on recent compliance inspections by program administrators, it is estimated that for every ten dollars of rent collected, at least one dollar is not collected. In order to better manage the development and use of communications sites and to mitigate the impacts on surrounding public lands, the BLM develops communication site management plans, which guide users and analyze the impacts of the structures on the sites and the surrounding lands. These plans allow the BLM to better manage sites and often result in the collection of additional rent revenues. The BLM's goal is to develop site management plans for all facilities with communication sites located on the public lands it manages.

In recent years, the BLM has focused on strengthening partnerships and improving its suite of BLM, interagency and industry sponsored right-of-way management courses, including the Communication Site Management Course, the National Lands Training for Line Officers, the Beginning Lands and Realty Training, and two industry training meetings scheduled in Nevada.

### **2017 Program Performance**

In 2017, the BLM will continue toward the goals of Executive Order 13616 on Accelerating Broadband on Federal Property, including developing processes to reduce the time needed for issuing communication use rights-of-way authorizations. Additionally, the BLM will continue to process applications for communications site rights-of-way, as well as applications for assignments, amendments, and renewals. The Bureau will also continue to emphasize site administration and management. The BLM expects to complete approximately 30 final communication site management plans (each State is expected to complete 3 plans), process 170 actions for lease or grant issuances, rejections, amendments, and renewals; process 50 actions for assignments, cancellations, relinquishments, and other administrative work; and complete 15 actions for trespass. In 2015 the BLM completed the centralized billing effort for communication sites. Going forward, the BLM will consider expanding the centralized billing effort to other types of right-of-way rentals. The BLM will train over 60 agency and industry personnel on the siting and administration of communication uses on public land, plus train 75 line managers on their roles and responsibilities in the Communication Site Management Program.

In addition, the BLM will review the current communications use rental schedule as recommended by the Office of Inspector General in Report in its review of the Rights-of-Way program. In 2016, the BLM will publish an advanced Notice of Proposed Rulemaking in the Federal Register to determine if the rental schedule should be updated; the results of that review will determine the work to be performed in 2017.

# Resources Protection and Maintenance



## Activity: Resource Protection and Maintenance

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Resource Mgmt Planning, Assessment & Monitoring	\$000	38,125	48,125	+162	+0	+16,916	65,203	+17,078
	FTE	207	210		+0	+3	213	+3
Law Enforcement	\$000	25,325	25,495	+121	+0	+0	25,616	+121
	FTE	124	124		+0	+0	124	+0
Abandoned Mine Lands	\$000	16,987	19,946	+90	+0	+0	20,036	+90
	FTE	75	75		+0	+0	75	+0
Hazardous Materials Management	\$000	15,612	15,612	+102	+0	-251	15,463	-149
	FTE	85	85		+0	+0	85	+0
<b>Total, Resource Protection &amp; Maintenance</b>	<b>\$000</b>	<b>96,049</b>	<b>109,178</b>	<b>+475</b>	<b>+0</b>	<b>+16,665</b>	<b>126,318</b>	<b>+17,140</b>
	<b>FTE</b>	<b>491</b>	<b>494</b>		<b>+0</b>	<b>+3</b>	<b>497</b>	<b>+3</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Resource Protection and Maintenance activity is \$126,318,000 and 497 FTE, a program increase of +\$16,665,000 and +3 FTE over the 2016 enacted level.

### Activity Description

The functions within the Resource Protection and Maintenance activity contribute to the protection and safety of public land users and environmentally sensitive resources.

- Resource Management Planning – The land use planning function is based on collaboration with local communities and State and tribal governments, as well as on science-based analysis.
- Resource Protection and Law Enforcement – The Resource Protection and Law Enforcement subactivity provides for the protection from criminal and other unlawful activities on public lands.
- Abandoned Mine Lands – The remediation of abandoned mine lands supports core programs by restoring degraded water quality, cleaning up mine waste that has been contaminated by acid mine drainage and heavy metals (such as zinc, lead, arsenic, mercury and cadmium), remediating other environmental impacts on or affecting public lands, and mitigating physical safety issues.
- Hazardous Materials Management – The Hazardous Materials Management Program provides for the prevention, mitigation, and remediation of the effects of hazardous material releases and other dangers on the public lands.

The Resource Protection and Maintenance activity funds land use planning and compliance processes, which are required by the *National Environmental Policy Act (NEPA)* and the *Federal Land Policy and Management Act (FLPMA)*.

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## Activity: Resource Protection and Maintenance

### Subactivity: Resource Management Planning, Assessment & Monitoring

	2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
			Fixed Costs	Transfers	Program Change	Requested Amount	
Resource Mgmt, Planning, Assessment & Monitoring	38,125	48,125	+162	+0	+16,916	65,203	+17,078
	<i>FTE</i> 207	210		+0	+3	213	+3

Summary of 2017 Program Changes/Internal Transfers for Resource Management, Planning, Assessment & Monitoring:

	(\$000)	FTE
Assessment, Inventory, & Monitoring	+4,300	+3
Enterprise Geospatial System	+6,916	+0
High Priority Planning Efforts	+5,700	+0
<b>Total</b>	<b>+16,916</b>	<b>+3</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Resource Management Planning, Assessment & Monitoring Program is \$65,203,000 and 213 FTE, a program change of +\$16,916,000 and +3 FTE from the 2016 enacted level.

**Assessment, Inventory, & Monitoring (+\$4,300,000/+0 FTE)** – The 2017 budget request includes an increase of \$4.3 million to develop assessment and monitoring protocols using core indicators, standardized field methods, remote sensing, and a statistically valid study design to provide nationally consistent and scientifically defensible information. These protocols will be used to meet the monitoring commitments made during the Greater Sage-Grouse Conservation effort. These commitments include gathering information on terrestrial and aquatic site condition, ecological sites, special status species, vegetation treatments, disturbance of the public lands, fire, and land uses.

**Enterprise GIS (+\$6,916,000/+0 FTE)** – The budget request includes a \$6.9 million increase to support the deployment of the Enterprise Geographic Information System (EGIS), which is critical to helping the BLM make a generational leap forward in its geospatial capabilities. The EGIS will support the adoption and implementation of core indicators, standardization of data and collection methods, and the digitization of legacy data for inclusion in decision-making analyses. It will allow employees to seamlessly access and use data from every level of the organization and across units, both from their office as well as in the field using mobile devices. The EGIS is key in providing data management and analytical support to managing public lands across various priority landscape-scale initiatives, including the Assessment, Inventory and Monitoring Strategy, Greater Sage-Grouse Plan Implementation and Monitoring, Renewable and Conventional Energy Development, Rapid Eco-regional Assessments, Climate Change Adaptation, Planning 2.0 Initiative, Regional Mitigation, and other multiple scale resource management activities. The BLM will continue to work collaboratively with other Federal

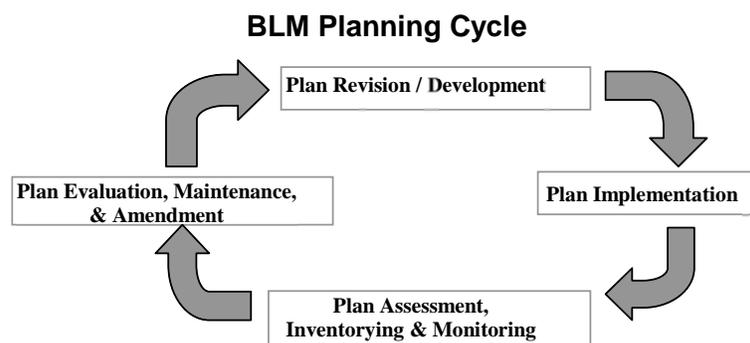
partners to develop common data standards and manage geospatial datasets used for public land management decisions. The BLM geospatial proposal is integrated within Interior's growing enterprise GIS capabilities and serves as a critical component of the Department's corporate geospatial strategy. The Bureau's ability to provide vast quantities of quality data easily will have profound organizational, cultural, and social benefits. The EGIS will provide the capability to overlay internal and external resource datasets (e.g., vegetation, hydrology, and ecological sites) with data on natural and human-induced stressors (e.g., wildfire, invasive species, climate change, and development), yielding robust and complex analyses of resource use and effects across multiple scales. The EGIS will allow the BLM to continue to develop and implement core data and technology standards to support large-scale, science-based decision-making, while at the same time delivering critical information to the public for its use and enjoyment of the public lands.

**High Priority Planning Efforts (+\$5,700,000/+0 FTE)** – The budget request includes an increase of \$5.7 million to support high-priority planning efforts that could include the initiation of new plan revisions in 2017, as well as plan evaluations and implementation strategies. Resource management plans provide the basis for every BLM management action. BLM places a high priority on keeping plans current in an era of rapidly changing resource use and demands, including ongoing energy development activities (both fossil and renewable), changing ecological conditions, continued population growth, and increasing recreation use on the public lands.

### Program Overview

Resource Management Plans (RMPs) are the foundation of public land management. Planning and plan implementation decisions describe desired resource conditions on the ground and methods to achieve desired conditions across the more than 247 million acres of BLM-managed public lands. Through its plan assessment, inventory and monitoring efforts, the Bureau collects data, which is stored in geospatially enabled databases, to determine whether the BLM is meeting its goals for desired condition. Plan evaluations allow the BLM to determine which decisions need to be revised or amended for the BLM to continue effectively managing the public lands. The land use planning process encourages collaboration and partnerships, which help the BLM determine how to manage public lands and associated resources to balance the needs of adjacent communities with the needs of the Nation.

The Resource Management Planning, Assessment, and Monitoring Program uses interdisciplinary processes to complete the management and decision-making cycle shown and described further below.



Land Use Plan Revision and Development – Completion of ongoing RMP revisions and plan developments is the highest priority of the program. Planning areas without updated RMPs present numerous challenges to the BLM. Updated plans:

- Incorporate the best, most current science;
- Contain sustainable decisions that are less vulnerable to legal challenge;
- Are responsive to changes in climate and conditions on the ground;
- Include desired conditions that are relevant or desired by the public, other governmental entities, or industrial users; and
- Advance priorities such as energy development and transmission corridors and provide economic opportunities for the public.

Delayed completion of planning efforts postpones critical resource management decisions and increases potential for litigation in planning areas. The program initiates new RMP revisions or amendments in areas where monitoring and evaluation indicates that changing resource conditions or changing demands on public land resources have been identified that require reconsideration of RMP decisions.

Sustainable Planning through the National Environmental Policy Act (NEPA) – This dynamic approach to land use planning cycles through implementation, effectiveness monitoring, and assessment of emerging issues such as rapid population growth and changing resource conditions. The planning cycle allows plans to remain relevant and adaptive to changing conditions by addressing emerging challenges and changing resource issues as they arise, which ensures plan durability and reduces the frequency of costly revisions. The BLM uses the NEPA review and analysis process to inform its land use planning and project-level implementation decisions throughout the planning cycle. NEPA activities currently funded by BLM range from highly site-specific land use decisions to regional planning efforts to broad-scale analyses of specific authorized activities with a national scope (e.g., the programmatic environmental impact statement on coal leasing). Through the NEPA process, the BLM assesses the potential environmental impacts of a proposed action through a range of alternatives, seeks input from stakeholders and the public, and collaborates with partners in Federal, State, local, and tribal government to inform its decisions.

Land Use Plan Amendments – Amendments enable the program to address significant new information, respond to changing land uses, consider proposals that deviate from the plan, and implement new policies that change land use plan decisions. Plan amendments are an economical means to support adaptive approaches to resource management and reduce the frequency of costly revisions, and they often support priority projects, such as those related to renewable energy and national energy infrastructure.

Monitoring for Adaptive Management: Informed decision making and adaptive management require current data about the status and trends of terrestrial and aquatic systems, about the location and extent of natural and human-caused disturbances, and about the location and effectiveness of land treatments. The BLM's AIM Strategy is the framework for this data collection. This strategy outlines a process for using core indicators, standardized field methods, remote sensing, and a statistically valid study design to provide nationally consistent and scientifically defensible information to determine the status of the public lands and track changes to natural resources on the public lands over time. This strategy supports the Solar Programmatic EIS, the Greater Sage-Grouse Conservation Initiative, as well as other landscape level decisions.

## Critical Factors

The BLM addresses a number of critical factors that drive land use planning and decision-making processes. These include the following:

Land Health Stressors – Land health stressors such as invasive plant and insect infestations, drought, and catastrophic wildfires contribute to the loss of native animal and plant communities and habitat for threatened and endangered species, including greater sage-grouse. Changing conditions necessitate the reevaluation of plans on a regular cycle. Eco-regional assessments and adaptation strategies for mitigating impacts of land health stressors indicate on a regional basis whether land use decisions remain valid or require amendment.

Energy Demands – Increased demands for renewable and conventional energy and associated infrastructure affect the balance with competing uses such as recreation use, off-highway vehicle use, and conserving a broad range of wildlife habitat for future generations.

Expanding Populations & Community Growth – These factors challenge wildland fire suppression efforts in the wildland-urban interface, contribute to increased conflicts between recreational uses, and increase demands for surface-disturbing uses such as roads, utility distribution lines, communication sites, sand, gravel, mineral materials sites, and public facilities. Understanding the complex socioeconomic issues in communities adjacent to BLM-administered lands is imperative to effective land management.

Protests/Appeals/Litigation – Public land management conflicts heighten BLM's attention to risk management in response to challenges over land use decisions. Litigation not directly associated with land use planning often affects land use planning decisions, given the broad scope of resource issues considered.

## Means and Strategies

The BLM uses a number of means and strategies to support land use planning and decision-making processes. The means and strategies highlighted below support not only land use planning, but also provide critical information, resources, and data infrastructure used Bureau-wide, and often outside the BLM by Federal, State, tribal and local partners. This information is necessary and valued by resource managers and specialists as they prepare project analyses for all types of activities. These efforts include the following:

ePlanning – The ePlanning web-based application integrates document preparation, review, commenting, comment analysis and response, and archiving of land use planning and NEPA processes. It provides a centralized, national BLM database for public access to BLM NEPA documents. ePlanning is currently used for RMP revisions and as a repository for all new NEPA analyses on the BLM National NEPA Register. A comprehensive deployment strategy is underway which is providing on-demand, web-based training, as well as on-site instructor led training with the goal of implementing exclusive use of ePlanning for all BLM NEPA by the end of 2017.

Geospatial Services – The Bureau is transitioning to a landscape approach to managing public lands. To support that approach, the Geospatial Services program is creating an environment where data is managed in an integrated corporate data framework to support multiple program activities at multiple scales. Continued implementation of the BLM's Enterprise Geospatial

Strategy, with leadership provided by the Geospatial Steering Committee (GSC), supports this transition as well as various high priority efforts such as the implementation and monitoring of the Greater Sage-Grouse planning effort, the Planning 2.0 initiative, regional mitigation activities, and renewable energy projects, while using GIS software that is consistent and integrated with the Department and other DOI Bureaus. This transformation will also improve the management of the BLM's geospatial data resources, and will enhance partnering with other Federal agencies, including the U.S. Geological Survey (for science) and the U.S. Fish and Wildlife Service (for consultation), while supporting communication and collaboration with State and tribal governments, as well as the public at large. By providing the infrastructure to manage and analyze data at multiple scales, the Geospatial Services program provides the BLM with the information and tools necessary to better understand the impacts of its decisions and support informed decision-making at all levels of the organization.

Socioeconomics – BLM's Socioeconomics program identifies the human context and consequences of the bureau's proposed plans, policies, and authorized uses. This helps resource managers weigh competing interests concerning access to and use of public lands and resources. The need to maximize the BLM's return on investment is essential to achieving its mission, and thus measuring that return through the application of socioeconomic methods provides information essential for effective resource management. To provide a more complete picture of the benefits and costs of the BLM's resource management decisions, the Socioeconomics program is developing guidance on a number of topics critical to improved decision making. These include environmental justice, ecosystem services, and the assessment of social values and tradeoffs in plans and projects. The Socioeconomics program is also providing technical expertise in support of other BLM programs and efforts, including the management of Wild Horses and Burros, Greater Sage-Grouse conservation, and oil and gas development.

Collaborative Action and Dispute Resolution – The Collaborative Action and Dispute Resolution (BLM-CADR) program provides services to support BLM's engagement with other Federal agencies, tribal, State, and local governments, stakeholders, and the public. Collaborative approaches can be applied internally and externally throughout decision-making and when addressing subsequent management challenges. Generally speaking, collaboration refers to processes and arrangements that facilitate two or more individuals working together to solve a set of resource issues. Collaborative approaches ultimately enhance relationships and successful on-the-ground project implementation through shared commitment and resources. The CADR program optimizes planning investments and provides tools and skills for future BLM leaders.

NEPA – The BLM's NEPA program coordinates with the Council on Environmental Quality (CEQ), the Interior Office of Environmental Policy and Compliance, and other Federal entities on NEPA policy issues across the Federal government and within the Department. The BLM NEPA program also develops Bureau-wide NEPA policy and guidance, coordinates with other BLM national programs to develop program-specific guidance, and works with the BLM National Training Center to identify and meet NEPA training needs. In addition, the program coordinates with BLM State Offices to provide advice and support for NEPA compliance in the field. The BLM NEPA program in conjunction with BLM's Division of Environmental Quality & Protection is enhancing an internal, web-based BLM Greenhouse Gas & Climate Change NEPA Toolkit for use in preparing NEPA documents. The program also evaluates NEPA compliance within BLM States. These activities contribute to sound, well-supported Bureau planning and project

decisions, and provide ongoing opportunities to strengthen working relationships with the public, stakeholder organizations, and partners in Federal, State, local, and tribal government.

Assessment and Monitoring - The AIM Strategy is being implemented through five sets of interrelated projects. The first three are designed to implement West-wide monitoring that is coordinated, and where possible, integrated with the monitoring activities of other Federal, State and non-governmental partners. The West-wide projects include the BLM Rangeland Assessment, the BLM Western Rivers and Streams Assessment, and the BLM Grass-Shrub Fractional Mapping Project. Some of the Federal partners included in these efforts are the Natural Resource Conservation Service, Environmental Protection Agency, United States Geological Survey, and United States Forest Service. The two remaining projects are designed to help support immediate multi-State and field office priorities. These projects include efforts to monitor the effectiveness of BLM land use plans and to determine the effectiveness of BLM treatments and actions.

Public Involvement and Cooperating Agencies – The BLM involves interested members of the public and other governmental agencies—various Federal, State, local, county, and tribal entities—to share technical expertise, fulfill requirements for cooperation under various laws, and ensure consistent management where BLM-managed lands are adjacent to those of other government agencies or affect the resource management of other government agencies. The BLM also participates in cooperating agency and coordination training workshops with local government organizations to promote understanding of opportunities for local government participation in BLM land use planning and NEPA processes.

## 2017 Program Performance

Planning 2.0 – “Improving Land Use Planning” – In 2017, the BLM will roll out the Planning 2.0 initiative, which is focused on designing a more proactive and flexible approach to planning across landscapes at multiple scales. As part of Planning 2.0, the BLM will complete targeted changes to the planning regulations (43 CFR 1601 and 1610) and issue a revised Land Use Planning Handbook (H-1601-1). The planning process will focus on more up-front collaboration with partners to produce durable decisions that readily address the rapidly changing environment and conditions posed by climate change, rapid growth in the urban interface with public lands, expanding resource development, and other stressors. Finally, the BLM will review, and where necessary, revise its policy and procedures for monitoring the effectiveness of land use plan decisions as part of the 2.0 initiative.

Land Use Plan Revisions – In 2017, the Resource Management Planning program will continue work on the 30 plans that are in process. This estimate takes into consideration plans that will be completed and initiated in the interim. Active plan revisions are evaluated annually to determine progress and estimated costs for completion. Approvals to extend project schedules are coordinated through the Assistant Director for Renewable Resources and Planning.

In 2017, the BLM plans to initiate three new RMP revisions. The remaining Western Oregon RMP revisions will be funded by the O&C Resource Management Planning program. Since 2001, the BLM has completed 87 plan revisions to improve the quality and effectiveness of its resource management. Another 66 planning projects are currently in progress and 29 plans are in need of revision or amendment to meet changing resource demands and conditions.

Land Use Plan Amendments – Newly revised plans are maintained through amendments funded by benefitting programs. Targeted amendments address emerging challenges and changing resource issues, extend the useful life of a plan, and reduce the potential for litigation. In 2017, the Resource Management Planning program will continue to support high priority amendments, including those associated with renewable energy and transmission line projects.

NEPA – The NEPA program will coordinate with the Department to provide and implement BLM national guidance on considering climate change through the NEPA and land use planning processes. The NEPA program will also continue to support high priority activities with national scope, such as development of the programmatic environmental impact statement on coal leasing and BLM and Department policy development in other priority areas such as mitigation. In addition, the NEPA program will work with BLM's National Training Center to evaluate NEPA training needs throughout the BLM and to develop new training as needed.

Assessment and Monitoring - The Rangeland Assessment, the Western Rivers and Streams Assessment, and the Grass-Shrub Fractional Mapping Project, efforts to monitor the effectiveness of BLM land use plans, and efforts to determine the effectiveness of BLM treatments and actions will be implemented. Additionally, the monitoring and assessment protocols and core indicators developed as part of the AIM strategy will be used to gather information on terrestrial and aquatic site condition, ecological sites, special status species, treatments, disturbance of the public lands, fire, and land uses within sage-grouse habitat.

Collaborative Action and Dispute Resolution – The CADR program is implementing a new Strategic Plan designed to:

- Build awareness and understanding of collaboration and collaborative action both within and outside the BLM;
- Provide a framework for achieving consistency in collaborative efforts within BLM and with partners and stakeholders; and
- Focus on the practical application of collaborative principles and practices to meet the needs of the field.

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## Activity: Resource Protection and Maintenance Subactivity: Abandoned Mine Lands

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Abandoned Mine Lands	\$000	16,987	19,946	+90	+0	+0	20,036	+90
	FTE	75	75		+0	+0	75	+0

*Notes: The Central Hazardous Materials Fund from the Department of the Interior, Office of the Secretary, is a collaborative source of funding to address the goals of both the Abandoned Mine Lands and the Hazardous Materials Management programs. The 2015 estimated funding from the Central Hazardous Materials Fund is approximately \$3.5 million. More information on the Central Hazardous Materials Fund is found in the Department of the Interior, Office of the Secretary, Department-wide Program Budget Justifications.*

### Justification of 2017 Program Changes

The 2017 budget request for the Abandoned Mine Lands Program is \$20,036,000 and 75 FTE, no change from the 2016 enacted level.

### Program Overview

The Abandoned Mine Lands (AML) program's primary objective is to eliminate or minimize the environmental impacts and the physical safety hazards associated with historic hardrock mining activity within the National System of Public Lands (NSPL). The AML program addresses mine sites that were abandoned prior to January 1, 1981, the effective date of the BLM's surface management regulations (43 CFR Subpart 3809).

The program's objectives are:

- Protecting public health and safety as well as reducing inherent liabilities by mitigating physical safety hazards and/or minimizing environmental impacts on the NSPL;
- Restoring the Nation's watersheds impacted by abandoned mines on public lands;
- Educating the public about the potential dangers posed by abandoned mines as well as the actions the BLM takes to address those dangers;
- Implementing a risk-based, watershed approach that embraces partnerships to effectively leverage funding and facilitate timely AML project completion;
- Conducting inventories of yet undiscovered abandoned mine features and sites as well as performing the validation, recordation, and evaluations of those characteristics;
- Asserting the BLM's lead role in the evaluation and remediation of AML sites located on and affecting the NSPL;
- Implementing cost avoidance/cost recovery strategies pursuant to CERCLA;
- Restoring abandoned mine lands to productive uses including, but not limited to recreation, fish and wildlife habitat, renewable energy, and the preservation of historical/cultural resources;
- Integrating AML goals and priorities into the BLM land-use planning efforts as well as other BLM functions and programs;

- Performing post-completion project monitoring to ensure the effective short and long term remediation of abandoned mine land sites.

### ***Abandoned Mine Land Inventory***

The AML program utilizes a database to record and track the thousands of AML sites and features within the NSPL. The Abandoned Mine Site Cleanup Module (AMSCM) currently contains over 94,000 features, such as physical hazards and environmental impacts, associated with 50,500 AML sites.

### ***Risk-based Prioritization***

In addressing the environmental and physical safety hazards on the NSPL, the BLM places the greatest priority on completing on-the-ground remediation at high-priority inventoried and characterized sites as well as newly discovered sites that pose higher risks due to population proximity, expansion and recreational activities in remote locations. The prioritization process ranks sites based on environmental and physical safety hazards and takes into account factors including water quality impairments and violations, watershed and other environmental impacts, threats to public health or safety, existence of partnerships, cost avoidance/cost recovery, continuing/expediting existing on-the-ground projects, location, and cost efficiency.

### ***Environmental Response and Remediation***

The BLM's environmental cleanup and remediation activities are guided by public laws such as CERCLA, the Clean Water Act, and the Federal Land Policy and Management Act. The BLM uses its CERCLA authority to remediate environmental contamination on public land, prepare and implement emergency response contingency plans for oil and chemical spills, and recover costs from Potentially Responsible Parties.

### ***Alaska Red Devil Mine Remediation***

The Red Devil Mine (RDM), located on the Kuskokwim River in Southwestern Alaska, is an abandoned cinnabar mine which produced mercury from 1939 thru 1971. In 2009, the BLM initiated a Remedial Investigation/Feasibility Study (RI/FS) of the Red Devil Mine site under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Over the last 8 years the BLM and the Department's Central Hazardous Materials Fund have shared in funding the RDM project. In FY 2017 the RDM will need \$3.5 million for remedial design to include repository construction and surface water management. This request is included in the Department's Central Hazardous Materials Fund (CHF).

### ***Colorado Upper Animas River Remediation***

The Upper Animas Watershed, located in Southwest Colorado, is a 146 square mile watershed that has had extensive mining for over 100 years and its impacts have been noted for many decades. The BLM has implemented eight removal actions under our Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) authority, however a significant amount of additional work is necessary, particularly to effectively address the multitude of mixed-ownership AML sites. Since 2010 and working collaboratively with the EPA, the BLM has initiated risk assessments and Remedial Investigations (RI) of the Upper Animas to better define the contamination problems and potential responsible parties. For FY 2017 additional source characterization and modeling; groundwater and surface water monitoring; finalization of the Baseline Ecological Risk Assessment; CERCLA enforcement efforts for cost avoidance and cost recovery; and community relations are planned. Significant AML funding needs are projected in FY 2017 as well as future years to address this very high priority CERCLA project.

**Physical Safety Hazards**

The majority of sites recorded in the AMSCM database contain physical safety hazards such as open mine shafts, adits, unstable mine facilities and pit highwalls. These physical safety hazards pose safety threats to humans and wildlife and are a high priority for the AML program. Temporary mitigation, such as fencing and signage, biological and archeological clearances, permanent closure, and installation of controlled access barriers are the most common remediation activities.

**Federal Multi-Agency Collaboration**

The BLM is working with other federal agencies to better address the legacy of abandoned hardrock mining sites on both a national and a landscape scale. The BLM is actively working with the Department of Energy (DOE) and the Environmental Protection Agency (EPA) to share resources to address defense related abandoned uranium mines located on public lands administered by the BLM. The BLM is also working with the U.S. Forest Service (USFS), the National Park Service (NPS), and EPA to more clearly identify and prioritize the known inventory of AML sites on a state and nationwide basis.

**Partnerships**

Partnerships with other Federal, State, local, and tribal agencies are a vital component of the AML program. Activities include the development of agreements with States for abandoned mine closures, cleanup coordination, and development of joint policies and procedures. The BLM also enters into assistance agreements with non-governmental organizations, for example, with Bat Conservation International (BCI). The BCI assists the BLM in identifying abandoned mines that provide valuable bat habitat and helps to preserve it with bat-friendly closures.

**Other Funding Sources**

In addition to the AML program funding, the BLM utilizes, in the appropriate circumstances, funding from the Department's Central Hazardous Materials Fund (CHF) and the Department's Natural Resource Damage Assessment (NRDA) Restoration Fund. The CHF was established by Congress to be used for necessary expenses incurred for response actions conducted pursuant to the CERCLA, as amended as well as the regulatory requirements codified in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The CHF is a competitive process among Department Bureaus and functions as a source of no-year funding for CERCLA cleanup projects and as a repository for funds recovered from potentially responsible parties (PRP) pursuant to sections 107 or 113 of CERCLA, 42 U.S.C. § § 9607, 9613.

The purpose of the NRDA process is to restore public natural resources injured or destroyed by releases of hazardous substances or oil spills, and to compensate the public, through the natural resource damage trustee, for losses of the natural resources that resulted from the releases or spills. The costs of the restoration are borne by the parties who are responsible for the release or spill. Response actions (CERCLA) and NRDA enforcement may be integrated to maximize efficiency in restoring the health, diversity and productivity of BLM-managed land.

**Critical Factors**

Critical factors that impact the effectiveness of the AML Program include the following:

- The need to support maintenance and monitoring activities at previously remediated sites grows as new cleanup efforts are undertaken and completed. The BLM must

return to these sites to inspect the short and long term efficacy of the reclamation/restoration.

- The development of urban areas and related visitation has brought about growth in the public's access to BLM-managed lands that were once considered remote. This increased ease of access by the public has resulted in an increase of exposure to the physical and environmental hazards associated with AML sites.
- AML restoration projects can be highly complex in environmental scope and impact. Environmental analyses and studies are conducted to determine the extent of contamination and to identify restoration and remediation strategies. Typically, a multiple-year, phased approach is required to complete restoration/remediation activities due to funding limitations and study times.

### **2017 Program Performance**

In 2017, the AML Program anticipates completing the following elements:

- Water quality: Remediating approximately 1,700 acres to improve water quality;
- Physical Safety Hazards: Closing 900 physical safety hazards on AML;
- Inventory: Adding 5,500 new AML sites to AMSCM;
- Monitoring and maintenance: Returning to 1,000 remediated sites to check on the efficacy of physical safety closures and/or environmental remediation; and
- Complex Contaminated Site Cleanups—Leveraging funding with other Federal programs to address cleanups at large, complex sites that pose an imminent risk to the public.

## Activity: Resource Protection and Maintenance

### Subactivity: Resource Protection and Law Enforcement

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Law Enforcement	\$000	25,325	25,495	+121	+0	+0	25,616	+121
	FTE	124	124		+0	+0	124	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Resource Protection and Law Enforcement Program is \$25,616,000 and 124 FTE, no change from the 2016 enacted level.

### Program Overview

#### Program Components

The Resource Protection and Law Enforcement Program supports the Bureau's mission through the enforcement of Federal laws and regulations related to the use, management, and development of public lands and resources. The objectives of the program are to:

- Provide a safe environment for public land users and employees;
- Deter, detect, and investigate illegal activities, and resolve or refer such matters to appropriate officials; and
- Ensure revenues owed to the government for authorized or unauthorized uses are paid.

Resource Protection and Law Enforcement Program resources:

- Manage the law enforcement presence at special events and high-use recreation areas in order to support law enforcement needs exceeding the capacity of local field offices;
- Establish interagency agreements, partnerships, and service contracts with numerous state and local law enforcement agencies to secure supplemental support in the form of dispatch services, patrols of high use recreation areas, and assistance in the eradication of marijuana grown on public lands; and
- Utilize science-based methods and technology to expand capabilities to identify and monitor locations of illegal activity.

#### Critical Factors

Critical factors affecting the Resource Protection and Law Enforcement Program on public lands include:

- Large-scale marijuana cultivation threatens public and employee safety; while the associated diversion of natural water sources, the use of fertilizers, herbicides, and

pesticides, the illegal taking of wildlife, and the dumping of waste damages the ecosystems being exploited for illegal cultivation activities.

- The smuggling of humans and controlled substances on public lands near the Southwest Border destroys the natural and cultural resources on these public lands and threatens public and employee safety.
- Population increases in urban areas located near public lands have led to corresponding increases in off-highway vehicle use, illegal dumping of waste, theft of mineral materials and native plants for private landscaping, and the ignition of wildland fires.
- Emergencies and similar unexpected developments frequently require law enforcement responses that cannot be planned for or anticipated.
- Partner law enforcement agencies continue to request funding assistance through service contracts and support agreements, particularly in counties where public lands are heavily impacted by both legal and illegal activities.

### **Demands, Trends and Resources**

In 2015, the BLM saw a 42 percent increase in the number of marijuana plants seized on public lands. This increase occurred primarily in California. Due to the scope of the marijuana cultivation problem on public lands and the large number of Federal, state, and local agencies involved in combatting the issue, it is difficult to establish a direct cause for the fluctuations seen in marijuana plant seizure statistics. However, several factors are believed to affect large scale marijuana cultivation on public lands, including:

- Increasingly effective utilization of multi-agency investigation and eradication efforts targeting illegal activities at all levels of drug trafficking organizations.
- Prosecution of individuals at all levels of multi-state drug trafficking organizations is disrupting organizational structures and reducing cultivation and distribution capabilities.
- Shifting weather patterns are altering the length of the growing season and the availability of natural water sources.
- Several states permit the lawful cultivation of marijuana on private lands for medicinal use.



**A marijuana field on public lands**

Quantities of this lawfully cultivated marijuana are known to be sold outside the legal medicinal market. This unlawful sale of legally cultivated marijuana may be altering levels of market supply and demand, thereby prompting fluctuations in the quantity of marijuana being cultivated on public lands. Similarly, an increase in the number of states that permit recreational use of marijuana may be creating a larger market and higher profit margins for marijuana cultivated at relatively low cost on public lands.

**2017 Program Performance**

Marijuana Cultivation on Public Lands –

The BLM plans to continue drug enforcement activities to include assigning special agents to investigate large scale marijuana cultivation on a full time basis in California and on a part time basis in other states to combat the expansion of marijuana cultivation activities; utilizing BLM rangers to conduct high profile patrol to detect and deter cultivation activities, eradicate marijuana cultivation sites, and provide security for personnel performing cultivation site rehabilitation efforts; and working with the Public Lands Drug Coordination Committee, under the Office of National Drug Control Policy, to identify and address the environmental impacts of marijuana cultivation on public lands.

Marijuana Plants Seized by BLM on Public Lands			
FY 2012	FY 2013	FY 2014	FY 2015
156,014	195,417	225,291	319,511

Southwest Borderlands – The BLM will continue to patrol and conduct law enforcement activities on public lands situated within 100 miles of the Southwest Border in response to the heavy resource impacts and public safety concerns associated with illegal human and drug smuggling activities. The BLM continues to invest heavily in its Reclaim Our Arizona Monuments (ROAM) operation. Developed in response to the severe impacts occurring on the Bureau’s Ironwood Forest and Sonoran Desert National Monuments, Operation ROAM combines the skills of BLM law enforcement officers with those of BLM resource specialists in order to improve public safety and remedy the resource damage caused by human and drug smuggling. This pairing of skill-sets serves to disrupt and deter smuggling operations and repair smuggling-related environmental damage caused by unauthorized roads and trails, large accumulations of trash, and concentrations of human waste.



Personnel removing trash fields created by smuggling activity in the Sonoran Desert National Monument

Archaeological Resource Protection Act (ARPA) Enforcement in the Four Corners Region – The BLM will continue to patrol and conduct investigations in the Four Corners region of the Southwest to deter and detect incidents of theft and vandalism of cultural, historical, and paleontological resources. The BLM will prosecute suspects and provide for the proper curation, storage, and disposition of recovered artifacts. The BLM continues to support the process of repatriating hundreds of thousands of archaeological and Native American artifacts recovered through the “Cerberus Action”; a highly successful multi-year investigation that targeted individuals suspected of looting archaeological sites and Native American graves in violation of ARPA and the *Native American Graves Protection and Repatriation Act*.

Off-Highway Vehicle (OHV) Recreation – The BLM will continue to dedicate law enforcement resources to the patrol of high-use OHV areas in order to protect sensitive resources and ensure the public is provided safe recreational opportunities on public lands.

Off-Highway Vehicle Activity on Public Lands				
OHV Incidents	FY 2012	FY2013	FY2014	FY2015
	4,067	5,164	4,662	4,413

National Conservation Lands – The BLM will continue to patrol and conduct law enforcement activities within the National Conservation Lands in order to protect nationally significant resources and provide the public the opportunity to safely enjoy their public lands.

Wild Horses and Burros – The BLM will continue to enforce laws and investigate violations related to the harassment, unlawful removal, inhumane treatment, unauthorized destruction or sale of wild horses and burros.

Resource Damage, Loss and Theft – The BLM will continue to emphasize patrol, enforcement, and investigation actions to reduce the theft of public land resources, including mineral materials, timber and forest products, as well as improve production accountability and reduce theft of oil and gas resources. The BLM will investigate wildland fires to determine the origin and cause, identify responsible parties, and seek civil enforcement or criminal prosecution in cases involving negligence or arson.

<b>Total Number of Incidents Reported</b>				
<b>FY 2012</b>	<b>FY2013</b>	<b>FY2014</b>	<b>FY2015</b>	
23,544	47,644	56,901	55,674	
<b>Theft, Vandalism, and Misuse of Resources Incidents Reported</b>				
	<b>FY 2012</b>	<b>FY2013</b>	<b>FY2014</b>	<b>FY2015</b>
<b>Cultural, Paleontological &amp; Historical Resources</b>	140	153	184	149
<b>Minerals</b>	21	16	19	8
<b>Natural Features &amp; Other Wildland Resources</b>	106	177	539	500
<b>Timber, Forest Products, &amp; Native Plants</b>	279	456	634	477
<b>Wild Horses and Burros</b>	118	246	188	60
<b>Wildland Fire Incidents Reported on Public Lands</b>				
<b>No. of Fire Related Incidents</b>	<b>FY 2012</b>	<b>FY2013</b>	<b>FY2014</b>	<b>FY2015</b>
	1,053	1,341	1,691	1,246

## Activity: Resource Protection and Maintenance Subactivity: Hazardous Materials Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Hazardous Materials Management	\$000	15,612	15,612	+102	+0	-251	15,463	-149
	FTE	85	85		+0	+0	85	+0

*Notes: The Central Hazardous Materials Fund from the Department of the Interior, Office of the Secretary, is a collaborative source of funding to address the goals of both the Abandoned Mine Lands and the Hazardous Materials Management programs. The 2015 estimated funding from the Central Hazardous Materials Fund is approximately \$3.5 million. More information on the Central Hazardous Materials Fund is found in the Department of the Interior, Office of the Secretary, Department-wide Program Budget Justifications.*

Summary of 2017 Program Changes/Internal Transfers for Hazardous Materials Management:	(\$000)	FTE
General Program Decrease	-251	+0
<b>Total</b>	<b>-251</b>	<b>+0</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Hazardous Materials Management Program is \$15,463,000 and 85 FTE, a program change of -\$251,000 from the 2016 enacted level.

**General Program Decrease (-\$251,000)** – A reduction of \$251,000 in lower priority activities is proposed. The BLM will continue to maintain core functions in the Hazardous Materials Management Program by focusing on the highest priority work and implementing program efficiencies where possible.

### Program Overview

The Hazardous Materials Management Program ensures BLM compliance with Federal and State environmental regulations. The program also exercises the legal authorities granted to the BLM to protect human health and the environment by identifying, characterizing and cleaning up hazardous waste sites. Additionally, the program implements Federal initiatives directed at improving environmental management and sustainability. Program activities include:

- Minimizing and remediating environmental contamination on public lands;
- Reducing health and safety risks associated with environmental hazards;
- Restoring natural and cultural resources adversely impacted by oil discharges and hazardous substance releases;
- Correcting environmental compliance issues;
- Utilizing environmental management systems to identify, manage, and accomplish agency operation sustainability objectives and targets, as well as other significant aspects of BLM operations that impact environmental performance;
- Reducing the generation of wastes or contaminants at the source, thereby reducing the level of hazards to public health or the environment;

- Partnering with the BLM Law Enforcement Program to remove illegally dumped material such as trash, hazardous materials, and abandoned vehicles.

The Hazardous Materials Management Program complements the Abandoned Mine Lands (AML) Program. While the AML Program focuses on physical and environmental hazards associated specifically with hardrock mines abandoned prior to 1981, the Hazardous Materials Management Program has a broader focus of environmental hazards on all public lands associated with all uses. Additionally, while the AML Program addresses both physical and environmental safety hazards at AML sites, the Hazardous Materials Management Program may support addressing environmental hazards at high-priority AML sites as well.

### **Critical Factors**

Critical factors that impact the effectiveness of the program include:

- The need to execute maintenance and monitoring activities at previously remediated sites increases overall program costs as new cleanup efforts are undertaken, completed and move into the operation and maintenance phase (O&M);
- There are currently 189 sites on the DOI Environmental Disposal Liability list which require some degree of remediation;
- Urban growth and development is resulting in increased public access to BLM-managed lands. This trend has not only increased the number of illegal dumps on public lands, but has also heightened the need to address contaminated sites rapidly in order to reduce public health and safety hazards. Increased real-estate related actions and property transfer activities also require environmental site assessments and a cadre of trained and certified BLM environmental professionals;
- Illegal immigration and smuggling activities along the Arizona, New Mexico and California borders with Mexico cause damage to public lands, including national monuments and designated wilderness areas. Such damage includes unauthorized roads and trails; severed fences; damaged vegetation; contaminated water resources; and significant accumulations of solid and hazardous waste.

### **Means and Strategies**

The BLM uses the following strategies to operate the program:

- Developing, implementing, and maintaining emergency response contingency plans (i.e., oil and chemical spill);
- The BLM will seek efficiencies to environmental risk management to allow for maximum protection, health and safety of public land users and environmentally sensitive resources.
- Leveraging funding with partners to respond to community needs and concerns;
- Assessing and maintaining BLM facilities to ensure compliance with environmental laws and regulations;
- Searching for parties responsible for contamination on public lands in order to seek their participation in remediating the site and/or recover costs;
- Partnering with other environmental protection-related agencies such as the U.S. Fish and Wildlife Service, the Environmental Protection Agency, the U.S. Army Corps of Engineers, and the U.S. Forest Service, as well as with other BLM programs, including the AML, Law Enforcement, and Recreation Programs;

- Partnering with State, law enforcement, and volunteer groups to deter and mitigate damage to public lands including along the Southwest border related to illegal immigration and smuggling activities;
- Populate and use the Abandoned Mine Site and Cleanup Module database to track and prioritize sites based on the level of risk to human health and the environment;
- Address the removal and remediation of larger, high-risk hazardous material sites with hazardous substances (solid waste, hazardous waste and hazardous substances) with additional funds when available.

### Other Funding Sources

In addition to program funding, the BLM utilizes, in the appropriate circumstances, funding from the Department's Natural Resource Damage Assessment Restoration Fund (NRDAR), and the Department's Central Hazardous Materials Fund (CHF).

The BLM uses the NRDAR Fund to identify damage to natural resources; work with the public and the polluters to plan restoration efforts; seek payment from the polluters for resource restoration costs; and restore or replace resources to pre-contamination conditions. Project scoping and start-up funds may come from the Department. Assessment funds are provided through the Department or negotiated with polluters. Restoration funds come from settlements with polluters, either through negotiations or legal action. Funds from these settlements are then used to restore the damaged resources at no expense to the taxpayer. Settlements often include the recovery of costs incurred in assessing the damages.

The CHF includes appropriated and recovered funds, and supports response actions, remedial investigations, feasibility studies, and cleanup at sites contaminated by hazardous substances. These sites are prioritized based on human health and ecological risk, regulatory factors, and the level of Potentially Responsible Party involvement. Proposals are reviewed and prioritized first by BLM State Offices through a yearly nomination process, and then by Departmental representatives. The BLM currently manages 26 CHF sites. In 2015, the CHF plans to allocate \$3.4 million for BLM sites.

### 2017 Program Performance

The program will continue to perform the following activities in fiscal year 2017:

- Complex Contaminated Site Cleanups – Leverage funding with other Federal programs to address cleanups at hazardous waste sites that pose imminent risk to the public;
- Environmental Compliance – Support, with the Engineering and Safety Programs, the performance of Compliance Assessment – Safety, Health, and the Environment (CASHE) audits. In 2017, CASHE audits will be performed at thirty-one organizational units;
- Illegal Dumping Prevention - Continue prevention efforts by targeting cleanups, outreach, public participation and monitoring to promote safety and mitigate environmental damage;
- Emergency Response - Respond to and clean up oil spills and hazardous materials releases where they occur;
- Munitions and Explosives of Concern - Continue collaboration with other Department of the Interior Bureaus, as well as the Department of Defense, in the development of a database that displays areas of munitions and explosives of concern, to ensure visitor

and employee safety and to ensure the cleanup of military training sites including Formally Used Defense Sites. The BLM is currently working with the Department to finalize the geo-spatial tools needed to augment the relational database. The program will also support the Lands, Realty, and Cadastral Survey Division in documentation of military sites in LR2000 and Case Files;

- Special Cleanup - Remove or remediate specific hazardous materials sites on public lands where funds are available.
- Environmental Management System - Continue implementation of the EMS in all States and Centers. Provide for 3<sup>rd</sup> party audits to ensure compliance with Department standards. The Washington Office has implemented an EMS to improve the Bureau's sustainability performance as tracked on the Office of Management and Budget scorecard;
- Sustainability - Continue participation in the Department Technical Working Group in order to meet Department-wide sustainability goals. Also continue participation in the Bureau-wide Technical Working Group to complete the annual Green House Gas (GHG) Inventory. In addition, develop operational controls to enhance environmental performance, including reducing GHG emissions, energy use, and potable water use. Support State BLM projects initiated to meet sustainability targets set for their State operations; and
- Southwest Border Cleanup – Continue to leverage funds and resources with partners to conduct remediation and restoration activities along the U.S. Southwest border.

# Transportation and Facilities Maintenance



## Activity: Transportation and Facilities Maintenance

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Annual Maint. & Ops	\$000	38,637	38,942	+183	+0	+0	39,125	+183
	FTE	243	243		+0	+0	243	+0
Def. Maint. & Cap. Improvements	\$000	26,995	31,387	+88	+0	-2,274	29,201	-2,186
	FTE	49	49		+0	+0	49	+0
Total, Transportation & Facilities	\$000	65,632	70,329	+271	+0	-2,274	68,326	-2,003
	FTE	292	292		+0	+0	292	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Transportation and Facilities Maintenance activity is \$68,326,000 and 292 FTE, a program decrease of -\$2,274,000 and 0 FTE below the 2016 enacted level.

### Activity Description

The goals of the Transportation and Facilities Maintenance Programs are to protect employee and visitor safety, resource values, and public investments, as well as to provide facilities management and public lands stewardship. To accomplish this, the BLM focuses on:

- Operating clean, safe, and fully functional facilities at recreation sites;
- Performing annual maintenance on all facilities;
- Conducting comprehensive assessments on the physical condition and regulatory compliance for all facilities;
- Implementing the Five-Year Deferred Maintenance and Capital Improvement Plans;
- Improving capabilities to manage facilities maintenance through development of an automated facility asset management system; and
- Implementing property and asset management planning to accurately inventory and describe assets, establish appropriate levels of investment, and adopt public or commercial benchmarks and best practices.

Within the Transportation and Facilities Maintenance Activity, two subactivities contribute to the stewardship of the BLM facilities:

- Deferred Maintenance and Capital Improvements
- Annual Maintenance and Operational Costs

### Critical Factors

In the contiguous United States, two-thirds of BLM-managed lands are within a one-hour drive of urban areas. As population grows, public use places increasing demands on facilities and resources. Additionally, BLM-managed roads now experience much higher usage rates than when those roads were built, increasing the cost of maintaining them in a safe condition.

## Means and Strategies

In conducting program work, the BLM adheres to the requirements of Executive Order 13327, "Federal Real Property Asset Management." This includes:

- Using public and commercial benchmarks and best practices;
- Employing life-cycle cost-benefit analysis;
- Providing appropriate levels of investment;
- Accurately inventorying and describing all assets; and
- Providing safe, secure, and productive workplaces.

The BLM uses two industry standard performance measures, the Asset Priority Index and the Facilities Condition Index (FCI), for identifying the condition of constructed assets and targeting assets that can be disposed of or require additional annual maintenance or supplemental funding from deferred maintenance. These measures help identify the condition of constructed assets and determine whether the asset requires additional annual maintenance, funding from deferred maintenance, or if the asset should be disposed. Additional criteria used to prioritize projects are the Scope of Benefits, Investment Strategy, and Consequences of Failure to Act. The 4 criteria put emphasis on projects that:

- Repair the highest priority projects that are in the poorest condition;
- Are clearly aligned with DOI, and bureau initiatives and strategic goals;
- Have a positive return on investment that leverages outside interest and/or reduces operation and maintenance liabilities;
- Have unacceptable risk levels if the project is not completed.

### Assessment Process

The BLM conducts baseline condition assessments of recreation sites and administrative sites, including on-site buildings and structures; Maintenance Level 3, 4, and 5 roads, bridges, dams, and major trails. The condition assessment process identifies deferred maintenance needs and determines the current replacement value of constructed assets. Knowing the estimated cost of deferred maintenance and the replacement value of recreation and administrative sites allows the BLM to use the industry standard FCI as a method of measuring the condition and change of condition of facilities.

The FCI is the ratio of accumulated deferred maintenance to the current replacement value (FCI = Deferred Maintenance/Current Replacement Value). It is an indicator of the overall condition of capital assets. The general guideline is that FCI should be below 0.15 for a facility to be considered in acceptable condition. The Facility Asset Management System documents the FCI, and it is a major tool used for management decisions on the disposal of assets.

## Activity: Transportation and Facilities Maintenance

### Subactivity: Deferred Maintenance and Capital Improvements

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Def. Maint. & Cap. Improvements	\$000	26,995	31,387	+88	+0	-2,274	29,201	-2,186
	FTE	49	49		+0	+0	49	+0

Summary of 2017 Program Changes/Internal Transfers for Deferred Maintenance & Capital Improvements:

	(\$000)	FTE
General Program Decrease	-4,049	+0
DOI Southwest Border Radio Initiative	+1,775	+0
<b>Total</b>	<b>-2,274</b>	<b>+0</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Deferred Maintenance and Capital Improvements Program is \$29,201,000 and 47 FTE, a program change of -\$2.274 million from the 2016 enacted level.

**General Program Decrease (-\$4,049,000/+0 FTE)** – The BLM will ensure that key projects necessary to ensure employee and visitor safety remain targeted for completion at the proposed funding level. Deferred Maintenance projects are included in the 5-Year Deferred Maintenance and Capital Improvement Plan, which focuses on projects that stabilize, restore, or replace constructed assets that are mission critical or mission dependent and are in poor condition. The Deferred Maintenance program consists of repairs, renovations, replacements, and other maintenance of buildings, recreation sites, administrative sites, roads, and other constructed assets. Additional related efforts in the Deferred Maintenance program include professional engineering services, program oversight, database management, management of environmental and structural risks of facilities, and dam and bridge inspections.

The BLM will continue to make progress on many of its Deferred Maintenance projects, with a focus on those with human health and safety risk, and will look to the support received from the Department of Transportation's Federal Roads program to ensure that critical infrastructure improvements are achieved along with the physical assets that are targeted for repair.

**DOI Southwest Border Radio Initiative (+\$1,775,000/+0 FTE)** – The 2017 budget request includes an increase of \$1.775 million to implement the Department's Southwest Border Radio Demonstration Project. The Southwest Border Radio Demonstration Project was developed in cooperation with the BLM, the National Park Service, the U.S. Fish and Wildlife Service, and the U.S. Forest Service (USFS) in the border region of New Mexico and Arizona. The Inspector General identified material deficiencies in management of the land mobile radio program and infrastructure. The DOI Bureaus have been working to address these issues and formed the

DOI Radio Executive Steering Committee. An assessment of land mobile radio infrastructure and operations is underway and these funds would be used to implement priority actions. Project work will lead to integration of infrastructure, eliminate duplicative or obsolete infrastructure, and result in future cost avoidance for maintenance. Safety and effectiveness will also be enhanced with upgraded replacement communication hardware. Upgrading facilities and removal of duplicative or obsolete sites will be accomplished in coordination with DOI Bureaus and the USFS.

Funds will be administered by the BLM Arizona State Office. A Southwest Border Regional Demonstration Project team (comprised of regional representatives from each Bureau and a USFS representative) has been formed which will recommend priority actions to the headquarters-based Radio Executive Steering Committee (comprised of executive level representatives from each Bureau). The Radio Executive Steering Committee will review and approve the proposals, in coordination with the Deputy Assistant Secretary for Public Safety, Resource Protection, and Emergency Services. Both bodies have governing charters developed to implement the Department's demonstration project.

## Program Overview

### Program Components

The program:

- Improves the overall condition of BLM facilities;
- Renews aging infrastructure;
- Provides professional engineering services;
- Manages environmental and structural risks of facilities;
- Manages corrective actions identified through Compliance Assessment Safety, Health and the Environment Audits;
- Manages corrective actions identified for accessibility provisions;
- Manages corrective actions for improvement of energy savings; and
- Constructs facilities for visitors and employees that comply with Federal requirements.

The program prioritizes health and safety work and mission critical assets, followed by resource protection, energy and sustainability, and code compliance. This includes replacing and reconstructing existing roads, trails, bridges, recreation and administrative facilities, and buildings.

Energy conservation and sustainability are primary considerations for all new projects. Projects incorporate the Federal Five Guiding Principles and follow the BLM's Sustainable Buildings Implementation Plan to reduce operational costs, improve energy efficiency, and conserve water consistent with Executive Order 13693. Funding is specifically targeted to assess a building's sustainability performance and to make improvements on the identified deficiencies. The BLM priority is to make every building as sustainable and energy efficient as possible. The planning of all the BLM's Deferred Maintenance projects includes consideration of the possible effects climate change may have on the future operations of its facilities. The sites are assessed to determine if design or site adjustments need to be incorporated to account for possible climate change effects.

The BLM Asset Management Plan prioritizes funding to the highest priority assets and plans the disposal of unneeded assets to attain a portfolio of constructed assets in good physical and functional condition, aligned with current and projected requirements.

In an effort to control costs and save future operational maintenance funding, every project is assessed to determine if space can be economized and unneeded facilities can be disposed. The BLM is targeting three percent of its total budget to dispose of unneeded assets and to align to a more efficient portfolio. Every new building project considers alternatives to consolidate current operations and space to gain the best efficiencies and monetary savings.

The BLM categorizes deferred maintenance needs identified through condition assessments and other inspections into specific projects which are proposed in the Five-Year Deferred Maintenance and Capital Improvement Plan. To manage these projects, the BLM observes the following guidelines:

- For projects with estimated costs of \$10 million or more, the program schedules one year for project planning, one year for design, and no more than two years for construction.
- For projects with estimated costs between \$2 million and \$10 million, the program schedules one year for project planning and design, and no more than two years for construction.
- For projects with estimated costs below \$2 million, the program schedules one year for planning and design and one year for construction.

The Five Year Deferred Maintenance and Capital Improvement Plan is updated annually using the Department of Interior's planning guidance through the budget document Attachment G. Attachment G uses 4 categories in assessing a projects funding priority. Ultimately, Attachment G prioritizes a project using its condition and mission priority, those highest priority buildings in the worst condition are the highest priority for funding. In recent years, the BLM expanded planning for each new project to include the impacts of expected life cycle costs on BLM's total budget. Project submissions include the estimated operation expenses, energy cost saving and sustainability actions, and the improvement in facility condition as a result of the project.

### **2017 Program Performance**

In 2017, the planned accomplishments in the Deferred Maintenance and Capital Improvements Program include 65 deferred maintenance projects and six disposal projects. The deferred maintenance projects include corrective actions, sustainability improvements and accessibility projects. The planned projects in 2017 will continue to target mission critical assets in dire need of repair and improve the condition of a number of bridges, recreation sites, and administrative sites.

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## Activity: Transportation and Facilities Maintenance

### Subactivity: Annual Maintenance and Operational Costs

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Annual Maint. & Ops	\$000	38,637	38,942	+183	+0	+0	39,125	+183
	FTE	243	243		+0	+0	243	+0

#### Justification of 2017 Program Changes

The 2017 budget request for the Annual Maintenance and Operational Costs Program is \$39,125,000 and 243 FTE, no program change from the 2016 enacted level.

#### Program Overview

##### Program Components

The Annual Maintenance Program provides for visitor and employee safety and ensures proper facilities management. Funding provides for emergency, preventive, and cyclical maintenance, and baseline facility condition assessments. The program manages operations, facility services and landscape upkeep in order to maintain BLM facilities in good condition and minimize new deferred maintenance needs.

#### 2017 Program Performance

Currently, the BLM reports 4,751 structures and 772 buildings in the Federal Real Property Profile. These structures consist of dams, bridges, electrical and communication systems, trails, and roads. In 2017, this appropriation would allow the BLM to maintain 89 to 90 percent of facilities at an acceptable level.

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# National Conservation Lands



**Activity: National Conservation Lands**  
**Subactivity: National Monuments & National Conservation Areas**

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
NMs & NCAs	\$000	31,819	36,819	+175	+0	+13,651	50,645	+13,826
	FTE	240	250		+0	+30	280	+30

Summary of 2017 Program Changes/Internal Transfers for NMs & NCAs:	(\$000)	FTE
New Designations and Enhanced Operations	+13,651	+30
<b>Total</b>	<b>+13,651</b>	<b>+30</b>

**Justification of 2017 Program Changes**

The 2017 budget request for the National Monuments & National Conservation Areas Program is \$50,645,000 and 280 FTE, a program change of +\$13,651,000 and +30 FTE from the 2016 enacted level.

**New Designations and Enhanced Operations: (+\$13,651,000/+30 FTE) –**

The National Conservation Lands comprise 30 million acres of the most ecologically rich and culturally significant lands managed by the Bureau of Land Management. Our Nation’s newest conservation systems, the National Conservation Lands, are a cherished part of the BLM’s multiple use and sustained yield mission. They are the mountains, valleys, islands, and forests where Americans hunt and fish, hike, paddle, and ski.



*Grand Staircase Escalante NM, Utah*

American history is preserved within the National Conservation Lands through their unique cultural, ecological and scientific values. These special places are engines for economic growth, attracting visitors and new residents to some of the fastest growing corners of the West. The proposed increase represents an investment in the communities that benefit from these areas and an opportunity to grow the outdoor economy of the West.

The 2017 budget request includes an increase of \$13.7 million to support critical resource protection and maintenance work on the National Conservation Lands. This investment addresses some of the system’s most basic infrastructure and maintenance needs, including signs and kiosks, campground benches, larger trash dumpsters, bathroom facilities, and new access-point facilities needed to ensure the public health and safety of visitor centers. Funding for the visitor centers will accommodate public demand for increased hours of operation, program offerings and greater accessibility to National Conservation Lands. Additional priority

efforts include eradicating invasive plants that jeopardize native species and contribute to unnatural and increasingly difficult-to-manage fire regimes; protecting equipment investments from weather; conducting inventories of the world-class and often endemic resources, objects, and values for which each unit was designated; and implementing the provisions of the resource, science and travel management plans that the agency develops in cooperation with States, Tribes, local governments, partners and the public.

The increase also supports critical staff positions, including dedicated unit managers, essential resources specialists, outdoor recreation planners, partnership/volunteer/youth coordinators, law enforcement, and seasonal park and river rangers needed to staff visitor centers and manage the multiple uses and unique conservation values of the units. Funds will allow the program to support the Secretary's youth initiative and implement priority restoration work.

### Program Overview

This program encompasses the BLM's 23 NMs, 16 NCAs, three Outstanding Natural Areas, one Cooperative Management and Protection Area, and one Forest Reserve. These units of the National Conservation Lands are managed to conserve, protect, restore, and enhance America's national and cultural heritage, while providing outstanding recreational opportunities and public access for hunting, fishing, and other uses. National Conservation Lands represent about 12.5% of the BLM-managed public lands, but attract over 25% of our visitors.

These special places span the breadth of BLM-managed public lands and include such diverse lands as the 1.2 million-acre Steese NCA, which protects two of Alaska's most important caribou herds; King Range National Conservation Area, America's first NCA, designated in 1970 along California's Lost Coast; Jupiter Inlet Lighthouse Outstanding Natural Area on the Atlantic coast of Florida; and Colorado's Canyons of the Ancients NM which protects the greatest known density of



*Grand Gulch Wilderness Study Area, Utah*

First American archeological sites in the United States, including cliff dwellings, villages, kivas, shrines, agricultural fields, and rock art, some of which are over 10,000 years old. Traditional activities such as hunting, rock hounding, managed off-highway vehicle use, livestock grazing and Native American cultural and religious uses continue throughout many of these landscapes.

### Connecting People to the Land

More than 64 million people live within 100 miles of BLM-managed lands in the West. The elevated profile of National Monuments and National Conservation Areas attract regional, national, and international visitors. More people recreate on public lands than ever, and this growing level of visitation presents the BLM with the challenge of providing more responsive recreation management, higher levels of visitor services, and additional law enforcement to ensure visitor safety.

## Engaging the Next Generation

The Department of the Interior is engaging the next generation of public land stewards through the Secretary's Youth Initiative, encouraging young people to Play, Learn, Serve, and Work on their public lands.

For example, at the Grand Staircase-Escalante NM in southern Utah, a native plant restoration project is an innovative and highly regarded partnership that effectively connects youth to the great outdoors through habitat restoration. The BLM worked with the monument's friends group to engage over 100 students from the nearby Kanab High School in seed collection and propagation, invasive plant species removal, and planting the drought-tolerant native plant seedlings they had grown to restore wildlife habitat. This partnership offers hands-on experiences in the natural sciences to students. The BLM engages in over 50 similar partnerships that work to support the NMs and NCAs.

## Advancing Scientific Knowledge

The NMs and NCAs serve as long-term reserves within an ecological landscape for vulnerable native plant and animal populations. Scientific data on the conditions, trends, and relationships of these resources are critical for managers when determining how to successfully adapt management to address land health stressors, such as climate change, changing fire regimes, the spread of invasive and exotic species, and human population growth.

## Creating Economic Opportunities

Communities surrounding the units of the National Conservation Lands derive significant economic benefits through tourism. The BLM, in cooperation with local communities, traditionally supports the creation of recreation and visitor facilities in nearby gateway communities rather than building extensive facilities within the National Conservation Lands.

For example, two independent studies conducted by BBC Research & Consulting in 2012 found that local economic impacts associated with designation of national monuments in New Mexico would be expected to increase:



*Organ Mountains-Desert Peaks NM, New Mexico*

- from \$10.2 million to as high as \$17.6 million, which represents an increase of approximately \$7.4 million in regional economic activity in and around Las Cruces, New Mexico due to designation of Organ Mountains-Desert Peaks National Monument.
- by about 279 jobs, from about 312 jobs per year in Rio Arriba and Taos Counties, New Mexico, to about 591, due to designation of Rio Grande del Norte National Monument.

<b>National Monuments &amp; National Conservation Areas Funding By BLM State Office</b>			
<b>BLM State Office</b>	<b>2015 Actual</b>	<b>2016 Enacted</b>	<b>2017 Request</b>
Alaska	443	633	1,213
Arizona	6,328	7,063	9,463
California	4,656	4,656	6,516
Colorado	3,157	3,627	4,428
Eastern States	150	225	725
Idaho	2,346	2,623	3,443
Montana/Dakotas	1,528	1,655	2,055
Nevada	1,184	1,644	3,594
New Mexico	1,039	2,484	4,284
Oregon/Washington	1,377	1,782	2,732
Utah	<u>5,725</u>	<u>6,460</u>	<u>8,760</u>
<i>Subtotal, State Allocations</i>	27,933	33,562	47,213
National Level Program Support†	1,529	3,257	3,257
Fixed Cost Changes (to be allocated)			175
<b>Total</b>	<b>31,819</b>	<b>36,819</b>	<b>50,645</b>
<i>†Includes funds supporting Washington Office, National Operations Center, National Training Center, and Bureau-Wide Administrative Support</i>			
<i>NOTE: The 2017 State Office Request is an estimate shown for illustrative purposes. Actual State Office requests are subject to change based on State Office priority project submissions and conditions on the ground requiring adjustment during Planning Target Allocations.</i>			

### 2017 Program Performance

In 2017, the program will expand on its successes and focus on managing NMs and NCAs as an integral part of the BLM's multiple-use and sustained-yield mission, including by showcasing the accomplishments of BLM programs in conservation, cultural preservation, and recreation. Key accomplishments planned in 2016 include:

- Addressing critical facilities and equipment maintenance needs to ensure public safety and enjoyment, and the protection of resources.
- Providing resource protection and public safety, especially in challenging high use areas and near international borders.
- Engaging communities to provide sustainable recreational experiences to local residents and visitors, which benefits families and local economies.
- Fostering and supporting partnerships, including with Friends groups, to conserve, protect, restore, and provide for responsible access and use of these special places.

- Expanding volunteer opportunities, especially to veterans and youth, so that more volunteers can have enriching experiences and make important contributions.
- Providing highly regarded education and interpretation to the public.
- Incorporating the newest additions to the NMs and NCAs program into the National Conservation Lands system by hiring critical managers and staff and assigning organizational codes to each unit for more transparent, efficient, productive use of funding.
- Implementing completed land use plans developed in cooperation with States, Tribes, local governments, partners, and the public and developing step-down plans to provide detailed standards for managing specific uses through cooperative and public processes.
- Assessing, inventorying, and monitoring the unique resources, objects, and values for which NMs and NCAs were designated, including rare, world-class, irreplaceable cultural and heritage resources, to ensure appropriate stewardship and protection.
- Developing science plans for NMs and NCAs to provide a solid foundation for decision-making and address major landscape-level challenges, from the effects of climate change to science-based mitigation.
- Eradicating and controlling invasive plants, conducting vegetation treatments, reclaiming surface disturbance, restoring healthy ecosystem function, and promoting habitat connectivity and landscape-scale ecological sustainability.
- Engaging and employing youth in all aspects of Play, Learn, Serve, and Work.

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# Challenge Cost Share



## Activity: Challenge Cost Share

	2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016	
			Fixed Costs	Transfers	Program Change	Requested Amount		
Challenge Cost Share	\$000	2,413	2,413	+0	+0	-2,413	0	-2,413
	FTE	5	5	+0	+0	-5	0	-5

Summary of 2017 Program Changes/Internal Transfers for Challenge Cost Share:	(\$000)	FTE
Program Elimination	-2,413	-5
<b>Total</b>	<b>-2,413</b>	<b>-5</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Challenge Cost Share Program is \$0 and 0 FTE, a program change of -\$2,413,000 and -5 FTE from the 2016 enacted level, which eliminates the program.

**Program Elimination (-\$2,413,000/-5 FTE)** – The 2017 budget request eliminates funding for the Challenge Cost Share program to focus on other higher-priority programs and initiatives.

### Program Overview

#### Program Components

The Challenge Cost Share (CCS) Program allows the BLM to partner with local organizations to conduct on-the-ground habitat, recreation and cultural resource work. The BLM leverages CCS funds with partners' monies or other in-kind contributions, at a minimum 1:1 rate. When appropriate, CCS funds are focused in high priority areas and aligned with other BLM funding. Some very successful projects have recently combined upwards of \$6.00 in partner contributions for every \$1.00 of CCS funds.

BLM partners represent a broad spectrum of organizations that work to conserve public lands, enrich the public's outdoor experience, and invite rural and urban residents to explore America's Great Outdoors. These organizations care about the health of local communities, recreation and tourism, cultural heritage, forestry, oil and gas drilling, minerals and mining, livestock grazing, scientific research, wildlife, interpretation and environmental education. BLM partners include:

- Federal, State and municipal agencies;
- Recreation and social groups;
- Non-profit organizations;
- School districts, colleges, and universities;
- Special interest groups;
- National advocacy groups;
- Industry, private corporations and local businesses; and
- The Girl Scouts of the USA and the Boy Scouts of America.

### **Critical Factors**

Partnerships, through programs such as CCS, are vital to the Bureau's success. The BLM's commitment to and involvement with local communities is the key to reach stakeholders and youth. In turn, these successful relationships are an effective way to complete the following strategic work:

- Survey, monitor and inventory resources;
- Restore public land health;
- Support threatened and endangered species management;
- Enhance recreational experiences;
- Manage off-highway-vehicle use;
- Provide visitor services and facilities;
- Conduct public outreach and education projects;
- Support emerging partnership development; and
- Increase the capacity of partners to secure more resources and accomplish more on-the-ground work.

### **Means and Strategies**

Individual CCS projects are prioritized and selected at the local and State level by an interdisciplinary team of BLM State and field office personnel. That prioritized list is then forwarded to the National CCS Team. The National CCS Team evaluates the merit of projects and approves them, in coordination with BLM State office program leads. Project selection criteria include the project's ability to:

- Focus funding in priority areas such as units of the National Conservation Lands and Healthy Landscape focal areas;
- Provide multiple program benefits;
- Restore or sustain BLM land health by accomplishing on-the-ground work that focuses on important habitats;
- Protect cultural and heritage resources and meet public demand for diverse recreational opportunities; and
- Sustain multiple valued and beneficial partnerships.

### **2017 Program Performance**

In 2017, the program will be eliminated.

# Workforce and Organizational Support



## Activity: Workforce and Organizational Support

		2015 Actual	2016 Enacted	2017 President's Budget			Requested Amount	Change from 2016
				Fixed Costs	Transfers	Program Change		
Administrative Support	\$000	47,127	50,942	+197	+0	+0	51,139	+197
	FTE	284	284		+0	+0	284	+0
Bureauwide Fixed Costs	\$000	91,010	93,645	-996	+0	+0	92,649	-996
	FTE	0	0		+0	+0	0	+0
IT Management	\$000	25,696	25,958	+119	+0	+0	26,077	+119
	FTE	109	109		+0	+0	109	+0
Total, Workforce & Organizational Support	\$000	163,833	170,545	-680	+0	+0	169,865	-680
	FTE	393	393		+0	+0	393	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Land Resources activity is \$169,865,000 and 393 FTE, no program change from the 2016 enacted level.

### Activity Description

Workforce and Organizational Support funds services related to general-use automated systems and specified business practices not directly tied to a specific program output, such as human resources management, equal employment opportunity, financial management, property and acquisition management, and information technology management.

**Estimated Workforce and Organizational Support Costs** – Section 403 of Division F of the 2016 Consolidated Appropriations Act (P.L. 114-113) requires that the “amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities, and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations” be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate.

<b>Administrative Costs (Section 403)†</b>				
<b>\$000</b>	<b>2015 Actual</b>	<b>2016 Enacted</b>	<b>Requeste d Amount</b>	<b>Change from 2016</b>
Administrative Support	47,127	50,942	51,139	+197
Bureauwide Fixed Costs	91,010	93,645	92,649	-996
IT Management	25,696	25,958	26,077	+119
<b>Subtotal, Direct Appropriations</b>	<b>163,833</b>	<b>170,545</b>	<b>169,865</b>	<b>-680</b>
<b>National Assessments</b>	38,866	38,371	40,431	+2,060
<b>State/Regional Assessments</b>	114,549	116,267	118,011	+1,744
<b>Subtotal, Assessments</b>	<b>153,415</b>	<b>154,638</b>	<b>158,442</b>	<b>+3,804</b>
<b>Total, Administrative Costs (Sec. 403)</b>	<b>317,248</b>	<b>325,183</b>	<b>328,307</b>	<b>+3,124</b>

† Shown as estimated amounts for fiscal years 2016 and 2017

The BLM funds the costs described in Section 403 through a combination of direct appropriations in this activity (Workforce and Organizational Support) and program assessments. For 2017, the BLM estimates these requirements will be approximately \$328.3 million, a \$3.1 million increase from the estimate for 2016, as shown in the table above.

Direct Appropriations – In 2017, the BLM requests \$169.9 in direct appropriations for activities described in Section 403 in three subactivities: Administrative Support, Bureauwide Fixed Costs and Information Technology Management. This provides approximately 52 percent of the funding necessary to maintain these functions.

Program Assessments – In addition to direct appropriations, and in order to provide the level of funding needed to support operations, the BLM assesses its programs at both the national and State-office levels. These assessments provide about 48 percent of the BLM's total Section 403 costs. The estimated program assessments in 2017 are \$158.4 million. These program assessments are conducted with the oversight and administrative management of the BLM Director, Executive Leadership Team, and Information Technology Investment Board.

- *National Assessments* pay for administrative support, Bureauwide program activities, and information technology programs, many of which are mandated and/or fixed costs assessed by the Department through the DOI Working Capital Fund. These initiatives benefit all programs or all employees, and cannot be identified as benefiting any one program. National program assessments are prorated to program areas based upon funding levels and include approximately \$1.0 million for the Bureau's Priority Fund, which is used to assist field offices and programs with high-priority, unplanned or unfunded needs which arise during the fiscal year.
- *State (Regional) Assessments* pay costs at the State level that are not identifiable to a specific program output. In this way, for example, all programs within a State fund support services staff salaries. These costs are prorated to program areas based upon funding levels, historical costs and FTE usage.

**DOI Working Capital Fund** – The Department of the Interior (DOI) manages a Departmental Working Capital Fund (WCF) to provide services to the BLM and other DOI bureaus and offices. The BLM pays for these services with a combination of direct appropriations and program assessments. Program assessments are typically used for services that benefit the entire organization and support the DOI Strategic Plan, BLM focus areas, and DOI requirements. Many of these services are standard and reoccur on an annual basis, but some are fee-for-service based. The DOI and BLM have reimbursable service agreements for these services. The detailed tables that follow show the BLM’s portion of Departmental WCF fees for services, both centrally billed and direct billed, for 2015 through 2017.

**WORKING CAPITAL FUND REVENUE - Centralized Billing**  
**FY 2017 President's Budget**  
**BUREAU OF LAND MANAGEMENT**  
(\$ in thousands)

Activity/Office	2015 Revised	2016 Pres Budget	2016 Revised	2017 Estimate
FBMS Infrastructure Hosting & Support	2,203.2	2,181.0	2,181.0	2,214.4
FBMS Master Data Management	180.0	0.0	0.0	0.0
<b>FBMS Business Integration Office</b>	<b>2,383.2</b>	<b>2,181.0</b>	<b>2,181.0</b>	<b>2,214.4</b>
Aviation Management	2,879.8	3,470.9	3,470.9	3,786.4
Office of Aviation Services	2,879.8	3,470.9	3,470.9	3,786.4
Mail and Messenger Services	54.9	53.3	53.3	53.7
Safety, Environmental, and Health Services	29.2	28.3	28.3	28.5
Shipping/Receiving & Moving Services	17.3	17.6	17.6	17.7
Vehicle Fleet	2.1	2.6	2.6	2.6
Personal Property Accountability Services (formally Property	24.3	21.8	21.8	21.9
Interior Complex Management & Svcs	26.0	19.9	19.9	20.0
Departmental Library	211.6	184.9	184.9	266.1
Mail Policy	44.2	38.6	38.6	38.2
Conference and Special Events Services (formally Audio Visual	41.0	40.5	40.5	40.8
Space Management Services	14.2	12.6	12.6	12.7
<b>Office of Facilities &amp; Admin Services</b>	<b>464.8</b>	<b>420.1</b>	<b>420.1</b>	<b>502.3</b>
Valuation Services	62.6	82.1	82.1	81.9
Office of Valuation Services	62.6	82.1	82.1	81.9
<b>Subtotal OS Shared Services</b>	<b>5,790.3</b>	<b>6,154.2</b>	<b>6,154.2</b>	<b>6,585.0</b>
Indian Water Rights Office	86.8	69.4	69.5	69.5
Alaska Affairs Office	227.5	230.2	230.2	230.2
Alaska Resources Library & Info Services	538.4	538.6	538.4	538.4
Departmental Museum	139.2	167.9	167.9	166.1
<b>Secretary's Immediate Office</b>	<b>992.0</b>	<b>1,006.1</b>	<b>1,006.0</b>	<b>1,004.2</b>
Document Management Unit	213.3	63.8	63.8	90.6
FOIA Tracking & Reporting System	275.6	261.0	261.0	247.3
Executive Secretariat	488.9	324.8	324.8	337.8
Departmental News and Information	129.0	176.6	176.6	174.7
Office of Communications	129.0	176.6	176.6	174.7
Asbestos-Related Cleanup Cost Liabilities	3.0	3.0	3.0	3.0
FedCenter	1.9	1.9	1.9	1.9
Compliance support ESF-11/ESF-11 Website	16.4	16.4	16.4	16.4
<b>Office of Environmental Policy and Compliance</b>	<b>21.3</b>	<b>21.3</b>	<b>21.3</b>	<b>21.3</b>

01/14/2016

**WORKING CAPITAL FUND REVENUE - Centralized Billing**  
**FY 2017 President's Budget**  
**BUREAU OF LAND MANAGEMENT**  
(\$ in thousands)

Activity/Office	2015 Revised	2016 Pres Budget	2016 Revised	2017 Estimate
Invasive Species Council	214.4	216.4	216.4	216.4
Land and Water Settlements	101.4	102.3	102.3	102.3
Invasive Species DOI Coordinator	38.8	39.2	39.2	39.2
Office of Policy Analysis	354.6	357.9	357.8	357.8
Passport and Visa Services	21.3	22.4	22.4	20.4
International Affairs	21.3	22.4	22.4	20.4
CPIC	37.8	34.5	34.5	34.7
Office of Budget	37.8	34.5	34.5	34.7
Financial Internal Controls & Performance Reporting	70.8	95.7	95.7	94.7
Travel Management Center	33.3	30.0	30.0	34.0
e-Travel (formerly e-Gov Travel)	192.4	163.8	163.8	180.8
Partnerships	0.0		43.5	43.0
Office of Financial Management	296.6	289.5	333.0	352.5
Interior Collections Management System (ICMS)	47.2	47.2	47.2	47.4
Space Management Initiative	50.5	51.3	51.3	50.8
Renewable Energy Certif. & NREL Project Coordination	7.6	42.1	42.1	43.0
Facility Maintenance Management System	51.3	51.8	51.8	51.2
DOT Relocation Technical Assistance (Uniform Act)	7.1	7.1	7.1	7.1
Interior Asset Disposal System O&M	5.1	5.1	5.1	5.1
Office of Property and Acquisition Management	168.8	204.5	204.5	204.4
Planning and Performance Management	167.5	171.3	171.3	169.4
Office of Planning and Performance Management	167.5	171.3	171.3	169.4
Conservation and Educational Partnerships	43.1	43.5	0.0	0.0
Firefighter and Law Enforcement Retirement Team (FLERT)	81.0	76.5	76.5	83.0
Department-wide OWCP Coordination	82.3	80.0	80.0	80.0
OPM Federal Employment Services	53.1	53.6	53.6	53.0
Accessibility and Special Hiring Programs (Formerly ATC)	87.9	88.4	88.4	87.4
Accountability Team	93.2	94.6	94.6	93.6
Employee and Labor Relations Tracking System	4.7	4.7	4.7	4.7
Consolidated Employee Assistance Program	109.9	105.2	105.2	104.0
Office of Human Resources	555.2	546.5	503.0	505.7
EEO Complaints Tracking System	5.3	5.1	5.1	3.7
Special Emphasis Program	5.7	5.7	5.7	5.7

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Activity/Office	2015 Revised	2016 Pres Budget	2016 Revised	2017 Estimate
Office of Civil Rights	11.1	10.8	10.8	9.4
Occupational Safety and Health	215.8	218.7	218.7	216.2
Safety Management Information System (SMIS)	173.1	175.1	175.1	173.1
Office of Occupational Safety and Health	388.9	393.8	393.8	389.4
Leadership Development Programs (DOI Executive Forums)	133.2	137.0	137.0	135.5
Dept-Wide Training Prgms (excluding Learn)	146.1	318.1	144.7	135.6
Learning and Performance Centers Management	123.8	124.1	124.1	110.0
DOIU Management	93.9	95.2	95.2	94.2
Learn	173.4		173.4	162.5
DOI University	670.4	674.3	674.3	637.8
Security (Classified Information Facility)	69.4	74.6	74.6	73.7
Law Enforcement Coordination	98.2	100.1	100.1	99.0
Security (MIB/SIB Complex)	207.5	216.7	216.7	218.2
Victim Witness Coordinator	26.4	26.9	27.0	26.7
OLES Detailees - Training and Compliance	107.2	107.2	107.2	113.7
Office of Law Enforcement and Security	508.6	525.6	525.6	531.3
Interior Operations Center	311.3	316.9	316.9	313.4
Emergency Preparedness	133.5	135.3	135.3	133.8
Emergency Response	168.5	171.4	171.4	197.0
MIB Emergency Health and Safety	4.8	5.1	5.1	5.1
Federal Executive Board	37.5	39.6	39.6	39.1
Office of Emergency Management	655.6	668.2	668.2	688.4
Alternative Dispute Resolution Training	7.1	7.1	7.1	7.1
Collaborative Action and Dispute Resolution	7.1	7.1	7.1	7.1
Cooperative Ecosystem Study Units (CESU)	48.4	48.5	48.5	47.8
CFO Financial Statement Audit	731.8	665.0	665.0	909.8
Department-wide Activities	780.2	713.5	713.5	957.6
Ethics	74.9	75.6	75.6	74.8
FOIA Appeals	98.4	98.8	98.8	99.8
Office of the Solicitor	173.3	174.4	174.4	174.6
<b>Subtotal OS Activities</b>	<b>6,428.1</b>	<b>6,323.1</b>	<b>6,322.9</b>	<b>6,578.4</b>
IT Transformation (ITT)	717.0	600.5	600.5	726.5
Office of the Chief Information Officer	717.0	600.5	600.5	726.5

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Activity/Office	2015 Revised	2016 Pres Budget	2016 Revised	2017 Estimate
Enterprise Directory Services	272.8	488.2	488.2	494.9
IT Desktop Software Administration	104.7	120.7	120.7	123.2
IOS Collaboration	133.6	165.2	165.2	166.3
Unified Messaging	115.9	160.5	160.5	185.8
<b>Office of IT Service Delivery - End User Services</b>	<b>626.9</b>	<b>934.6</b>	<b>934.6</b>	<b>970.2</b>
Privacy and Civil Liberties	90.4	90.8	90.8	110.9
Identity Credential Access Mgmt	175.2	175.1	175.1	151.5
Threat Management	483.2	841.7	841.7	1,031.5
Information Systems Security Operations (ISSO)	444.0	17.7	17.7	29.3
ITD PPCD Privacy Records	59.0	0.0	0.0	0.0
Office of Information Assurance (OIA)	75.3	55.8	55.8	114.6
Assessment & Authorization Services	25.7	20.8	20.8	26.5
IT Security	34.6	28.4	28.4	127.8
Enterprise Continuous Diagnostics and Monitoring	164.8	150.3	150.3	153.3
Enterprise Security Incident and Event Management Solution	356.6	325.1	325.1	326.7
<b>Office of Information Assurance</b>	<b>1,908.7</b>	<b>1,705.6</b>	<b>1,705.6</b>	<b>2,072.2</b>
Hosting Services	53.7	106.9	106.9	59.0
<b>Office of IT Service Delivery - Hosting Services</b>	<b>53.7</b>	<b>106.9</b>	<b>106.9</b>	<b>59.0</b>
Electronic Records Management	278.2	392.5	392.5	415.6
Solutions, Design and Innovation (SDI) (formerly Web &	58.8	160.2	160.2	152.4
Geospatial Services	0.0	34.4	34.4	34.7
E-Forms	0.0		0.0	266.7
<b>Office of Information and Technology Management</b>	<b>337.0</b>	<b>587.2</b>	<b>587.2</b>	<b>869.4</b>
Enterprise Services Network (ESN)	1,000.7	1,021.7	1,021.7	581.1
Frequency Management Support	147.7	128.1	128.1	121.8
NTIA Spectrum Management	257.6	214.7	214.7	209.9
Radio Program Management Office (NRSPMO)	154.6	140.7	140.7	141.5
Federal Relay Service	8.4	35.7	35.7	35.3
MIB Data Networking	8.2	17.2	17.2	17.5
Telecommunication Services	18.8	43.9	43.9	44.9
ITD Integrated Digital Voice Communications System (IDVC)	33.8	36.5	36.5	36.8
<b>Enterprise Services Network - Central Bill Passthrough</b>	<b>1,487.8</b>	<b>1,987.5</b>	<b>1,987.5</b>	<b>2,464.2</b>
<b>Office of IT Service Delivery - Telecommunications Services</b>	<b>3,117.6</b>	<b>3,626.1</b>	<b>3,626.1</b>	<b>3,653.0</b>

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Activity/Office	2015 Revised	2016 Pres Budget	2016 Revised	2017 Estimate
Enterprise Service Desk	0.0	119.9	119.9	0.0
Office of IT Service Delivery - Customer Support Services	0.0	119.9	119.9	0.0
Enterprise Resource Management	244.4	0.0	0.0	0.0
Office of Business Operations	244.4	0.0	0.0	0.0
Architecture & IT Portfolio Performance Management	389.1	349.0	349.0	375.3
Compliance and Audit Management	232.1	237.1	237.1	252.2
IT Budget Formulation & Portfolio Development	290.6	216.4	216.4	302.5
Office of Planning and Performance Management	911.7	802.6	802.6	929.9
Recreation One-Stop	50.5	25.0	25.0	25.0
e-Government Initiatives (WCF Contributions Only)	537.4	441.9	441.9	446.6
Volunteer.gov	15.1	15.1	0.0	0.0
Office of Planning and Performance Management	603.0	482.0	466.9	471.6
<b>Subtotal IT Shared Services</b>	<b>8,520.2</b>	<b>8,965.3</b>	<b>8,950.2</b>	<b>9,751.8</b>
Drug Testing	139.1	143.8	143.8	159.8
Employee Express (Passthrough)	0.0		79.4	109.1
HRSIF - Non-IT Costs	0.0		79.3	82.1
HRLOB - HRSIF	31.5		29.9	33.1
IBC Human Resources Directorate	170.6	143.8	332.3	384.1
FPPS - Non IT	2,593.5	2,657.7	1,950.6	1,923.4
HR LOB - FPPS	29.5		463.6	477.3
IBC Human Resources Directorate	2,623.0	2,657.7	2,414.2	2,400.7
Transportation Services (Household Goods)	2.5	2.5	2.5	2.5
Quarters Program Administration	8.2	16.8	11.0	11.1
Quarters - iQMIS	4.3		5.8	5.8
IBC Financial Management Directorate	15.0	19.3	19.3	19.4
Boise Acquisition Office	1,069.7	1,138.5	1,138.5	1,329.4
IBC Acquisitions Services Directorate	1,069.7	1,138.5	1,138.5	1,329.4
<b>Subtotal Interior Business Center</b>	<b>3,878.3</b>	<b>3,959.3</b>	<b>3,904.3</b>	<b>4,133.7</b>
<b>TOTAL</b>	<b>24,617.0</b>	<b>25,401.8</b>	<b>25,331.6</b>	<b>27,048.8</b>

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Activity/Office	2015 Actual	2016 Pres Budget	2016 Estimate	2017 Estimate
Reimbursable Mail Services	93.9	78.6	102.5	103.2
Creative Communications	4.2	14.2	11.6	11.7
Office of Facilities & Admin Services	98.2	92.8	114.1	114.9
Valuation Services	0.0	813.6	813.6	806.7
Office of Valuation Services	0.0	813.6	813.6	806.7
Aviation Management	720.9		0.0	0.0
Office of Aviation Services	720.9		0.0	0.0
<b>Subtotal OS Shared Services</b>	<b>819.1</b>	<b>906.3</b>	<b>927.6</b>	<b>921.5</b>
Secretary's Indian Water Rights Office (SIWRO)	0.0	67.0	67.0	67.0
Secretary's Immediate Office	0.0	67.0	67.0	67.0
Office of Environmental Policy and Compliance				
Ocean Coastal Great Lakes Activities	20.2	20.0	20.0	20.2
Office of Policy Analysis	20.2	20.0	20.0	20.2
Office of Budget				
Single Audit Clearinghouse	1.6	1.2	1.2	1.2
Office of Financial Management	1.6	1.2	1.2	1.2
e-OPF	180.6	189.0	189.0	189.0
Office of Human Resources	180.6	189.0	189.0	189.0
EEO Investigations	0.0	15.6	15.6	15.6
Office of Civil Rights	0.0	15.6	15.6	15.6
EEO Training	24.2	24.2	24.4	24.4
Office of Civil Rights	24.2	24.2	24.4	24.4
Online Learning	0.0	61.4	61.4	61.4
DOIU Consolidated Learning Centers	60.3	60.3	60.9	61.5
SESCDP	0.0		18.2	0.0
DOI University (DOIU)	60.3	121.7	140.4	122.9
Office of Law Enforcement, Security, and Emergency Management				
Reimbursable Security Services				
Incident Management Analysis and Reporting System (IMARS)	149.2	149.2	149.2	194.0
Office of Law Enforcement	149.2	149.2	149.2	194.0
Federal Flexible Savings Account (FSA) Program	10.8	42.6	42.7	42.7
Department-wide Activities	10.8	42.6	42.7	42.7

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Activity/Office	2015 Actual	2016 Pres Budget	2016 Estimate	2017 Estimate
<b>Subtotal OS Activities</b>	446.8	630.4	649.5	677.0
<b>Office of Information Assurance</b>				
Unified Messaging	898.0	1,244.8	1,244.8	1,168.7
ITD Desktop Services	159.6	0.0	0.0	0.0
<b>Office of IT Service Delivery - End User Services</b>	1,057.5	1,244.8	1,244.8	1,168.7
Anti-Virus Software Licenses	209.4	231.9	231.9	231.9
Identity Credential Access Management (ICAM)	1,101.4	1,359.1	1,359.1	1,359.1
Data-at-Rest Initiative	14.7	15.3	15.3	15.8
End Point Manager Licenses	0.0		0.0	329.6
<b>Office of Information Assurance</b>	1,325.5	1,606.3	1,606.3	1,936.4
<b>Data Center Consolidation and Cloud Planning, Analysis and</b>		90.7	90.7	91.8
<b>Office of IT Service Delivery - Hosting Services</b>		90.7	90.7	91.8
ESRI Enterprise Licenses	2,271.7	1,850.3	1,850.3	1,900.9
Electronic Records Management	545.7	594.6	594.6	558.2
Imagery for the Nation	0.0	403.0	403.0	403.0
<b>Office of Information and Technology Management</b>	2,817.4	2,847.9	2,847.9	2,862.1
<b>Enterprise Services Network - Direct Bill Pass Throughs</b>	4,798.8	3,136.3	3,136.3	3,136.3
EID Rack Space	4.2	12.8	12.8	13.5
ISSO ITD Telecommunications	3.9	6.9	6.9	6.9
<b>Office of IT Service Delivery - Telecommunications Services</b>	4,807.0	3,156.1	3,156.1	3,156.6
<b>Office of IT Service Delivery - Customer Support Services</b>				
Architecture & IT Portfolio Performance Management	389.2		0.0	0.0
Office of Planning and Performance Management	389.2		0.0	0.0
Office of Planning and Performance Management				
<b>Subtotal IT Shared Services</b>	10,396.6	8,945.7	8,945.7	9,215.6
<b>IBC Office of the Director</b>				
<b>IBC Human Resources Directorate</b>				
Payroll & HR Systems ex. IT	1,425.3	1,498.0	1,043.8	1,065.2
Payroll & HR Systems Passthrough	0.0		356.8	367.9
HRLOB - Direct Bill	118.4		75.6	76.6
<b>IBC Human Resources Directorate</b>	1,543.7	1,498.0	1,476.2	1,509.7

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Activity/Office	2015 Actual	2016 Pres Budget	2016 Estimate	2017 Estimate
Indirect Cost Negotiations - DOI Internal SAC DM	46.0	40.7	40.9	59.6
IBC Financial Management Directorate	46.0	40.7	40.9	59.6
Acquisition Services	16.6	0.0		
IBC Acquisitions Services Directorate	16.6	0.0		
<b>Subtotal Interior Business Center</b>	<b>1,606.3</b>	<b>1,538.7</b>	<b>1,517.2</b>	<b>1,569.3</b>
<b>TOTAL</b>	<b>13,268.8</b>	<b>12,021.1</b>	<b>12,040.0</b>	<b>12,383.4</b>

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## Activity: Workforce and Organizational Support

### Subactivity: Administrative Support

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Administrative Support	\$000	47,127	50,942	+197	+0	+0	51,139	+197
	FTE	284	284		+0	+0	+284	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Administrative Support Program is \$51,139,000 and 284 FTE, no program change from the 2016 enacted level.

### Program Overview

The Administrative Support Program funds the following functions:

- Executive and Management Decisions
- Legislative, Public and Regulatory Affairs and Correspondence
- Budget Formulation and Execution
- Financial Management
- Property and Acquisition Management
- Management Systems
- Human Resources
- Program and Management Evaluations
- Service First
- Equal Employment Opportunity
- Privacy
- Safety

### Means and Strategies

The Administrative Support Program funds services related to management and administrative support that cannot be directly tied to a specific program output. The successful management of these services is vital to the effective use of human and capital resources within the BLM. The Administrative Support Program uses a combination of business process engineering and workforce planning strategies as the means to improve and accomplish customer service and effectiveness across the BLM. Each year, the BLM conducts management and program evaluations to identify and acknowledge best practices, procedures and processes. The BLM also measures the satisfaction of external customers, partners, stakeholders, and employees to adhere to the requirements of Executive Order 12862 and the Government Performance and Results Act, and regularly evaluates performance measurements and analysis to ensure these measurements are in alignment with DOI's strategic plan.

## Other Funding Sources

Many of the programs funded by the Administrative Support Program contribute to multiple BLM activities (i.e., Equal Employment Opportunity and Service First) and are also financially supported by many Department and Bureau-wide subactivities that benefit from this work.

## 2017 Program Performance

In 2017, the BLM will emphasize and assure:

- Adequate internal controls on BLM financial systems;
- Compliance with accounting standards;
- Accountability for undelivered order funds;
- Compliance with fiscal laws and regulations;
- Proper accounting, management, and maintenance of capital assets;
- Complete quarterly financial statements, including intra-governmental eliminations;
- Improved electronic data processing; and
- Financial accountability at all levels of the organization.

The Administrative Support Program will focus on the following operations of the Bureau:

Financial Management – The BLM will continue to operate the National Operation Center to offer support services to a variety of critical programs that include fire support, uniforms, property, accounting, contracting, acquisition, space leasing, treasury investments, and the development and operation of financial, procurement, and property systems.

Improved Financial Performance – The BLM will continue to maintain an unqualified (clean) financial audit opinion, and make available to all employees timely and accurate financial information through the Financial and Business Management System (FBMS). The ability to link budget and performance through cost management, as well as access to financial data in real time, has fostered a Bureau-wide ethic of fiscal accountability.

Performance Improvement – The BLM will continue to use the cost management information systems along with other management information tools to evaluate program effectiveness and help allocate budgetary resources across the organization to maximize performance and cost effectiveness.

Disposal of Personal Property – The BLM will continue to dispose of excess personal property to other Federal and State agencies, to donate computers and other electronics to local schools when possible, and to sell working capital fund vehicles and heavy equipment at auction. These activities have reduced overhead costs, increased visibility, improved revenue, and created fast sales and the transfer of monies to the BLM. Proceeds from the sale of vehicles are returned to the working capital fund to help fund replacement vehicles.

Workforce Planning – In 2017, the BLM will continue to refine its workforce planning process to ensure the agency has employees with appropriate skills in the right places at the right times. As a result of workforce planning, the BLM has placed, and will continue to place, more emphasis on entry-level recruiting, career development, and diversification. For example, the Bureau is using the Presidential Management Fellows Program, the Pathways program for students and recent graduates, and other human capital management programs as viable tools

for recruiting and filling entry-level positions and for meeting its future skill requirements. In addition, the BLM will continue to place greater emphasis on hiring veterans and veterans with disabilities through the following special hiring authorities and appointments: Veterans Recruitment Appointment, Veterans Employment Opportunity Act of 1998, 30 Percent or More Disabled Veteran, Disabled Veterans Enrolled in a VA Training Program, Schedule A Appointing Authority, and Veterans Preference.

Service First – The BLM will use the permanent Service First authority across the entire Department of the Interior and U.S. Forest Service in 2017. The Bureau will work to improve customer service and seek additional cost savings and productivity improvements. The BLM currently shares 61 sites with other agencies and will continue to expand on these. For more information on Service First, please see the Crosscutting Programs chapter.

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## Activity: Workforce and Organizational Support

### Subactivity: Bureauwide Fixed Costs

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Bureauwide Fixed Costs	\$000	91,010	93,645	-996	+0	+0	92,649	-996
	FTE	0	0		+0	+0	0	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Bureauwide Fixed Costs Program is \$92,649,000 and 0 FTE, no program change from the 2016 enacted level.

### Program Overview

Bureauwide Fixed Costs funds the following:

- The Departmental Working Capital Fund (WCF) – These fixed costs are billed by the Department of Interior's (DOI) Office of the Secretary and the DOI's National Business Center, and categorized as two separate bills:
  1. *Central Bill* – Mandatory services provided by the DOI Office of the Secretary and the DOI National Business Center.
  2. *Direct Bill* – Primarily a fee for service bill. These are services provided under reimbursable agreements between the BLM and DOI.
- The Space Management program portion of the Bureauwide Fixed Costs focuses primarily on general purpose and warehouse space acquired through direct lease and General Services Administration (GSA)-provided space in federally owned or leased buildings.
- The Land Mobile Radio (LMR) program provides two-way radio voice services for the BLM. The primary customers are wildland fire, law enforcement, and resources staff. The radio systems are used jointly with other Federal, State, and local agencies in support of wildland fire and law enforcement operations. The LMR program is working to join the radio network nationally among partners, cooperators, and other stakeholders to build a homogenous and holistic architecture.
- The Telecommunications program manages communication services critical to the day to day operations of the BLM. The program manages fixed-line office phones and fax, mobile voice and data devices and service contracts, video conferencing, and internal and external data networks service contracts, including network security. The program's management of the radio network supports public safety, connecting firefighters and law enforcement through agency and inter-agency managed microwave radio links, base stations, and radios, including contracts for satellite radios service. Communications (fax, print, voice, and data) during Continuity of Operations relies on the established efforts of the Telecommunications program. Costs for these services are funded from individual State/National Centers and the DOI Working Capital Fund.

- The Federal Personnel Payroll System (FPPS) monitors the costs of using and maintaining BLM's personnel management systems.
- The Mail and Postal Costs component of this program assesses and monitors BLM's mail and postal service utilization, which includes base metered postage machines, next day postage, and other express mail services.
- The Unemployment Insurance Costs are based upon historical data, paid through the Department's Federal Employees Compensation Account of the Unemployment Trust Fund to the Department of Labor, pursuant to the *Omnibus Budget Reconciliation Act of 1980*.
- The Workers Compensation amount requested for 2017 covers costs for a 12-month period and is paid to the Department of Labor through the Department's Employee Compensation Fund, pursuant to 5 U.S.C. 8147(b) as amended by Public Law 94-273.

<b>Bureauwide Fixed Costs†</b>			
<b>\$000</b>	<b>2015 Actual</b>	<b>2016 Enacted</b>	<b>2017 Request</b>
Space Rental - GSA	20,422	26,497	30,015
Space Rental - Non-GSA	33,828	31,614	30,968
<b>Subtotal, Rental</b>	<b>54,250</b>	<b>58,111</b>	<b>60,983</b>
BLM Radio Support	585	519	519
Workers' Compensation	8,406	8,153	8,091
Unemployment Compensation	7,370	6,981	6,051
DOI Working Capital Fund Centralized Bill	24,617	25,331	27,048
DOI Working Capital Fund Direct Bill	13,269	12,040	12,383
Other Fixed Costs	4,362	8,428	3,537
<b>Total</b>	<b>112,859</b>	<b>119,563</b>	<b>118,612</b>
Fixed Costs Funded Through Program Assessments	-21,849	-25,918	-25,963
<b>Total, Bureauwide Fixed Costs</b>	<b>91,010</b>	<b>93,645</b>	<b>92,649</b>

†Shown as estimated amounts for fiscal years 2016 and 2017

### Critical Factors

The critical factors in the Bureauwide Fixed Costs program:

- The Space Management program promotes and encourages sustainability. All new BLM facilities comply with BLM Sustainable Building Implementation Plans, while addressing current and emerging needs.
- Presidential Memorandum – Disposing of Unneeded Federal Real Estate dated June 10, 2010, emphasized the need to:
  - Improve utilization of facilities through innovative space management, such as alternative work arrangements and telework agreements.
  - Eliminate lease arrangements that are not cost effective.
  - Pursue consolidation opportunities with other agencies in common asset types, such as data centers, office space, and warehouses.

- Department of the Interior Memorandum – Space and Facilities Management dated August 2, 2011, emphasized that real property (owned and leased) is a key aspect of the overall cost cutting campaign. The utilization standard for general purpose office space has now been set to 180 square feet per person. Opportunities for teleworking in order to reduce overall real property costs are encouraged.

### **2017 Program Performance**

In 2017, the BLM will continue to manage the LMR Program, telecommunications, the FPPS, unemployment costs, mail and postal costs, the Employee Compensation Fund, and office space leasing, which is the largest of BLM's fixed costs.

The BLM established the following long term goals for Space Management:

- Reduce space usage whenever a reduction can be accomplished economically;
- Evaluate offices for consolidation;
- Maximize the use of existing, owned buildings and warehouses whenever possible;
- Extend existing leases, when appropriate, to allow time to prioritize long-term leasing actions;
- Whenever beneficial, reduce the size and change the layout of leased warehouses;
- Implement the use of high-density, storage systems for office and warehouse areas; and
- Promote telework wherever a corresponding reduction in leased office space would occur.

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## Activity: Workforce and Organizational Support

### Subactivity: Information Technology Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
IT Management	\$000	25,696	25,958	+119	+0	+0	26,077	+119
	FTE	109	109		+0	+0	109	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Information Technology Management Program is \$26,077,000 and 109 FTE, no program change from the 2016 enacted level.

### Program Overview

The Information Technology Management Program is responsible for managing all aspects of information technology (IT) throughout the BLM. These responsibilities include:

- *Bureauwide Policy* – Planning, directing, coordinating, and evaluating IT programs, policies and procedures and providing guidance for the effective use of IT resources in support of BLM programs and services in accordance with the Clinger-Cohen Act of 1996 and the Government Performance and Results Act of 1993;
- *Capital Planning and Investment Control (CPIC)* – The Clinger-Cohen Act of 1996 and the E-Government Act of 2002 sought to improve mission performance by requiring agencies to use a disciplined CPIC process to acquire, use, maintain and dispose of the BLM's IT portfolio. CPIC is a dynamic process in which IT investments are selected and then continually monitored and evaluated to ensure each chosen investment is well managed, cost effective, and supports the mission and strategic goals of the BLM. CPIC ensures that all IT investments align with BLM's mission and support business needs while minimizing risks and maximizing returns throughout the investment's life cycle.
- *Information Resources Management* – Providing management and oversight over implementation of the Freedom of Information Act, Open Government Initiative, Section 508 of the American Disabilities Act, IT Configuration Management, Indian Trust and the Records Act; ensuring that manual and electronic records are accessible, properly maintained, documented, scheduled and disposed of; and, ensuring that automated systems are documented and scheduled and that records preservation orders are tracked and monitored so that records are properly secured, accessible and retrievable to respond to court orders and requesters;
- *IT Transformation Implementation* – The BLM continues to pursue streamlining efforts to improve IT service delivery and reduce the overall costs for IT support across the BLM. In 2017, the BLM will have its IT support and services delivered in a consistent manner with a focus on customer needs.

- *Data Management and Administration* – Ensuring that the information the BLM uses in decision making is accurate, timely, useful, and free of bias;
- *National Applications* – Managing national applications and systems throughout their life cycles of investment and ensuring successful service delivery through all phases—concept, design, construction, data management, operation, support and maintenance—in order to meet business needs while ensuring system data integrity;
- *Infrastructure* – Providing compliant and effective technology platforms and environments; and
- *Security* – Developing security-related policies, procedures, and guidance; providing technical assistance for securing major applications and general support systems; overseeing security compliance efforts; maintaining an inventory of systems and their security Assessment and Authorization status; coordinating IT Security Education and Awareness efforts; and developing IT security performance measures and reports.

### Other Funding Sources

Every BLM program contributes some funding for IT activities. Major investments in the BLM IT portfolio are funded by the programs supported by those investments. IT infrastructure investments are funded proportionately by all programs.

### 2017 Program Performance

There are no specific performance goals for this subactivity; however, the BLM has achieved success in lowering the overall costs of IT by implementing dynamic approaches to respond to national priorities. Because the scope of the information needed to support the BLM's mission is vast, the IT systems required to manage this information have grown increasingly complex. Information systems are used throughout the BLM to collect data on land health, water quality, restored ecosystems, hazardous fuels reduction, land contamination, habitat protection, cultural and natural heritage resources, oil and gas leases and permits, lease applications, minerals and grazing permits, timber sales, recreation, and financial transactions. Managing our data as a corporate asset will ensure the BLM has greater consistency and integration while reducing redundancies.

Additionally, BLM's IT Transformation initiative will continue to achieve savings through labor reductions, consolidation of infrastructure staff, servers and data centers closures, contract consolidations and the promotion of mobility which will allow us to reduce our overall footprint. IT contracts will be reevaluated through the IT Spend Plan process, resulting in maximization of bulk purchases to achieve additional savings and standardization. The BLM will continue its commitment to ensuring that information technology efforts align with Departmental initiatives focused on consolidation, shared services, and improving IT cost efficiency. The Bureau will continue to seek further centralization efforts internally, while expanding consolidation efforts by working with other Bureaus to share services in areas the of Data Center Consolidation, Geospatial, IT Acquisitions, and Application Consolidation to achieve greater cost efficiency.

# Mining Law Administration



## Activity: Mining Law Administration

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Mining Law	\$000	39,696	39,696	+0	+0	+0	39,696	+0
Administration	Offset	-39,696	-39,696	+0	+0	+0	(39,696)	+0
	FTE	308	308		+0	+0	308	+0

*Notes: The actual receipt estimates for 2016 is \$54,981,000 and for 2017 is \$55,117,000*

### Justification of 2017 Program Changes

The 2017 budget request for Mining Law Administration is \$39,696,000 and 308 FTE. The budget assumes the program's operating cost will be fully offset by revenue from mining claim maintenance and location fees.

### Program Overview

#### Program Components

The BLM Mining Law Administration Program is responsible for providing access to locatable mineral resources in an environmentally responsible manner. Locatable minerals are those governed by the General Mining Law of 1872, and include gold, silver, lead, zinc, copper, uranium, and molybdenum. To provide access to these mineral resources, the BLM administers mining claims, manages on the ground activities, and collects location and annual maintenance fees. The BLM also processes notices for exploration and plans of operations for exploration and production of these minerals. Reclamation plans are evaluated and financial guarantees are required to ensure adequate reclamation that meets the requirements of Federal law. The BLM inspects operations governed by notices and plans of operation to ensure compliance with all applicable laws and regulations. The BLM takes enforcement actions when the terms and conditions of an operation have been violated. Finally, the BLM is responsible for conducting mineral examinations to determine valid existing rights under the mining laws.

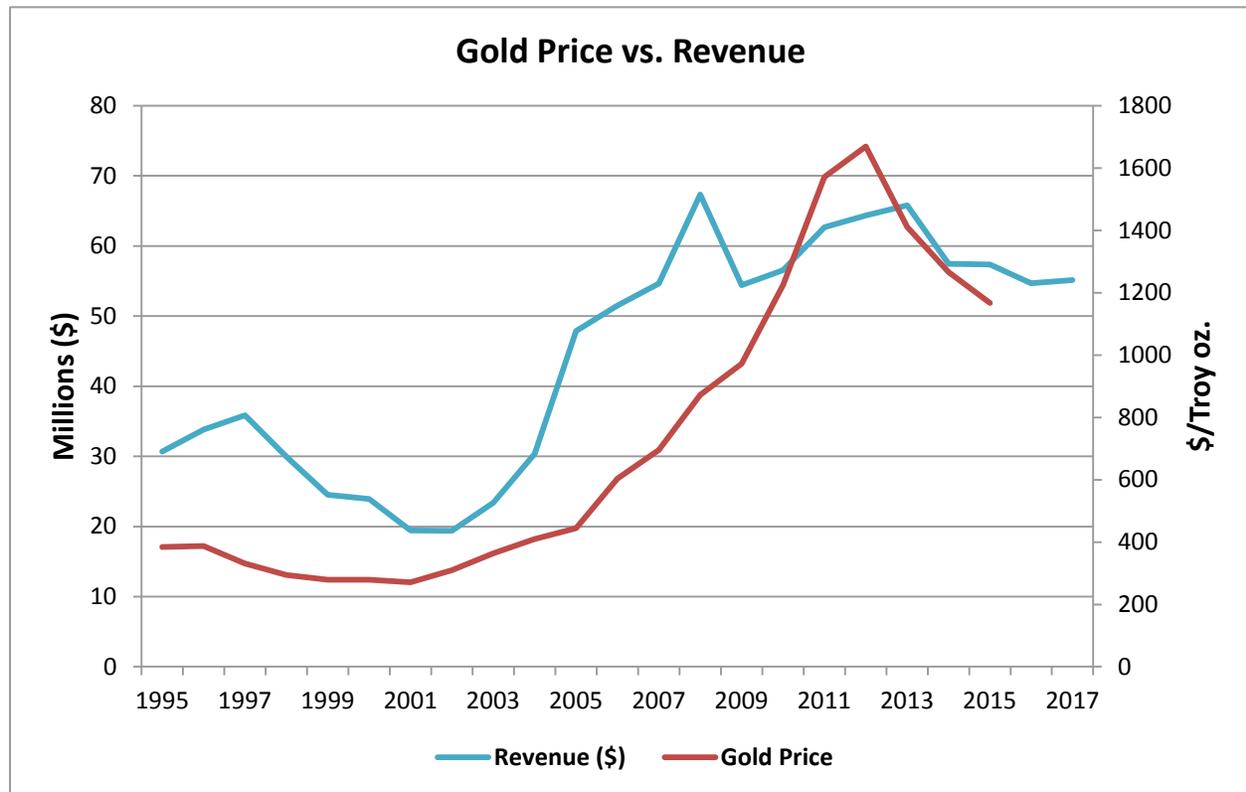
#### The General Mining Law of 1872

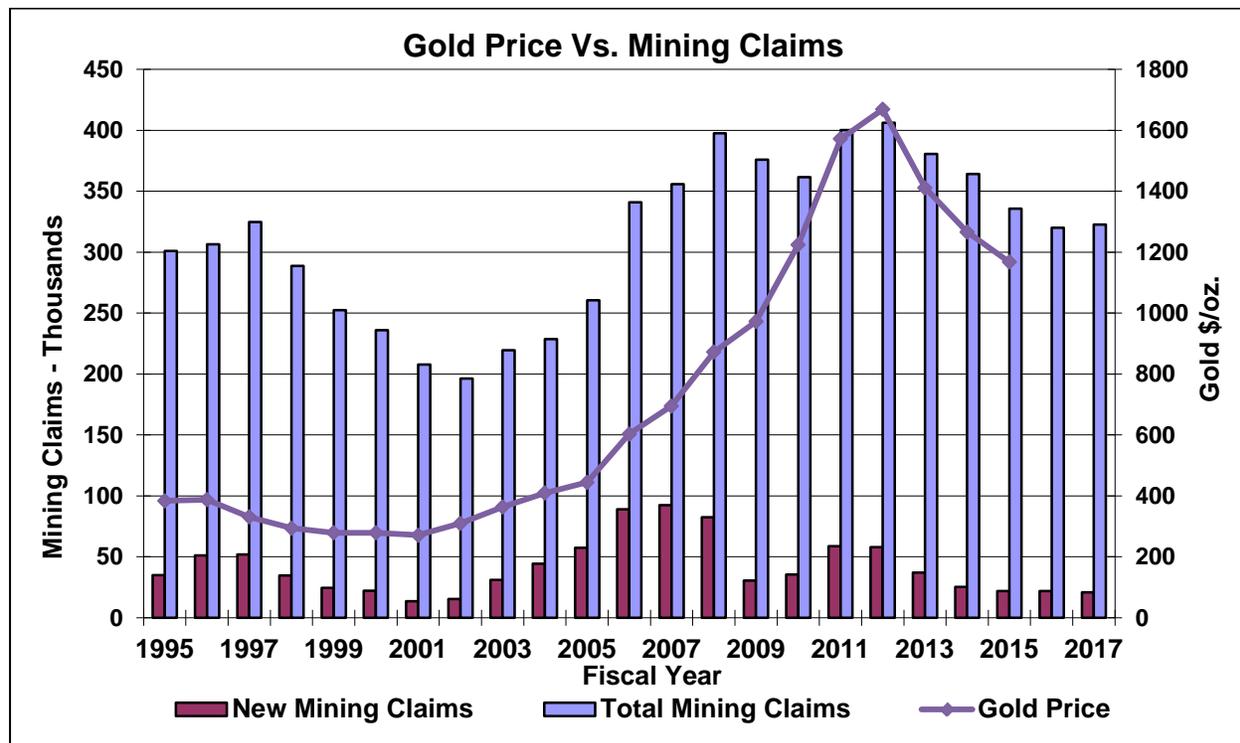
The BLM, through the Mining Law Administration program, is responsible for managing exploration and development of locatable minerals available on public lands under the General Mining Law of 1872, and the Federal Land Policy and Management Act of 1976. Since 1993, claimants have been required to pay an annual maintenance fee for each mining claim and site in lieu of performing assessment work as previously required under the General Mining Law of 1872. The BLM is required by statute to adjust these fees every five years, or more frequently if determined reasonable, to reflect changes in the Consumer Price Index published by the Bureau of Labor Statistics. Maintenance and location fees were most recently increased at the beginning of the 2015 assessment year. Maintenance fees were increased from \$140 to \$155, and location fees, required for all new claims in addition to the maintenance fee, were increased from \$34 to \$37 per claim, and they currently remain at these levels. Prior to the 2015 adjustment, the fees were last adjusted in 2009.

In 2014, the BLM implemented the Mining Claim Maintenance Fee Payment Portal so that mining claimants could begin paying their annual maintenance fee online starting with the 2015 assessment year. Based on the initial filings, the portal has provided claimants an efficient and secure means of paying their maintenance fee online. The BLM has also realized benefits by having claim data interface with and update the lands record system (LR2000), which eliminates the need to manually process the payments and manually update the LR2000 system. The BLM is considering ways to expand use of the payment portal and realize increased efficiencies in other programs.

**Critical Factors**

Filing of new mining claims in the Mining Law Administration Program is commodity price-dependent. Prices for all of the major commodities have been declining since their peak in 2011. For example, gold reached a high of \$1,875 per ounce in September 2011 and averaged \$1,159 per ounce during the month of October 2015, a decline of 38 percent. Similar declines have occurred for other major commodities for which mining claims are located, including silver, platinum, and copper. These commodity price declines have impacted mining claim location activity on public lands. As of January 7, 2016, the number of mining claims recorded for the 2015 assessment year declined 7 percent since 2014 and 12 percent from 2012. The revenue from mining claim maintenance and location fees has declined 0.2 percent from 2014. As gold is the top commodity explored for and produced on public lands, mining claim trends regarding quantity and revenue roughly correlate to gold commodity prices as demonstrated by the two charts below.





\*The chart is based upon the most recent data. The new and total mining claims illustrate the numbers reported in the Public Land Statistics (PLS) for the indicated fiscal years. The 2015 claim data was derived from preliminary PLS data and is subject to change. Data for 2016 and 2017 are projections.

The mining industry's domestic activity levels are dependent upon commodity prices. Many companies engaged in exploration are known in the industry as junior mining companies and frequently rely significantly on venture capital and other forms of investor financing. These companies typically do not own mines and have no regular revenue streams. When commodity prices are in decline, investor financing typically is harder to secure, and these junior mining companies begin to cut costs, usually leading to a reduction in the number of mining claims they hold. This sector of the industry is the most sensitive to commodity pricing and is likely responsible for the decline in the number of active mining claims seen beginning in 2012. If the industry activity decreases or remains flat, further decline in mining claim numbers and associated revenue should be expected.

Mining claims found to have no mineral values or interest on the part of the mining claimants typically lapse due to nonpayment of maintenance fees by the claimant. Lapsed claims hold no rights and the associated tracts may be relocated by another claimant. Mining claims found to be of interest will continue to see on-the-ground activity by the claimants and or operators as they seek to confirm the presence of a mineral deposit. During a market downturn, mining claimants will likely evaluate and release any unfavorable holdings and limit new mining claim locations. The degree to which mining claim revenue will be impacted will depend on the length and the severity of the declining markets. Mining claim location and maintenance trends will likely continue to follow market trends.

Mining claim location for metals used in tech industries remain stable despite declines in other commodities. Although no current “rush” exists, the BLM is experiencing continued interest from the mining industry to locate and discover domestic supplies of these minerals. Such minerals form the building blocks of technology-dependent industries, such as electronics, automotive and energy. These minerals include but are not limited to, rare earths, lithium, indium, germanium, vanadium, graphite and cobalt.

While new mining claims have decreased, the BLM continues to experience a consistent workload for processing plans of operations for new, large scale mines. The inspection workload for existing operations also continues and the funding provided through this program is important to allow the BLM to maintain capability and capacity to ensure activities are done in an environmentally sound and sustainable manner.

### Other Funding Sources

The Mining Law Administration program is primarily funded through this subactivity, in which the appropriation is offset by maintenance and location fees. Since 1994, Congress, through its appropriations acts, has tied Mining Law Administration funding to revenue collected by the program. The funds made available by Congress are reduced by amounts collected by the Bureau and credited to this appropriation.

In addition, under the authorities of 43 U.S.C. 1474 and 1734(a), the BLM retains the collected processing fees from mining claim recordation actions and mineral patent adjudication to recover the full cost of processing these documents. A revised fee schedule was promulgated in November 2005. The Mining Claims Revenue chart shows the recent history of mining claims and mining claim revenue. The processing fees charged for recording a new mining claim, annual filings, transfers of interest, amendments to previously recorded documents, deferments of assessment, and protests increased in June of 2009 and again at the end of 2014. In addition, the BLM charges a processing fee, on a case by case basis, for proposed mining plans of operations requiring an environmental impact statement. A processing fee is also applicable to validity examinations or common variety examinations and associated reports performed in connection with a patent application, 43 CFR 3809.100 (withdrawn lands) or 43 CFR 3809.101 (common variety determinations) on a case-by case basis.

### 2017 Program Performance

In 2017, the BLM will:

- Provide access to locatable mineral resources while ensuring that mining operations follow BLM’s regulations and cause no unnecessary and undue degradation;
- Conduct inspection and enforcement activities to ensure compliance with all applicable Federal regulations for all mining and exploration activities authorized by the mining laws on public lands;
- Record and adjudicate existing mining claims and new mining claim locations; and
- Continue working with State agencies to streamline multiple agency processes and minimize the time necessary to authorize exploration and development activities.

The BLM expects the inspection workload to remain steady in 2016 with output measures for 2016 and 2017 expected to rebound. The focus of the inspection program is on exploration and mining sites with on-going operations; sites where reclamation earthwork has been completed

and the BLM and the operator are waiting for re-vegetation success are a lower priority for inspection.

The processing time for Plans of Operations averaged 26 months in 2013, 17 months in 2014, and 23 months in 2015. The rolling 3-year average for average processing time is 22 months. The BLM will continue to work with industry and internally to explore opportunities to find efficiencies that reduce the average processing times of Plans of Operations.

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# Budget Schedules



## Budget Schedules

Account Symbol and Title 14X1109 Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Land resources	0011	257	260	250
Wildlife and fisheries	0012	67	95	110
Threatened and endangered species	0013	22	24	24
Recreation management	0014	68	70	70
Energy and minerals	0015	144	150	112
Realty and ownership management	0016	69	70	72
Resource protection	0017	101	105	119
Transportation and facilities maintenance	0018	75	78	80
Workforce and organizational support	0020	164	170	170
Challenge Cost Share	0026	3	3	1
National Monuments & NCA	0030	33	34	43
Total direct obligations	0799	1,003	1,059	1,051
Management of Lands and Resources (Reimbursable)	0801	25	36	28
Communication site rental fees	0802	2	2	2
Mining law administration	0803	41	40	40
APD fees	0804	29	0	0
Cadastral reimbursable program	0805	9	12	9
Inspection fees	0806	0	0	40
Grazing fees	0807	0	0	7
Total reimbursable obligations	0899	106	90	126
Total new obligations	0900	1,109	1,149	1,177
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	145	137	186
Recoveries of prior year unpaid obligations	1021	37	45	40
Unobligated balance (total)	1050	182	182	226
Budget authority:				
Appropriations, discretionary:				
Appropriation	1100	974	1,073	1,076
Appropriation, discretionary (total)	1160	974	1,073	1,076
Appropriation, discretionary - Computed Totals	1160-20	974	1,073	1,076
Appropriation [Regular]	1160-40	955	1,055	1,057
Baseline Civilian Pay	1160-50		590	613
Baseline Non-Pay	1160-50		465	473
Policy Outlays:				
New Authority	1160-61	704	818	819
Balances (excl of EOY PY Bal)	1160-62	256	0	195

Account Symbol and Title 14X1109				
Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
End of PY Balances	1160-63		168	3
Subtotal, outlays	1160-64	960	986	1,017
Baseline Outlays:				
New Authority	1160-81		818	842
Balances (excl of EOY PY Bal)	1160-82		0	195
End of PY Balances	1160-83		168	3
Subtotal, outlays	1160-84		986	1,040
Appropriation [Protected:Conserving Fish and Wildlife - Climate Change]				
Baseline Civilian Pay	1160-40	16	15	16
Baseline Non-Pay	1160-50		0	0
Baseline Non-Pay	1160-50		15	15
Policy Outlays:				
New Authority	1160-61	0	12	12
Balances (excl of EOY PY Bal)	1160-62	0	0	3
End of PY Balances	1160-63		2	3
Subtotal, outlays	1160-64	0	14	18
Baseline Outlays:				
New Authority	1160-81		12	12
Balances (excl of EOY PY Bal)	1160-82		0	3
End of PY Balances	1160-83		2	3
Subtotal, outlays	1160-84		14	18
Appropriation [WHB Sterilization R&D]				
Baseline Civilian Pay	1160-40	2	2	2
Baseline Civilian Pay	1160-50		2	2
Policy Outlays:				
New Authority	1160-61	0	2	2
Balances (excl of EOY PY Bal)	1160-62	0	0	0
End of PY Balances	1160-63		0	0
Subtotal, outlays	1160-64	0	2	2
Baseline Outlays:				
New Authority	1160-81		2	2
Balances (excl of EOY PY Bal)	1160-82		0	0
End of PY Balances	1160-83		0	0
Subtotal, outlays	1160-84		2	2
Appropriation [Homeland Security]				
Baseline Civilian Pay	1160-40	1	1	1
Baseline Civilian Pay	1160-50		1	1
Baseline Non-Pay	1160-50		0	0
Policy Outlays:				
New Authority	1160-61	0	1	1
Balances (excl of EOY PY Bal)	1160-62	0	0	0
End of PY Balances	1160-63		0	0
Subtotal, outlays	1160-64	0	1	1
Baseline Outlays:				
New Authority	1160-81		1	1
Balances (excl of EOY PY Bal)	1160-82		0	0
End of PY Balances	1160-83		0	0
Subtotal, outlays	1160-84		1	1

Account Symbol and Title 14X1109				
Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
Spending authority from offsetting collections, discretionary:				
Offsetting collections (Mining law and Comm Sites)	1700	42	42	42
Offsetting collections (Economy Act)	1700	24	38	38
Offsetting collections (APD fees)	1700	29	0	0
Offsetting collections (Inspection fees)	1700	0	0	48
Offsetting Collections (Other)	1700	9	0	17
Change in uncollected payments, Federal sources	1701	-14	0	-36
Spending auth from offsetting collections, disc (total)	1750	90	80	109
Spending auth from offsetting collections, disc - Computed Totals	1750-20	90	80	109
Spending authority from offsetting collections [Mining Law and Telecomm Fees, and Permits to Drill]	1750-40	71	42	42
Baseline Program [Mining Law and Telecomm Fees, and Permits to Drill]	1750-50		42	43
Policy Outlays:				
New Authority	1750-61	63	42	42
Balances (excl of EOY PY Bal)	1750-62	11	0	0
End of PY Balances	1750-63		0	0
Subtotal, outlays	1750-64	74	42	42
Baseline Outlays:				
New Authority	1750-81		42	43
Balances (excl of EOY PY Bal)	1750-82		0	0
End of PY Balances	1750-83		0	0
Subtotal, outlays	1750-84		42	43
Spending authority from offsetting collections [Economy Act]	1750-40	19	38	38
Baseline Program [Economy Act]	1750-50		38	39
Policy Outlays:				
New Authority	1750-61	1	19	19
Balances (excl of EOY PY Bal)	1750-62	29	0	19
End of PY Balances	1750-63		21	2
Subtotal, outlays	1750-64	30	40	40
Baseline Outlays:				
New Authority	1750-81		19	20
Balances (excl of EOY PY Bal)	1750-82		0	19
End of PY Balances	1750-83		21	2
Subtotal, outlays	1750-84		40	41
Spending authority from offsetting collections [User Fee: Inspection fees]	1750-40	0	0	48
Baseline Program [User Fee: Inspection fees]	1750-50		0	0
Policy Outlays:				
New Authority	1750-61	0	0	48
Balances (excl of EOY PY Bal)	1750-62	0	0	0
End of PY Balances	1750-63		0	0

Account Symbol and Title 14X1109				
Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
Subtotal, outlays	1750-64	0	0	48
Baseline Outlays:				
New Authority	1750-81		0	0
Balances (excl of EOY PY Bal)	1750-82		0	0
End of PY Balances	1750-83		0	0
Subtotal, outlays	1750-84		0	0
Spending authority from offsetting collections				
[Grazing Fees]	1750-40	0	0	17
Spending authority from offsetting collections				
[Grazing Fees]	1750-50		0	0
Policy Outlays:				
New Authority	1750-61	0	0	17
Balances (excl of EOY PY Bal)	1750-62	0	0	0
End of PY Balances	1750-63		0	1
Subtotal, outlays	1750-64	0	0	18
Baseline Outlays:				
New Authority	1750-81		0	0
Balances (excl of EOY PY Bal)	1750-82		0	0
End of PY Balances	1750-83		0	1
Subtotal, outlays	1750-84		0	1
Spending authority from offsetting collections				
[other]	1750-40	0	0	-36
Spending authority from offsetting collections				
[other]	1750-50		0	0
Policy Outlays:				
New Authority	1750-61	0	0	-36
Balances (excl of EOY PY Bal)	1750-62	0	0	0
End of PY Balances	1750-63		0	0
Subtotal, outlays	1750-64	0	0	-36
Baseline Outlays:				
New Authority	1750-81		0	0
Balances (excl of EOY PY Bal)	1750-82		0	0
End of PY Balances	1750-83		0	0
Subtotal, outlays	1750-84		0	0
Budget authority (total)	1900	1,064	1,153	1,185
Total budgetary resources available	1930	1,246	1,335	1,411
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	137	186	234
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	392	400	419
Obligations incurred, unexpired accounts	3010	1,109	1,149	1,177
Outlays (gross)	3020	-1,064	-1,085	-1,150
Recoveries of prior year unpaid obligations, unexpired	3040	-37	-45	-40

Account Symbol and Title 14X1109				
Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
Recoveries of prior year unpaid obligations, expired	3041	0	0	0
Unpaid obligations, end of year	3050	400	419	406
Uncollected payments:				
Uncollected pymts, Fed sources, brought forward, Oct 1	3060	-50	-36	-36
Change in uncollected pymts, Fed sources, unexpired	3070	14	0	36
Uncollected pymts, Fed sources, end of year	3090	-36	-36	0
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	342	364	383
Obligated balance, end of year	3200	364	383	406
Budget authority and outlays, net:				
Discretionary:				
Budget authority, gross	4000	1,064	1,153	1,185
Outlays, gross:				
Outlays from new discretionary authority	4010	768	894	924
Outlays from discretionary balances	4011	296	191	226
Outlays, gross (total)	4020	1,064	1,085	1,150
Offsets against gross budget authority and outlays:				
Offsetting collections (collected) from:				
Federal sources	4030	-32	-38	-38
Federal sources (total)	4030-10	-32	-38	-38
Policy Program [Economy Act]	4030-41	-32	-38	-38
Baseline Program [Economy Act]	4030-71	0	-38	-39
Non-Federal sources	4033	-72	-42	-42
Non-Federal sources	4033	0	0	-48
Non-Federal sources	4033	0	0	-17
Non-Federal sources (total)	4033-10	-72	-42	-107
Policy Program - Computed Total	4033-20	-72	-42	-107
Policy Program [Mining Law, Comm Sites, APD Fees]	4033-41	-72	-42	-42
Baseline Program [Mining Law, Comm Sites, APD Fees]	4033-71		-42	-43
Policy Program [Inspection Fees]	4033-41	0	0	-48
Policy Program [Grazing Fees]	4033-41	0	0	-17
Offsets against gross budget authority and outlays (total)	4040	-104	-80	-145

Account Symbol and Title 14X1109				
Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
Additional offsets against gross budget authority only:				
Change in uncollected pymts, Fed sources, unexpired	4050	14	0	36
Change in uncollected customer payments (total)	4050-10	14	0	36
Policy Program - Computed Total	4050-20	14	0	36
Policy Program [Inspection Fees]	4050-41	0	0	48
Policy Program [Grazing Fees]	4050-41	0	0	17
Policy Program [Grazing Fees]	4050-71		0	0
Policy Program [Text]	4050-41	14	0	-29
Baseline Program [Text]	4050-71		0	0
Budget authority, net (discretionary)	4070	974	1,073	1,076
Outlays, net (discretionary)	4080	960	1,005	1,005
Budget authority, net (total)	4180	974	1,073	1,076
Outlays, net (total)	4190	960	1,005	1,005
Memorandum (non-add) entries:				
Unexpired unavailable balance, SOY: Offsetting collections	5090	4	4	4
Unexpired unavailable balance, EOY: Offsetting collections	5092	4	4	4
<b>INVESTMENT ACTIVITIES:</b>				
Conduct of research and development:				
Applied research:				
Direct Federal programs:				
Budget Authority	1422-01	21	21	21
Outlays	1422-02	16	16	16
Development:				
Direct Federal programs:				
Budget Authority	1432-01	-21	1	1
Outlays	1432-02	-16	1	1
<b>NON-INVESTMENT ACTIVITIES:</b>				
Direct Federal programs:				
Budget Authority	2004-01	974	1,051	1,054
Outlays	2004-02	960	988	988
<b>Object Classification</b>				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	355	355	355
Other than full-time permanent	11.3	16	16	16
Other personnel compensation	11.5	15	15	15
Total personnel compensation	11.9	386	386	386

Account Symbol and Title 14X1109				
Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
Civilian personnel benefits	12.1	137	137	137
Benefits for former personnel	13.0	0	1	1
Travel and transportation of persons	21.0	17	20	21
Transportation of things	22.0	4	5	5
Rental payments to GSA	23.1	22	24	25
Rental payments to others	23.2	32	34	35
Communications, utilities, and miscellaneous charges	23.3	21	24	24
Printing and reproduction	24.0	2	2	2
Advisory and assistance services	25.1	8	8	8
Other services from non-Federal sources	25.2	155	160	157
Other goods and services from Federal sources	25.3	56	60	60
Operation and maintenance of facilities	25.4	11	12	12
Operation and maintenance of equipment	25.7	20	22	22
Supplies and materials	26.0	22	23	23
Equipment	31.0	23	25	25
Land and structures	32.0	16	22	20
Grants, subsidies, and contributions	41.0	70	93	87
Insurance claims and indemnities	42.0	1	1	1
Subtotal, obligations, Direct obligations	99.0	1,003	1,059	1,051
Reimbursable obligations:				
Personnel compensation:				
Full-time permanent	11.1	48	48	50
Other than full-time permanent	11.3	2	2	3
Other personnel compensation	11.5	2	2	3
Total personnel compensation	11.9	52	52	56
Civilian personnel benefits	12.1	18	18	19
Travel and transportation of persons	21.0	2	1	3
Rental payments to others	23.2	3	1	3
Communications, utilities, and miscellaneous charges	23.3	2	1	3
Advisory and assistance services	25.1	1	0	1
Other services from non-Federal sources	25.2	11	8	15
Other goods and services from Federal sources	25.3	10	7	15
Operation and maintenance of equipment	25.7	2	1	2
Supplies and materials	26.0	1	0	2
Equipment	31.0	1	0	2
Land and structures	32.0	0	0	2
Grants, subsidies, and contributions	41.0	3	1	3
Subtotal, obligations, Reimbursable obligations	99.0	106	90	126
Total new obligations	99.9	1,109	1,149	1,177
<b>Employment Summary</b>				
Direct civilian full-time equivalent employment	1001	5,034	5,056	5,057
Reimbursable civilian full-time equivalent employment	2001	713	486	571

Account Symbol and Title				
14X1109				
Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
Allocation account civilian full-time equivalent employment	3001	2,235	2,262	2,262
<hr/>				
Budget year budgetary resources [014-1109]	1000			1,075,545

# Land Acquisition



# LAND ACQUISITION

## Appropriations Language

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, [~~\$38,630,000~~]**\$43,959,000**, to be derived from the Land and Water Conservation Fund and to remain available until expended. (*Department of the Interior, Environment and Related Agencies Appropriations Act, 2016*)

## Appropriations Language Citations

### **1. For expenses necessary to carry out sections 205, 206 and 318(d) of Public Law 94-579, including administrative expenses**

Section 205 authorizes the Secretary to acquire by purchase, exchange, donation, or eminent domain, public lands or interests. Eminent domain may only be invoked to secure access to public lands if the lands are confined to a narrow corridor and serve a purpose. This section does not expand or limit the Secretary's authority to acquire land by eminent domain within the boundaries of the National Forest System. Acquisitions must support the mission of the Department and have associated land-use plans.

Section 206 provides authority for the Secretary to dispose of a public tract of land by exchange if it serves the public interest well. The Secretary may accept title to any non-Federal land or interests in exchange for such land which he or she finds proper for transfer out of Federal ownership and which are located in the same State as the non-Federal land or interest to be acquired. For the purposes of this subsection, unsurveyed school sections which, upon survey by the Secretary, would become State lands, shall be considered as "non-Federal" lands. The value of the lands exchanged by the Secretary need to be equal, or if they are not equal, the values will be equalized by the payment of money to the grantor or to the Secretary concerned as the circumstances require.

Section 318 authorizes the Secretary to use the Land and Water Conservation Fund to acquire public lands as described in section 205.

### **2. including administrative expenses and acquisition of lands or waters, or interests therein, \$43,959,000,**

This language provides the Secretary with authority to use \$43,959,000 in appropriated funds to acquire lands or waters or pay administrative expenses to carry out the mission of the program.

### **3. to be derived from the Land and Water Conservation Fund**

The language specifies that funding appropriated for land acquisition activities would be derived from the Land and Water Conservation Fund (LWCF), which was enacted by Congress in 1965. The Act designated that a portion of receipts from offshore oil and gas leases be placed into a

fund annually for State and local conservation, as well as for the protection of our national treasures (parks, forest, and wildlife areas).

#### 4. and to remain available until expended.

The language makes the appropriations to the account available on a no-year basis. This type of account allows the BLM a valuable degree of flexibility needed to support multi-year land acquisitions, agreements and purchases.

### Appropriation Language Citations and Authorizations

<b><i>Federal Land Policy and Management Act of 1976 (FLPMA) (Pub. L. 94-579, Sec. 101 et seq.; 43 U.S.C. 1701 et seq.)</i></b>	Provides authority for acquisition (Pub. L. 94-579, Sec. 205, 206; 43 U.S.C., 1715, 1716) of lands or interests in lands by purchase, exchange, donation, or eminent domain, when it is consistent with the mission of the Department and with land use plans (Pub. L. 94-579, Sec. 205(b); 43 U.S.C., 1715(b)); in exercising this authority, appropriations from the Land and Water Conservation Fund may be used to purchase lands which are primarily of value for outdoor recreation purposes (Pub. L. 94-579, Sec. 318(d); 43 U.S.C., 1748(d)).
<b><i>Federal Land Transaction Facilitation Act of 2000 (FLTFA) (Public Law 106-248)</i></b>	Provided authority for the use of receipts from disposal actions by the BLM to purchase inholdings and lands adjacent to federally designated areas containing exceptional resources, as defined in FLTFA, from willing sellers with acceptable titles, at fair market value, to “promote consolidation of the ownership of public and private lands in a manner that would allow for better overall resource management administrative efficiency, or resource allocation.” The 2010 Supplemental Appropriations Act (P.L. 111-212) reauthorized FLTFA for one year, expiring in July 2011.
<b><i>Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 et seq.)</i></b>	Authorizes planning, acquisition, and development of needed land and water areas and facilities; in exercising this authority, appropriated funds from the LWCF may be used for such acquisition to assist in preserving, developing, and assuring accessibility for the benefit of present and future citizens.
<b><i>Wild and Scenic Rivers Act of 1968, as amended (16 U.S.C. 1271 et seq.)</i></b>	Authorizes the Secretary to exchange or dispose of suitable Federally-owned property for non-Federal property within the authorized boundaries of any federally-administered component of the National Wild and Scenic Rivers System, 1277(d). Similar exchange authority is contained in The National Trails System Act of 1968, as amended 16 U.S.C. 1241et seq.).
<b><i>Wilderness Act of 1964 (16 U.S.C. 1131 et seq.)</i></b>	Authorizes the Secretary to acquire privately owned property within the boundary of any area designated as a component of the National Wilderness Preservation System.

***National Trails System Act of 1968, as amended (16 U.S.C. 1241-1249)***

Authorizes the Secretary to acquire lands or interests in lands included in the right-of-way selected for a National Historic, National Recreation, or National Scenic Trail; by written cooperative agreement, donation, purchase (with donated or appropriated funds), or exchange.

***Other***

Other acts such as, the King Range National Conservation Area Act of 1970, as amended (16 U.S.C. 460y); San Pedro Riparian National Conservation Area Act, in Arizona (16 U.S.C. 460xx); Arkansas-Idaho Land Exchange Act of 1992 (P.L. 102-584); Utah School Lands Act (P.L. 103-93); Steens Mountain Cooperative Management and Protection Act of 2000 (16 U.S.C. 460nnn, P.L. 106-399; and California Desert Protection Act of 1994 (P.L. 103-433), authorize the Secretary to enter into acquisitions, including purchase, donation, land exchange.

Summary of Requirements  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	Transfers		2017 President's Budget		Requested Amount		Change from 2016	
	FTE	Amount	FTE	Amount		FTE	Amount	Program Change		FTE	Amount	FTE	Amount
								FTE	Amount				
Land Acquisitions	-	16,226	-	35,014	-	-	-	-	+5,287	-	40,301	-	+5,287
Emergency & Hardships	-	1,616	-	1,616	-	-	-	-	-	-	1,616	-	+0
Acquisition Management	12	1,904	12	2,000	+42	-	-	-	-	12	2,042	-	+42
<b>Total, Land Acquisition</b>	<b>12</b>	<b>19,746</b>	<b>12</b>	<b>38,630</b>	<b>+42</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>+5,287</b>	<b>12</b>	<b>43,959</b>	<b>-</b>	<b>+5,329</b>

**Justification of Fixed Costs and Internal Realignments**  
**Land Acquisition**

*(Dollars In Thousands)*

<b>Fixed Cost Changes and Projections</b>	<b>2016 Total or Change</b>	<b>2016 to 2017 Change</b>
Change in Number of Paid Days This column reflects changes in pay associated with the change in the number of paid days between the 2016 and 2017.	+22	-43
Pay Raise The change reflects the salary impact of the 1.6% programmed pay raise increases as provided in the June, 2015 Circular A-11.	+74	+85

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<b>Activity: Land Acquisition</b>
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		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Land Acquisitions	\$000	16,226	35,014	+0	+0	+5,287	40,301	+5,287
	FTE	0	0		+0	+0	0	+0
Emergency & Hardships	\$000	1,616	1,616	+0	+0	+0	1,616	+0
	FTE	0	0		+0	+0	0	+0
Acquisition Management	\$000	1,904	2,000	+42	+0	+0	2,042	+42
	FTE	12	12		+0	+0	12	+0
<b>Total, Land Acquisition</b>	<b>\$000</b>	<b>19,746</b>	<b>38,630</b>	<b>+42</b>	<b>+0</b>	<b>+5,287</b>	<b>43,959</b>	<b>+5,329</b>
	<b>FTE</b>	<b>12</b>	<b>12</b>		<b>+0</b>	<b>+0</b>	<b>12</b>	<b>+0</b>

The 2017 budget proposes to fund the Land Acquisition program with an appropriation from the Land and Water Conservation Fund at a total level of \$43,959,000 and 12 FTE, a program change of +\$5,287,000 from the 2016 enacted level.

### Activity Description

The BLM is authorized to acquire intermingled and adjacent non-Federal lands through purchase, exchange, and donation for specified public benefits. Consolidation of the public lands through land acquisition increases management efficiency in pursuing land management goals such as maintaining open space, providing opportunities for environmentally responsible recreation, preserving natural and cultural heritage resources, restoring at-risk botanical, fisheries and wildlife resources, and maintaining functioning ecosystems. The BLM's Land Acquisition program utilizes Land and Water Conservation Fund (LWCF) monies for Land Acquisition, Emergencies, Hardships, and Inholdings, and Acquisition Management.

In addition to acquiring land by purchase with LWCF appropriated funds, the BLM acquires land by exchange. When an exchange is proposed, every attempt is made to equalize values between the lands coming into Federal ownership and the lands leaving Federal ownership. In those instances where land values are not equal, the BLM attempts to equalize land values by decreasing or increasing the land leaving Federal ownership. In certain instances where values are not equal and there is no available land in Federal ownership to equalize values, a cash payment can be made to the exchange proponent. This cash payment, an equalization payment, cannot exceed 25 percent of the difference between the values of the lands coming into Federal ownership and the lands leaving Federal ownership.

<b>Major Components of BLM's Land Acquisition Program</b>				
(\$000)	2015 Enacted	2016 Enacted	2017	
			Discretionary	Mandatory
Land Acquisition - Core Projects	5,000	7,072	13,139	13,741
Land Acquisition - Collaborative Projects	9,226	19,942	19,162	28,577
<b>Total Land Acquisition Project Funding</b>	<b>\$14,226</b>	<b>\$27,014</b>	<b>\$32,301</b>	<b>\$42,318</b>
Sportsman/Recreational Access	2,000	8,000	8,000	0
Acquisition Management	1,904	2,000	2,042	1,000
Emergencies, Hardships, & Inholdings	1,616	1,616	1,616	1,500
<b>Total BLM Land Acquisition Funding</b>	<b>\$19,746</b>	<b>\$38,630</b>	<b>\$43,959</b>	<b>\$44,818</b>

<b>Activity: Land Acquisition</b>
<b>Subactivity: Land Acquisition</b>

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Land Acquisition	<i>\$000</i>	16,226	35,014	+0	+0	+5,287	40,301	+5,287
	<i>FTE</i>	0	0		+0	+0	0	+0

Summary of 2017 Program Changes/Internal Transfers for Land Acquisitions:	(\$000)	FTE
Line-item Projects	+5,287	+0
Total	+5,287	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Land Acquisition program is \$40,301,000, a program change of +\$5,287,000 from the 2016 enacted level.

**High Priority Projects (+\$5,287,000)** - In 2017, the BLM will acquire high priority acquisition projects in the core and collaborative landscape planning land acquisition programs. The 2017 core program is \$13.1 million and will fund nine of BLM's highest priorities. The collaborative landscape-planning component invests strategically in interagency landscape-scale conservation projects while continuing to meet bureau-specific programmatic needs. The Department of the Interior and the U.S. Forest Service (USFS) collaborated extensively to develop a process to more effectively coordinate land acquisitions with government and local community partners to achieve the highest priority shared conservation goals. The 2017 request includes a total of \$19.2 million for five collaborative landscapes consisting of 12 projects. Within this total, the BLM includes \$9.0 million for the High Divide landscape, \$3.0 million for the Rivers of the Chesapeake landscape, \$2.0 million for projects that are part of the National Trails System landscape, \$412,000 for the Florida-Georgia Longleaf pine landscape, and \$4.75 million for the Pathways to the Pacific landscape. The 2017 request also includes a total of \$8.0 million to benefit Sportsmen/Recreational access, level with the FY2016 enacted level.

### Legislative Change

**Mandatory Appropriation: Permanent Land Acquisition** – The Department of the Interior will submit a legislative proposal to permanently authorize annual funding, without further appropriation or fiscal year limitation for the Land and Water Conservation Fund (LWCF). Starting in 2018, \$900 million annually in permanent funds would be available. During the transition to full permanent funding in 2018, the budget proposes \$900 million in total LWCF funding in FY 2017, comprised of \$425 million in permanent and \$475 million discretionary funds. The amounts requested include the authorized levels for the Department of the Interior and the Department of Agriculture. In 2017, the proposal includes \$44.0 million in discretionary funding and \$44.8 million in permanent funding, for the BLM Land Acquisition program.

Land acquisition funds are also used to secure access for the American public to their Federal lands. Concurrent with the America's Great Outdoor initiative, these funds will invest in acquisitions to better meet recreation access needs by working with willing landowners to secure rights-of-way, easements or fee simple lands that provide access or consolidate Federal ownership so the public has unbroken spaces to recreate, hunt, and fish. BLM will focus \$8.0 million in discretionary funding towards projects to acquire access for sportsmen/recreation access.

### Program Overview

The Land Acquisitions Program promotes the conservation of natural landscapes and resources by consolidating public lands through purchase, exchange and donation to increase management efficiency and preserve areas of natural, cultural, and recreational importance. Acquisition projects occur within or adjacent to nationally-designated management units, including National Monuments, National Conservation Areas, Wilderness, National Wild and Scenic Rivers, National Scenic Trails, and National Historic Trails, as well as in BLM-designated Areas of Critical Environmental Concern and Special Recreation Management Areas. Land acquisition funding is also necessary to acquire small parcels of land or access easements through these lands to provide public access to landlocked BLM lands. The BLM estimates 23 million acres (or nine percent) of BLM-managed public lands lack public access or have inadequate public access, primarily due to checkerboard land ownership patterns. Securing and improving public access to these lands will serve various recreational activities, including hunting and fishing.

The BLM utilizes funding from other sources such as from the *Southern Nevada Public Land Management Act* and other land sale authorizations. The Budget includes a legislative proposal to reauthorize the Federal Land Transaction Facilitation Act (FLTFA) and allow lands identified as suitable for disposal in recent land use plans to be sold using FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally sensitive lands and the administrative costs associated with conducting sales, which would provide funding for land acquisition as well. These legal authorities are described in the Lands and Realty Management section of the Management of Lands and Resources chapter, and various land sale accounts are described in the Permanent Operation Funds chapter.

The national Collaborative Landscape Planning (CLP) priority projects contained in this document reflect the collaborative efforts between the Departments of Interior and Agriculture in specific focal areas. As part of the landscape program, Interior bureaus collaborated extensively with the USFS and with government and local community partners to plan projects to achieve the highest priority shared landscape-scale conservation goals. An interagency team of BLM, U.S. Fish and Wildlife Service, National Park Service, and USFS experts identified a number of ecosystems throughout the Nation where high priority shared conservation goals could be achieved based on existing locally-driven conservation efforts. The prospective projects were evaluated according to criteria that included:

- Process: ensure proposals are community-driven, collaborative, and cost-effective;
- Outcome: ensure proposals contribute to informed, science-based, important local landscape-scale outcomes, so that Federal resources strategically achieve land management objectives;

- Urgency: ensure funding decisions acknowledge where funds must be spent sooner rather than later to achieve outcomes or prevent harm, versus areas where outcomes could be achieved even if funding were postponed; and,
- Contribution to National/Regional priorities: ensure outcome goals contribute to regional and national priorities.

After analyzing the results of this process, bureau directors advised the Secretary on the development of the final CLP acquisitions to be incorporated in the integrated land acquisition lists.

**Mandatory Appropriation: Permanent Land Acquisition** - The Department of the Interior's FY 2017 budget request proposes a multi-year strategy leading to full and mandatory funding for the Land and Water Conservation Fund. Mandatory funding would help to fulfill the commitment of LWCF: a fair return of the profits from developing the Nation's offshore oil and gas resources to improve and increase the availability of outdoor opportunities for all Americans. The FY 2017 mandatory request through LWCF would provide an additional \$44.8 million for BLM land acquisition activities, for a total of \$88.7 million between discretionary funding and the mandatory proposal. The complete mandatory listing of proposed projects would cover the 21 BLM priorities, located in at least nine States.

The joint Interior-Agriculture National Selection Committee identified a number of ecosystems throughout the Nation where high priority shared conservation goals can be achieved based on existing locally-driven conservation efforts. Through the rigorous merit based evaluation process, seven ecosystems were selected for inclusion in the 2017 budget. The BLM is involved in four of those landscapes including the High Divide, Rivers of the Chesapeake, National Trails System, and Pathways to the Pacific.

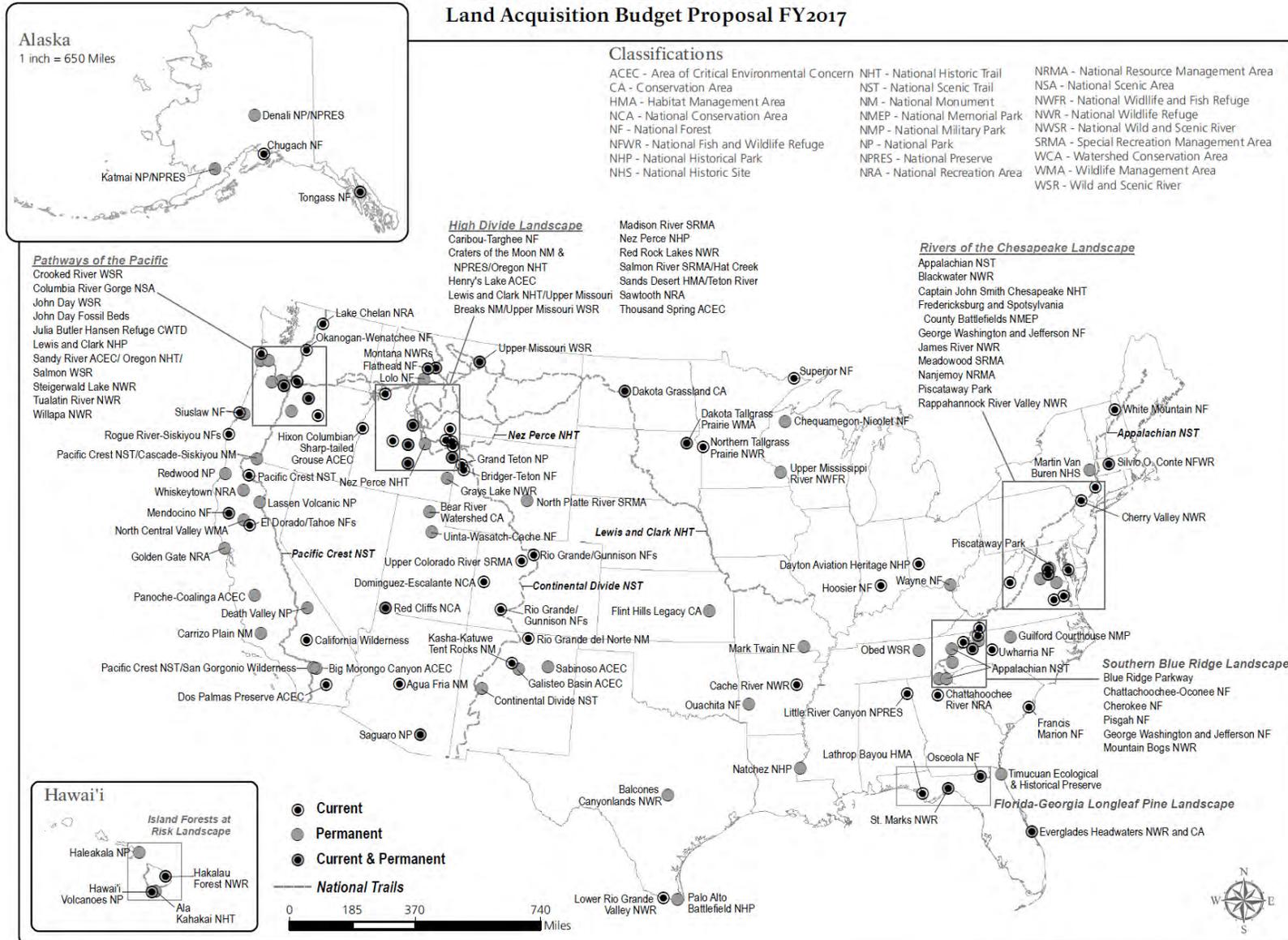
Investing now in these ecologically important but threatened landscapes will ensure that they remain resilient in the face of development pressures and global climate change. Smart investment in strategic conservation in these landscapes will prevent further ecosystem decline or collapse, which is expected to preclude the need for future investments in restoration.

### 2017 Program Performance

In 2017, the BLM has plans for 21 acquisition projects (nine core and 12 collaborative) in 11 States using discretionary funding. With mandatory funding, the BLM has plans for 21 acquisition projects (12 core and nine collaborative) in 8 States. These acquisitions will strengthen the BLM's efforts to preserve wildlife habitat and wilderness, conserve and protect cultural and historic resources, retain open space, and enhance public recreation opportunities in the western U.S. in perpetuity. The BLM will utilize innovative methods to acquire lands, including conservation easements, leveraged purchases, and the purchase of development rights where these methods meet management objectives and landowner needs. Planned acquisitions for 2017 are listed on the following page. The subsequent pages include maps of the acquisition projects and project descriptions.

The following lists of proposed land acquisition projects is the current set of land acquisition priorities that has been vetted and approved by the BLM and Departmental leadership to meet the high priority programmatic needs during fiscal year 2017.

### Land and Water Conservation Fund Land Acquisition Budget Proposal FY2017



Information on this map is provided for purposes of discussion and visualization only

This map depicts LWCF federal land acquisition only and does not include the dozens of projects funded through Forest Legacy, and other LWCF state grant programs.



## Bureau of Land Management Land and Water Conservation Fund 2017 National Project Priorities (Discretionary)





## Bureau of Land Management Land and Water Conservation Fund 2017 National Project Priorities (Mandatory)



Bureau of Land Management  
Land and Water Conservation Fund  
FY2017 National Project Discretionary Priorities

12 January 2016

Rank	State	Collaborative Landscape/Project Name or Core Project Name <sup>1</sup>	FY2017 President's Budget Request (Discretionary)
<b>High Divide</b>			
1	MT	Madison River Special Recreation Management Area	\$4,000,000
	ID	Henry's Lake Area of Critical Environmental Concern	\$50,000
	ID	Salmon River Special Recreation Management Area	\$700,000
	ID	Thousand Springs Area of Critical Environmental Concern	\$300,000
	ID	Craters of the Moon National Monument and Preserve/Oregon NHT	\$1,200,000
	ID	Sands Desert Habitat Management Area	\$2,750,000
			<b>High Divide Total</b>
2	NM	Rio Grande del Norte National Monument	\$1,250,000
3	CO	Dominguez-Escalante National Conservation Area	\$350,000
4	CO	Upper Colorado River Special Recreation Management Area	\$1,500,000
<b>Rivers of the Chesapeake</b>			
5	VA	Meadowood Special Recreation Management Area	\$1,400,000
	MD	Nanjemoy National Resource Management Area	\$1,600,000
		<b>Rivers of the Chesapeake Total</b>	<b>\$3,000,000</b>
6	AZ	Agua Fria National Monument	\$3,300,000
<b>National Trails System</b>			
7	MT	Lewis and Clark NHT/Upper Missouri River Breaks NM/Upper Missouri WSR	\$2,000,000
		<b>National Trails System Total</b>	<b>\$2,000,000</b>
8	CA	Dos Palmas Area of Critical Environmental Concern	\$650,000
9	NM	Kasha-Katuwe Tent Rocks National Monument	\$750,000
10	ID	Hixon Columbian Sharp-tailed Grouse ACEC	\$1,250,000
<b>Florida-Georgia Longleaf Pine</b>			
11	FL	Lathrop Bayou Habitat Management Area	\$412,000
		<b>Florida-Georgia Longleaf Pine Total</b>	<b>\$412,000</b>
<b>Pathways to the Pacific</b>			
12	OR	Salmon Wild and Scenic River	\$1,300,000
	OR	John Day Wild and Scenic River	\$3,450,000
		<b>Pathways to the Pacific Total</b>	<b>\$4,750,000</b>
13	CA	California Wilderness	\$2,389,000
14	UT	Red Cliffs National Conservation Area	\$1,700,000
		<b>Total Core Projects</b>	<b>\$13,139,000</b>
		<b>Total Collaborative Projects</b>	<b>\$19,162,000</b>
		<b>Total Line Item Projects</b>	<b>\$32,301,000</b>
		Sportsmen/Recreational Access	\$8,000,000
		Emergency/Inholding/Hardship	\$1,616,000
		Acquisition Management	\$2,042,000
		<b>TOTAL</b>	<b>\$43,959,000</b>

<sup>1</sup>Acronyms

ACEC = Area of Critical Environmental Concern

NM = National Monument NHT = National Historic Trail

SRMA = Special Recreation Management Area

WSR = Wild and Scenic River

Bureau of Land Management  
 Land and Water Conservation Fund  
 FY2017 National Project Mandatory Priorities

12 January 2016

Rank	State	Collaborative Landscape/Project Name or Core Project Name <sup>1</sup>	FY2017 President's Budget Request (Mandatory)
15		<b>High Divide</b>	
	ID	Craters of the Moon National Monument and Preserve/Oregon NHT	\$656,000
	ID	Salmon River Special Recreation Management Area	\$3,473,000
	ID	Thousand Springs Area of Critical Environmental Concern	\$180,000
	ID	Sands Desert Habitat Management Area/Teton River	\$1,000,000
		<b>High Divide Total</b>	<b>\$5,309,000</b>
16	UT	Red Cliffs NCA	\$5,000,000
17		<b>Rivers of the Chesapeake</b>	
	VA	Meadowood Special Recreation Management Area	\$2,800,000
	MD	Nanjemoy National Resource Management Area	\$1,668,000
		<b>Rivers of the Chesapeake Total</b>	<b>\$4,468,000</b>
18	CA	Panoche-Coalinga Area of Critical Environmental Concern	\$500,000
19	MT	Upper Missouri National Wild and Scenic River	\$475,000
20	CA	Carrizo Plain National Monument	\$350,000
21		<b>National Trails System</b>	
	ID	Nez Perce National Historic Trail	\$3,100,000
	OR	Pacific Crest NST/Cascade Siskiyou National Monument	\$1,500,000
	CA	Pacific Crest NST/San Geronio Wilderness	\$3,050,000
	NM	Continental Divide National Scenic Trail	\$2,300,000
		<b>National Trails System Total</b>	<b>\$9,950,000</b>
22	CA	Big Morongo Canyon Area of Critical Environmental Concern	\$800,000
23		<b>Pathways to the Pacific</b>	
	OR	Sandy River ACEC/Oregon NHT/Salmon WSR	\$1,700,000
	OR	John Day Wild and Scenic River	\$6,800,000
	OR	Crooked Wild and Scenic River	\$350,000
		<b>Pathways to the Pacific Total</b>	<b>\$8,850,000</b>
24	NM	Sabinoso Area of Critical Environmental Concern	\$2,300,000
25	NM	Galisteo Basin Area of Critical Environmental Concern	\$1,500,000
26	WY	North Platte River Special Recreation Management Area	\$2,816,000
		<b>Total Core Projects</b>	<b>\$13,741,000</b>
		<b>Total Collaborative Projects</b>	<b>\$28,577,000</b>
		<b>Total Line Item Projects</b>	<b>\$42,318,000</b>
		Sportsmen/Recreational Access	
		Emergency/Inholding/Hardship	\$1,500,000
		Acquisition Management	\$1,000,000
		<b>TOTAL</b>	<b>\$44,818,000</b>

<sup>1</sup>Acronyms

ACEC = Area of Critical Environmental Concern  
 NM = National Monument NHT = National Historic Trail  
 SRMA = Special Recreation Management Area  
 WSR = Wild and Scenic River

Project / Unit: Madison River Special Recreation Management Area

Priority: 1

Discretionary

Mandatory

State(s): MT

Congressional 1

District(s):

Location: Southwest Montana, 15 miles south of Ennis.

Proposed for FY 2017	
Acres	\$
1,895	\$4,000,000
Acquired to Date	
Remaining to be Acquired	

**Project Description:**

The parcel is within the Greater Yellowstone Ecosystem (GYE), the largest intact ecosystem in the lower 48 States. Within the GYE lies the legendary trout waters of the Madison River which originate in Yellowstone National Park and are the headwater tributary of the Missouri River. It is here that its true character is revealed and its reputation as a world-renowned Blue Ribbon/ Class 1 trout fishery harboring some of the largest rainbows and trophy browns. To the river's east, the Madison Range with its magnificent 10,000-foot peaks comprises the Lee Metcalf Wilderness; to the west are the vast timbered slopes of the Gravelly Range. The Madison Valley is a major migration corridor for big game and a host of migratory birds and is part of the Greater Yellowstone Ecosystem which resource managers consider one of the most intact ecologically functioning landscapes with abundant populations of elk, antelope and deer. A significant elk herd (~ 2,000 animals) traverses the valley seasonally, wintering at the adjoining MFWP, Wall Creek Wildlife Management Area. The valley provides core secure habitat for connectivity and dispersal, as wide-ranging grizzlies, wolverine and wolves expand their range outward from Greater Yellowstone.

The property adjoins BLM lands managed within the Madison River Special Recreation Management Area, as well as MFWP, State Trust Lands, and private lands under conservation easements, linking hundreds of thousands of protected acres. The property includes aquatic features such as 350 acres of wetlands, numerous ponds, and two miles of the Madison River. The river and ponds on the project provide foraging, nesting, and migration habitat for a variety of resident and migratory birds. Trumpeter Swans have been breeding on these ponds. Protecting the area from future development will aid in preserving this condition, maintaining critical wildlife connectivity and transitional habitat while increasing resiliency to the effects of climate change. Addition of the project lands will also greatly enhance access to the river expanding public recreational opportunities.

**Purpose / Need:**

Conserve and enhance crucial habitat for species restoration, emphasizing open space and critical wildlife connectivity. Secure scenic, wildlife/plant resources, and enhance recreational opportunities.

**Cooperator(s):** Montana Fish, Wildlife & Parks (MWFP) supports this acquisition as it is consistent with their goals and the property lies adjacent to the Wall Creek Wildlife Management Area (WMA). The BLM is working with the RMEF to determine additional opportunities for partnerships.

Estimated O&M Savings: Start-up: \$0 Annual: \$1,000

Estimated O&M Costs: Start-up: \$5,000 Annual: \$2,000

**Describe O&M:** O&M annual savings of shared recreation facilities maintenance. O&M start-up costs of interpretive signs and gates; annual costs of weed control and road maintenance.

**Project / Unit:** Henrys Lake Area of Critical Environmental Concern

Priority: 1

Discretionary

Mandatory

**State(s):**     ID    

**Congressional District(s):**     2    

**Location:** Southeast Idaho, 14 miles west of Yellowstone National Park.

Proposed for FY 2017	
Acres	\$
42	\$50,000
Acquired to Date	
6,412	\$8,993,452
Remaining to be Acquired	
5,000	\$6,000,000

**Project Description:**

This project encompasses the Henrys Lake/Upper Snake area of the High Divide Collaborative LWCF Proposal. On the western doorstep of Yellowstone National Park and surrounded by the Continental Divide, the 35,875-acre Henrys Lake Area of Critical Environmental Concern's exceptional aesthetic and wildlife values have been an attraction to generations of Americans who have fished, hiked, hunted, skied and snowmobiled here. The area offers high quality open space, rangeland, streams, wetlands, and wildlife and fish resources to the approximately 3,000,000 annual visitors who pass through the project area. Large carnivores such as grizzly bears and wolverines, antelope, elk, moose, and mule deer utilize the region for summer/winter range and as a migratory corridor connecting summer range in Yellowstone National Park with winter range in Idaho and Montana.

The vast wet meadows support large concentration of long billed curlews and sandhill cranes. The world-renowned Henrys Lake fishery is the last stronghold in the Henrys Fork basin for the Yellowstone cutthroat trout. White spruce/aspen forested wetlands on the east and north shores of the lake are globally rare and found nowhere else in the continental United States. Chief Joseph led his Nez Perce tribe through the basin on his failed flight to Canada, their journey now evidenced by the Nez Perce National Historic Trail. The Continental Divide National Scenic Trail rings the project area to the west and north.

Working ranches in the area provide valuable summer range for cattle operations based throughout Idaho, contributing an important economic base for ranching families. Diverse recreation, attracted to the basin's natural open space, provides a critical economic base to the local communities. To compensate for agricultural revenue shortfalls and to meet estate tax commitments, an increasing amount of these productive lands are being lost to second home and resort development, sacrificing the natural amenities of open space and wildlife, which originally attracted recreational development. This landscape is literally being "loved to death".

**Purpose / Need:**

Further a conservation easement purchase program to conserve working ranch land, open spaces, rare wetlands, and wildlife habitat for recreation. This funding provides an excellent opportunity to protect a working ranch property for residential summer home development by providing a economic incentive to keep the property intact.

**Cooperator(s):** The Nature Conservancy, The Conservation Fund, Teton Regional Land Trust, Idaho Department of Fish & Game, Caribou-Targhee National Forest, Henrys Fork Legacy Project, Greater Yellowstone Coalition, Henrys Fork Foundation, Heart of the Rockies Initiative.

Estimated O&M Savings:           Start-up: \$5,000                   Annual: \$400

Estimated O&M Costs:            Start-up:                            Annual: \$100

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by not purchasing a property in fee. Start up costs would be signing conserved properties and annual conservation easement stewardship.

Project / Unit: **Salmon River Special Recreation Management Area**

Priority: 1

Discretionary

Mandatory

State(s):     ID    

Congressional District(s):     2    

Location:     Central Idaho near the cities of Salmon and Challis.    

Proposed for FY 2017	
Acres	\$
236	\$700,000
Acquired to Date	
14,257	\$19,444,718
Remaining to be Acquired	
800	\$1,000,000

**Project Description:**

This project encompasses the Upper Salmon River area of the High Divide Collaborative LWCF Proposal. The Salmon River, known as the "River of No Return," provides valuable habitat for many fish and wildlife species. Species listed under the ESA relying on this habitat include Snake River Chinook salmon, sockeye salmon, steelhead, and bull trout. The Lewis and Clark National Historic Trail, Continental Divide National Scenic Trail, and Nez Perce (Nee-Me-Poo) National Historic Trail corridors are all included within the project area. Significant prehistoric and historic cultural resources and traditional cultural places are known and documented within project area and they could be evaluated and protected. Recreational values include white-water rafting, fishing, hunting, camping, hiking, and sight-seeing.

Acquisition of land through conservation easements/fee purchase would protect the riparian and river habitat from impending private development and keep working ranches open spaces and thereby continuing contributions to the local rural economy. Additionally conservation of these key private properties ensure outstanding scenic vistas, wildlife and fish migration corridor connectivity, and open space, connectivity, and interpretation of National Scenic and Historic Trails.

These acquisitions will directly protect headwater fisheries and wetlands; protect an important wildlife habitat and corridors from development; as well as prevent development within Designated Critical Habitat for chinook and sockeye salmon, steelhead trout and bull trout along the Salmon River SRMA. Parcels sit at a critical migration bottleneck for elk moving from Montana to the southwestern faces of Idaho's Salmon River to winter and serve as transition range for migrating animals. Protection of these properties in the form of conservation easements will prevent further subdivision of this habitat and will protect the current habitat values of the properties. Other properties are immediately upstream of properties acquired in a prior LWCF submission as well as a BLM river access site, and stop on the Idaho Birding Trail, which provides access to waterfowl hunters, fishermen and birdwatchers.

**Purpose / Need:**

Promote open space. Enhance significant scenic vistas, recreational opportunities, and public access. Ensure connectivity and quality of critical wildlife, fish and National Trail resources. Protecting historic ranching operations and local rural economy. Multiple landowners who prefer a conservation option for their properties rather than face potential subdivision. A mixture fee title and conservation easements have been offered.

**Cooperator(s):** Lemhi Regional Land Trust, The Nature Conservancy, Idaho Department of Fish and Game, local County support, State of Idaho, local Trails Committee, Salmon Valley Stewardship, Upper Salmon Working Group, Central Idaho Rangeland Committee

Estimated O&M Savings:           Start-up: \$50,000                   Annual: \$1,000

Estimated O&M Costs:            Start-up: \$9,000                    Annual: \$700

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by not purchasing properties in fee. Start up costs are constructing parking areas & interpretive kiosks for fee properties. Annual costs are for conservation easement stewardship.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Thousand Springs Area of Critical Environmental Concern

Priority: 1

Discretionary

Mandatory

State(s): ID

Congressional District(s): 2

Location: Central Idaho, 25 miles northwest of Mackay; 115 miles northwest of Idaho Falls.

Proposed for FY 2017	
Acres	\$
200	\$300,000
Acquired to Date	
1,946	\$17,356,000
Remaining to be Acquired	
1,100	\$1,500,000

**Project Description:**

The project is the Thousand Springs ACEC/Chilly Slough area of the High Divide LWCF Collaborative Proposal. It is one of the few remaining examples of natural, high desert, spring-fed wetlands. Winter snows melt, gather along a range-front fault and feed thousands of springs to this area. It is the largest wetland in east-central Idaho and is managed jointly by the BLM and the Idaho Fish and Game. Acquisition of the private parcels are crucial because it encompasses the headwaters of the Thousand Springs/Chilly Slough wetlands. Land administered by BLM within the Thousand Springs/Chilly Slough wetlands is designated an ACEC and is valued for its diversity of wildlife that use it. The Zollinger parcel falls within the boundary delineated in the BLM Thousand Springs/Chilly Slough Habitat Management Plan. Acquisition will assure protection of this wildlife migration corridor and year-round habitat. Currently, the Chilly Slough Wetland Conservation Area protects almost 2,000 acres (BLM has acquired 1,028 acres and IDFG has acquired 918 acres) in public ownership. The 1999 BLM Resource Management Plan for this area allows for the creation of a wetlands management area of approximately 4,400 acres.

One hundred and seventy three wildlife species are known to use Thousand Springs/Chilly Slough wetlands with 113 of those being birds. These wetlands hold a high importance for migratory birds for a refueling spot during their annual migration. The riparian edge and adjacent sage-brush steppe habitat have shown to be important to sage-grouse throughout the year. Numerous historic and prehistoric archeological sites are present in and around the wetlands, and it is highly probable that other prehistoric and historic sites are located within these parcels; one prehistoric site is already known to exist on these private lands proposed for purchase. The Shoshone-Bannock Tribes have expressed interest in using this area for the practice of treaty-reserved rights. Recreational opportunities would include bird watching, hiking, fishing, canoeing, and historical education. Acquisition of this land through fee purchase would help to provide additional access to the wetlands, as well as, provide connectivity between publicly managed lands for wildlife conservation.

**Purpose / Need:**

Conservation and enhancement of one of Idaho's significant wildlife corridors and habitat areas lying at the base of the state's highest mountain range. Crucial wetland (Chilly Slough Wetland Conservation Area) adjacent to priority sagebrush steppe habitat. Private property within the area is for sale and has been subdivided threatening migratory birds, sensitive species habitat including year-round sage-grouse use, visual resources, cultural sites, and recreation.

**Cooperator(s):** Lemhi Regional Land Trust, The Conservation Fund, Idaho Department of Fish and Game (IDFG), The Nature Conservancy, Ducks Unlimited, Rocky Mountain Elk Foundation, Idaho State Historic Preservation Office, Heart of the Rockies Initiative.

Estimated O&M Savings: Start-up: \$4,000 Annual: \$500

Estimated O&M Costs: Start-up: \$7,000 Annual: \$1,000

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by eliminating the source of livestock trespass. Start up costs are constructing a parking area for interpretive kiosks. Annual costs are for conservation easement stewardship.

**Project / Unit:** Craters of the Moon National Monument and Preserve

Priority: 1

Discretionary

Mandatory

**State(s):** ID

**Congressional District(s):** 2

**Location:** Central Idaho, lands adjacent to Craters of the Moon National Monument and Preserve. Approximately 86 miles west of Idaho Falls and 170 miles east of Boise.

Proposed for FY 2017	
Acres	\$
4,669	\$1,200,000
Acquired to Date	
72,529	\$42,330,200
Remaining to be Acquired	
2,220	\$2,485,000

**Project Description:**

Craters of the Moon National Monument and Preserve (CRMO) protects 750,100 acres of National Park Service and BLM land in South Central Idaho and the southwestern corner of the High Divide Conservation Collaborative. CRMO is a member of the Pioneers Alliance, a coalition of ranchers, farmers, local residents, conservationists, agency officials and elected officials working together to accomplish common goals in Blaine and Butte counties. Conservation easements have been negotiated in both counties to protect the open spaces; the abundant wildlife; the access to the mountains, foothills, and desert; the agricultural way of life, and the small communities – and to build an economically, environmentally and socially sustainable future.

The Pioneers Foothills encompasses intact shrub habitat and provides a migration corridor between the Pioneer Mountains, Sawtooth National Forest and CRMO. Pronghorn antelope migrate seasonally through the north end of CRMO from the Pioneer Mountains to the Birch Creek area approximately 100 miles each way. The project area is core habitat for greater sage-grouse. Over 40 greater sage-grouse leks have been monitored in the CRMO. A portion of the Oregon National Historic Trial (i.e., Jeffrey Goodale Cutoff) is also within the project area. The Goodale's Cutoff of the Oregon Trail is a 230-mile spur headed north from Fort Hall toward Big Southern Butte, and then through the northern part of Craters of the Moon National Monument.

The target properties are located in Blaine County near the community of Carey, Idaho, and have tremendous potential for rural residential development. In the last decade, many farms and ranches in the vicinity have been subdivided and developed. Recreation use within the areas is in high demand due to the magnitude of proposed development of the surrounding areas; thus changing and/or increasing the demand, type and intensity of recreational use. CRMO attracted 198,545 visitors during calendar year 2011, with visitors spending an estimated \$6,821,000, resulting in 81 jobs and a \$2,940,000 value added to local communities.

**Purpose / Need:**

We are working with Willing ranchers and farmers have chosen to pursue a conservation alternative for their property rather than development. This is an opportunity to fund conservation easements that would conserve significant big game migration corridors and crucial winter range, key year round sage-grouse core habitat, tremendous hunting opportunities, archaeological and geologic resources.

**Cooperator(s):** The Nature Conservancy, Pioneer Alliance, Idaho Department of Fish and Game, National Park Service, Natural Resources Conservation Service, Central Idaho Rangeland Committee, Heart of the Rockies Initiative

Estimated O&M Savings: Start-up: \$25,000 Annual: \$18,000

Estimated O&M Costs: Start-up: \$1,000 Annual: \$1,000

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by not purchasing properties in fee. Start up costs would be signing conserved properties and annual conservation easement stewardship.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Sands Desert Habitat Management Area

Priority: 1

Discretionary

Mandatory

State(s): ID

Congressional District(s): 2

Location: Southeast Idaho. North and west of St. Anthony. Teton River east of St. Anthony.

Proposed for FY 2017	
Acres	\$
3,672	\$2,750,000
Acquired to Date	
25,771	\$20,040,247
Remaining to be Acquired	
7,000	\$7,000,000

**Project Description:**

The Sands Desert Habitat Management Area and Teton River Wildlife Corridor encompass some of the best remaining sagebrush steppe habitat, riparian, and fish habitat in the state of Idaho. This high quality habitat supports healthy populations of two species of national importance: the greater sage-grouse (core habitat) and the Columbian sharp-tailed grouse. For Idahoans though, it is best known for its large mammal populations; more than 4,000 elk, 3,000 mule deer and 400 moose winter on the Sands and Teton River public rangelands, the IDFG's 35,000 acre Sand Creek Wildlife Management Area (WMA), and the adjacent private property. Much of the wildlife that people attribute to Yellowstone National Park and the surrounding National Forest lands, leave those public lands in the winter to find refuge from heavy snows at lower elevations. On the west side of Yellowstone the best winter refuge on the Sands Desert and Teton River Corridor. While IDFG's WMA is not small, the lands that have been cobbled together to date are somewhat disconnected and do not encompass some of the best habitat. The value of this habitat was recognized by in the Idaho Fish and Game Comprehensive Wildlife Conservation Strategy, but few opportunities have come about to match willing land-owners with funds for habitat conservation.

These substantial fish and game resources also support outstanding hunting and fishing opportunities for both Idahoans and nonresidents. A high profile OHV program on the St. Anthony Sand Dunes which also supports the local rural economies. Additionally the Shoshone-Bannock Tribes rely heavily on the areas to continue their aboriginal hunting and gathering Treaty rights.

Through a rigorous prioritization process, the HFLP identified a dozen private parcels near the Sand Creek WMA and Teton River that would dramatically improve the protection offered by the WMA as well as existing conserved private properties and would permanently protect migration corridors land connectivity habitat. If successful, this funding would ensure the persistence of the large mammals that need the WMA and Teton River in the winter and two grouse species which can be found there year-round.

**Purpose / Need:**

A part of the High Divide LWCF Collaborative. The proposal is a mix of fee and conservation easement opportunities. Conserve significant big game migration corridors and crucial winter range, priority year round sage and sharp-tail grouse habitat, tremendous hunting opportunities, and archaeological resources. Multiple willing land owners are seeking a conservation alternative for their properties to keep them as working ranches or secure in public ownership to ensure they will always make a significant wildlife contribution.

**Cooperator(s):** Teton Regional Land Trust, The Conservation Fund, Rocky Mt. Elk Foundation, Idaho Fish and Game (IDFG), Henrys Fork Legacy Project (HFLP), Mule Deer Foundation, Doris Duke Charitable Foundation, Natural Resource Conservation Service, Caribou-Targhee National Forest, Heart of the Rockies Initiative

Estimated O&M Savings: Start-up: \$30,000 Annual: \$4,500

Estimated O&M Costs: Start-up: \$5,000 Annual: \$1,000

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by not purchasing properties in fee. Start up costs are constructing a parking areas & interpretive kiosks for fee properties. Annual costs are for conservation easement stewardship.

Project / Unit: Rio Grande del Norte National Monument

Priority: 2

Discretionary

Mandatory

State(s): NM

Congressional 3  
District(s):

Location: Northern New Mexico within the Rio Grande del Norte National Monument

Proposed for FY 2017	
Acres	\$
1,186	\$1,250,000
Acquired to Date	
33,339	\$28,412,800
Remaining to be Acquired	

**Project Description:**

On March 25, 2013 President Obama designated approximately 242,555 acres as the Rio Grande del Norte National Monument. Private inholdings within the Monument are vulnerable to increasing residential and "off grid" developments. Acquisition of three inholding parcels would enhance BLM's ability to protect fragile cultural, biological and scenic resources within the Monument, which contains the Taos Plateau ACEC and Wild and Scenic Rio Grande Corridor. This would secure and increase traditional and recreational access, and prevent fragmentation of a vital interstate wildlife migration corridor and critical winter range. Cultural significance of the area dates back 14,000 years to the Pleistocene era, when native hunters first followed the massive migrating herds of Mammuthus primigenius (wooley mammoth) and Bison antiquus (mega bison) into the region. The Plateau is rife with remains of the earliest known human cultures in the hemisphere with petroglyphs, tipi rings, wickiup structures, arrow heads, and pottery shards scattered across the landscape. Continuing archaeological investigation has documented over 500 recorded sites. Several Native American tribes and descendants of Hispanic settlers continue to traditionally use these lands as important areas for hunting, native plant, pinon nut, and fire-wood gathering, and grazing. Hunting, camping, wildlife viewing, fishing and renowned whitewater rafting contribute much-needed economic revenue to nearby rural communities. Access to the interior of the Monument and preservation of the rugged, wide-open landscape and vistas would be preserved through these acquisitions. Acquisition would also protect habitat for species of Greatest Conservation Need listed in the Comprehensive Wildlife Conservation Strategy for NM; Gunnison's Prairie dog, loggerhead shrike and burrowing owl, all BLM sensitive species. The New Mexico DGF identified the Taos Plateau as the most important winter range habitat for elk populations moving between CO and NM and best suited habitat for mule deer relocation projects. Up to 10,000 elk winter on the plateau each year. Mule deer, pronghorn, and wild sheep also depend on key habitat resources classified for protection in the NM Comprehensive Wildlife Conservation Strategy (sagebrush shrubland, mixed conifer forest/ woodland, and wet meadow).

**Purpose / Need:**

Acquire private inholdings within the Monument, preserve traditional uses, secure connectivity to the Rio Grande Wild & Scenic Corridor, preserve avian and wildlife habitat, protect prehistoric human habitation sites, and improve recreation & tourism.

**Cooperator(s):** NM Department of Game and Fish (DGF), Rio Grande del Norte Coalition, NM Wilderness Alliance, NM Wildlife Federation, The Wilderness Society, Trout Unlimited, Mule Deer Foundation, and Backcountry Hunters & Anglers.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$10,000 Annual: \$5,000

**Describe O&M:** The anticipated one-time O&M investment associated with this project is construct or remove approximately 3 miles of fencing, hold a dedication event with Trust for Public Land and other cooperators, install signage associated with the National Monument, and update maps and brochures. The estimated costs for the one-time O&M investment would be between \$5,000 and \$10,000. The ongoing O&M costs associated with this project would be maintaining infrastructure (e.g. roads, fences, gates, cultural structure, etc.), restoring resources and monitoring. External O&M contributions associated with the project would include but not limited to wildlife habitat restoration, natural and cultural resource inventories, maintenance of natural resources, and monitoring. These contributions would be funded by cost share, grants and stewardships programs through our partnerships with Federal, state, local governments, interest groups and non-profit organizations.

Project / Unit: Dominguez-Escalante National Conservation Area

Priority: 3

Discretionary

Mandatory

State(s): CO

Congressional 3  
District(s):

Location: West Central Colorado, approximately 8 miles south of Grand Junction.

Proposed for FY 2017	
Acres	\$
150	\$350,000
Acquired to Date	
985	\$3,901,500
Remaining to be Acquired	

**Project Description:**

The 150-acre Hallock Homestead property stretches along approximately 1 mile of an alluvial bench along the Gunnison River. This acquisition would provide an important link for a recreational trail along the Gunnison River from Whitewater to Delta. It would also ensure continued protection of the recreation setting for boaters along a 24-mile stretch of the Gunnison River. Currently, boaters enjoy outings in a largely undeveloped landscape. This undeveloped recreation setting is essential for the quality-of-life enhancing experiences that visitors seek when visiting the river corridor.

This section of the Gunnison River is listed as critical habitat for two federally endangered fish species, the Colorado Pikeminnow and Razorback Sucker, and contains known occupied habitat for the threatened Colorado Hookless Cactus as well as other riparian, scenic, and recreation values. Western Rivers Conservancy pre-purchased the property in 2013 for later sale to the BLM. The Mesa Land Trust holds a conservation easement on the property that allows for the development of two residential building sites. Acquisition of the property would include a simultaneous assignment of the conservation easement to the BLM, protecting the area from residential development by extinguishing the two reserved building sites. Development of the inholding property would be incompatible with management objectives of adjacent NCA lands.

The 210,000-acre Dominguez-Escalante NCA, including a 66,000-acre wilderness area, was established to protect its geological, cultural, paleontological, wilderness, recreation, wildlife, riparian, and scenic values. Spectacular red rock canyons and cliffs covered in pinion juniper forests hold geological and paleontological resources spanning 600 million years, as well as many cultural and historic sites. The Escalante, Cottonwood, Little- and Big Dominguez Creeks drain the eastern Uncompahgre Plateau to the nearly 30 miles of the Gunnison River that flow through the NCA. The Gunnison River is designated critical habitat for two endangered fish species. Threatened plant species, and rare and diverse wildlife call the area home, including desert bighorn sheep, mule deer, golden eagle, mountain lion, black bear, and elk. The area is bounded by the BLM Bangs Canyon Special Recreation Management Area and the Uncompahgre National Forest, and encompasses and adjoins the Escalante State Wildlife Area.

**Purpose / Need:**

Acquire critical inholding for endangered fish habitat preservation, riparian and scenic resource protection, and recreational opportunity enhancement.

**Cooperator(s):** U.S. Fish and Wildlife Service, Colorado Parks and Wildlife, Colorado Environmental Coalition, American Rivers, Audubon Society, Colorado River Outfitters Association, Trout Unlimited.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** Start-up O&M costs would include removal of an old cabin and cleanup/removal of trash and debris. Ongoing periodic O&M costs would involve treatment of noxious weeds and associated resource restoration.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Upper Colorado River SRMA

Priority: 4

Discretionary

Mandatory

State(s): CO

Congressional 2  
District(s):

Location: Colorado River Corridor from State Bridge to Dotsero Landing

Proposed for FY 2017	
Acres	\$
36	\$1,500,000
Acquired to Date	
512	\$228,900
Remaining to be Acquired	

**Project Description:**

This project proposes to acquire 3 properties from The Conservation Fund that were previously purchased and improved by Eagle County to prevent private development and secure future public access, while preserving the BLM's acquisition opportunity. The 3 inholding sites complement 9 existing BLM recreation sites within the SRMA by establishing strategic public access points in previously inaccessible and underused portions of the Upper Colorado River. State Bridge is a take-out location that has long been a BLM priority; Two Bridges adds a functionally important put-in/take-out site on the 10 mile stretch between State Bridge and BLM's Catamount site; Dotsero Landing provides river access at Interstate 70 where the Eagle and Colorado Rivers join. Acquisition of these parcels would allow BLM to more effectively manage and enhance public access and recreational assets in the corridor, and to more evenly distribute public use along the river (historically 90% of use concentrated on the upper 40 miles of river, while only 10% use from Two Bridges to Dotsero.)

The Colorado River SRMA encompasses 85 miles of river stretching from above Kremmling in Grand County to below Dotsero at I-70 in Eagle County. The SRMA has retained its natural and historic attributes, including red rock cliffs, soaring geologic formations, free-flowing water, and historic ranches. The SRMA connects critical wildlife movement corridors between the Flat Tops Wilderness Area and Bull Gulch Wilderness Study Area, and provides habitat for bighorn sheep, Colorado River cutthroat trout, Roundtail chub, bald eagle and peregrine falcon. The Upper Colorado River, including the SRMA, is one of 25 Priority Landscapes identified for protection by the Colorado Conservation Partnership.

The SRMA is located less than three hours from the Denver metropolitan area and less than two hours from Grand Junction. The proximity of the SRMA to Interstate 70 and the Colorado River Headwaters National Scenic and Historic Byway makes it an increasingly popular destination for over 65,000 visitors annually, including anglers, rafters, kayakers, paddle boarders and campers eager to experience significant scenic, recreation, cultural, and wildlife resources. The river offers a variety of experiences from advanced whitewater in Gore Canyon to family friendly floating, and is used regularly by school groups, outdoor education groups, and organizations serving the disabled.

**Purpose / Need:**

Acquire three critical river access points within the Colorado River SRMA to enhance opportunities and options for local and visiting recreationists to experience the area's varied, unique and significant scenic, cultural, and wildlife/plant resources.

**Cooperator(s):** CO Parks & Wildlife, Great Outdoors Colorado, Eagle County, Eagle Valley Land Trust, Eagle River Watershed Council, Town of Gypsum, CO River Headwaters Scenic & Historic Byway, CO River Outfitters Assoc., American Rivers, Ducks Unlimited, Trout Unlimited, CO Conservation Partnership

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$10,000 Annual: \$25,000

**Describe O&M:** Annual maintenance costs would include routine upkeep of these facilities, as well as staff and law enforcement patrols of the property and facilities.

**Project / Unit:** Meadowood Special Recreation Management Area

Priority: 5

Discretionary

Mandatory

**State(s):** VA

**Congressional 8 District(s):**

**Location:** Northern Virginia, approximately 20 miles southwest of Washington D.C.

Proposed for FY 2017	
Acres	\$
10	\$1,400,000
Acquired to Date	
802	\$41,000,000
Remaining to be Acquired	
22	\$2,000,000

**Project Description:**

Established by An Act of Congress in 2001 and managed by the BLM, Eastern States Office, the 802 acre Meadowood SRMA is a key component of the parks, refuges, and other preserves on the Mason Neck Peninsula that have been protected from encroaching urban development radiating south from the metropolitan Washington, D.C. area. The landscape is a mosaic of gently sloping open meadows, mature hardwood forests, freshwater ponds, creeks, streams, and riparian wetlands.

Two national trail segments pass through the Meadowood SRMA, the Potomac Heritage National Scenic Trail and the Washington-Rochambeau Revolutionary Route National Historic Trail. These national trail segments help make up Meadowood's 15-mile, multiple-use trail system which provides opportunities for hiking, running, mountain biking, and horseback riding. One universally accessible trail is incorporated within the trail system. The proposed acquisition would permit BLM to significantly expand and enhance the existing trail system. Additional day-use dispersed recreational activities at Meadowood include wildlife viewing, fishing, seasonal hunting, nature photography, geocaching, environmental education, and interpretation. The SRMA attracts over 22,000 annual recreational visitors and reaches over 700 area youth through a variety of educational and recreational programs, including Hands on the Land and Take it Outside.

The diverse Meadowood habitat supports a great variety of wildlife, including white-tailed deer, red fox, coyote, beaver, raccoons, hawks, eagles, reptiles, and amphibians. Home to 30 species of migratory songbirds, the SRMA lies within the National Audubon Society's Lower Potomac River Important Bird Area. Meadowood contains some of the best mature hardwood forest on the Mason Neck peninsula as well as less mature woodlands. Woody plants common to the woodlands, forest and forest edges at Meadowood include red and white oak, beech, sweet gum, Virginia pine, persimmon and paw paws. The trails at Meadowood pass through a wide variety of terrain and vegetation types, providing visitors with constantly changing seasonal experiences.

**Purpose / Need:**

Enhance public access to an extensive recreational trail network and strengthen aquatic and terrestrial habitat connectivity to and from Meadowood Special Recreation Area (SRMA) from neighboring conserved lands.

**Cooperator(s):** U.S. Fish and Wildlife Service, NPS, Virginia Department of Conservation and Recreation, Northern Virginia Regional Park Authority, Fairfax County Department of Parks and Recreation, Chesapeake Conservancy, Audubon Society, Gunston Hall, Hands on the Land, Gunston Elementary School

Estimated O&M Savings: Start-up: \$0 Annual: \$30,000

Estimated O&M Costs: Start-up: \$100,000 Annual: \$15,000

**Describe O&M:** Acquisition of land that will expand the trail system with a facility that can be used for Student Conservation Association intern housing, Law Enforcement, and an Educational Center will result in O&M savings by offsetting the number of seasonal employees hired with summer interns and the need for expanding the Educational Center and providing Law Enforcement facilities. Additional saving will result from eliminating boundary issues by acquiring an in-holding. O & M costs will include the cost of expanding the trail system and participating in the development of a bike path along the historic northeast boundary of the SRMA with local partners.

Project / Unit: Nanjemoy National Resource Management Area

Priority: 5

Discretionary

Mandatory

State(s): MD

Congressional 5

District(s):

Location: Southern Maryland, approximately 45 miles south of Washington, D.C.

Proposed for FY 2017	
Acres	\$
172	\$1,600,000
Acquired to Date	
1,945	\$9,613,216
Remaining to be Acquired	
4,543	\$55,651,000

**Project Description:**

Situated only one hour from Washington, D.C. on the tidal, lower Potomac River, the Nanjemoy Peninsula is one of the most ecologically and culturally significant landscapes remaining in the State of Maryland. Migratory waterfowl and wading birds find shelter and abound along ten miles of undisturbed shoreline, and an extensive network of wetlands and forest harbor some of Maryland's finest examples of rare and engendered plants and animals. Nanjemoy's outstanding natural attributes are equally matched by its archaeological resources and history - early native American sites in the region offer a rare insight into indigenous cultures prior to European settlement, the site of a 25,000-troop Civil War encampment and dozens of World War 1-era sunken ships remains in Mallovs Bay. Two water-based national trails on the Potomac River pass to the east of Nanjemoy NRMA, the Captain John Smith Chesapeake National Historical Trail and the Star-Spangled Banner national historic Trail. A two mil-mile segment of the Potomac Heritage National Scenic Trail loops through the area. Limiting development within the Nanjemoy NRMA will preserve the historic Potomac River viewshed associated with these trails.

The State of Maryland manages several conservation areas within the Nanjemoy Peninsula, including Nanjemoy NRMA, Myrtle Grove Wildlife Management Area, Doncaster State Forest and Purse State Park. The BLM contributes to the Nanjemoy NRMA landscape through two "anchors", Douglas Point SRMA and Maryland Point.

In September 2005, the State of Maryland DNR and the BLM approved a long-term land management plan for the Nanjemoy NRMA that provides guidance for the sustainable protection, use, and future conservation of additional lands. The BLM and Maryland DNR are working together to establish habitat linkages between these conserved areas and the Potomac River to enhance wildlife species viability and protect cultural resources and watershed values.

**Purpose / Need:**

Provides habitat connectivity and improve public access between State of Maryland conservation areas and BLM's Douglas Point Special Recreation Management Area (SRMA), all within the Nanjemoy National Resource Management Area (NRMA).

**Cooperator(s):** Maryland Department of Natural Resources (DNR), Charels County, Piscataway-Conoy Tribe. Chesapeake Conservancy.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** O&M costs will include construction of a small equipment shed and trail development including maps, signs, and brochures. Eliminating the need to transport equipment for trail maintenance will result in O&M savings annually

Project / Unit: Agua Fria National Monument

Priority: 6

Discretionary

Mandatory

State(s): AZ

Congressional 2  
District(s):

Location: Central Arizona; 40 miles north of the Phoenix metropolitan area.

Proposed for FY 2017	
Acres	\$
621	\$3,300,000
Acquired to Date	
60,279	\$18,380,000
Remaining to be Acquired	
575	\$1,900,000

**Project Description:**

The 71,000-acre Agua Fria National Monument contains one of the most significant complexes of late prehistoric pueblo settlement sites in the American Southwest. The Monument encases many significant archaeological sites, including distinctive rock art, settlements, stone pueblos and clusters of pueblos and forts, all amid visually spectacular settings. There is an extraordinary array of biological and scientific resources, including riparian areas, upland high-desert grasslands, year-round flowing streams, and a 21-mile segment of the Agua Fria River. This segment of the Agua Fria River is proposed for designation as a Wild and Scenic River.

This proposal represents the second of a two phase attempt to acquire the entire 701 acre property. The first phase of the property acquisition plan was completed in February of 2015. The property proposed for FY 2017 acquisition is comprised of a Monument inholding totaling approximately 621 acres. The Cross Y Ranch property includes more than a mile of Agua Fria River riparian habitat, and a substantial number of water rights. This stretch of the Agua Fria River is habitat for several endangered and State and Bureau sensitive species including but not limited to: Gila Chub, Gila Topminnow, Longfin Dace, Speckled Dace, Lowland Leopard Frog, Gila Monster, Yellow-billed Cuckoo, and Zone-tailed Hawk. The upland portions of the property encompass numerous pueblo ruins, rock art sites, and artifact scatters. The property is highly scenic and includes dense stands of saguaro cacti, and other rare plant species. Acquisition would contribute to maintaining connectedness and resource integrity of important grassland habitat types as part of the Central Arizona Grasslands Strategy. The Cross Y Ranch acquisition is a high BLM priority due to its natural resource values, new public access opportunities, water rights, and the proximity to the Phoenix metropolitan area. The Conservation Fund began purchase actions after receiving favorable support from the BLM. They closed on the property in June 2012. Updated appraisals and hazmat studies will be completed.

**Purpose / Need:**

To enhance management efficiency and preservation of Monument values and objects, including open space, a flowing stream, riparian habitat, recreation opportunities, and cultural resources.

**Cooperator(s):** The Arizona Game and Fish Department and the U.S. Forest Service. Trust for Public Land. Friends of the Agua Fria. There is strong community and user group support.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$10,000 Annual: \$5,000

**Describe O&M:** Costs of the acquiring the private lands may involve media communications, monitoring, and on the ground boundary signs.

Project / Unit: Lewis and Clark National Historic Trail

Priority: 7

Discretionary

Mandatory

State(s): MT

Congressional 1  
District(s):

Location: Central Montana, 75 miles northeast of Great Falls on the Missouri River.

Proposed for FY 2017	
Acres	\$
2,385	\$2,000,000
Acquired to Date	
9,869	\$4,142,000
Remaining to be Acquired	
13,850	\$13,430,000

**Project Description:**

The tread of the 3,700-mile long Lewis and Clark National Historic Trail and the riparian corridor of the 149-mile free-flowing Upper Missouri National Wild and Scenic River are historically braided through this area of central Montana. The landscape contains a spectacular array of biological, historical, geological, cultural, and wildlife resources in a remote location that offers opportunities for solitude. This isolation results in unsoiled, natural settings that form a backdrop for outstanding recreational and cultural tourism opportunities. The remote nature of this segment of the Missouri River has buffered it from most human influence and maintains the same vistas experienced by the Lewis and Clark expedition in 1805 and 1806. Acquisition of riverfront and breaks/upland properties will preserve the scenic beauty and wild experience of the area in perpetuity.

This proposal would acquire 2,623 acres (238 acres in fee title and 2,385 acres in conservation easements) in two properties located along one of the few travel corridors to transect the Upper Missouri National Wild and Scenic River as it passes through the Upper Missouri River National Monument. The travel corridor is also an extremely sensitive visual corridor.

Acquisition would eliminate the threat of development on nearly three miles of river frontage and serve to further consolidate management of public lands along the Wild and Scenic River. Being highly suited for development, protection of the scenic values and cultural landscape are among the highest priorities within the Wild and Scenic River corridor.

**Purpose / Need:**

Protect the historic landscape and multiple resource values while enhancing recreational opportunities for river users.

**Cooperator(s):** Montana Wildlife Federation, Montana Wilderness Association, Montana Preservation Alliance, Lewis and Clark Trust, Inc., Friends of the Missouri Breaks Monument.

Estimated O&M Savings: Start-up: \$0 Annual: \$1,000

Estimated O&M Costs: Start-up: \$5,000 Annual: \$3,000

**Describe O&M:** O&M savings of shared recreation facilities maintenance. O&M start-up costs of interpretive signs and river bank restoration; annual costs of weed control and conservation easement monitoring.

Project / Unit: **Dos Palmas Area of Critical Environmental Concern**

Priority: 8

Discretionary

Mandatory

State(s): CA

Congressional 36  
District(s):

Location: Southern California, east of the Salton Sea and south of Orocopia Mtns. Wilderness

Proposed for FY 2017	
Acres	\$
847	\$650,000
Acquired to Date	
3,860	\$666,000
Remaining to be Acquired	
6,000	\$3,500,000

**Project Description:**

In 1980, the California Desert Conservation Area (CDCA) Plan designated 2,503 non-contiguous acres as the Salt Creek Desert Pupfish/Rail Habitat Area of Critical Environmental Concern (ACEC) to protect washes, seeps, and springs, which provide habitat for the federally-listed pupfish, Yuma clapper rail and other species. This ACEC was expanded to 4,288 acres in 1984. In 1998, the CDCA Plan was amended again to expand the ACEC to approximately 15,800 acres and the ACEC was re-named the Dos Palmas ACEC. Ownership is approximately 8,100 acres of BLM, 1,010 acres of State, 248 acres of San Diego County Water Authority mitigation lands, 1,379 acres of private conservation lands and approximately 5,063 acres of private non-conservation lands. Biological resource values include desert fan palm oasis woodland, desert dry wash woodland, mesquite bosque, stabilized desert sand fields, desert saltbush scrub, desert sink scrub and fresh water marsh. The area is habitat for species including the federally-listed desert pupfish and Yuma clapper rail; and sensitive species including California black rail, flat-tailed horned lizard; and southern yellow bat. Friends of the Desert Mountains has pre-acquired 847 acres within and contiguous to the ACEC to facilitate acquisition by the BLM in order to protect the ACEC's resource values from any development threat and to improve management.

The ACEC is part of a larger Conservation Area designated in the Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan (Plan). BLM has committed via a CDCA Plan Amendment to manage its lands in the Plan Conservation Areas consistent with the conservation objectives of the Plan. BLM cooperates and coordinates with other conservation managers in the Conservation Area to ensure effective and efficient management. The other conservation managers include the California Department of Fish and Wildlife, the California Department of Parks and Recreation, the Coachella Valley Conservation Commission and the Nature Conservancy. Acquisition of the 847 acres by BLM will help further this cooperative management effort and implementation of the Regional Plan.

**Purpose / Need:**

Conserve sensitive habitats and species as well as cultural, historic, and recreational resources, and consolidate conservation ownership to improve management. The ACEC is also part of the regional habitat conservation plan (HCP).

**Cooperator(s):** Friends of the Desert Mountains, The Coachella Valley Mountains Conservancy, Coachella Valley Conservation Commission, California Department of Fish and Wildlife

Estimated O&M Savings: Start-up: \$10,000 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** O&M Start-up Savings: Partner assistance available to process the proposed transaction in the form of contributed services to contract for appraisal, Phase I Environmental Site Assessment and necessary due diligence.  
Estimated O&M Start-up Costs: Conduct cultural and natural resource inventories.  
Estimated O&M Annual Costs: Treat noxious and/or invasive plants.

Project / Unit: Kasha-Katuwe Tent Rocks National Monument

Priority: 9

Discretionary

Mandatory

State(s): NM

Congressional 3  
District(s):

Location: North-central New Mexico, 52 miles northeast of Albuquerque

Proposed for FY 2017	
Acres	\$
213	\$750,000
Acquired to Date	
1,484	\$807,516
Remaining to be Acquired	
559	\$1,100,000

**Project Description:**

Kasha-Katuwe Tent Rocks (KKTR) National Monument, established under Presidential Proclamation 7394 of January 17, 2001, consists of 5,402 acres of land. Visitors from all over the world travel to this unique site, which consists of sandstone rock formations that have been partially eroded into the shape of tents, many between 40 and 60 feet tall and several that tower over 90 feet in height. The only other known place on earth with formations comparable to these is near Mount Ararat in Turkey. The channel of Peralta Canyon contains some riparian habitat, including on the private inholdings, where BLM staff will have the opportunity to monitor vegetation supported by available water during the runoff season. The BLM will also maintain, restore, improve, and protect this riparian wetland area and other similar areas located on private land for their productivity, biological diversity, and sustainability. A variety of cultural resources will be protected and preserved in place for the benefit of scientific study and public use by present and future generations. These include both historic and prehistoric sites. Multiple recreational opportunities exist within the Monument, including hiking, photography, watching birds and other wildlife, viewing wildflowers and scenic topography, picnicking, and creating artwork. Hiking trails for day use are planned as part of a trail system that will allow the recreating public to experience firsthand the natural beauty and majestic rock canyons located on the private inholdings. Equestrian use, including overnight pack trips, is also planned on those lands. Use of the Monument for hiking and as a laboratory for environmental education classes are the major demands by the public. Acquisition of the private inholdings will expand the acreage and variety of resources available for these activities by individuals, and private and school groups. University and professional scientific societies will have additional opportunities for permitted geologic and other scientific research and educational field trips. Overall, addition of these private lands to the Monument will enhance visitor experiences, allow greater resource protection, and contribute to the Monument's varied resources.

**Purpose / Need:**

Purchase private inholdings within the Kasha-Katuwe Tent Rocks National Monument

Cooperator(s): Pueblo de Cochiti, Sandoval County

Estimated O&M Savings: Start-up: \$12,000 Annual: \$12,000

Estimated O&M Costs: Start-up: \$225,000 Annual: \$60,000

**Describe O&M:** Estimated O&M savings would include maintenance on roads with our road maintenance agreement we hold with Peralta Canyon Trust. The estimated savings would be \$12,000. The anticipated one-time O&M investment associated with this project would include the amendment of the KKTR resource management plan to add the new properties, fence removal, installation of signage associated with the National Monument, trail development and implementation, update brochures, and park ranger and law enforcement patrols. The estimated costs for the one-time O&M investment would be approximately \$225,000. The ongoing O&M costs associated with this project would be maintaining infrastructure such as roads, restoring resources and monitoring.

Project / Unit: Hixon Columbian Sharptailed Grouse ACEC

Priority: 10

Discretionary

Mandatory

State(s): ID

Congressional 1 District(s):

Location: West Central Idaho, about five miles west of Midvale, Idaho

Proposed for FY 2017	
Acres	\$
2,333	\$1,250,000
Acquired to Date	
6,901	\$421,050
Remaining to be Acquired	
1,200	\$800,000

**Project Description:**

The once abundant Columbian sharptailed grouse was all but eradicated from western Idaho by the early 1970s. Hunting the beautiful bird had been closed since the 1940s and all known dancing grounds (leks) had been unoccupied for decades. However, every few years Idaho Department of Fish and Game (IDFG) would receive a report of the sighting of a few birds, making it known that the population existed and was critically low. Today, the Columbian is the rarest subspecies of sharptail and has twice been petitioned for listing under the Endangered Species Act. They are currently classified as a BLM Sensitive Species and an IDFG Species of Highest Conservation Need.

In 1977, three small sharptail leks were discovered, with a estimated population of 75 birds. The leks were located on a 4,300 acre ranch that was purchased in 1987 by The Nature Conservancy (TNC), and most of which was later exchanged to BLM. Other land exchanges in addition to fee and easement acquisitions have occurred since that time to acquire key habitat and to protect the ACEC. To date, BLM has acquired in fee and conservation easement about 7,000 acres. Improved habitat management has resulted in a much expanded population of sharptails, now estimated at 300-400 birds, an anomaly when compared to the continued decline of the birds in other parts of their range.

In 1987, BLM designated the 11,854 acre Hixon Columbian Sharptailed Grouse ACEC, which also contains key sage-grouse nesting and brood rearing habitat, including two known sage-grouse leks. Private lands within and adjacent to the ACEC are part of a Habitat Management Plan/Sikes Act Cooperative Agreement among BLM, IDFG, and TNC. It was developed to encompass all associated important habitat for this sharptail population (24,130 acres) until a willing seller was identified and the project was awarded more funds. Continued land acquisitions within and improved management of the ACEC and HMP area will hopefully allow the area to be used as a source of birds for reestablishing sharptail populations in other areas where they have been extirpated. There is a real threat today of rural residential development that would adversely affect the critical Columbian sharptailed habitat and may trigger a decline in the population due to urban sprawl.

**Purpose / Need:**

To consolidate ownership within the Hixon Columbian Sharptailed Grouse ACEC for habitat management of a landscape to protect and enhance the land containing crucial Columbian sharptail lekking, nesting, and wintering habitat.

Cooperator(s): The Nature Conservancy, Idaho Dept. of Fish & Game

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

Describe O&M: Start-up costs will cover: 1) preparing and/or updating maps & brochures, and 2) developing and installing signs and kiosks; Annual O&M costs are associated with: 1) conservation easement stewardship, and 2) maintenance/restoration of resources.

Project / Unit: Lathrop Bayou Habitat Management Area

Priority: 11

Discretionary

Mandatory

State(s): FL

Congressional District(s): 2

Location: Florida Panhandle just east of Panama City

Proposed for FY 2017	
Acres	\$
206	\$412,000
Acquired to Date	
Remaining to be Acquired	

**Project Description:**

Lathrop Bayou is one of the most intact longleaf pine stands in the Florida Panhandle. BLM has work with St. Joe Timberlands, U.S. Fish and Wildlife Service, Florida Fish and Wildlife Conservation Commission and others to protect and restore this 539-acre area longleaf pine stand since 2002. Over the last 15 years, three prescribed burns, removal of ladder fuels, and the cutting of thousands of young slash pine have restored the characteristic park-like setting required by so many longleaf pine endemics. The endangered red-cockaded woodpecker population at Lathrop Bayou expanded from two clusters to four breeding clusters in 2014. That expansion has been aided by the installation of nineteen artificial cavities and translocation of three red-cockaded woodpeckers to improve genetic diversity and sex ratios. The four active clusters at Lathrop Bayou represent the expected maximum carrying capacity of the 539-acre site without additional mid-story reduction in privately owned peripheral areas. Three federally listed plants with narrow ranges in the Florida Panhandle have responded well to regular prescribed burns after decades of fuel accumulation. In 2007, a total of 764 Florida skullcap seeds were collected at Lathrop Bayou when the threatened plant bloomed in the thousands across the island. Those seeds are being stored and used in propagation studies at the Bok Towers in central Florida. Based on these successes, BLM is continuing to work with partners to extend management of these imperiled resources in the Florida Panhandle as a signatory of the Apalachicola Regional Stewardship Alliance MOU.

In 2014, 206 acres of private land at Lathrop Bayou were part of a 380,000 acre land sale in northwest Florida. That sale changed the dynamics of BLM's long-time collaborative partnerships at Lathrop Bayou where management had been conducted seamlessly across property boundaries for years. Lathrop Bayou is basically an island, accessible only by boat. The frequent prescribed fire regime, based on aerial ignition for safety concerns, is essential to maintaining the habitat and that technique can only be used when applied across the entire island.

This relic longleaf pine stand and its host of endemic species is dependent on being able to be managed across the entire island. AgReserves has indicated they are a willing seller and the purchase would make a significant contribution of longleaf pine in the Florida Panhandle.

**Purpose / Need:**

Consolidate the most intact longleaf stands in the Florida Panhandle to facilitate an active prescribed burn program and management of four federally listed species and seven state-listed plant species, at risk migratory birds, and nesting bald eagles.

**Cooperator(s):** Proposed acquisition part of Florida-Georgia Longleaf Pine Initiative, cooperators include North Florida Refuges and National Forests of Florida. BLM is also a signatory to the Apalachicola Land Stewardship MOU with TNC, FL Forest Service, DOD, NW FL Water Mgmt. Dist., and others

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** Start-up costs will cover: 1) preparing and/or updating maps & brochures, and 2) developing and installing signs and kiosks; Annual O&M costs are associated with: 1) conservation easement stewardship, and 2) maintenance/restoration of resources.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Salmon Wild and Scenic River

Priority: 12

Discretionary

Mandatory

State(s): OR

Congressional 3

District(s):

Location: Northwest Oregon, 20 miles southeast of Portland

Proposed for FY 2017	
Acres	\$
213	\$1,300,000
Acquired to Date	
Remaining to be Acquired	

**Project Description:**

A breath-taking scenic corridor immediately east of metropolitan Portland, the Salmon River descends from the forested slopes of Mount Hood, harboring a rich diversity of animal and plant populations, within secluded riparian and wetland areas. Multiple threatened salmonid species, including Lower Columbia Chinook and Coho salmon and Steelhead use these turbulent waters for spawning and rearing their young before returning to the Pacific Ocean via the Columbia River. Old growth stands of Douglas fir contain prime habitat for the threatened northern spotted owl.

The Salmon River National Wild and Scenic River project offers exceptional recreational opportunities for fishing, hiking, wildlife viewing, nature study, and non-motorized boating or floating. The project is easily accessible from the Portland Metro area, the Northwest's second largest population center.

Numerous projects designed to improve accessibility and enhance and restore habitat for listed species have been undertaken by BLM and its partners on and adjacent to recently acquired parcels within the project area. These actions will aid federal agencies recover federally-listed species and improve the BLM's ability to provide recreation opportunities to a large population. The recently completed Sandy Ridge Mountain Bike Trail System now draws over 100,000 visitors annually, and that number is growing. The proposed acquisitions will also provide greater management consistency in the Sandy Basin and improve the BLM's ability to manage Salmon River area.

**Purpose / Need:**

Preservation of the Salmon National Wild and Scenic River gorge and interwoven Oregon National Historic Trail corridor, providing for the protection of open space, scenic, recreation, fisheries and wildlife values

**Cooperator(s):** U.S. Forest Service, State of Oregon, Clackamas and Multnomah Counties, METRO (regional government body), Cities of Portland and Sandy, Portland General Electric (PGE), The Nature Conservancy, Northwest Steelheaders, Oregon Trout, Sandy River Watershed

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$1,500

**Describe O&M:** Costs incurred would include forest type inventories, potential weed control or silvicultural treatments to enhance forest conditions, and enhancement opportunities for species habitat or population maintenance. The intrinsic values to be gained are for species of concern, recreation, and sustainable forest landscape conditions; these do not have a dollar amount attached but are important to our local communities.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: John Day Wild and Scenic River

Priority: 12

Discretionary

Mandatory

State(s): OR

Congressional 2 District(s):

Location: North Central OR, 95 miles SE of Portland, OR and 83 miles NE of Bend, Oregon

Proposed for FY 2017	
Acres	\$
6,846	\$3,450,000
Acquired to Date	
11	\$40,000
Remaining to be Acquired	

**Project Description:**

The John Day River (JDR) is the Columbia Basin's most biologically diverse river system with the largest native fish populations in Oregon including Chinook salmon, Mid Columbia Steelhead and Bull Trout; both listed as Threatened. The system includes the mainstem and its North, Middle and South Forks and covers more than 500 river miles. The JDR and its tributaries have been identified as a salmon stronghold and key for recovery of important fish populations. The landscape also provides enhanced opportunities for bats, neo-tropical and resident birds, and dispersal territories for wide-ranging species like elk, mule deer and wolverine.

An investment into the JDR will benefit important habitat and ensure public access to thousands of acres of public land for a diverse range of highly desirable recreation opportunities including hunting, fishing, camping, sight-seeing, nature study, photography, and float boating. Every segment of the river offers a different experience. Vast expanses of wilderness and roadless areas provide remote, wild settings with great solitude and primitive conditions. These options can only be accessed by 5 to 7 day float trips; an experience not available within 100 miles of the area. Visitors can also experience day trips through a variety of spectacular scenic and rural settings.

The project area includes the newly Congressionally designated Spring Basin Wilderness (SBW), the North Pole Ridge WSA, the Thirty Mile WSA, the John Day and South Fork John Day WSR's, the administratively suitable North Fork John Day WSR, State Scenic Waterways, State Wildlife Management Areas along the lower mainstem and along the South Fork, and the John Day Fossil Beds National Monument. Some acquired lands will become incorporated into the SBW.

Historically, various Tribal groups used the region for root collecting, hunting, fishing and religious activities. These traditions continue today however, access for these traditional activities is an issue due to land ownership and geography.

**Purpose / Need:**

Conserve significant scenic, recreation, fisheries, wildlife, cultural, paleontological, and botanical values. Increase recreational access.

**Cooperator(s):** OR Parks & Rec. Dept., OR Dept. of Fish & Wildlife, OR Watershed Enhancement Board, Gilliam Co. and Sherman Co. Soil & Water Conservation Districts, Lower John Day Working Group

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$10,000 Annual: \$2,500

**Describe O&M:** The O&M costs associated with this proposal include: recreational staffing, law enforcement, placing public informational signs, developing and maintaining trails or roads for public access, and on going monitoring of the public lands to preserve, develop and ensure access to outdoor recreation facilities.

Project / Unit: California Wilderness

Priority: 13

Discretionary

Mandatory

State(s): CA

Congressional Multiple District(s):

Location: All of California

Proposed for FY 2017	
Acres	\$
3,164	\$2,389,000
Acquired to Date	
400,200	\$54,234,375
Remaining to be Acquired	
200,000	\$150,000,000

**Project Description:**

There are 88 designated Wilderness Areas encompassing over 3.9 million acres of public land in California. The first 69 Wilderness Areas were designated in southern California with the passage of the California Desert Protection Act of 1994. Subsequently the Otay Mountain Wilderness Act, Big Sur Wilderness and Conservation Act of 2002, Northern California Coastal Wild Heritage Act of 2006, and most recently, the Omnibus Public Lands Management Act of 2009, designated 19 additional Wilderness Areas on BLM lands in California. These Wilderness Areas stretch from the north coast of California to the peaks of the Sierra Nevada to lands along the Mexican border.

Over 37 million people are now living in California and these Wilderness Areas offer places of solitude where people can experience freedom from our fast-paced industrialized society. They are places where people can renew the human spirit through association with the natural world and offer a respite from the pressures of an ever increasing urban lifestyle.

These Wilderness Areas also provide important habitat to a wide variety of animal and plant species, many threatened and endangered, and some Federally-listed species. There are six Wilderness Areas that are transected by the 2,638-mile Pacific Crest National Scenic Trail, as well as seven Wilderness Areas that are located adjacent to the Juan Bautista de Anza and Old Spanish National Historic Trails.

**Purpose / Need:**

Consolidate public ownership within designated wilderness to preserve wilderness character, and increase opportunities for the public to experience primitive recreation.

**Cooperator(s):** Resources Legacy Fund Foundation, The California wilderness Coalition, The Nature Conservancy, The Sierra Club, The Wildlands Conservancy, California State Lands Commission, California Native Plants Society, PCT Association

Estimated O&M Savings: Start-up: \$10,000 Annual: \$50,000

Estimated O&M Costs: Start-up: \$10,000 Annual: \$5,000

**Describe O&M:** Acquiring inholdings reduces the miles of boundaries the BLM has to manage and monitor. Also reduces future resolution of issues such as access to the inholdings.

Project / Unit: Red Cliffs National Conservation Area

Priority: 14

Discretionary

Mandatory

State(s): UT

Congressional 2  
District(s):

Location: Southwest Utah, Immediately north of St. George

Proposed for FY 2017	
Acres	\$
12	\$1,700,000
Acquired to Date	
6,544	\$49,534,952
Remaining to be Acquired	
1,206	\$50,000,000

**Project Description:**

Known for its spectacular red rock canyons and basaltic lava flows, the 45,000-acre Red Cliffs National Conservation Area (NCA) is surrounded by the towering Pine Valley Mountains and the Dixie National Forest to the north and an arc of growing communities to the south. The Omnibus Public Land Management Act of 2009, designated the Red Cliffs NCA to conserve, protect, and enhance ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources.

The NCA is adjacent to the Dixie National Forest and Snow Canyon State Park, and is the largest block of undeveloped land contiguous to one of the fastest-growing metropolitan areas in the nation. St. George is projected to grow from its current 140,000 residents to 700,000 residents by 2050. The NCA offers the recreating public a wide variety of options, including access to camping and day use areas, over 130 miles of non-motorized trails, and the solitude and scenic vistas found in the Red Mountain and Cottonwood Canyon Wilderness areas.

The NCA is a major component of the 62,000-acre Red Cliffs Desert Reserve (Reserve), created in 1996 by the signing of a Habitat Conservation Plan (HCP) to protect populations and habitat of the threatened Mojave Desert tortoise and other at-risk native plant and animal species. The Reserve is managed collaboratively by the BLM, State of Utah, Washington County, and local municipalities, and serves as the primary mitigation for the Washington County HCP and incidental take permit that allows for continued community growth and development. Since 1996, the BLM has acquired 6,544 acres within the Reserve, leaving only 1,200 acres in three private ownerships and another 6,524 acres of State Trust Land. The BLM is working actively with two of the landowners and the County to complete large-scale land exchanges. A competitive land sale was held in October, 2014, the receipts from which can be used to purchase additional acreage. The BLM's acquisition of the NCA in-holdings would satisfy the goals of the Mojave Desert Tortoise Recovery Plan (USFWS1994) and HCP, and would support renewal of the Washington County's incidental take permit in 2016.

**Purpose / Need:**

Consolidate land ownership within Red Cliffs NCA to improve management of designated critical habitat for the Federally-listed threatened Mojave Desert tortoise; eliminate conflicts with private in-holdings; and allow for continued development within County.

Cooperator(s): The Trust for Public Land, The Nature Conservancy

Estimated O&M Savings: Start-up: Annual:  
Estimated O&M Costs: Start-up: \$25,000 Annual: \$5,000

Describe O&M: Costs of the acquiring the private lands may involve additional signage and monitoring of populations in additional areas.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Craters of the Moon National Monument and Preserve

Priority: 15

Discretionary

Mandatory

State(s): ID

Congressional District(s): 2

Location: Central Idaho, lands adjacent to Craters of the Moon National Monument and Preserve. Approximately 86 miles west of Idaho Falls and 170 miles east of Boise.

Proposed for FY 2017	
Acres	\$
2,552	\$656,000
Acquired to Date	
72,529	\$42,330,200
Remaining to be Acquired	
2,220	\$2,485,000

**Project Description:**

Craters of the Moon National Monument and Preserve (CRMO) protects 750,100 acres of National Park Service and BLM land in South Central Idaho and the southwestern corner of the High Divide Conservation Collaborative. CRMO is a member of the Pioneers Alliance, a coalition of ranchers, farmers, local residents, conservationists, agency officials and elected officials working together to accomplish common goals in Blaine and Butte counties. Conservation easements have been negotiated in both counties to protect the open spaces; the abundant wildlife; the access to the mountains, foothills, and desert; the agricultural way of life; and the small communities – and to build an economically, environmentally and socially sustainable future.

The Pioneers Foothills encompasses intact shrub habitat and provides a migration corridor between the Pioneer Mountains, Sawtooth National Forest and CRMO. Pronghorn antelope migrate seasonally through the north end of CRMO from the Pioneer Mountains to the Birch Creek area approximately 100 miles each way. The project area is core habitat for greater sage-grouse. Over 40 greater sage-grouse leks have been monitored in the CRMO. A portion of the Oregon National Historic Trial (i.e., Jeffrey Goodale Cutoff) is also within the project area. The Goodale's Cutoff of the Oregon Trail is a 230-mile spur headed north from Fort Hall toward Big Southern Butte, and then through the northern part of Craters of the Moon National Monument.

The target properties are located in Blaine County near the community of Carey, Idaho, and have tremendous potential for rural residential development. In the last decade, many farms and ranches in the vicinity have been subdivided and developed. Recreation use within the areas is in high demand due to the magnitude of proposed development of the surrounding areas; thus changing and/or increasing the demand, type and intensity of recreational use. CRMO attracted 198,545 visitors during calendar year 2011, with visitors spending an estimated \$6,821,000, resulting in 81 jobs and a \$2,940,000 value added to local communities.

**Purpose / Need:**

We are working with willing ranchers and farmers have chosen to pursue a conservation alternative for their property rather than development. This is an opportunity to fund conservation easements that would conserve significant big game migration corridors and crucial winter range, key year round sage-grouse core habitat, tremendous hunting opportunities, archaeological and geologic resources.

**Cooperator(s):** The Nature Conservancy, Pioneer Alliance, Idaho Department of Fish and Game, National Park Service, Natural Resources Conservation Service, Central Idaho Rangeland Committee, Heart of the Rockies Initiative

Estimated O&M Savings: Start-up: \$25,000 Annual: \$18,000

Estimated O&M Costs: Start-up: \$1,000 Annual: \$1,000

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by not purchasing properties in fee. Start up costs would be signing conserved properties and annual conservation easement stewardship.

Project / Unit: **Salmon River Special Recreation Management Area**

Priority: 15

Discretionary

Mandatory

State(s):     ID    

Congressional District(s):     2    

Location:     Central Idaho near the cities of Salmon and Challis.    

Proposed for FY 2017	
Acres	\$
1,724	\$3,473,000
Acquired to Date	
14,257	\$19,444,718
Remaining to be Acquired	
800	\$1,000,000

**Project Description:**

This project encompasses the Upper Salmon River area of the High Divide Collaborative LWCF Proposal. The Salmon River, known as the "River of No Return," provides valuable habitat for many fish and wildlife species. Species listed under the ESA relying on this habitat include Snake River Chinook salmon, sockeye salmon, steelhead, and bull trout. The Lewis and Clark National Historic Trail, Continental Divide National Scenic Trail, and Nez Perce (Nee-Me-Poo) National Historic Trail corridors are all included within the project area. Significant prehistoric and historic cultural resources and traditional cultural places are known and documented within project area and they could be evaluated and protected. Recreational values include white-water rafting, fishing, hunting, camping, hiking, and sight-seeing.

Acquisition of land through conservation easements/fee purchase would protect the riparian and river habitat from impending private development and keep working ranches open spaces and thereby continuing contributions to the local rural economy. Additionally conservation of these key private properties ensure outstanding scenic vistas, wildlife and fish migration corridor connectivity, and open space, connectivity, and interpretation of National Scenic and Historic Trails.

These acquisitions will directly protect headwater fisheries and wetlands; protect an important wildlife habitat and corridors from development; as well as prevent development within Designated Critical Habitat for chinook and sockeye salmon, steelhead trout and bull trout along the Salmon River SRMA. Parcels sit at a critical migration bottleneck for elk moving from Montana to the southwestern faces of Idaho's Salmon River to winter and serve as transition range for migrating animals. Protection of these properties in the form of conservation easements will prevent further subdivision of this habitat and will protect the current habitat values of the properties. Other properties are immediately upstream of properties acquired in a prior LWCF submission as well as a BLM river access site, and stop on the Idaho Birding Trail, which provides access to waterfowl hunters, fishermen and birdwatchers.

**Purpose / Need:**

Promote open space. Enhance significant scenic vistas, recreational opportunities, and public access. Ensure connectivity and quality of critical wildlife, fish and National Trail resources. Protecting historic ranching operations and local rural economy. Multiple landowners who prefer a conservation option for their properties rather than face potential subdivision. A mixture fee title and conservation easements have been offered.

Cooperator(s): Lemhi Regional Land Trust, The Nature Conservancy, Idaho Department of Fish and Game, local County support, State of Idaho, local Trails Committee, Salmon Valley Stewardship, Upper Salmon Working Group, Central Idaho Rangeland Committee

Estimated O&M Savings: Start-up: \$50,000 Annual: \$1,000

Estimated O&M Costs: Start-up: \$9,000 Annual: \$700

Describe O&M: Savings are from partner contributions towards the acquisition process and by not purchasing properties in fee. Start up costs are constructing parking areas & interpretive kioks for fee properties. Annual costs are for conservation easement stewardship.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Thousand Springs Area of Critical Environmental Concern

Priority: 15

Discretionary

Mandatory

State(s): ID

Congressional District(s): 2

Location: Central Idaho, 25 miles northwest of Mackay; 115 miles northwest of Idaho Falls.

Proposed for FY 2017	
Acres	\$
120	\$180,000
Acquired to Date	
1,946	\$17,356,000
Remaining to be Acquired	
1,100	\$1,500,000

**Project Description:**

The project is the Thousand Springs ACEC/Chilly Slough area of the High Divide LWCF Collaborative Proposal. It is one of the few remaining examples of natural, high desert, spring-fed wetlands. Winter snows melt, gather along a range-front fault and feed thousands of springs to this area. It is the largest wetland in east-central Idaho and is managed jointly by the BLM and the Idaho Fish and Game. Acquisition of the private parcels are crucial because it encompasses the headwaters of the Thousand Springs/Chilly Slough wetlands. Land administered by BLM within the Thousand Springs/Chilly Slough wetlands is designated an ACEC and is valued for its diversity of wildlife that use it. The Zollinger parcel falls within the boundary delineated in the BLM Thousand Springs/Chilly Slough Habitat Management Plan. Acquisition will assure protection of this wildlife migration corridor and year-round habitat. Currently, the Chilly Slough Wetland Conservation Area protects almost 2,000 acres (BLM has acquired 1,028 acres and IDFG has acquired 918 acres) in public ownership. The 1999 BLM Resource Management Plan for this area allows for the creation of a wetlands management area of approximately 4,400 acres.

One hundred and seventy three wildlife species are known to use Thousand Springs/Chilly Slough wetlands with 113 of those being birds. These wetlands hold a high importance for migratory birds for a refueling spot during their annual migration. The riparian edge and adjacent sage-brush steppe habitat have shown to be important to sage-grouse throughout the year. Numerous historic and prehistoric archeological sites are present in and around the wetlands, and it is highly probable that other prehistoric and historic sites are located within these parcels; one prehistoric site is already known to exist on these private lands proposed for purchase. The Shoshone-Bannock Tribes have expressed interest in using this area for the practice of treaty-reserved rights. Recreational opportunities would include bird watching, hiking, fishing, canoeing, and historical education. Acquisition of this land through fee purchase would help to provide additional access to the wetlands, as well as, provide connectivity between publicly managed lands for wildlife conservation.

**Purpose / Need:**

Conservation and enhancement of one of Idaho's significant wildlife corridors and habitat areas lying at the base of the state's highest mountain range. Crucial wetland (Chilly Slough Wetland Conservation Area) adjacent to priority sagebrush steppe habitat. Private property within the area is for sale and has been subdivided threatening migratory birds, sensitive species habitat including year-round sage-grouse use, visual resources, cultural sites, and recreation.

**Cooperator(s):** Lemhi Regional Land Trust, The Conservation Fund, Idaho Department of Fish and Game (IDFG), The Nature Conservancy, Ducks Unlimited, Rocky Mountain Elk Foundation, Idaho State Historic Preservation Office, Heart of the Rockies Initiative.

Estimated O&M Savings: Start-up: \$4,000 Annual: \$500

Estimated O&M Costs: Start-up: \$7,000 Annual: \$1,000

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by eliminating the source of livestock trespass. Start up costs are constructing a parking area for interpretive kiosks. Annual costs are for conservation easement stewardship.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Sands Desert Habitat Management Area/Teton River Wildlife Corridor

Priority: 15

Discretionary

Mandatory

State(s): ID

Congressional District(s): 2

Location: Southeast Idaho. North and west of St. Anthony. Teton River east of St. Anthony.

Proposed for FY 2017	
Acres	\$
250	\$1,000,000
Acquired to Date	
25,771	\$20,040,247
Remaining to be Acquired	
7,000	\$7,000,000

**Project Description:**

The Sands Desert Habitat Management Area and Teton River Wildlife Corridor encompass some of the best remaining sagebrush steppe habitat, riparian, and fish habitat in the state of Idaho. This high quality habitat supports healthy populations of two species of national importance: the greater sage-grouse (core habitat) and the Columbian sharp-tailed grouse. For Idahoans though, it is best known for its large mammal populations; more than 4,000 elk, 3,000 mule deer and 400 moose winter on the Sands and Teton River public rangelands, the IDFG's 35,000 acre Sand Creek Wildlife Management Area (WMA), and the adjacent private property. Much of the wildlife that people attribute to Yellowstone National Park and the surrounding National Forest lands, leave those public lands in the winter to find refuge from heavy snows at lower elevations. On the west side of Yellowstone the best winter refuge on the Sands Desert and Teton River Corridor. While IDFG's WMA is not small, the lands that have been cobbled together to date are somewhat disconnected and do not encompass some of the best habitat. The value of this habitat was recognized by in the Idaho Fish and Game Comprehensive Wildlife Conservation Strategy, but few opportunities have come about to match willing land-owners with funds for habitat conservation.

These substantial fish and game resources also support outstanding hunting and fishing opportunities for both Idahoans and nonresidents. A high profile OHV program on the St. Anthony Sand Dunes which also supports the local rural economies. Additionally the Shoshone-Bannock Tribes rely heavily on the areas to continue their aboriginal hunting and gathering Treaty rights.

Through a rigorous prioritization process, the HFLP identified a dozen private parcels near the Sand Creek WMA and Teton River that would dramatically improve the protection offered by the WMA as well as existing conserved private properties and would permanently protect migration corridors land connectivity habitat. If successful, this funding would ensure the persistence of the large mammals that need the WMA and Teton River in the winter and two grouse species which can be found there year-round.

**Purpose / Need:**

A part of the High Divide LWCF Collaborative. The proposal is a mix of fee and conservation easement opportunities. Conserve significant big game migration corridors and crucial winter range, priority year round sage and sharp-tail grouse habitat, tremendous hunting opportunities, and archaeological resources. Multiple willing land owners are seeking a conservation alternative for their properties to keep them as working ranches or secure in public ownership to ensure they will always make a significant wildlife contribution.

**Cooperator(s):** Teton Regional Land Trust, The Conservation Fund, Rocky Mt. Elk Foundation, Idaho Fish and Game (IDFG), Henrys Fork Legacy Project (HFLP), Mule Deer Foundation, Doris Duke Charitable Foundation, Natural Resource Conservation Service, Caribou-Targhee National Forest, Heart of the Rockies Initiative

Estimated O&M Savings: Start-up: \$30,000 Annual: \$4,500

Estimated O&M Costs: Start-up: \$5,000 Annual: \$1,000

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by not purchasing properties in fee. Start up costs are constructing a parking areas & interpretive kiosks for fee properties. Annual costs are for conservation easement stewardship.

Priority: 16

Project / Unit: Red Cliffs National Conservation Area

Discretionary   
Mandatory

State(s): UT

Congressional 2  
District(s):

Location: Southwest Utah, Immediately north of St. George

Proposed for FY 2017	
Acres	\$
55	\$5,000,000
Acquired to Date	
6,544	\$49,534,952
Remaining to be Acquired	
1,206	\$50,000,000

**Project Description:**

Known for its spectacular red rock canyons and basaltic lava flows, the 45,000-acre Red Cliffs National Conservation Area (NCA) is surrounded by the towering Pine Valley Mountains and the Dixie National Forest to the north and an arc of growing communities to the south. The Omnibus Public Land Management Act of 2009, designated the Red Cliffs NCA to conserve, protect, and enhance ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources.

The NCA is adjacent to the Dixie National Forest and Snow Canyon State Park, and is the largest block of undeveloped land contiguous to one of the fastest-growing metropolitan areas in the nation. St. George is projected to grow from its current 140,000 residents to 700,000 residents by 2050. The NCA offers the recreating public a wide variety of options, including access to camping and day use areas, over 130 miles of non-motorized trails, and the solitude and scenic vistas found in the Red Mountain and Cottonwood Canyon Wilderness areas.

The NCA is a major component of the 62,000-acre Red Cliffs Desert Reserve (Reserve), created in 1996 by the signing of a Habitat Conservation Plan (HCP) to protect populations and habitat of the threatened Mojave Desert tortoise and other at-risk native plant and animal species. The Reserve is managed collaboratively by the BLM, State of Utah, Washington County, and local municipalities, and serves as the primary mitigation for the Washington County HCP and incidental take permit that allows for continued community growth and development. Since 1996, the BLM has acquired 6,544 acres within the Reserve, leaving only 1,200 acres in three private ownerships and another 6,524 acres of State Trust Land. The BLM is working actively with two of the landowners and the County to complete large-scale land exchanges. A competitive land sale was held in October, 2014, the receipts from which can be used to purchase additional acreage. The BLM's acquisition of the NCA in-holdings would satisfy the goals of the Mojave Desert Tortoise Recovery Plan (USFWS1994) and HCP, and would support renewal of the Washington County's incidental take permit in 2016.

**Purpose / Need:**

Consolidate land ownership within Red Cliffs NCA to improve management of designated critical habitat for the Federally-listed threatened Mojave Desert tortoise; eliminate conflicts with private in-holdings; and allow for continued development within County.

Cooperator(s): The Trust for Public Land, The Nature Conservancy

Estimated O&M Savings: Start-up: Annual:  
Estimated O&M Costs: Start-up: \$25,000 Annual: \$5,000

Describe O&M: Costs of the acquiring the private lands may involve additional signage and monitoring of populations in additional areas.

Priority: 17

Project / Unit: Meadowood Special Recreation Management Area

Discretionary

Mandatory

State(s): VA

Congressional 8  
District(s):

Location: Northern Virginia, approximately 20 miles southwest of Washington D.C.

Proposed for FY 2017	
Acres	\$
397	\$2,800,000
Acquired to Date	
802	\$41,000,000
Remaining to be Acquired	
22	\$2,000,000

**Project Description:**

Established by An Act of Congress in 2001 and managed by the BLM, Eastern States Office, the 802 acre Meadowood SRMA is a key component of the parks, refuges, and other preserves on the Mason Neck Peninsula that have been protected from encroaching urban development radiating south from the metropolitan Washington, D.C. area. The landscape is a mosaic of gently sloping open meadows, mature hardwood forests, freshwater ponds, creeks, streams, and riparian wetlands.

Two national trail segments pass through the Meadowood SRMA, the Potomac Heritage National Scenic Trail and the Washington-Rochambeau Revolutionary Route National Historic Trail. These national trail segments help make up Meadowood's 15-mile, multiple-use trail system which provides opportunities for hiking, running, mountain biking, and horseback riding. One universally accessible trail is incorporated within the trail system. The proposed acquisition would permit BLM to significantly expand and enhance the existing trail system. Additional day-use disbursed recreational activities at Meadowood include wildlife viewing, fishing, seasonal hunting, nature photography, geocaching, environmental education, and interpretation. The SRMA attracts over 22,000 annual recreational visitors and reaches over 700 area youth through a variety of educational and recreational programs, including Hands on the Land and Take it Outside.

The diverse Meadowood habitat supports a great variety of wildlife, including white-tailed deer, red fox, coyote, beaver, raccoons, hawks, eagles, reptiles, and amphibians. Home to 30 species of migratory songbirds, the SRMA lies within the National Audubon Society's Lower Potomac River Important Bird Area. Meadowood contains some of the best mature hardwood forest on the Mason Neck peninsula as well as less mature woodlands. Woody plants common to the woodlands, forest and forest edges at Meadowood include red and white oak, beech, sweet gum, Virginia pine, persimmon and paw paws. The trails at Meadowood pass through a wide variety of terrain and vegetation types, providing visitors with constantly changing seasonal experiences.

**Purpose / Need:**

Enhance public access to an extensive recreational trail network and strengthen aquatic and terrestrial habitat connectivity to and from Meadowood Special Recreation Area (SRMA) from neighboring conserved lands.

**Cooperator(s):** U.S. Fish and Wildlife Service, NPS, Virginia Department of Conservation and Recreation, Northern Virginia Regional Park Authority, Fairfax County Department of Parks and Recreation, Chesapeake Conservancy, Audubon Society, Gunston Hall, Hands on the Land, Gunston Elementary School

Estimated O&M Savings: Start-up: \$0 Annual: \$30,000

Estimated O&M Costs: Start-up: \$100,000 Annual: \$15,000

**Describe O&M:** Acquisition of land that will expand the trail system with a facility that can be used for Student Conservation Association intern housing, Law Enforcement, and an Educational Center will result in O&M savings by offsetting the number of seasonal employees hired with summer interns and the need for expanding the Educational Center and providing Law Enforcement facilities. Additional saving will result from eliminating boundary issues by acquiring an in-holding. O & M costs will include the cost of expanding the trail system and participating in the development of a bike path along the historic northeast boundary of the SRMA with local partners.

Project / Unit: Nanjemoy National Resource Management Area

Priority: 17

State(s): MD

Discretionary   
Mandatory

Congressional 5  
District(s):

Location: Southern Maryland, approximately 45 miles south of Washington, D.C.

Proposed for FY 2017	
Acres	\$
478	\$1,668,000
Acquired to Date	
1,945	\$9,613,216
Remaining to be Acquired	
4,543	\$55,651,000

**Project Description:**

Situated only one hour from Washington, D.C. on the tidal, lower Potomac River, the Nanjemoy Peninsula is one of the most ecologically and culturally significant landscapes remaining in the State of Maryland. Migratory waterfowl and wading birds find shelter and abound along ten miles of undisturbed shoreline, and an extensive network of wetlands and forest harbor some of Maryland's finest examples of rare and engendered plants and animals. Nanjemoy's outstanding natural attributes are equally matched by its archaeological resources and history - early native American sites in the region offer a rare insight into indigenous cultures prior to European settlement, the site of a 25,000-troop Civil War encampment and dozens of World War 1-era sunken ships remains in Mallovs Bay. Two water-based national trails on the Potomac River pass to the east of Nanjemoy NRMA, the Captain John Smith Chesapeake National Historical Trail and the Star-Spangled Banner national historic Trail. A two mil-mile segment of the Potomac Heritage National Scenic Trail loops through the area. Limiting development within the Nanjemoy NRMA will preserve the historic Potomac River viewshed associated with these trails.

The State of Maryland manages several conservation areas within the Nanjemoy Peninsula, including Nanjemoy NRMA, Myrtle Grove Wildlife Management Area, Doncaster State Forest and Purse State Park. The BLM contributes to the Nanjemoy NRMA landscape through two "anchors", Douglas Point SRMA and Maryland Point.

In September 2005, the State of Maryland DNR and the BLM approved a long-term land management plan for the Nanjemoy NRMA that provides guidance for the sustainable protection, use, and future conservation of additional lands. The BLM and Maryland DNR are working together to establish habitat linkages between these conserved areas and the Potomac River to enhance wildlife species viability and protect cultural resources and watershed values.

**Purpose / Need:**

Provides habitat connectivity and improve public access between State of Maryland conservation areas and BLM's Douglas Point Special Recreation Management Area (SRMA), all within the Nanjemoy National Resource Management Area (NRMA).

**Cooperator(s):** Maryland Department of Natural Resources (DNR), Charels County, Piscataway-Conoy Tribe. Chesapeake Conservancy.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** O&M costs will include construction of a small equipment shed and trail development including maps, signs, and brochures. Eliminating the need to transport equipment for trail maintenance will result in O&M savings annually.

Project / Unit: Panoche-Coalinga Area of Critical Environmental Concern

Priority: 18

Discretionary

Mandatory

State(s): CA

Congressional 20  
District(s):

Location: The west side of I-5 between the San Joaquin Valley and Vallecitos.

Proposed for FY 2017	
Acres	\$
80	\$500,000
Acquired to Date	
46,068	\$19,390,000
Remaining to be Acquired	
108,000	\$54,000,000

**Project Description:**

The San Joaquin Desert Hills T&E Recovery Project (Panoche Coalinga ACEC) will ensure endangered species connectivity in the area as described in the Recovery Plan for Upland Species of the San Joaquin Valley (USRP), and will accomplish multiple recovery tasks listed in the plan that have the potential to de-list several species. The parcels are known to be occupied by San Joaquin kit foxes, blunt-nosed leopard lizards, and giant kangaroo rats, all Federally listed species. The parcels have been identified by the Endangered Species Recovery Program (FWS) as a crucial stepping stone for maintaining connectivity between the Panoche Valley core populations of these species and populations to the south. The parcels also constitute an important east-west corridor between the San Joaquin Valley and the Vallecitos valley to the west. The acquisitions are adjacent to the Panoche-Coalinga, Joaquin Rocks, and Serpentine ACECs, as well as the San Benito Mt.RNA, and Monvero Dunes RNA.

This acquisition represents the next phase of an ongoing acquisition project intended to create a large contiguous block of protected lands in the western San Joaquin Valley and South Diablo Ranges. The acquisition will contribute to the conservation and stewardship of our public lands and will protect the headwaters of several ecologically important drainages, conserve outstanding paleontological resources, expand the range of an existing elk herd, improve public access and recreation, and preserve several pristine valleys that support core T&E recovery populations identified in the USRP. In this geologically unique landscape is a checkerboard of public and private lands BLM has been incrementally consolidating over the past 25 years, with a goal of improving wildlife migration and protecting entire faunal and floral assemblages and communities for several listed special status species. BOR & USFWS have committed \$4,160,000 over the next five years in support of land acquisitions within this planning area which will support T&E recovery. The project area provides a distinctive recreation badlands experience with unique geology, remnant desert ecosystem, rock outcrops, paleontological and historical resources and opportunities for viewing a host of San Joaquin special status species and ecosystems.

**Purpose / Need:**

Consolidate disbursed ownership of public, state, and private lands to provide landscape level connectivity for wildlife and the recovery of threatened and endangered (T&E) species. Improve public access to public lands.

**Cooperator(s):** National Park Service (NPS), California Department Fish and Game, Westside Resource Conservation District, San Benito Resource Conservation District, Rocky Mountain Elk Foundation.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$50,000 Annual: \$10,000

**Describe O&M:** Start up costs; resource inventories, construct trail and fencing, gates, signage, maps and brochures, and planning; NEPA and associated clearance documents. Annual expenses: maintain facilities and roads, update maps and brochures, monitor for compliance, trespass, etc.

Project / Unit: Upper Missouri National Wild and Scenic River

Priority: 19

Discretionary

Mandatory

State(s): MT

Congressional 1  
District(s):

Location: Central Montana, 75 miles northeast of Great Falls on the Missouri River.

Proposed for FY 2017	
Acres	\$
238	\$475,000
Acquired to Date	
9,869	\$4,142,000
Remaining to be Acquired	
16,000	\$14,705,000

**Project Description:**

The tread of the 3,700-mile long Lewis and Clark National Historic Trail and the riparian corridor of the 149-mile free-flowing Upper Missouri National Wild and Scenic River are historically braided through this area of central Montana. The landscape contains a spectacular array of biological, historical, geological, cultural, and wildlife resources in a remote location that offers opportunities for solitude. This isolation results in unsoiled, natural settings that form a backdrop for outstanding recreational and cultural tourism opportunities. The remote nature of this segment of the Missouri River has buffered it from most human influence and maintains the same vistas experienced by the Lewis and Clark expedition in 1805 and 1806. Acquisition of riverfront and breaks/upland properties will preserve the scenic beauty and wild experience of the area in perpetuity.

This proposal would acquire a 238 acres property located along one of the few travel corridors to transect the Upper Missouri National Wild and Scenic River as it passes through the Upper Missouri River National Monument. The travel corridor is also an extremely sensitive visual corridor.

Acquisition would eliminate the threat of development on over 2.1 miles of river frontage and serve to further consolidate management of public lands along the Wild and Scenic River. Being highly suited for development with ready road access and nearby utilities, protection of the scenic values and cultural landscape are among the highest priorities within the Wild and Scenic River corridor.

**Purpose / Need:**

Protect the historic landscape and multiple resource values while enhancing recreational opportunities for river users.

**Cooperator(s):** Montana Wildlife Federation, Montana Wilderness Association, Montana Preservation Alliance, Lewis and Clark Trust, Inc., Friends of the Missouri Breaks Monument.

Estimated O&M Savings: Start-up: \$0 Annual: \$1,000

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** O&M savings of shared recreation facilities maintenance. O&M start-up costs of interpretive signs and river bank restoration; annual costs of weed control and conservation easement monitoring.

Project / Unit: Carrizo Plain National Monument

Priority: 20

State(s): CA

Discretionary   
Mandatory

Congressional 22  
District(s):

Location: 60 miles west of Bakersfield and 60 miles east of San Luis  
Obispo

Proposed for FY 2017	
Acres	\$
320	\$350,000
Acquired to Date	
135,611	\$34,874,752
Remaining to be Acquired	

**Project Description:**

The Carrizo Plain National Monument is a majestic 250,000-acre grassland and scenic mountainous preserve that contains the last remaining undeveloped remnant of the San Joaquin Valley ecosystem. As a result, it provides critical contiguous habitat for one of the largest assemblages of threatened and endangered species surviving on any public lands in the United States, including the blunt-nosed leopard lizard, San Joaquin kit fox, giant kangaroo rat, Kern primrose sphinx moth, longhorn fairy shrimp, vernal pool fairy shrimp, California jewelflower, San Joaquin wooly threads, and the San Joaquin antelope squirrel. Within the vast expanse of the Carrizo Plain lies Painted Rock, an important ceremonial site of the Chumash that rises majestically from the surrounding grassland. In addition, the Monument contains other world-class archaeological sites, which are part of a National Historic Landmark. Soda Lake, a glistening bed of white salt in the dry summer, and the largest alkali wetland remaining in Southern California, provides important habitat for migratory birds during the winter. Those interested in geology can see one of the most spectacular sections of the 800-mile long San Andreas Fault with its complex corrugated topography along the edge of the Plain.

The Monument's diversity and proximity to over 20 million people living in Southern and Central California attracts over 75,000 visitors annually who come to enjoy a variety of recreational activities. Those stopping at the Goodwin Education Center or taking guided tours to Painted Rock or the San Andreas Fault, can share in the rich history of the Carrizo Plain and learn about its unique plant and animal life.

**Purpose / Need:**

Acquire private inholdings within the Carrizo Plain National Monument to protect outstanding biological and cultural values.

**Cooperator(s):**

Estimated O&M Savings: Start-up: \$0 Annual: \$0  
Estimated O&M Costs: Start-up: \$5,000 Annual: \$0

**Describe O&M:** O&M costs associated with the project would include fencing (if needed), NEPA for travel management (route designation) and inclusion into grazing allotments.

Project / Unit: Nez Perce (Nee-Mee-Poo) National Historic Trail

Priority: 21

Discretionary

Mandatory

State(s): ID

Congressional District(s): 2

Location: Central Idaho, approximately 80 miles northwest of Idaho Falls.

Proposed for FY 2017	
Acres	\$
2,827	\$3,100,000
Acquired to Date	
1,160	\$10,440,000
Remaining to be Acquired	

**Project Description:**

A portion of the Nez Perce (Nee-Mee-Poo) National Historic Trail passes through the Birch Creek Valley. While the majority of the Trail crosses public lands administered by the BLM, a three mile portion lies within the historic Nicholia and Woodie Land and Livestock Ranches. The ranch owners have expressed an interest to cooperatively develop a Trail interpretive area off of nearby Highway 28. Additionally ranch conservation would promote the cultural and historical resources related to the historic Nicholia town site from the days of the Idaho mining boom.

In August 1877 nearly 750 Nez Perce men, women and children along with approximately 2,000 horses passed through the Birch Creek Valley on their attempted 1,170 mile escape from the U.S. Army. They had recently been attacked by the Army at what is now the Big Hole National Battlefield in Montana. They were carrying their dying and wounded with them when they encountered a wagon train transporting food and supplies. A fight ensued, leaving five members of the wagon train dead and one Nez Perce mortally wounded.

These two adjacent ranches are private inholdings that support approximately six miles of the Birch Creek headwaters and 300 acres of riparian wet meadow habitat which support the popular BLM Birch Creek family fishing area downstream, as well as the alkali primrose, a BLM sensitive species. Together the ranches provide 10 miles of crucial migration, connectivity, and brood rearing habitat for greater sage-grouse as well as 2,775 acres of core habitat. Additionally the ranches provide five miles of connectivity habitat for pronghorn antelope for the Birch Creek Valley summer range to their Craters of the Moon winter range. Elk and mule deer utilize the ranches year round.

The Nicholia and Woodie Land and Livestock Ranches practice traditional ranching. They graze cattle in the summer and raise hay to feed their livestock during the winter. The ranches are linked to approximately 75,000 acres of BLM-managed grazing allotments. The ranching industry supports the local rural economy.

**Purpose / Need:**

Protect a portion of the Nez Perce National Historic Trail; special landscapes, scenic viewshed; historic and cultural resources; supports working ranches; ensures resiliency and connectivity of terrestrial and waters related ecosystems. Unique opportunity to conserve two adjacent high desert valley adjacent ranches with conservation easements. The properties are historic working ranches which support rich wetlands, core greater sage-grouse habitat, and crucial wildlife habitat and connectivity.

**Cooperator(s):** The Nature Conservancy, Lemhi Regional Land Trust, Idaho Department of Fish and Game, local County support, State of Idaho, local Trails Committee, Central Idaho Rangeland Committee, Nez Perce Trail Foundation, Heart of the Rockies Initiative.

Estimated O&M Savings: Start-up: \$10,000 Annual: \$500

Estimated O&M Costs: Start-up: \$5,000 Annual: \$500

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by not purchasing the properties in fee. Start up costs are modifying fences, constructing a parking areas, interpretive kiosks. Annual costs are for conservation easement stewardship.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Pacific Crest NST/  
Cascade-Siskiyou NM (Oregon)

Priority: 21

Discretionary

Mandatory

State(s): OR

Congressional 2  
District(s):

Location: Southwest Oregon, approximately 20 miles east of Ashland.

Proposed for FY 2017	
Acres	\$
960	\$1,500,000
Acquired to Date	
45,900	\$63,807,090
Remaining to be Acquired	
64,128	\$45,992,000

**Project Description:**

From scorching desert valleys in Southern California to rain forests in the Pacific Northwest, the 2,663-mile Pacific Crest National Scenic Trail (NST) offers hikers and equestrians a unique, varied experience from Mexico to Canada through three western states. It reveals the beauty of the desert, unfolds the glaciated expanses of the Sierra Nevada, and provides commanding vistas of volcanic peaks and glaciers in the Cascade Range. The trail also passes through historic mining sites and evidence of man's endless quest for natural resources.

The Pacific Crest NST was congressionally designated a National Scenic Trail in 1968. Thousands of hikers and equestrians enjoy this national treasure each year. Some only travel a few miles, while others complete every mile in a single season. About 300 hikers attempt to cover the full length of the Pacific Crest NST each year.

The BLM-managed portion of the Pacific Crest NST crosses approximately 50 parcels of private property in Oregon, totaling over 7,700 acres. The request focuses on five parcels of private land in the immediate vicinity of Cascade-Siskiyou National Monument. Numerous recent purchases within Cascade-Siskiyou National Monument have included portions of the Pacific Crest NST. The parcels are currently available from willing sellers.

**Purpose / Need:**

Acquire parcels of private property containing the tread (or within the immediate viewshed) of the Pacific Crest National Scenic Trail. The parcels are within the vicinity of Cascade-Siskiyou National Monument.

**Cooperator(s):** Pacific Crest Trail Association, The Wilderness Society, Rocky Mountain Elk Foundation, Soda Mountain Wilderness Council, Friends of the Cascade-Siskiyou National Monument.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$1,500 Annual: \$800

**Describe O&M:** The proposed acquisition is primarily viewshed parcels and will not require additional O&M Costs for trail maintenance. O&M estimates are based on the cost per acre for management of the CSNM lands. In addition to the direct management of the lands, we add acres to our cooperative agreement for fuels and fire suppression.

**Project / Unit:** Pacific Crest National Scenic Trail and San Geronio Wilderness  
(California)

Priority: 21

Discretionary

Mandatory

**State(s):** CA

**Congressional District(s):** 8

**Location:** Southern California, approximately 25 miles north of Palm Springs.

Proposed for FY 2017	
Acres	\$
1,400	\$3,050,000
Acquired to Date	
45,900	\$63,807,090
Remaining to be Acquired	
64,442	\$46,534,000

**Project Description:**

From scorching desert valleys in Southern California to rain forests in the Pacific Northwest, the 2,663-mile long Pacific Crest National Scenic Trail (NST) offers hikers and equestrians a unique, varied experience from Mexico to Canada through three western states. It reveals the beauty of the desert, unfolds the glaciated expanses of the Sierra Nevada, and provides commanding vistas of volcanic peaks and glaciers in the Cascade Range. The trail also passes through historic mining sites and evidence of man's endless quest for natural resources.

The Pacific Crest NST was congressionally designated a National Scenic Trail in 1968. Thousands of hikers and equestrians enjoy this national treasure each year. Some only travel a few miles, while others complete every mile in a single season. About 300 hikers attempt to cover the full length of the Pacific Crest NST each year. In California, hikers and riders often must cover 20-30 miles of trail between water sources.

Located within driving distance of San Diego and Los Angeles, the southern reaches of the Pacific Crest NST is both easily accessible and blissfully wild at the same time. The Pacific Crest NST departs from the Mexican border near the small town of Campo.

**Purpose / Need:**

Acquire four parcels containing the tread of (or within the immediate viewshed of) the Pacific Crest National Scenic Trail. Parcels are also within the San Geronio Wilderness.

**Cooperator(s):** Pacific Crest Trail Association, Back Country Horsemen's Association, Edangered Habitats League, Wildlands Conservancy, Coachella Valley Mountains Conservancy.

Estimated O&M Savings: Start-up: \$5,000 Annual: \$5,000

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** PCTA will assist with maintenance and operations including funding and volunteers. Over the past 10 years PCTA has raised \$9,650,000 in private dollars to help maintain and manage the PCT and has provided 864,000 volunteer hours (valued at \$18,200,000) for the purpose of PCT maintenance and protection.

Project / Unit: Continental Divide National Scenic Trail

Priority: 21

Discretionary

Mandatory

State(s): NM

Congressional 2  
District(s):

Location: East central New Mexico, approximately 50 miles south of Grants.

Proposed for FY 2017	
Acres	\$
5,227	\$2,300,000
Acquired to Date	
Remaining to be Acquired	
670	\$545,000

**Project Description:**

The Continental Divide National Scenic Trail (CDNST), one of the crown jewels of the National Trails System, runs 3,100 miles between Canada and Mexico. It follows the Continental Divide of the Americas along the Rocky Mountains and traverses five U.S. states — Montana, Idaho, Wyoming, Colorado, and New Mexico. The trail is a combination of dedicated trails and small roads and is considered 70% complete. Portions designated as incomplete must be traveled by roadwalking on dirt or paved roads.

Almost complete in New Mexico, the proposed acquisition would nearly close an existing gap and eliminate a 52-mile temporary route along state highway shoulders. The existing highway routing presents significant safety concerns and is inconsistent with the nature and purpose of the CDNST "to provide for a high-quality scenic, primitive hiking and horseback riding opportunity and to conserve natural, historic, and cultural resources along the CDNST corridor". The proposed rerouting is especially scenic and within the mostly undeveloped Alamosita Creek landscape. The proposed acquisition would offer a rare source of perennial water for CDNST users and cottonwood galleries providing shaded camping opportunities.

The Alamosita Creek landscape would improve public access (especially for hunting) to the Cibola National Forest, an area with a significant elk population. The parcel contains eight miles of Alamosita Creek, providing riparian habitat for many species of wildlife. The area is known for cultural sites (including those highlighting early contact between native Americans and Europeans).

Improving the tread and connectivity of the CDNST supports multiple America's Great Outdoors goals, including expanding access to public lands, providing high quality trail opportunities and creating youth oriented job and volunteer opportunities for underserved communities.

**Purpose / Need:**

Provide permanent route for the Continental Divide NST, replacing a temporary highway routing. Protect the Alamosita Creek landscape and improve public access to Cibola National Forest.

**Cooperator(s):** Rocky Mountain Elk Foundation, U.S. Forest Service, New Mexico State Lands Office, New Mexico State Parks, New Mexico Department of Game and Fish, Catron County, Pueblo of Acoma, Continental Divide Trail Coalition, Backcountry Horsemen.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$25,000 Annual: \$25,000

**Describe O&M:** Anticipated one-time O&M investments associated with this purchase is conduct natural and cultural resource inventories, construct or remove fencing to restore wildlife and riparian habitat, hold educational events for the public, install gates at trail head or to block/retire roads, install information signs and other trail signs, prepare a management plan, update maps and brochures. The estimated one-time total O&M investment cost associated with this acquisition is between \$10,000 and \$25,000. Anticipated ongoing O&M costs associated with this purchase is maintain infrastructure (e.g. roads, fence, gates, cultural structure, etc.), maintaining and restoring resources and treat noxious and/or invasive plants along the Alamosita Creek. The estimated annual cost for ongoing O&M associated with the acquisition is between \$10,000 and \$25,000.

Project / Unit: **Big Morongo Canyon Area Critical Environmental Concern**

Priority: 22

Discretionary

Mandatory

State(s): CA

Congressional 8

District(s):

Location: Southern California, directly north of Palm Springs

Proposed for FY 2017	
Acres	\$
691	\$800,000
Acquired to Date	
8,500	\$2,644,500
Remaining to be Acquired	
2,150	\$3,000,000

**Project Description:**

Big Morongo Canyon ACEC is a biologically rich area within the Little San Bernardino Mountains. Located primarily east of Highway 62, and north of Interstate 10, it is noted for its high biological diversity, bird-watching opportunities, recreational trails, and importance to regional wildlife corridors. Annual visitation is approximately 60 thousand persons per year.

Big Morongo Canyon, in the heart of the ACEC, includes lush desert oasis and one of the largest cottonwood-willow riparian and marsh habitats in the California Desert. The entire ACEC is inside Senator Feinstein's proposed Sand to Snow National Monument in the California Desert.

The proposed acquisition will conserve significant habitat for rare and endangered species, ecological processes and a key wildlife corridor which crosses Highway 62 between Morongo Valley and Yucca Valley, two areas with large future growth potential that could negatively impact the ACEC's conservation value. The wildlife corridor connects the Little San Bernardino and San Bernardino Mountains. It is well studied and appears in several reports and academic papers as a regionally important landscape linkage. These studies include research on critical bighorn sheep gene flow by Epps, et al, Missing Linkage by Kristeen Penrod, and the Conservation Priorities Report from the Morongo Basin Open Space Group.

This acquisition is part of a larger effort to link the San Geronio Wilderness, Bighorn Mountains Wilderness, Pioneertown Mountain Preserve, Big Morongo ACEC, Joshua Tree National Park, and the 29 Palms Marine Corps Air Ground Combat Center. Mojave Desert Land Trust, The Wildlands Conservancy, US National Park Service, and California Department of Fish and Wildlife are all working towards this regional conservation goal.

**Purpose / Need:**

Protect and preserve a desert ecosystem which provides habitat for T&E species, a regionally important wildlife corridor particularly important for bighorn sheep. Consolidate federal ownership and increase public recreational opportunities.

**Cooperator(s):** Mojave Desert Land Trust, U.S. National Park Service, California Department of Fish and Wildlife, The Wildlands Conservancy,

Estimated O&M Savings: Start-up: \$10,000 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** Estimated O&M Start-up Savings: Partner assistance available to process the proposed transaction in the form of contributed services to contract for the appraisal, Phase I Environmental Site Assessment and necessary due diligence. Estimated O&M Start-up Costs: Conduct natural and cultural resource inventories, install gates at trail heads or to block/retire roads and install signage. Estimated O&M Annual Costs: Maintain or restore resources and monitor for compliance, trespass, overuse, hazards, etc. (Includes additional law enforcement costs).

Priority: 23

Project / Unit: Sandy River Area of Critical Environmental Concern

Discretionary

Mandatory

State(s): OR

Congressional 3  
District(s):

Location: Northwest Oregon, 20 miles southeast of Portland

Proposed for FY 2017	
Acres	\$
215	\$1,700,000
Acquired to Date	
8,198	\$33,304,845
Remaining to be Acquired	
266	\$5,000,000

**Project Description:**

A breath-taking scenic corridor immediately east of metropolitan Portland, the Sandy River descends from the forested slopes of Mount Hood, harboring a rich diversity of animal and plant populations, within secluded riparian and wetland areas. Multiple threatened salmonid species, including Lower Columbia Chinook and Coho salmon and Steelhead use these turbulent waters for spawning and rearing their young before returning to the Pacific Ocean via the Columbia River. Old growth stands of Douglas fir contain prime habitat for the threatened northern spotted owl.

The Sandy River Area of Critical Environmental Concern (ACEC) project offers exceptional recreational opportunities for fishing, hiking, wildlife viewing, nature study, and non-motorized boating or floating. The project is easily accessible from the Portland Metro area, the Northwest's second largest population center. The 29,000-acre Sandy River ACEC project contains the route of the historic Barlow Trail Road, the western segment of the Oregon National Historic Trail and shares a common boundary with the Salmon-Huckleberry Wilderness, administered by the U.S. Forest Service.

PGE recently completed removal of their Bull Run hydroelectric project, including dams on both the Sandy and Little Sandy Rivers. Dam removal has restored the free flowing character of the Sandy River. Numerous projects designed to improve accessibility and enhance and restore habitat for listed species have been undertaken by BLM and its partners on and adjacent to recently acquired parcels within the project area. These actions will aid federal agencies recover federally-listed species and improve the BLM's ability to provide recreation opportunities to a large population. The recently completed Sandy Ridge Mountain Bike Trail System now draws over 100,000 visitors annually, and that number is growing. The proposed acquisitions will also provide greater management consistency in the Sandy Basin and improve the BLM's ability to manage Sandy River Resources.

**Purpose / Need:**

Preservation of the Sandy/Salmon River gorge and interwoven Oregon National Historic Trail corridor, providing for the protection of open space, scenic, recreation, fisheries, and wildlife values

**Cooperator(s):** U.S. Forest Service, State of Oregon, Clackamas and Multnomah Counties, METRO (regional government body), Cities of Portland and Sandy, Portland General Electric (PGE), The Nature Conservancy, Northwest Steelheaders, Oregon Trout, Sandy River Watershed

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$1,500

**Describe O&M:** Costs incurred would include forest type inventories, potential weed control or silvicultural treatments to enhance forest conditions, and enhancement opportunities for species habitat or population maintenance. The intrinsic values to be gained are for species of concern, recreation, and sustainable forest landscape conditions; these do not have a dollar amount attached but are important to our local communities.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: John Day Wild and Scenic River

Priority: 23

Discretionary

Mandatory

State(s): OR

Congressional 2  
District(s):

Location: North Central OR, 95 miles SE of Portland, OR and 83 miles NE of Bend, Oregon

Proposed for FY 2017	
Acres	\$
13,493	\$6,800,000
Acquired to Date	
11	\$40,000
Remaining to be Acquired	

**Project Description:**

The John Day River (JDR) is the Columbia Basin's most biologically diverse river system with the largest native fish populations in Oregon including Chinook salmon, Mid Columbia Steelhead and Bull Trout; both listed as Threatened. The system includes the mainstem and its North, Middle and South Forks and covers more than 500 river miles. The JDR and its tributaries have been identified as a salmon stronghold and key for recovery of important fish populations. The landscape also provides enhanced opportunities for bats, neo-tropical and resident birds, and dispersal territories for wide-ranging species like elk, mule deer and wolverine.

An investment into the JDR will benefit important habitat and ensure public access to thousands of acres of public land for a diverse range of highly desirable recreation opportunities including hunting, fishing, camping, sight-seeing, nature study, photography, and float boating. Every segment of the river offers a different experience. Vast expanses of wilderness and roadless areas provide remote, wild settings with great solitude and primitive conditions. These options can only be accessed by 5 to 7 day float trips; an experience not available within 100 miles of the area. Visitors can also experience day trips through a variety of spectacular scenic and rural settings.

The project area includes the newly Congressionally designated Spring Basin Wilderness (SBW), the North Pole Ridge WSA, the Thirty Mile WSA, the John Day and South Fork John Day WSR's, the administratively suitable North Fork John Day WSR, State Scenic Waterways, State Wildlife Management Areas along the lower mainstem and along the South Fork, and the John Day Fossil Beds National Monument. Some acquired lands will become incorporated into the SBW.

Historically, various Tribal groups used the region for root collecting, hunting, fishing and religious activities. These traditions continue today however, access for these traditional activities is an issue due to land ownership and geography.

**Purpose / Need:**

Conserve significant scenic, recreation, fisheries, wildlife, cultural, paleontological, and botanical values. Increase recreational access.

**Cooperator(s):** OR Parks & Rec. Dept., OR Dept. of Fish & Wildlife, OR Watershed Enhancement Board, Gilliam Co. and Sherman Co. Soil & Water Conservation Districts, Lower John Day Working Group

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$10,000 Annual: \$2,500

**Describe O&M:** The O&M costs associated with this proposal include: recreational staffing, law enforcement, placing public informational signs, developing and maintaining trails or roads for public access, and on going monitoring of the public lands to preserve, develop and ensure access to outdoor recreation facilities.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Crooked Wild and Scenic River

Priority: 23

Discretionary

Mandatory

State(s): OR

Congressional 2  
District(s):

Location: Central Oregon, approximately 40 miles northwest of Bend, Oregon

Proposed for FY 2017	
Acres	\$
101	\$350,000
Acquired to Date	
Remaining to be Acquired	

**Project Description:**

The Crooked National Wild and Scenic River cuts a dramatic 800-foot canyon deep into the basalt plateau of Central Oregon. This scenic river canyon borders the Crooked River Ranch Subdivision with a growing population of 4,500 residents. Access to the canyon is extremely limited and the parcel proposed for acquisition offers the best trail into the canyon.

The parcel provides excellent habitat for several sensitive fish species including summer steelhead, spring chinook and redband trout. Raptors found in the canyon include Golden Eagles, Red-tail Hawks and Prairie Falcons. Beaver and river otter are present and the California floater mussel, a candidate species, has been recently discovered in the river.

This stretch of river contains a unique hydrologic system with significant spring flows that add 1,200 cubic feet per second (CFS) to the flow in a distance of seven (7) miles. This ground water inflow can constitute over 95% of the rivers flow during the summer low flows.

The canyons and surrounding plateaus are rich in historic homesteads and prehistoric pictographs. Historic artifacts related to a hydro ram pumping system and associated ladders that lifted water from the river to the rim are present on the parcel. The parcel proposed for acquisition contains some of the area's best pictograph sites. The Crooked River offers outstanding primitive recreation opportunities, solitude, and a high degree of physical challenge. Opportunities include world-class white-water kayaking, fishing, bird watching, hiking, sight-seeing, and nature photography.

**Purpose / Need:**

Acquire important cultural and natural resource values within the Crooked National Wild & Scenic River corridor and provide opportunity for improved public access.

Cooperator(s): American Whitewater, Oregon Natural Desert Association (ONDA) and the Northwest Steelheaders Association

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$1,500

**Describe O&M:** The O&M costs for the Crooked National Wild and Scenic River include: Recreational staffing, law enforcement, public informational signs, road and trail maintenance to maintain public access and to preserve, develop and ensure access to outdoor recreation facilities.

Project / Unit: **Sabinoso Area of Critical Environmental Concern**

Priority: 24

Discretionary

Mandatory

State(s): NM

Congressional 3

District(s):

Location: Northeastern New Mexico, 75 miles east of Las Vegas.

Proposed for FY 2017	
Acres	\$
2,430	\$2,300,000
Acquired to Date	
Remaining to be Acquired	
1,695	\$3,000,000

**Project Description:**

Located in the northeastern portion of the New Mexico, the Sabinoso ACEC is remote and completely isolated. The 19,780-acre Sabinoso ACEC has a series of high, narrow mesas surrounded by cliff-lined canyons. The rugged country primarily supports pinon pine and juniper woodlands and occasional cluster of ponderosa pine, with perennial warm season grass savanna on the mesa tops. Stream periodically flow in the canyon bottoms, supporting riparian vegetation including willow and cottonwood. The large deep canyon area is surrounded by the wide-open New Mexico plains and is unique to this region.

The ACEC is adjacent to the 16,030-acre Sabinoso Wilderness. The Omnibus Public Lands Management Act of 2009 designated the Sabinoso Wilderness to conserve, protect, and enhance ecological, scenic, wildlife, recreational, cultural historical, and natural resources. Currently, the public does not have legal access into the Sabinoso Wilderness or the ACEC. These areas are completely surrounded by private and scattered State land which limits public access. Without any type of access for the public, they are unable to explore and experience the rare pristine isolated landscape. Primary recreation activities in Sabinoso ACEC are likely to include hiking, backpacking, geological study, horseback riding, landscape photography, and hunting.

The Sabinoso ACEC sits upon the Canadian Escarpment which is composed mostly of the Jurassic Morrison Formation and Triassic Chinle Shale. Cretaceous Dakota Sandstone caps these formations and creates colorful cliffs at the top of the landscape and ponderosa pines mix with riparian vegetation along many of the canyon bottoms and grow in isolated stands along the canyon walls that contain caves, old rock, and adobe ruins. Wildlife species consist of wild turkey, bobcat, mountain lions, barbary sheep, geese, duck, mule deer, and elk are seasonal inhabitants.

**Purpose / Need:**

Consolidate landownership, acquire public access, enhance recreational opportunity for users, and prevent residential development, protection of open space within the Sabinoso Area of Critical Environmental Concern (ACEC).

**Cooperator(s):** The Wilderness Land Trust is the third party partner for acquisition. Other cooperators are the Conservation Fund, the Trust for Public Land and the San Miguel County.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$10,000 Annual: \$5,000

**Describe O&M:** Anticipated one-time O&M investment associated with this purchase is conduct natural and cultural resource inventories, hold a dedication event with the Wilderness Land Trust and other cooperators, and prepare a management plan which is ongoing with the Taos Field Office, and update maps and brochures. The estimated costs for the one-time O&M investment would be \$10,000. The ongoing O&M costs associated with the project would be an estimated \$5,000 which includes maintenance of infrastructure (e.g. roads, fence, gates, cultural structure, etc.) and maintenance or restoration of resources.

Project / Unit: Galisteo Basin Area of Critical Environmental Concern

Priority: 25

Discretionary

Mandatory

State(s): NM

Congressional 3  
District(s):

Location: North Central New Mexico, 23 miles south of Santa Fe

Proposed for FY 2017	
Acre	\$
365	\$1,500,000
Acquired to Date	
182	\$1,390,000
Remaining to be Acquired	
1,361	\$5,500,000

**Project Description:**

One of the preeminent archaeological districts and recognizable cultural landscape in the Southwest is the Galisteo Basin, which is the site of multi-partner efforts to preserve and connect this unique landscape. This archaeologically rich area represents an incredibly well-preserved record of a dramatic cultural transition over the past 10,000 years. The 2,320-acre Galisteo Basin ACEC preserves a fraction of the 24 nationally significant archaeological sites designated in the Galisteo Basin Archaeological Site Protection Act. These sites include large prehistoric and historic pueblos, Native American rock art, and early Spanish Colonial Settlements. Many of these sites are surrounded by low-density residential development, which consumes excessive amounts of land and fragments natural landscapes. Ongoing collaboration and partnership among federal, state, local, and tribal governments, private, non-profit, and conservation groups serve as a foundation to protect and connect these fragmented natural spaces. These collaborations strive to achieve a common goal of interconnecting isolated islands of undeveloped spaces into an irreplaceable network of open space and trail systems to provide sustainable natural area. The interconnection efforts involves existing open space such as BLM Cerrillos Hills/Burnt Corn SRMA, Galisteo Basin and La Cienega ACECs, Cerrillos Hills State Park, Thornton Ranch Open Space, private conservation land, and easements to create a network of parks and natural spaces intertwined with rich cultural and natural resources. Creating this interconnected network of conservation and recreation lands is an ongoing effort among many partners with the BLM's acquisition of the Burnt Corn Pueblo site being a current key component. Acquisition would preserve one of largest Galisteo Basin sites and provide a key component to the ongoing efforts to create new long distance regional trail networks in Santa Fe County. Concurrently Santa Fe County has invested \$1.7 million in the acquisition of Mount Chalchihuitl in the Cerrillos Hills SRMA and \$750,000 in the Petroglyph Hill management plan. The end result is a multi-partner collaboration to connect existing open spaces into a cohesive system of greenways to sustain natural systems and cultural resources, while providing public recreation opportunities.

**Purpose / Need:**

Preserve designated Galisteo Basin archaeological site that are part of the Galisteo Basin ACEC, enhance educational, research and recreational opportunities, and protect fragile ecosystem and habitat.

**Cooperator(s):** Santa Fe County, Ohkay Owingeh Pueblo, City of Santa Fe, Friends of Galisteo Basin, Galisteo Basin Preserve, Santa Fe Conservation Trust, New Mexico Archaeological Council, Archaeology Southwest, New Mexico Museum Office of Archaeological Studies, and Sitewatch.

Estimated O&M Savings: Start-up: \$0 Annual: \$0  
 Estimated O&M Costs: Start-up: \$10,000 Annual: \$5,000

**Describe O&M:** The initial O&M costs associated with this purchase would be resource inventories, monitoring and installation of infrastructure such as signs, gates, and fencing to protect and preserve the natural and cultural resources. Inventory and monitoring for these resources would be accomplished through partnerships with non-profit, conservation groups and educational institutions to serve as a springboard to protect and open up educational and research opportunities. These types of contribution would provide an estimated savings of \$5,000. Anticipated ongoing O&M costs associated with this acquisition would be maintenance of infrastructure (e.g. roads, fences gates, cultural structure etc.), maintain or restore resources and monitoring efforts. A portion of these costs would be shared through our partnerships with state and local governments in our efforts to interconnect a network of parks and natural spaces in an area that lacks open spaces.

Project / Unit: North Platte River Special Recreation Management Area

Priority: 26

Discretionary

Mandatory

State(s): WY

Congressional 1  
District(s):

Location: Central Wyoming, up to 50 miles southwest of Casper.

Proposed for FY 2017	
Acres	\$
3,573	\$2,816,000
Acquired to Date	
1,769	\$7,886,000
Remaining to be Acquired	
1,117	\$9,494,500

**Project Description:**

Weaving a fragile thread of green through the high plains of central Wyoming, the vegetative corridor hugging the banks of the North Platte River represents the rarest of Western ecosystems, only 1% of land in Wyoming constitutes riparian/wetland habitat.

The 4,600-acre North Platte River Special Recreation Management Area (SRMA) includes a 45-mile segment of the North Platte, between Pathfinder National Wildlife Refuge (administered by the Fish and Wildlife Service) and the City of Casper. While the flow of the North Platte is regulated, the river remains lightly impacted by agriculture, mining, and rural residential subdivision. Native cottonwood stands along the river are critical to a wintering bald eagle population. The Oregon, California, Mormon Pioneer, and Pony Express National Historic Trails (NHTs), diverging from and interpreted at Casper's National Historic Trails Interpretive Center followed the natural contour of the North Platte River valley more than a century ago. The Battle of Red Buttes site along the NHTs is the location of where the Plains Tribes attacked the 11th Kansas Volunteer Cavalry supply wagons on July 26, 1865. Over 62,000 acres of sage-grouse core area combine with abundant natural resources, amidst vast relatively untrammeled landscapes. Short grass prairies and sagebrush steppe communities are intermixed with mountain shrubs bounded by riparian corridors. Uplifts along with sandstone hogbacks and cuernas add color and create diversity in this vast landscape. The combination of these varied components is critical to the life cycle and long-term survival of the sage-grouse.

An intermingled land ownership pattern stymies public access to and use of the river. Minutes away from Casper's 50,000 residents, local outdoor enthusiasts and area visitors have turned to the BLM to address their growing demand for river access. The popularity of the Platte River Parkway, Casper's highly successful "greenway" project initiated in 1982, and public fishing access easements purchased by the Wyoming Game and Fish Department along the North Platte are indicators of public use. The North Platte is regarded by the WGFD as a "Blue Ribbon/Class I" trout fishery.

**Purpose / Need:**

Enhance public recreation opportunities, provide education/preservation of historic battle site, preserve riparian/wetland and endangered species habitat along the North Platte river, and conserve Greater Sage-grouse habitat.

Cooperator(s): Platte River Parkway Trust, Wyoming Fly Casters, North Platte Walleyes Unlimited.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$65,000 Annual: \$20,000

**Describe O&M:** The anticipated O&M costs would include fencing the property, construction of a parking area with bollards, placement of a vault toilet, construction of an accessible pedestrian trail, and installation of interpretative panels. An interpretive program in concert with Casper's National Historic Trails Interpretive Center may be part of the initial startup costs. Annual maintenance costs would include routine upkeep of these facilities, as well as staff and law enforcement patrols of the property and facilities, and implementation of the interpretive program.

<b>Activity: Land Acquisition</b>
<b>Subactivity: Emergencies, Hardships, &amp; Inholdings</b>

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Emergency & Hardships	<i>\$000</i>	1,616	1,616	+0	+0	+0	1,616	+0
	<i>FTE</i>	0	0		+0	+0	0	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Inholding, Emergency and Hardship program is \$1,616,000.

### Program Overview

The Inholding, Emergency and Hardship program allows the BLM to promote conservation of natural landscapes and resources by consolidating privately owned land with publicly owned land when properties become available on short notice and would not remain available unless immediate action is taken. The availability of funds for Inholding, Emergency, and Hardship purchases permits timely actions to alleviate hardships and prevent adverse land use that may conflict with management objectives for adjacent public lands. The BLM's parcels targeted for purchase with these funds, although typically small and generally inexpensive, conserve and protect cultural and historic resources, permit retention of increasingly limited open spaces, preserve wildlife habitat and wilderness, enhance public recreation opportunities, and are strongly supported for Federal acquisition by local communities.

### 2017 Program Performance

In 2017, the BLM will respond to field requests for Inholding, Emergency and Hardship funding as they are submitted for consideration on a case-by-case basis. The Bureau will continue to focus on acquisitions that conserve and protect cultural and historic resources, retain open space, preserve wildlife habitat and wilderness, and enhance public recreation opportunities in the western U.S. in perpetuity.

<b>Activity: Land Acquisition</b>
<b>Subactivity: Acquisition Management</b>

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Acquisition	\$000	1,904	2,000	+42	+0	+0	2,042	+42
Management	FTE	12	12		+0	+0	12	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Acquisition Management program is \$2,042,000 and 12 FTE.

### Program Overview

The Acquisition Management program completes the administrative tasks necessary for the Land Acquisition program to acquire land funded through the Land and Water Conservation Fund. Acquisition Management program funds are used for title research, appraisal, appraisal review, project planning, boundary surveys, relocation, taxes, escrow, closing, coordination with BLM multi-resource programs, and coordination with local governments and private parties.

The BLM closely monitors funds spent for processing costs associated with the purchase of land and interests in land. Processing costs typically range between \$50,000 and \$100,000 per project, depending on the complexity of title searches and appraisals, boundary surveys, the number of parcels contained in each purchase, costs associated with the purchase of conservation easements, and other factors. Close communication with field offices and close monitoring of funds spent, allows the BLM to allocate the appropriate amount of funding to each office.

The Acquisition Management program receives assistance from dozens of third-party partners such as the Audubon Society, the Conservation Fund, the Nature Conservancy, and the Trust for Public Land and the Wilderness Land Trust. These partners continually assist local communities and the BLM in supporting the acquisition and management of specific properties for cultural, recreational and wildlife values and to preserve open space. While the majority of these partners support acquisition of lands through grassroots political advocacy and long-term conservation management, some regional and national partners directly assist the BLM by becoming transactionally involved in the purchase of fee and conservation easement property interests. Approximately 80 percent of BLM purchase transactions are completed with the assistance of these third-party conservation partners. This assistance is a major cost savings for the BLM.

### 2017 Program Performance

In 2017, the BLM will complete the administrative tasks necessary to acquire fee or easement interests in lands designated for purchase under the Land Acquisition program.

## Budget Schedules - Current Law

Account Symbol and Title 14X5033 Land Acquisition	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Land acquisition	0001	8	18	20
Acquisition management	0002	2	4	4
Total new obligations	0900	10	22	24
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	23	33	50
Budget authority:				
Appropriations, discretionary:				
Appropriation (special or trust fund)	1101	20	39	44
Appropriations transferred from other acct [014-1125]	1121	0	0	0
Appropriation, discretionary (total)	1160	20	39	44
Appropriation, discretionary - Computed Totals	1160-20	20	39	44
Appropriation [Protected Conserving New Lands-LWCF]	1160-40	20	39	44
Baseline Civilian Pay	1160-50		2	2
Baseline Non-Pay	1160-50		37	38
Policy Outlays:				
New Authority	1160-61	3	10	11
Balances (excl of EOY PY Bal)	1160-62	13	0	20
End of PY Balances	1160-63		5	0
Subtotal, outlays	1160-64	16	15	31
Baseline Outlays:				
New Authority	1160-81		10	10
Balances (excl of EOY PY Bal)	1160-82		0	20
End of PY Balances	1160-83		5	0
Subtotal, outlays	1160-84		15	30
Total budgetary resources available	1930	43	72	94
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	33	50	70
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	6	0	7
Obligations incurred, unexpired accounts	3010	10	22	24
Outlays (gross)	3020	-16	-15	-31

Account Symbol and Title				
14X5033				
Land Acquisition				
	Line	2015 Act	2016 CY	2017 BY
Unpaid obligations, end of year	3050	0	7	0
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	6	0	7
Obligated balance, end of year	3200	0	7	0
Budget authority and outlays, net:				
Discretionary:				
Budget authority, gross	4000	20	39	44
Outlays, gross:				
Outlays from new discretionary authority	4010	3	10	11
Outlays from discretionary balances	4011	13	5	20
Outlays, gross (total)	4020	16	15	31
Budget authority, net (discretionary)	4070	20	39	44
Outlays, net (discretionary)	4080	16	15	31
Budget authority, net (total)	4180	20	39	44
Outlays, net (total)	4190	16	15	31
INVESTMENT ACTIVITIES:				
Physical assets:				
Major equipment:				
Purchases and sales of land and structures for Federal use:				
Direct Federal programs:				
Budget Authority	1340-01	20	39	44
Outlays	1340-02	16	15	31
Object Classification				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	1	1	1
Other services from non-Federal sources	25.2	2	3	3
Land and structures	32.0	7	18	20
Total new obligations	99.9	10	22	24
Employment Summary				
Direct civilian full-time equivalent employment	1001	12	12	12
Budget year budgetary resources [014-5033]				
	1000			43,959

## Budget Schedules - Proposal

Account Symbol and Title 14X5033 Land Acquisition	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Land acquisition	0001	0	0	30
Acquisition management	0002	0	0	4
Total new obligations	0900	0	0	34
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	0	0	0
Budget authority:				
Appropriations, mandatory:				
Appropriations transferred from other acct [014-5005]	1221	0	0	45
Appropriations, mandatory (total)	1260	0	0	45
Appropriations, mandatory - Computed Totals	1260-20	0	0	45
Appropriation [LWCF]	1260-40	0	0	45
Policy Outlays:				
New Authority	1260-61	0	0	4
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63	0	0	0
Subtotal, outlays	1260-64	0	0	4
Total budgetary resources available	1930	0	0	45
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	0	0	11
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	0	0	0
Obligations incurred, unexpired accounts	3010	0	0	34
Outlays (gross)	3020	0	0	-4
Unpaid obligations, end of year	3050	0	0	30
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	0	0	0
Obligated balance, end of year	3200	0	0	30
Budget authority and outlays, net:				

Account Symbol and Title 14X5033 Land Acquisition		Line	2015 Act	2016 CY	2017 BY
Mandatory:					
Budget authority, gross		4090	0	0	45
Outlays, gross:					
Outlays from new mandatory authority		4100	0	0	4
Budget authority, net (mandatory)		4160	0	0	45
Outlays, net (mandatory)		4170	0	0	4
Budget authority, net (total)		4180	0	0	45
Outlays, net (total)		4190	0	0	4
Character Classification (C)					
INVESTMENT ACTIVITIES:					
Physical assets:					
Major equipment:					
Purchases and sales of land and structures for Federal use:					
Direct Federal programs:					
Budget Authority		1340-01	0	0	45
Outlays		1340-02	0	0	4
Object Classification (O)					
Direct obligations:					
Other services from non-Federal sources		25.2	0	0	10
Land and structures		32.0	0	0	24
Total new obligations		99.9	0	0	34
Employment Summary (Q)					
Direct civilian full-time equivalent employment		1001	0	0	0

# Oregon and California Grant Lands



# OREGON AND CALIFORNIA GRANT LANDS

## Appropriations Language

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; [\$107,734,000]\$106,985,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 1181f). (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.*)

## Appropriations Language Citations

- 1. For expenses necessary for management, protection, and development of resource and for construction, operation, and maintenance of access roads, reforestation, and other improvements**

This language provides authority to use appropriated funds provided for the BLM to carry out the mission of the Oregon and California Grant Lands program. The BLM manages these lands for forest diversity and sustainability while providing multiple-use benefits and services to local communities and the public. Activities focus on forest management, watershed health, wildlife and fisheries habitat improvement, recreation opportunities, cultural resources protection, and infrastructure maintenance.

- 2. on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon,**

The BLM manages resources on public domain under the provisions of the Federal Land Policy and Management Act of 1976. Programs conducted on certain O&C grant lands within National Forests are under the jurisdiction of the U.S. Forest Service (USFS) and managed with USFS funds. The USFS returns receipts generated from activities on these lands to the BLM for payment to counties in accordance with the Act.

- 3. and on adjacent rights-of-way and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands;**

The O&C appropriation supports the acquisition of easements, road-use agreements for timber site access, and the design of access roads for general resource management purposes.

**4. \$106,985,000 to remain available until expended**

This language provides authority to use \$106,985,000 in appropriated funds to carry out the mission of the program. The language makes the funding no-year, available for expenditure in any year after the appropriation. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, agreements and purchases.

**5. *Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 1181(f)).***

The 2017 budget request reflects the continuation of BLM's Oregon and California Grant Lands existing authorities within the Office of the Secretary.

## Authorizations

***The Oregon and California Grant Lands Act of 1937 (43 U.S.C. 1181)*** provides for conservation, management, permanent forest production, and sale of timber from revested Oregon and California (O&C) grant lands and reconveyed Coos Bay Wagon Road (CBWR) grant lands located in western Oregon.

***The Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701 et seq.,*** as amended, provides for the public lands to be generally retained in Federal ownership; for periodic and systematic inventory of the public lands and their resources; for a review of existing withdrawals and classifications; for establishing comprehensive rules and regulations for administering public land statutes; for multiple use management on a sustained yield basis; for protection of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values; for receiving fair market value for the use of the public lands and their resources; for establishing uniform procedures for any disposal, acquisition, or exchange; for protecting areas of critical environmental concern; and for recognizing the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands, including implementation of the *Mining and Minerals Policy Act of 1970*.

***The Federal Land Policy and Management Act*** applies to all public lands that include the O&C grant lands by definition (Sec. 103(e)). However, Sec. 701(b) of *FLPMA (43 U.S.C. 1701)* note) provides that if any provision of *FLPMA* is in conflict with or inconsistent with the *O&C Act* and *Coos Bay Wagon Road Act*, insofar as they relate to management of timber resources and disposition of revenue from lands and resources, the latter Acts will prevail. In addition, many other Federal statutes regarding natural resource management and protection apply to the management of the O&C and CBWR grant lands in western Oregon.

***The Act of May 24, 1939 (53 Stat. 753)*** relates to the disposition of funds from the CBWR grant lands located in western Oregon.

***The Timber Protection Act of 1922 (16 U.S.C. 594)*** provides for the protection of timber from fire, insects, and disease.

***The Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393)*** authorizes stabilized payments to O&C and CBWR Counties for 2001 through 2006. Each county that received at least one payment during the eligibility period (1986-1999) received an amount equal to the average of the three highest 50-percent payments and safety net payments made for the years of the eligibility period. The payments were adjusted to reflect changes in the Consumer Price Index. The Act expired in 2006. The final payments for 2006 were made in 2007, consistent with the Act.

***P.L. 110-28*** provided one additional year of payments to O&C grant lands and Coos Bay Wagon Road counties.

***Sec. 601. of P.L. 110-343 Secure Rural Schools and Community Self-Determination Program*** provided an extension and ramping down of payments to the O&C grant lands and the Coos Bay Wagon Road counties through fiscal year 2011.

***P.L. 112-141 – Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21)*** provided an extension of one year of Secure Rural School payments to O&C grant lands and Coos Bay Wagon Road counties.

***P.L. 113-40 – Helium Stewardship Act of 2013*** provided an extension of one year of Secure Rural School payments to O&C grant lands and Coos Bay Wagon Road counties.

***P.L. 114-10 - ‘Medicare Access and CHIP Reauthorization Act of 2015*** provided an extension of two years (2014 and 2015) of Secure Rural School payments to O&C grant lands and Coos Bay Wagon Road counties.

***Public Land Order 5490***, dated February 12, 1975, reserved all public lands in and west of Range 8 East of the Willamette Meridian and all lands within that area which hereinafter become public lands for multiple use management, including sustained yield of forest resources in connection with intermingled revested Oregon and California Railroad Grant Lands and reconveyed Coos Bay Wagon Road Grant Lands.

***Healthy Forest Restoration Act (P.L. 108-148)*** authorizes the BLM and the U.S. Forest Service to conduct hazardous fuels reduction projects on federal land in wildland-urban interface (WUI) areas and on certain other federal lands using expedited procedures.

***Land Conveyance to Douglas County, Oregon, (P.L. 108-206)*** authorized conveyance to Douglas County, Oregon, of approximately 68.8 acres of BLM-managed land in Douglas County in order to improve management of and recreational access to the Oregon Dunes National Recreation Area.

***Forest Ecosystem Health & Recovery Fund, (P.L. 102-381)*** authorized quick response to fire and reforestation of forests damaged by insects, disease, and fire. Also includes proactive vegetative treatments designed to reduce the risk of catastrophic damage to forests and increase forest resiliency to disturbances. Funds in this account are derived from the Federal share (defined as the portion of receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181-1 et seq., and P.L. 106-393) of receipts from all BLM timber salvage sales and all BLM forest health restoration treatments funded by this account. The authority to make deposits and to spend from this fund was provided in the 2010 Interior Appropriations Act (P.L.

111-88, 123 STAT. 2906) and was scheduled to expire at the end of fiscal year 2015. The 2015 Omnibus Appropriations Act (Section 117) extended this authority through 2020.

***Timber Sale Pipeline Restoration Funds (PL 104-134 - Section 327 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996.)*** established initial funds for the USFS and the BLM using revenues generated by timber sales released under *Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act*. The legislation directs that 75 percent of the subsequent pipeline fund be used to fill each agency's timber sale "pipeline" and that 25 percent of the pipeline funds be used to address maintenance backlog for recreation projects on BLM and USFS lands after statutory payments are made to State and local governments and the U.S. Treasury.

***Stewardship Contracting (Sec. 347 of Public Law 105-277, as amended by Public Law 108-7 and Public Law 113-79)*** permanently authorizes the BLM, via agreement or contract as appropriate, to enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

Summary of Requirements

(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	2017 President's Budget				Requested Amount	Change from 2016		
	FTE	Amount	FTE	Amount		FTE	Amount	FTE	Amount		FTE	Amount	
<b>Western Oregon Resources Management</b>													
Forest Management	268	33,447	268	33,752	+73	-	-	-	-	268	33,825	-	+73
Reforestation & Forest Development	118	23,851	118	24,023	+43	-	-	-	-	118	24,066	-	+43
Other Forest Resource Mgmt	259	36,985	259	33,495	+61	-	-	-	-	259	33,556	-	+61
Resource Mgmt Planning	42	7,140	42	3,985	+13	-	-	-	-1,000	42	2,998	-	-987
<b>Total, Western Oregon Resource Management</b>	<b>687</b>	<b>101,423</b>	<b>687</b>	<b>95,255</b>	<b>+190</b>	<b>0</b>	<b>-</b>	<b>+0</b>	<b>-1,000</b>	<b>687</b>	<b>94,445</b>	<b>-</b>	<b>-810</b>
<b>Info. &amp; Resource Data Systems</b>	<b>11</b>	<b>1,772</b>	<b>11</b>	<b>1,786</b>	<b>+12</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>11</b>	<b>1,798</b>	<b>-</b>	<b>+12</b>
<b>Transportation &amp; Facilities Maintenance</b>													
Annual Maintenance	1	-	1	-	-	-	-	-	-	1	-	-	+0
Annual Maintenance & Operations	62	9,517	62	9,602	+26	-	-	-	-	62	9,628	-	+26
<b>Subtotal, Western Oregon Trans &amp; Facilities Maint</b>	<b>63</b>	<b>9,517</b>	<b>63</b>	<b>9,602</b>	<b>+26</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>63</b>	<b>9,628</b>	<b>-</b>	<b>+26</b>
<b>Construction &amp; Acquisition</b>	<b>2</b>	<b>312</b>	<b>2</b>	<b>324</b>	<b>+11</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>335</b>	<b>-</b>	<b>+11</b>
<b>NMs &amp; NCAs</b>	<b>4</b>	<b>753</b>	<b>4</b>	<b>767</b>	<b>+12</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4</b>	<b>779</b>	<b>-</b>	<b>+12</b>
<b>Total, Oregon &amp; California Grant Lands</b>	<b>767</b>	<b>113,777</b>	<b>767</b>	<b>107,734</b>	<b>+251</b>	<b>0</b>	<b>-</b>	<b>+0</b>	<b>-1,000</b>	<b>767</b>	<b>106,985</b>	<b>-</b>	<b>-749</b>

**Justification of Fixed Costs and Internal Realignments  
Oregon and California Grant Lands**

*(Dollars In Thousands)*

<b>Fixed Cost Changes and Projections</b>	<b>2016 Total or Change</b>	<b>2016 to 2017 Change</b>
Change in Number of Paid Days This column reflects changes in pay associated with the change in the number of paid days between the 2016 and 2017.	+134	-259
Pay Raise The change reflects the salary impact of the 1.6% programmed pay raise increases as provided in the June, 2015 Circular A-11.	+751	+510

### Appropriation Description

The Oregon and California (O&C) Grant Lands appropriation provides for management of the revested O&C Railroad grant lands and the reconveyed Coos Bay Wagon Road (CBWR) grant lands. The BLM manages these lands for forest diversity and sustainability while providing an array of multiple-use benefits and services to local communities and the public (see discussion under each activity and subactivity). As mandated by the O&C Act of 1937 (43 U.S.C. 1181), these lands are managed for timber production under the principle of sustained yield. Activities focus on forest management including commodity production; watershed health and productivity including soil and water restoration projects; wildlife and fisheries habitat protection and improvement; recreation opportunities; cultural resources protection; and infrastructure maintenance.

The BLM manages 2.4 million acres of O&C grant lands, CBWR lands, and intermingled public domain lands with this appropriation. The BLM manages resources on public domain land (10 percent of the area) under the provisions of the Federal Land Policy and Management Act of 1976. Programs conducted on certain O&C grant lands within National Forests are under the jurisdiction of the U.S. Forest Service (USFS) and managed with USFS funds (often referred to as Controversial O&C Lands). The USFS returns receipts generated from activities on these lands to the BLM for payment to counties in accordance with the Act. The five budget activities of the O&C appropriation are summarized below. Through these activities, the BLM implements resource management plans (RMP) and supports resource activities on the O&C and CBWR grant lands under the BLM's jurisdiction.

- **Western Oregon Construction and Acquisition** provides for the acquisition of easements, road-use agreements for timber site access, and the design of access roads for general resource management purposes.
- **Western Oregon Transportation and Facilities Maintenance** provides for maintenance activities for the transportation system, office buildings, warehouse and storage structures, shops, greenhouses, and recreation sites. This program's efforts maintain the transportation system necessary for effective implementation of the RMPs. Road maintenance activities help to reduce or eliminate negative impacts of poor road conditions on aquatic and fisheries resources, including Pacific salmon and other resident and anadromous fish populations in the Northwest.
- **Western Oregon Resources Management** provides for planning, preparing, offering, administering and monitoring timber sales; maintaining the sustainability of forest resources and timber harvest through reforestation, development, and restoration techniques; managing and monitoring wildlife habitat, recreational opportunities, and rangeland resources; and maintaining or improving soil, water and air quality.
- **Western Oregon Information and Resource Data Systems** provides for the acquisition, operation, and maintenance of the automated data support systems required for the management of the O&C grant lands. The focus of this program is to make data operational for monitoring and adaptive management; and for developing and analyzing activity plans, such as timber sales and habitat management plans.

- **Western Oregon National Monuments and National Conservation Areas** provides for the management of National Monuments and National Conservation Areas and other similar Congressionally designated areas in western Oregon.

<b>O&amp;C LANDS IN WESTERN OREGON</b>	
<b>(ACRES)</b>	
<b>BLM-Managed Lands</b>	
O&C Grant Lands	2,084,796
CBWR Lands	74,547
Public Domain Lands	239,500
<b>Total – BLM</b>	<b>2,398,843</b>
<b>U.S. Forest Service-Managed Lands</b>	
Controverted O&C Lands	462,678
Special Act O&C Lands	29,721
<b>Total - U.S. Forest Service</b>	<b>492,399</b>

### Additional Funding Methods

In addition to the O&C Grant Lands appropriation, two Permanent Appropriations, the Timber Sale Pipeline Restoration Fund and the Forest Ecosystem Health and Recovery Fund, are available for use and do not require annual appropriation action. These are the outlined in Permanent Operating Funds, 2017 Budget Justifications.

### Management of Oregon and California Grant Lands

The BLM manages 2.4 million acres of O&C and CBWR lands in western Oregon. The BLM has practiced sustainable forest management, as outlined in the O&C Act of 1937, which includes a provision for the western Oregon counties to receive shares of timber sale receipts. In the late 1970s, USFS researchers observed a rapid decline in the populations of the Northern Spotted Owl, a species associated with old-growth forests. In 1990, the U.S. Fish and Wildlife Service (FWS) listed the Northern Spotted Owl as threatened under the Endangered Species Act of 1973, citing loss of old-growth habitat. The BLM modified management of forested lands to conserve the old-growth forests, reducing the annual timber sale volumes and thus reducing receipts to counties.

Soon after the listing of the owl, President Clinton convened a group of scientists called the Forest Ecosystem Management Assessment Team. Their Assessment report in 1993, led to the development of the Northwest Forest Plan (NWFP) in 1994; the NWFP amended BLM and USFS land use plans within the range of the Northern Spotted Owl. This plan set out land use allocations, standards and guidelines for management designed to contribute to the recovery of Northern Spotted Owls and marbled murrelets and to produce a predictable and sustainable level of timber sales. Under the NWFP, agencies are required to survey and manage for rare, uncommon, or little known species of plants and animals.

The BLM has managed the O&C lands under the NWFP since 1994. The change in management resulting from the NWFP has not been without controversy. The BLM's Western Oregon Districts continue to receive protests, appeals, and litigation on individual timber sales as well as on other larger programmatic issues.

In 2009, the Western Oregon Plan Revisions (2008 Records of Decision), finalized in December, 2008, were withdrawn by the Secretary. He determined the process was legally flawed, having failed to complete consultation under the Endangered Species Act. The decision to withdraw the 2008 Records of Decision was accompanied with the direction to revert to managing the O&C lands under the Northwest Forest Plan (1995 Records of Decision/RMP). Since 2009, the BLM has subsequently designed a timber sale program of work consistent with the 1995 Records of Decision, Northwest Forest Plan, the Endangered Species Act, and other laws and regulations. Forest restoration is one of the goals of the NWFP, and is emphasized where appropriate in the context of the timber sale planning process. The BLM resource management plans continue to be litigated from both conservation and industry groups, resulting in a complicated and changing legal framework under which managers must implement projects.

In October 2009, former BLM Director Abbey and the late FWS Director Sam Hamilton convened the interdisciplinary Western Oregon Task Force. The task force, composed of experts across a range of resource disciplines, from the BLM, the FWS, the National Marine Fisheries Service and the USFS, examined the Western Oregon Plan Revisions process and the long-standing challenges of managing the forests for multiple goals. The task force issued recommendations that the BLM and other Federal agencies have been working on in order to find new approaches for forest management.

In December 2010, the Secretary initiated a plan applying the principles of ecological forestry as suggested by Doctors Norm Johnson and Jerry Franklin, on BLM lands. This ongoing initiative explores ways to restore ecological processes and address economic issues on O&C lands. As of December 2014, the BLM has completed a number of forestry ecological pilot timber sales and continues to offer additional timber sales in various western Oregon Districts. The projects seek to:

- Demonstrate a landscape level approach to forest ecosystem restoration that includes active management;
- Restore functional and sustainable ecological conditions in Federal forests;
- Allow recovery for threatened species; and
- Provide needed employment opportunities.

The FWS is assisting in development and review of the ecological forestry efforts. The BLM is using a variety of means to inform and involve stakeholders to stimulate collaboration with public stakeholders.

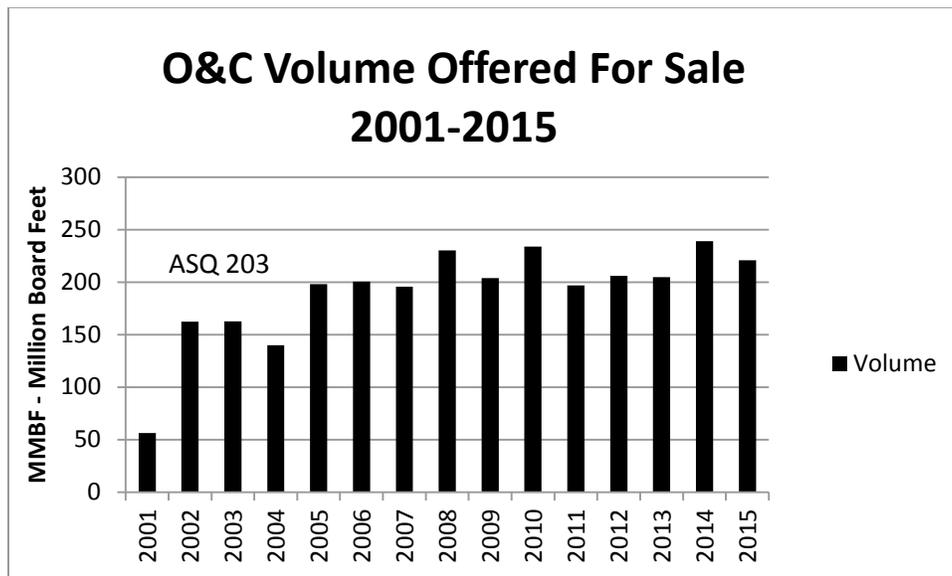
In June 2011, the FWS issued their Revised Recovery Plan for the Northern Spotted Owl, and in November 2012, issued the final Critical Habitat Rule for the Northern Spotted Owl. Both the Recovery Plan and the final Critical Habitat Rule emphasize maintenance and enhancement of Northern Spotted Owl habitat and do not preclude active forest management, where appropriate, to increase stand resiliency, reduce hazardous fuels, and promote ecological diversity. The BLM is incorporating the new Critical Habitat Rule and Recovery Plan into out-year timber sale planning.

In February 2012, the BLM announced new planning efforts for the six West-side Oregon Resource Management Plans. The BLM released the Draft EIS for the new plans in April of 2015 and received over 4,000 public comments. The BLM expects to release the Final EIS in the spring of 2016 and sign the Record of Decision later this year. The current RMPs were

signed in 1995. The new RMPs will analyze management of the different resources and incorporate new information including the 2011 Northern Spotted Owl Recovery Plan and 2012 Final Critical Habitat Rule. The U.S. Forest Service’s Oregon and Washington National Forests within the Northwest Forest Plan region are in the very initial planning phase to revise their National Forest Plans.

**Timber Harvest Targets and Volumes**

The long-term annual timber target or allowable sale quantity (ASQ) from O&C lands and as declared in the six 1995 Resource Management Plans (RMPs) is 203 million board feet (MMBF). Note that a new declared ASQ for the 2016 RMP is still being analyzed in the Final EIS. Although volume offered from the reserve land use allocations does not count towards the ASQ target, it does contribute towards meeting the BLM’s annual performance target; achieving ecological objectives in reserve areas through active management; and contributing to the needs of rural communities. The NWFP timber targets and accomplishments displayed in the tables below are for the BLM-managed lands in both western Oregon and northern California, even though timber activities in northern California are funded by other appropriations.



<b>BLM O&amp;C WESTERN OREGON AND CALIFORNIA ALLOWABLE SALE QUANTITY – TOTAL VOLUME OFFERED UNDER THE NWFP</b>						
<b>BLM NWFP Area Timber Volume Targets</b>						
<b>Year</b>	<b>Allowable Sale Quantity Target</b>			<b>Total Volume Offered</b>		
	<b>OR</b>	<b>CA</b>	<b>Total</b>	<b>OR</b>	<b>CA</b>	<b>Total</b>
1995	118	15	133	127.3	22.8	150.1
1996	180	2.5	182.5	189.7	5.8	195.5
1997	211	2.5	213.5	212	10.2	222.2
1998	211	2.5	213.5	257.5	0.4	257.9
1999	203	2.5	205.5	61.7	3.1	64.8
2000	203	2.5	205.5	69.2	0.7	69.9
2001	203	1	204	56.4	0.1	56.5
2002	203	1	204	162.5	0.4	162.9
2003	203	1	204	162.7	0	162.7
2004	203	1	204	140	0.1	140.1
2005	203	1	204	198.2	7.7	205.9
2006	203	1	204	200.6	0.6	201.2
2007	203	1	204	195.6	3.2	198.8
2008	203	1	204	230.2	0.8	231.0
2009	203	1	204	203.8	0.8	204.6
2010	203	1	204	233.8	0.8	234.6
2011	203	1	204	197	1.8	198.8
2012	203	1	204	206.4	0.5	206.9
2013	203	1	204	204.9	0.0	204.9
2014	203	1	204	239.4	0.2	239.6
2015	203	1	204	221	0.0	221.4
2016 est.	203	1	204	203	1.0	204
2017 est	*203	1	204	*203	1.0	204

*Note: Timber volumes displayed include BLM-managed lands in California managed within the area of the NWFP, even though activities are funded by BLM appropriations other than O&C funds.*

- 2017 ASQ will be declared when new RMP are finalized.

### O&C Revenues and Receipts

The BLM derives timber receipts used for O&C payments from the harvest of timber on O&C lands managed by the BLM, and controverted O&C grant lands under the jurisdiction of the USFS. In addition, the BLM derives receipts from CBWR and Public Domain lands in western Oregon as well.

The projected timber receipts in 2017 are lower than those collected in 2015 and projected for 2016. The large increase in timber receipts in 2014 and 2015 was reflective of the large amount of salvage volume sold and harvested in both of those years. The much lower receipts earlier in

the decade coincided with the Great Recession and associated decline in construction and housing markets and timber values.

<b>TIMBER RECEIPTS FOR WESTERN OREGON BLM LANDS</b>										
<b>(Million \$)</b>										
	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016 est.</b>	<b>2017 Est.</b>
<b>O&amp;C Grant Lands</b>										
Regular Sales	13.0	14.2	9.7	11.6	11.5	17.3	30.2	18.3	20.0	18.0
Salvage Sales	4.3	5.5	3.2	2.7	4.3	4.0	4.5	12.2	5.0	4.0
Subtotal	17.3	19.7	12.9	14.3	15.8	21.3	34.7	30.5	25.0	22.0
<b>CBWR Lands</b>										
Regular Sales	0.3	0.2	.8	0	1.0	2.2	3.3	7.7	2.0	1.5
Salvage Sales	0.1	0	0	0	0.2	0.2	0.1	-0.1	0.1	0.1
Subtotal	0.4	0.2	0.8	0.1	1.2	2.4	3.4	7.6	2.1	1.6
<b>Timber Sale Pipeline Restoration Fund</b>										
PD, O&C, and CBWR	9.8	4.5	4.3	3.9	3.8	2.4	4.3	9.5	4.6	3.6
<b>Stewardship Contract Excess Proceeds</b>										
PD, O&C, and CBWR	0	0.2	0	0.1	0.3	0.05	0.1	0.0	0.0	0.0
<b>Total Receipts</b>	<b>27.6</b>	<b>24.6</b>	<b>18.0</b>	<b>18.3</b>	<b>21.1</b>	<b>26.1</b>	<b>42.5</b>	<b>47.6</b>	<b>31.7</b>	<b>27.2</b>

### **Timber Sale Pipeline Restoration Fund**

The Timber Sale Pipeline Restoration Fund (the Pipeline Fund) was established under Section 327 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996. The Act established separate funds for the USFS and the BLM, using revenues generated by timber sales released under Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act, which directs that 75 percent of the Pipeline Fund be used to fill each agency's timber sale "pipeline" and that 25 percent of the Pipeline Fund be used to address maintenance backlog for recreation projects on BLM and USFS lands after statutory payments are made to State and local governments and the U.S. Treasury.

At the end of 2015, the balance in BLM's Pipeline Fund was approximately \$14.0 million. The BLM has implemented a spend-down plan to bring the Pipeline Fund balance down to approximately \$5.0-\$7.0 million by the end of 2017. This carryover balance generally offsets irregular annual deposits caused by fluctuations in timber market conditions and purchasers opting on which year to harvest their 1-3 year timber sale contracts. A balance at the end of the year allows continued use of the Pipeline Fund to meet the Pipeline Fund's annual objective of rebuilding and maintaining the timber sale pipeline. Receipts, deposits and cumulative expenditures are described in the Permanent Operating Funds chapter.

### **Payments to the O&C Counties**

Timber harvest levels have dropped significantly from the historical levels of the late 1980s and early 1990s. The traditional payment formulas defined in Title II of the Oregon and California Grant Lands Act of 1937, U.S.C. 43 1181f, (50 Stat. 876, Title II) were modified to account for these declines and provide fiscal predictability to the O&C counties.

Receipts from public domain lands within the O&C grant lands are distributed to the State of Oregon (four percent), the General Fund of the U.S. Treasury (20 percent), and the Reclamation Fund (76 percent), except those generated through projects funded by the Forest Ecosystem Healthy Recovery Fund and the Timber Sale Pipeline Restoration Fund, which are deposited into those accounts.

<b>PAYMENT TO WESTERN OREGON COUNTIES (MILLION \$)<sup>†</sup></b>			
<b>Year</b>	<b>O&amp;C Lands</b>	<b>CBWR Lands</b>	<b>Total Payment</b>
1994	\$78.6	\$0.6	\$79.2
1995	75.8	0.6	76.4
1996	73.0	0.6	73.6
1997	70.3	0.6	70.9
1998	67.5	0.5	68.0
1999	64.7	0.5	65.2
2000	61.9	0.5	62.4
2001	0.0	0.0	0.0
2002	108.7	1.0	109.7
2003	109.6	1.0	110.6
2004	110.9	1.0	111.9
2005	112.3	1.0	113.3
2006	114.9	1.0	115.9
2007	116.3	1.0	117.3
2008	115.9	1.0	116.9
2009	104.5	0.9	105.4
2010	94.0	0.8	94.8
2011	84.7	0.7	85.5
2012	39.7	0.3	40.0
2013 <sup>††</sup>	37.7	0.3	38.0
2014	39.3	0.3	39.6
2015	37.9	0.3	38.2
2016 est.	35.3	0.3	36.4
2017 est.	SRS legislation only extended for FY 2014 and 2015 payments		
<sup>†</sup> Payments reflect the fiscal year in which the payments were made			
<sup>††</sup> BLM made 94.9% of payments in FY 2013, reserving approximately \$2.04 million required against sequestration			

Under the Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393), the annual payments to the 18 O&C counties were derived from any revenues, fees, penalties, or miscellaneous receipts (exclusive of deposits to any relevant trust fund, or permanent operating funds such as the Timber Sale Pipeline Restoration or the Forest Ecosystem Health and Recovery funds) received by the Federal government from activities by the BLM on O&C lands, and to the extent of any shortfall, out of any funds in the Treasury not otherwise appropriated. The Secure Rural Schools Act of 2000 provided that, for 2001-2006, each payment to eligible counties would be an amount equal to the average of the three highest payments made during fiscal years 1986-1999. For each payment made by the BLM under the law, the full payment amount would be adjusted for inflation. The Secure Rural Schools Act of 2000 expired in 2006 and final payments for 2006 were made in 2007, consistent with the Act. Public Law 110-28 provided payments for one additional year. In October 2008, Congress enacted Section 601 of Public Law 110-343, which extended the Secure Rural Schools Act of 2000. Public Law 110-343 provided an extension of payments to the O&C grant lands and the Coos Bay Wagon Road counties through fiscal year 2011. As in the prior act, payments were to be made for the year prior. The payments for 2008 through 2010 were described in the law as “transition” payments, and were a declining percentage of the payments made in 2006; the payment in 2009 (for 2008) was 90 percent of the amount paid in 2006, the payment in 2010 (for 2009) was 81 percent, and the payment in 2011 (for 2010) was 73 percent. The payments made to counties in 2012 (for 2011) used a formula based on several factors that included acreage of Federal land, previous payments, and per capita personal income. More information on these payments is contained in the Miscellaneous Permanent Payments chapter.

Since the Secure Rural Schools Act of 2000, the BLM has worked collaboratively with the five western

Oregon Resource Advisory Committees to review over 1,000 restoration projects and implement over 600 of them totaling over \$43.0 million dollars.

In 2012 and 2013, the Secure Rural Schools Act was reauthorized for one year under PL 112-141 (2012 payments made in 2013) and PL 113-40 (2013 payments made in 2014). The total SRS payment made in fiscal year 2013 was \$37,992,143.19 and the total SRS payment made in fiscal year 2014 was \$39,630,137.85.

In 2015, the Secure Rural Schools Act was reauthorized for two years under Public Law 114-10 “Medicare Access and CHIP Reauthorization Act of 2015.” This law addresses SRS payments to be made in Fiscal Year 2015 and Fiscal Year 2016. The 2015 fiscal year payment for 2014 has already been made.

## Activity: Western Oregon Acquisition

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Construction & Acquisition	\$000	312	324	+11	+0	+0	335	+11
	FTE	2	2		+0	+0	2	+0

### Justification of 2017 Program Change

The 2017 Budget Request for the Western Oregon Acquisition Program is \$335,000 and 2 FTE.

### Activity Description

The Western Oregon Acquisition Program uses appropriated funds to acquire and protect access to public lands in western Oregon, providing access to BLM timber sales and other activities associated with managing Oregon and California (O&C) lands. The BLM estimates that nearly 5,000 separate tracts of O&C lands require some form of access for proper management. The BLM obtains access by purchase of perpetual easements, acquisition, or condemnation. Acquisition funding is also used to manage the historical reciprocal rights-of-way agreements, and acquire additional lands or interests in lands needed for infrastructure development including recreation sites, administrative sites, and transportation facilities.

The BLM has many long-standing (since the 1950s) reciprocal right-of-way agreements with surrounding and adjacent private landowners allowing reciprocal use of each owner's roads. Access to western Oregon O&C lands is dependent upon the continual upkeep of these long standing reciprocal rights-of-way agreements. As adjacent private lands change ownership, existing agreements need to be continuously negotiated and updated. The BLM prioritizes reciprocal right-of-way agreements based upon both private requests and land management needs. Generally, right-of-way agreements necessary to meet timber management performance measures for the BLM and adjacent private harvesting plans receive the highest priority, while access to recreational and key administrative facilities also receive high priority.

### Other Funding Sources

Timber haul roads, or "fee roads" negotiated under reciprocal right-of-way agreements are maintained using both appropriated funds and road maintenance fees collected from commercial users and deposited into a permanent account for road maintenance.

**2017 Program Performance**

In 2017, the Western Oregon Acquisition Program proposes to:

- Complete up to 20 new reciprocal right-of-way agreements, amendments, or assignments; and
- Complete the uploading of historic 1950s reciprocal O&C ROW agreement data into the electronic and GIS database that facilitates analysis for 14,000 miles of roads, expedites analysis of third party ROW agreements, and depicts public access via GIS.

## Activity: Western Oregon Transportation and Facilities Maintenance

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Annual Maintenance & Operations	\$000	9,517	9,602	+26	0	0	9,628	+26
	FTE	63	63		+0	+0	62	+0
Transportation & Facilities Maintenance	\$000	9,517	9,602	+26	+0	+0	9,628	+26
	FTE	63	63		+0	+0	62	0

### Justification of 2017 Program Changes

The 2017 budget request for Western Oregon Transportation and Facilities Maintenance program is \$9,628,000 and 63 FTE.

### Activity Description

In 2014, under the Interior, Environment, and Related Appropriations (P.L. 113-76), the O&C Deferred Maintenance function was transferred to the Management of Lands and Resources, Deferred Maintenance and Capital Improvements Subactivity, leaving only the Annual Maintenance and Operations Program in the Transportation and Facilities Maintenance Activity.

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# Activity: Western Oregon Transportation and Facilities Maintenance

## Subactivity: Annual Maintenance & Operations

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Annual Maintenance & Operations	\$000	9,517	9,602	+26	+0	+0	9,628	+26
	FTE	63	63		+0	+0	62	+0

Other Resources Supporting Annual Maintenance & Operations:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
Road Maintenance	\$000	3,094	2,820	2,820	+0
	FTE	8	10	6	-4

**Notes:**

- Road Maintenance amounts are shown as new budget authority derived from provisions for amortization of road costs in contracts and by cooperative financing with other public agencies and with private agencies or persons, or by a combination of these methods; 43 USC 1762(c), which provides the authority to acquire, construct, and maintain roads within and near the public lands to permit maximum economy in harvesting timber from such lands tributary to such roads and at the same time meet the requirements for protection, development, and management of such lands for utilization of the other resources thereof. appropriates these funds on a permanent basis. More information on Road Maintenance is found in the Permanent Operating Funds chapter
- Road Maintenance is used on both Oregon and California Grant Lands and Public Domain Forestry Lands
- Actual and estimated obligations, by year for Road Maintenance are found in President's Budget Appendix under the BLM section. 2015 amount includes previously unavailable authority.
- The Road Maintenance appropriation is also a collaborative activity of the MLR Annual Maintenance & Operations program, accounting for less than \$100,000 in available receipts from public domain lands

### Justification of 2017 Program Changes

The 2017 budget request for Western Oregon Annual Maintenance and Operations program is \$9,628,000 and 63FTE.

### Program Overview

The Operations and Annual Maintenance Program maintains the BLM's investment in the transportation network, preserves public safety, minimizes environmental impacts especially, related to water quality and soil erosion, and provides for functional utilities and other services at visitor and administrative sites supporting O&C grant land management. BLM-managed roads serve commercial, administrative, and local government functions. They also serve public land users by providing for timber haul, school bus and emergency routes, and access to private, local,

**Program Process Improvements**

Periodic maintenance reviews are performed within each district to assure the maintenance work meets or exceeds district expectations and is within established budgets. Districts are also required to complete annual Maintenance Operation Plans (MOP's) to show their planned work. Costs can then be monitored against the planned targets by WO, State, and district program leads to determine the effectiveness of the maintenance program.

State, and Federal lands. The types of facilities maintained by the BLM in western Oregon include:

- Sixty-five administrative sites with 162 buildings served by 230 separate mechanical, plumbing and electrical systems;
- One hundred and seventy recreation sites with 350 buildings, served by trash collection, sanitation facilities, and safe drinking water;
- Three dams; and
- A system of 14,200 miles of roads, including 131 miles designated as Back Country Byways, 324 miles of trails, along with related structures including 410 bridges, 586 major culverts, and multiple retaining walls and subsurface drainage systems.

### **Critical Factors**

The following factors can impact program performance:

- Natural disturbances (heavy winter rains, windstorms, wildfires) which alter maintenance priorities, requiring changes to planned work; and
- State of Oregon Parks and Recreation surveys indicate that public use of BLM's recreational facilities and the roads accessing them is increasing.
- The 2017 annual maintenance and operation program will need to incorporate the priorities outlined in the management action/direction of the new western Oregon Resource Management Plans (RMPs) which could include expansion of recreational opportunities and development of comprehensive transportation plans.

Maintenance priorities are established at the district and field office level annually using a MOP. This prioritization is based on roads and facilities that are essential to the districts and have the highest impact on the health and safety of employees, contractors, and the general public. Emergency repair work that is identified as high priority is completed as soon as funding is available.

### **Other Funding Sources**

Most O&C roads and trails used by the public are maintained using appropriated funds. Timber haul roads, or "fee roads," are maintained using both appropriated funds and road maintenance fees that are collected from commercial users and deposited into a permanent operating fund for road maintenance.

Recreation facility maintenance activities are partially funded by the O&C Recreation Management Program, use fees, and the O&C National Monuments and National Conservation Areas subactivity. Eighteen of 170 O&C recreation sites participate in the Recreation Site Fee program.

### **2017 Program Performance**

The BLM will continue to emphasize maintenance on high-priority facilities, particularly those that have the greatest public exposure and use. In 2017, the Western Oregon Operations and Annual Maintenance Program plans to complete routine annual maintenance at 275 recreation sites, 88 bridges, 175 BLM administrative buildings, and 45 BLM non-building sites. In addition, over 14,000 miles of roads will be assessed to prioritize where 2,000 miles of annual road maintenance will occur in 2017. Annual routine maintenance will also include upkeep of wells,

sanitation facilities, and trails to reduce public health and safety risks and provide positive recreational experiences.

The BLM will also begin implementation of the management action/direction outlined in the new western Oregon RMPs.

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## Activity: Western Oregon Resources Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Forest Management	\$000	33,447	33,752	+73	+0	+0	33,825	+73
	FTE	268	268		+0	+0	268	+0
Reforestation & Forest Development	\$000	23,851	24,023	+43	+0	+0	24,066	+43
	FTE	118	118		+0	+0	118	+0
Other Forest Resource Mgmt	\$000	36,985	33,495	+61	+0	+0	33,556	+61
	FTE	259	259		+0	+0	259	+0
Resource Mgmt Planning, Assessment, and Monitoring	\$000	7,140	3,985	+13	+0	-1,000	2,998	-987
	FTE	42	42		+0	+0	42	+0
Total, -Western Oregon Resource Management	\$000	101,423	95,255	+190	+0	-1,000	94,445	-810
	FTE	687	687		+0	0	687	0

Other Resources Supporting Forest Management:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
Forest Ecosystem Health and Recovery Fund	\$000	12,018	14,633	7942	-6,540
	FTE	48	48	48	+0
USFS Forest Pest Control	\$000	357,695	500,000	500,000	+0
	FTE	0	0	0	+0
Timber Sale Pipeline Restoration	\$000	9,843	9,735	5,291	-4,997
	FTE	34	23	23	+0

### Notes:

- Forest Ecosystem Health and Recovery Fund amounts are shown as new budget authority derived from the federal share of receipts from all BLM timber salvage sales, and from BLM forest health restoration treatments funded by this account; 43 USC 1736a appropriates these funds on a permanent basis. More information on Forest Ecosystem Health and Recovery Fund is found in the Permanent Operating Funds chapter. Forest Ecosystem Health and Recovery Fund is used on both Oregon and California Grant Lands and Public Domain Forestry Lands.
- USFS Forest Pest Control amounts are shown as estimated transfers. More information on USFS Forest Pest Control is found in the U.S. Forest Service budget Justifications. USFS Forest Pest Control is used on both and Public Domain Forestry Lands.
- Timber Sale Pipeline Restoration amounts are shown as new budget authority derived from revenues generated by timber sales released under Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act, which directs that 75 percent of the fund be used to fill the BLM's timber sale pipeline and that 25 percent of the fund be used to address the maintenance backlog for recreation projects on BLM land; Section 327 of the Omnibus Consolidated Appropriations Act of 1996 (Public Law 104-134) appropriates these funds on a permanent basis. More information on Timber Sale Pipeline Restoration is found in the Permanent Operating Funds chapter. Timber Sale Pipeline Restoration is used on lands in Oregon that are managed under the Northwest Forest Plan. The Interior, Environment, and Related Agencies Appropriation Act of 1996 (Public Law 104-134), Section 327, states that the Secretary of the Interior shall establish a Timber Sales Pipeline Restoration Fund, of which 75 percent shall be available for preparation of timber sales and 25 percent shall be available to expend on the backlog of recreation projects on lands administered by the Bureau of Land Management, without fiscal year limitation or further appropriation.
- Amount in 2015 and 2016 for Forest Ecosystem Health and Recovery Fund and Timber Sale Pipeline Restoration shown net of sequestration and previously unavailable authority. Amount in 2017 includes previously unavailable authority.
- Actual and estimated obligations, by year for Timber Sale Pipeline Restoration are found in President's Budget Appendix under the BLM section

The 2017 budget request for the Western Oregon Resources Management activity is \$94,445,000 and 687 FTE, a program change of -\$1,000,000 from the 2016 enacted level.

### **Activity Description**

The Western Oregon Resources Management activity provides for the management of 2.4 million acres of Oregon and California (O&C) and Coos Bay Wagon Road grant lands, and intermingled Public Domain lands. This program's objectives are to:

- Restore and maintain the ecological health of forested watersheds;
- Provide well-distributed blocks of late-successional and old-growth forest habitat to benefit threatened, endangered and other sensitive species;
- Provide recreational opportunities to a growing number of users; and
- Provide a sustainable supply of timber and other forest products.

The BLM designs landscape level solutions, such as the new western Oregon Draft Resource Management Plan, to address resource management challenges, which includes supplying a sustainable supply of timber and other forest products while applying active forest management to maintain and restore forest landscapes and terrestrial and aquatic habitat to increase resiliency to disturbance factors such as wildfire, insects and climate change. The BLM works collaboratively with Federal, State, local, and tribal partners, as well as public stakeholders and individuals during the planning and implementation of active forest management treatments to address timber production, fuels reduction, species habitat considerations and restoration opportunities.

## Activity: Western Oregon Resources Management

### Subactivity: Forest Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Forest Management	\$000	33,447	33,752	+73	+0	+0	33,825	+73
	FTE	268	268		+0	+0	268	+0

#### Justification of 2017 Program Changes

The 2017 budget request for the Western Oregon Forest Management Program is \$33,825,000 and 268 FTE.

#### Program Overview

The Western Oregon Forest Management Program includes costs associated with management, maintenance and enhancement of forests on the public lands, including the O&C Grant lands, the Coos Bay Wagon Road lands, and Public Domain land within western Oregon, except for activities directly related to reforestation and forest development.

#### Critical Factors

The 2017 Forest Management program will implement the management action/direction outlined in the new western RMPs. The new plans include a four year analysis that incorporates the 2011 Northern Spotted Owl Recovery Plan, the 2012 Northern Spotted Owl Critical Habitat Plan, new Survey and Manage guidance, new riparian and aquatic protection guidance, sustainable forest management direction, recreational demands, and critical analysis of multiple other resources.

Under the new RMPs, the BLM will continue to collaborate with Federal, State, and local governmental agencies as well as Tribes and other stakeholders in project-level National Environmental Policy Act (NEPA) development and consultation to support efforts to meet performance targets for timber offered. The BLM will continue to look for efficiencies in streamlining the administrative review process with the strategy and objective of resolving project level issues early in the planning process to assure timber sale offering targets are met.

#### Means and Strategies

Within the framework of the Endangered Species Act (ESA), the Clean Water Act, the O&C Act, and the NWFP, the program provides a sustainable source of timber, protects watersheds, and contributes to conservation, restoration, species recovery, and economic stability. The BLM develops forest management projects using landscape and watershed approaches to determine the suite of treatment activities. Work continues in coordination with the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) to implement active forest

management prescriptions. The BLM continues to implement and monitor timber sales that incorporate the ecological principles suggested by Doctors Norm Johnson and Jerry Franklin and initiated by the Secretary in December of 2010. Lessons learned are being applied to subsequent timber sales that apply the ecological principles on O&C lands. The components of the Forest Management program include:

- Forest landscape planning and project level NEPA development;
- Forest inventory and monitoring;
- Trespass prevention and investigation;
- Maintenance of existing right-of-way agreements;
- Maintenance and restoration of late-successional and old-growth forest structure;
- Resolving protests, appeals, and litigation;
- Sales of timber and other forest and vegetative products; and
- Maintenance and development of the national Forest Resource Information System databases to assure data integrity including the interfacing of the Timber Sale Information System and Collection and Billing System.

The Forest Management Program cooperates with the USFS in the Integrated Vegetation Management Group to support projects that overlap USFS and BLM lands.

### **Other Funding Sources**

In addition to the O&C Grant Lands appropriation, two Permanent Operating Funds are available for use on O&C lands. These are the Timber Sale Pipeline Restoration Fund and the Forest Ecosystem Health and Recovery Fund (FEHRF) as described in the Permanent Operating Funds chapter of the Budget Justification. Public Law 113-235 reauthorized the FEHRF through 2020.

### **2017 Program Performance**

In 2017, the O&C Forest Management Program proposes to:

- Offer at least 200 million board feet (MMBF) of timber for sale during the transition period from the old to new RMPs;
- Inventory and Monitor 9,000 acres of forest and woodland vegetation;
- Offer 5,000-10,000 tons of biomass through firewood permits and stewardship contracts through a combination of the Forest Management and Forest Development Programs; and
- Harvest 180-200 MMBF of volume from 10,000+ acres under contract from the current and previous year's operational timber sales (normal 3-year contracts).

## Activity: Western Oregon Resources Management

### Subactivity: Reforestation and Forest Development

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Reforestation & Forest Development	\$000	23,851	24,023	+43	+0	+0	24,066	+43
	FTE	118	118		+0	+0	118	+0

#### Justification of 2017 Program Changes

The 2017 budget request for the Western Oregon Reforestation and Forest Development Program is \$24,066,000 and 118 FTE.

#### Program Overview

The Reforestation & Forest Development Program includes costs associated with reforestation, intermediate stand management and forest health treatments in young growth forest stands on the Public Lands in western Oregon. This program provides for forest restoration and sustainable and permanent forest production through active management to achieve healthy and productive watersheds.

#### Program Components

The focus areas for the Western Oregon Reforestation and Forest Development Program include:

- Forest regeneration and restoration activities of commercial and non-commercial forest lands that establish young stands and restore habitat in riparian and other reserve areas;
- Intermediate stand management activities in young growth forests that promote forest growth, health, value enhancement, fuel hazard reduction and structure development to provide for future timber harvest, biomass utilization, habitat requirements, and fire recovery;
- Treatments to control the spread of forest pathogens and destructive insects;
- Forest monitoring and adaptive management assessments that inform active forest management to achieve stand objectives and provide for the sustainable harvest of timber;
- Non-native and noxious weed management;
- Forest inventory, data acquisition, and consolidation of data storage and retrieval capabilities to facilitate coordination with other programs; and
- Cooperative research on developing technologies and management activities with other Federal and State resource management agencies and universities.

### Critical Factors

The Reforestation and Forest Development Program is implementing the Cooperative Landscape Conservation Adaptation Initiative that incorporates climate change management planning and carbon sequestration. The BLM participates with the Adapting Forests To Climate Change Task Force that is a cooperative project to addresses how forest managers will modify seed zones in response to future climate conditions.

The BLM continually assures that landscape-level planning and project-level NEPA compliance work is integrated into and analyzes the full suite of reforestation and forest development treatments and restoration needs in the analysis areas to assure sustainable forest production. As part of the overall process, the BLM works with external and internal stakeholders to ensure that program goals are achieved.

### Means and Strategies

The BLM uses the following strategies in western Oregon reforestation and forest development:

- Employing emerging technologies such as Light and Detection and Ranging (LiDAR) to provide better, more cost-effective information for decision makers;
- Supporting the Secretarial forestry ecological pilot projects by developing site-specific prescriptions, modeling, and monitoring;
- Supporting the Cooperative Landscape Conservation strategy through work with the USFS to study the potential for assisted migration of Douglas-fir in response to future climate conditions;
- Balancing workforce and operational capacity to prepare and administer service contracts, stewardship contracts, and agreements to reforest and implement high-priority forest development treatments;
- Implementing intermediate stand management activities using a variety of authorities including stewardship contracts, service contracts, and timber sale contracts to offer biomass, reduce hazardous fuels, improve forest health, and enhance growth in young growth stands, achieving multiple resource objectives;
- Working with the USFS, the Oregon Department of Forestry, the Oregon Department of Agriculture, and Oregon State University to treat and monitor sudden oak death in Curry County, Oregon in accordance with a federally mandated quarantine zone;
- Engaging in several collaborative efforts to maintain and enhance ecosystem function, such as the Medford Small Log Collaborative, Tillamook Watershed restoration projects, and Klamath Falls small diameter log and juniper utilization; and
- Improving efficiencies, and where appropriate, taking advantage of The Good Neighbor and Stewardship Contracting authorities.

### 2017 Program Performance

In 2017, the Reforestation and Forest Development Program will:

- Transition into compliance with the new RMPs management action/direction;
- Assure successful post-fire reforestation efforts continue after harvesting of salvage timber sale areas;

- Treat a total of approximately 14,000 acres of matrix and forest reserve forests to assure adequate growth and habitat development;
- Monitor over 40,000 acres post-treatment;
- Inventory over 30,000 acres of forest or woodland vegetation;
- Inventory over 20,000 acres for the presence of invasive or noxious weeds;
- Treat over 5,000 acres of noxious and invasive weeds or pathogens, including the fungus involved in sudden oak death;
- Produce 1,000 pounds of Improved Seed from western Oregon seed orchards; and
- Summarize use of LiDAR technology and its cost-effective benefits for decision makers.

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**Activity: Western Oregon Resources Management**  
**Subactivity: Other Forest Resources Management**

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Other Forest Resource Mgmt	\$000	36,985	33,495	+61	+0	+0	33,556	+61
	FTE	259	259		+0	+0	259	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Western Oregon Other Forest Resources Management Program is \$33,556,000 and 259 FTE.

### Program Overview

The O&C Grant Lands Other Forest Resources Management Program includes funding for four programs critical to effective multiple-use management across BLM lands in western Oregon: Rangeland Management; Recreation Management; Soil, Water and Air Management; and Wildlife and Fish Habitat Management.

In western Oregon, the BLM addresses public demand for recreation, clean water and productive soil, while managing for the sustained yield timber production as required by the Oregon and California Act of 1937. Additionally, this program provides the necessary funding to support fish and wildlife environmental clearances related to this management of BLM forestlands in western Oregon. This program supports species and habitat management and associated data collection, aquatic restoration for clean water and fish habitat, as well as the timber sale program in the form of surveys, clearances, interdisciplinary team participation, and environmental assessment preparation. In turn, the Forest Management Program supports active forest habitat management within the reserve land use allocations designed to benefit fish and wildlife species in the long term.

### Critical Factors

- Within the Rangeland, Recreation, Soil, Water, Air, Fish, and Wildlife programs, incorporate management action/direction as outline in the new western Oregon RMPs.
- Rangeland Management – Coordination with permittees, private landowners, county, State and Federal agencies to integrate best management practices and mitigation measures to reduce the spread of noxious weeds. Utilize approved herbicides and mechanical means to improve habitat.
- Recreation Management – Recreational interest and use is increasing on BLM lands. Look for opportunities to accommodate increasing demand as analyzed in the new RMPs. Continue to use available public input and information and available transportation

management plans to guide, prioritize and address public recreational needs; (e.g. construction and maintenance of recreational facilities and sites, access needs via roads and trails, promoting the America Great Outdoor initiative as well as youth activities, managing various special use permits).

- Soil, Water, and Air Management – Coordination with County, State, and Federal agencies to assure compliance with the regulatory framework. Address climate change concerns at the appropriate scale.
- Fish and Wildlife Management – Coordination with regulatory agencies to complete necessary surveys to assess biological impacts in support of proposed forest management activities. Coordinate implementation at the appropriate scale to meet Endangered Species Act, Clean Water Act, and other regulatory requirements.

### **Means and Strategies**

The Other Forest Resources Management Program uses collaborative cooperative conservation principles, engaging commodity users, private groups, local communities, government agencies, and other stakeholders when planning and implementing management activities.

BLM biologists in western Oregon consult closely with their FWS and NMFS counterparts to implement an array of forest management and other resource restoration projects. The BLM, in collaboration with the FWS and the NMFS, has been monitoring various fish and wildlife populations as part of on-going regional studies to assist in making informed decisions. The BLM works with the USFS to implement an interagency Special Status Species Program and Clean Water Act compliance activities that extend across administrative boundaries. Applying the concept of Service First and sharing skills accommodates an interagency approach toward resource conservation. Partnering improves administrative efficiencies, and decreases the cost of program administration. In the Soil, Water and Air Management Program, key partnerships with the USFS, the EPA, and the Oregon Department of Environmental Quality have contributed toward administrative streamlining, restoration prioritization, and water quality standard updates—all of which contribute to the BLM's role as a Designated Management Agency under the Clean Water Act.

The BLM also partners with The Nature Conservancy, NatureServe, and local watershed councils to share data and planning strategies that extend across private, State, and Federal jurisdictions. Additionally, the management of invasive species benefits from coordination with other landowners and land management agencies to control the spread of noxious weeds in high-priority habitats. Eradication efforts focus on rapid detection and an early response and prevention, including seeking approval for the use of additional and more effective herbicides.

The Soil, Water and Air Management Program in western Oregon is focused on designing projects and implementing BLM Water Quality Restoration Plan objectives. These objectives emphasize the protection of drinking water sources, improvement of aquatic species habitat, restoring water quality, and improving aquatic and riparian conditions while incorporating stakeholder input and involvement in development of program priorities. The program involves long-term coordination and collaboration with the fisheries and riparian management programs of multiple agencies and landowners. The program is tasked with managing for soil stabilization, health and productivity; impacts from invasive species to riparian and upland habitat; upland forest and rangeland health; habitat for sensitive species; and the Bureau's wild and scenic rivers.

## 2017 Program Performance

The Rangeland Program consists of 95 grazing allotments (52 active and 43 vacant) covering about 352,000 acres of the Medford District, and 11 allotments covering about 14,400 acres in the Klamath Resource Area, Lakeview District. Nine allotments in the Medford District providing 2,714 Animal Unit Months of forage are partially or completely within the Cascade-Siskiyou National Monument. In 2017, the O&C Rangeland Management program proposes to:

- Issue 5-6 grazing allotment permits/leases;
- Maintain 49 grazing use authorizations;
- Complete 15 shrub, grassland, woodland and forest projects related to range management;
- Monitor 5 grazing allotments;
- Inspect 8 grazing allotments for compliance; and
- Complete 3 Land Health Evaluations.

The America's Great Outdoors Initiative continues to be a focus in 2017 along with the initial implementation of the management action/direction in the new RMPs pertaining to Recreation.. The O&C Recreation Management program promotes and expands outdoor recreation opportunities for youth and supports the Secretary's Youth in the Great Outdoors Initiative. Another high priority will be improving public access and protecting resources through Comprehensive Travel and Transportation Management. The BLM will manage rivers and trails to protect their special values, minimize user conflicts, promote a quality recreational experience in a preferred setting, and promote public safety. In 2017, the O&C Recreation Management Program proposes to:

- Inventory Recreation Resources on over 2,000 acres;
- Assess 200 Linear Miles of Recreation Resources;
- Assess 45 Nationally Designated Rivers and Trails;
- Prepare 3 Recreation Activity Plans;
- Process 275 Commercial and Group Special Recreation Permits;
- Issue and Manage over 40,000 Recreation Use Permits;
- Evaluate Recreation Areas on over 12,000 acres; and
- Monitor over 250 acres of Wilderness and Wilderness Study Areas.

***The O&C Soil, Water, and Air Management program*** involves assessment, monitoring, and restoring of watersheds to comply with the Clean Water Act and the Safe Drinking Water Act. This is accomplished through development and implementation of restoration projects and activities defined within the context of water quality restoration plans, which support the State of Oregon's Total Maximum Daily Loads program. In addition, the program supports the Energy Policy Act of 2005 through involvement in the Federal Energy Regulatory Commission re-licensing process. Additionally, the program funds studies necessary to establish in-stream flows that are required to support wild and scenic river outstandingly remarkable values and work to obtain or maintain Federal reserve water rights; and inter-agency agreements with the U.S. Geological Survey and Oregon State University to develop flow and water quality monitoring data necessary for developing NEPA planning documents.

In 2017, the O&C Soil, Water and Air Management Program proposes to:

- Inventory over 100 water resources;
- Monitor air resources/climatic conditions at over 10 sites; and
- Monitor over 100 water resources.

The Western Oregon Wildlife and Fish Habitat Program combines habitat management and habitat restoration actions for fish, wildlife and botany with inventory and monitoring for key species of management concern. Management for, and monitoring of, specific habitat conditions to meet the requirements of the new RMP guidance are critical elements of the program. The program supports the Forest Management and the Reforestation and Forest Development Programs through pre-disturbance surveys, project level NEPA analysis and appropriate consultation of proposed treatments. The program is responsible under the the Endangered Species Act and Bureau policies for inventorying, monitoring and managing habitat for 68 federally endangered or threatened species and 632 Bureau sensitive fish, wildlife and plant species.

Specific wildlife management emphasis includes a partnership with the FWS and USGS to monitor northern spotted owl populations and barred owl control. Fisheries management emphasis is on continued cooperation with the Oregon Watershed Enhancement Board, watershed councils and the NMFS to improve habitat for Pacific salmon species.

From a landscape perspective, the new RMPs identified high intrinsic riparian areas and priority watershed where restoration efforts contributing to recovery of listed salmonoids will be focused. Identifying priority watersheds in conjunction with other Federal and State partners allows for identification of areas with overlapping priorities and the opportunity to form partnerships that leverage additional resources.

In 2017, the O&C Wildlife and Fish Habitat Management program proposes to:

- Inventory over 150 miles of streams and riparian areas;
- Inventory over 40,000 acres of wildlife and plant habitat;
- Implement 45 species recovery and conservation actions;
- Monitor over 50 acres of lake and wetland habitat;
- Monitor 2,000,000 acres of terrestrial habitat; and
- Monitor over 600 species populations

## Activity: Western Oregon Resources Management

### Subactivity: Resource Management Planning

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Resource Management	\$000	7,140	3,985	+13	+0	-1,000	2,998	-987
Planning	FTE	42	42		+0	+0	42	+0

Summary of 2017 Program Changes/Internal Transfers for Resource Management Planning:	(\$000)	FTE
Anticipated Plan Completion	-1,000	+0
Total	-1,000	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Western Oregon Resource Management Planning Program is \$2,998,000 and 42 FTE, a program change of -\$1,000,000 from the 2016 enacted level.

**Anticipated Plan Completion (-\$1,000,000)** - By July 2016, the BLM plans to issue 2 revised Resource Management Plans (RMPs) and 2 Record of Decisions (RODs) for western Oregon O&C lands: A Northwest Oregon RMP for the moist forests and a Southwest Oregon RMP for the drier forests. These RMPs were initiated in March of 2012 and will replace the six 1995 RMPs for western Oregon. As the final environmental impact statements are released and decisions are signed, the program's emphasis will be to support plan implementation with continued collaboration both internally and externally.

### Program Overview

The Western Oregon Resource Management Planning Program emphasizes the development, implementation, and maintenance of Resource Management Plans for BLM-managed land in western Oregon communities. The program supports implementation of NEPA by providing a network of planning experts who provide oversight and extensive advice and review of the various NEPA documents to assure compliance with the existing Resource Management Plans.

The BLM anticipates releasing the Final EIS and Record of Decision for the new western Oregon RMPs in June of 2016. Work on the new RMPs was initiated by Secretary Salazar in February of 2012 and after 4 years of public, tribal, cooperators, Federal, State, county, and other stakeholder input, consultation, and analysis, the BLM is expected to release the new plans in 2016.

### Program Components

The new RMPs for Western Oregon will determine how the BLM-administered lands in western Oregon will be managed in the future to further the recovery of threatened and endangered species, provide for clean water, restore fire-adapted ecosystems, produce a sustained yield of

timber products, provide for recreation opportunities, and meet tribal concerns. The new RMPs will:

- Assure compliance with applicable laws, regulations, and policies, including, but not limited to, the O&C Act, the National Environmental Policy Act (NEPA), the Federal Land Policy and Management Act, the Endangered Species Act, and the Clean Water Act;
- Facilitate completing the subsequent environmental assessments, categorical exclusions, and determinations of NEPA adequacy as appropriate for project implementation; and
- Provide critical analysis to respond to protests, appeals, or litigation.

### **Critical Factors**

Within its regulatory guidance, the BLM has actively engaged all stakeholders to ensure dialogue, collaboration, transparency, and overall support for the new RMPs. Successful implementation hinges on: critical support from the stakeholders for the final Record of Decision; internal and external capacity to effectively and quickly transition from the 1995 RMPs to the 2016 RMPs; and resolution of any outstanding issues (protests, appeals, litigation) post-signing the Record of Decision.

### **Means and Strategies**

The Means and Strategies the BLM is engaging in to begin implementing the new RMPs includes:

***Transition Period*** – A transition period between 1995 RMPs compliant projects and 2016 RMP compliant projects will be allowed to minimize substantial disruptions to on-going plans and projects including; the offering of timber sales, implementing fuel hazard reduction treatments, reforestation of burned sites, and other restoration, vegetative treatments or ground disturbing projects that must comply with NEPA.

***Consultation*** – The BLM will utilize updated Biological Opinions from both the U.S. Fish and Wildlife Service and National Marine Fisheries Service for guidance and support to implement active forest management treatments.

***Incorporation of New Information*** - The new RMPs have incorporated and analyzed new information, science, and regulatory requirements into the analysis including the 2011 Northern Spotted Owl Recovery Plan and 2012 final Critical Habitat rule, .

***Implementation Oversight*** - Internally, western Oregon will maintain a critical core staff to provide oversight and consistent implementation guidance for the new RMPs. The core planning staff will assist the 6 western Oregon Districts with training, interpretation, implementation, monitoring, and reporting annual outcomes and accomplishments as required under the new RMPs. They will serve as key contacts for responding to external questions and facts as RMP implementation proceeds. The core planning staff will also be engaged in any post-signing issue resolution.

**2017 Program Performance**

In 2017, the Western Oregon Resource Management Planning Program plans to:

- Begin transition to and implementation of the management action/direction outlined in the new RMPs for all resources.
- Provide support and guidance for implementing new RMPs; and
- Address any follow-up issues associated with new RMPs.

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## Activity: Western Oregon Information and Data Systems

### Subactivity: Western Oregon Information Systems Operation and Maintenance

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Info. & Resource Data Systems	\$000	1,772	1,786	+12	+0	+0	1,798	+12
	FTE	11	11		+0	+0	11	+0

#### Justification of 2017 Program Changes

The 2017 budget request for the Western Oregon Information Systems Operation and Maintenance Program is \$1,798,000 and 11 FTE.

#### Program Overview

This program deploys hardware and software necessary to implement and analyze Resource Management Plans, develop and maintain data sets supporting decision making, and provides technology to facilitate and evaluate management decisions utilizing programs such as mobile geographic information system (GIS) and internet mapping services. This program manages infrastructure, including workstations, networks, Web services and software applications, and ensures system security, integrity and reliability.

#### Means and Strategies

The BLM instituted corporate spatial data standards to ensure GIS data integrity, facilitate integration with partners, and implement Web-based collaboration and mapping tools to enhance access and communication. In 2017, the BLM will continue to centralize management of IT support services. Efforts will continue under Service First to align the GIS functions and leverage BLM and U.S. Forest Service (USFS) data resources to reduce costs to both agencies, facilitate knowledge transfer, and standardize data and procedures.

#### Other Funding Sources

Public Domain Forest Management funding in the Management of Lands and Resources Appropriation also supports the maintenance and development of the suite of Forest Management databases within the Forest Resource Information System (FRIS) national database .

**2017 Program Performance**

In 2017, western Oregon's BLM Information Technology program plans to support the following:

- Operations and maintenance for various State and national applications (software) to monitor multiple resource data including fish and wildlife populations and sites, recreational use and permits, threatened, endangered, and special status species, cultural information, forest inventory, timber sale and stewardship contracts, special forest product permits, hydrology and riparian information, transportation network, and other databases.
- Assure Oregon/Washington's treatment databases can interface with BLM's national Vegetative Treatments System database
- Assure the interface transition between the Collection and Billing System and the Timber Sale Information System continues to meet both national and user requirements.
- Coordinate Information Technology needs with the need to update components of the Forest Resource Information System (FRIS) focusing on:
  - Integrating BLM's forest inventory system (MICROSTORM and FORVIS) into a single national BLM wide forest inventory system
  - Updating the Special Forest Products database including looking at information technology needs to transition to an on-line permit system.
- Remote sensing support to facilitate resource management and analysis.
- Regular upgrading and/or replacement of computer hardware (i.e. personal computers, radios, phones, storage).

## Activity: Western Oregon National Landscape Conservation System

### Subactivity: National Monuments & National Conservation Areas

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
NMs & NCAs	\$000	753	767	+12	+0	+0	779	+12
	FTE	4	4		+0	+0	4	+0

#### Justification of 2017 Program Changes

The 2017 budget request for the Western Oregon National Monuments & National Conservation Areas Program is \$779,000 and 4 FTE.

#### Program Overview

The Cascade Siskiyou National Monument (CSNM) in southwestern Oregon and the Yaquina Head Outstanding Natural Area (YHONA) located in the central coast near Newport, Oregon, are the two units that comprise the Western Oregon National Monuments and National Conservation Areas program. These are both units of the BLM National Conservation Lands.

#### Critical Factors

In support of the NCL goals, in 2017 the BLM will focus on these critical factors:

- Law Enforcement Presence and Visibility — Law enforcement is a key factor in ensuring visitor safety and protecting fragile or rare geologic, archeological, paleontological, and biological resources. Threats include vandalism of natural features, archeological sites, facilities, and theft of irreplaceable archeological and paleontological resources.
- Critical Inventories and Monitoring Programs — Inventories define the critical resource values representative of each unit's uniqueness, and the information provided is essential to the development and implementation of management plans.
- Restoration — Both CSNM and YHONA are home to a variety of ecosystems. These areas contribute to protection and restoration of native plant and animal communities, including riparian habitat. These ecosystems also provide native plant and animal corridors and migration routes to sustain and conserve public land resources affected by climate change, altered fire regimes, and invasive species.
- Comprehensive Travel and Transportation Management — Unmanaged recreation use continues to impact resources in the monuments through increased erosion, vegetative damage, spread of weeds and invasive plants, and impacts to wildlife habitat.
- Visitor and Community Education — Interpretation and environmental education improve visitor experiences, providing information about the cultural, ecological, and scientific values of units and the BLM's balanced resource mission.

- Maintenance and Operations of Recreation Facilities – The program supports a number of education and visitor centers along with other facilities to enhance the visitor experience in the natural setting.
- Supporting Soda Mountain Wilderness Stewardship Plan Implementation – The BLM will continue to implement the new plan, including activities such as decommissioning former roads, conducting roads-to-trails projects, removing unneeded grazing management facilities and other human infrastructure, and other “re-wilding” projects.

**Means and Strategies**

Both the CSNM and the YHONA work with volunteers, partners, and communities. The BLM works closely with the public to ensure that recreation in these units meets the needs of user groups while remaining compatible with the values for which each unit was designated.

**2017 Program Performance**

To fulfill the goals of the NLCS program at CSNM and YHONA, the BLM will:

- Manage monuments and conservation areas to conserve, protect, and restore the values for which they were designated, as guided by each unit’s enabling legislation or proclamation;
- Manage valid existing rights and compatible uses;
- Support and encourage scientific study and research, while ensuring that research methodologies conserve and protect resources;
- Develop and maintain partnerships with local, State, Federal, and tribal government agencies, as well as scientists, local communities, public land users, non-governmental organizations, and the public; and
- Recognize gateway communities as vital links to monuments and conservation areas and where practical, locate developed recreation and interpretive facilities adjacent to NLCS lands.

## Budget Schedules

Account Symbol and Title 14X1116 Oregon and California Grant Lands	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Western Oregon Maintenance	0002	0	1	1
Western Oregon Resource Management	0004	115	112	110
Western Oregon Data Systems Operation & Management	0005	2	2	2
Western Oregon National Monuments & NCA	0006	1	2	2
Total new obligations	0900	118	117	115
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	6	7	0
Recoveries of prior year unpaid obligations	1021	5	2	8
Unobligated balance (total)	1050	11	9	8
Budget authority:				
Appropriations, discretionary:				
Appropriation	1100	114	108	107
Appropriation, discretionary (total)	1160	114	108	107
Appropriation, discretionary - Computed Totals	1160-20	114	108	107
Appropriation [O&C]	1160-40	114	108	107
Baseline Civilian Pay	1160-50		74	77
Baseline Non-Pay	1160-50		34	35
Policy Outlays:				
New Authority	1160-61	80	80	79
Balances (excl of EOY PY Bal)	1160-62	32	0	24
End of PY Balances	1160-63		28	4
Subtotal, outlays	1160-64	112	108	107
Baseline Outlays:				
New Authority	1160-81		80	83
Balances (excl of EOY PY Bal)	1160-82		0	24
End of PY Balances	1160-83		28	4
Subtotal, outlays	1160-84		108	111
Total budgetary resources available	1930	125	117	115
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	7	0	0
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	43	44	51

Account Symbol and Title 14X1116				
Oregon and California Grant Lands	Line	2015 Act	2016 CY	2017 BY
Obligations incurred, unexpired accounts	3010	118	117	115
Outlays (gross)	3020	-112	-108	-107
Recoveries of prior year unpaid obligations, unexpired	3040	-5	-2	-8
Unpaid obligations, end of year	3050	44	51	51
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	43	44	51
Obligated balance, end of year	3200	44	51	51
Budget authority and outlays, net:				
Discretionary:				
Budget authority, gross	4000	114	108	107
Outlays, gross:				
Outlays from new discretionary authority	4010	80	80	79
Outlays from discretionary balances	4011	32	28	28
Outlays, gross (total)	4020	112	108	107
Budget authority, net (discretionary)	4070	114	108	107
Outlays, net (discretionary)	4080	112	108	107
Budget authority, net (total)	4180	114	108	107
Outlays, net (total)	4190	112	108	107
NON-INVESTMENT ACTIVITIES:				
Direct Federal programs:				
Budget Authority	2004-01	114	108	107
Outlays	2004-02	112	108	107
Object Classification				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	46	46	45
Other than full-time permanent	11.3	5	5	5
Other personnel compensation	11.5	2	2	2
Total personnel compensation	11.9	53	53	52
Civilian personnel benefits	12.1	18	18	17
Travel and transportation of persons	21.0	1	1	1
Communications, utilities, and miscellaneous charges	23.3	6	6	6
Printing and reproduction	24.0	0	0	0
Other services from non-Federal sources	25.2	19	18	18
Other goods and services from Federal sources	25.3	7	7	7
Operation and maintenance of facilities	25.4	3	3	3
Operation and maintenance of equipment	25.7	2	2	2
Supplies and materials	26.0	2	2	2

Account Symbol and Title				
14X1116				
Oregon and California Grant Lands	Line	2015 Act	2016 CY	2017 BY
Equipment	31.0	2	2	2
Grants, subsidies, and contributions	41.0	5	5	5
Total new obligations	99.9	118	117	115
<b>Employment Summary</b>				
Direct civilian full-time equivalent employment	1001	767	767	767
<b>Budget year budgetary resources [014-1116]</b>				
	1000			106,985

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# Range Improvements



# RANGE IMPROVEMENTS

## Appropriations Language

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.*)

## Appropriations Language Citations

- 1. For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1751),**

The language provides authority for the Secretary to direct on-the-ground range rehabilitation, protection and improvements to Federal range lands, including seeding and reseeding, fence construction, weed control, water development, and fish and wildlife habitat enhancement.

- 2. notwithstanding any other Act,**

The provisions of this language supercede any other provision of law.

- 3. sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315(b), 315(m))**

Section 3 of the Taylor Grazing Act concerns grazing permits issued on public lands within the grazing districts established under the Act. Receipts from grazing on section 3 lands are distributed three ways: 50 percent goes to range betterment projects, 37.5 percent remains in the US Treasury, and 12.5 percent is returned to the State.

Section 15 of the Taylor Grazing Act concerns issuing grazing leases on public lands outside the original grazing district boundaries. The receipts from grazing on section 15 public lands are distributed two ways: 50 percent goes to range betterment projects and 50 percent is returned to the State.

- 4. and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law,**

The Bankhead Jones Farm Tenant Act of 1937 authorized and directed the Secretary of Agriculture to purchase low production, privately owned farmlands. These lands were later transferred to the Department of the Interior for use, administration, or exchange under the applicable provisions of the Taylor Grazing Act.

**5. but not less than \$10,000,000,**

If grazing receipts are less than \$10 million, the balance of the \$10 million appropriation comes from the General Fund

**6. to remain available until expended:**

The language makes the funding no-year, available for expenditure in any year after the appropriation. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, agreements and purchases.

**7. Provided, That not to exceed \$600,000 shall be available for administrative expenses.**

The provision limits the amount of funding in this appropriation that can be used for administrative expenses to \$600,000.

### **Appropriations Language Citations and Authorizations**

***Section 401 of Federal Land Policy & Management Act (FLPMA) (43 U.S.C. 1751), as amended by the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1905),*** provides that 50 percent of all monies received by the U.S. as fees for grazing domestic livestock on public land under the Taylor Grazing Act (43 U.S.C. 315) and the Act of August 28, 1937 (43 U.S.C. 1181d) shall be credited to a separate account in the Treasury and made available for the purpose of on-the-ground range rehabilitation, protection, and improvements, including, but not limited to, seeding and reseeding, fence construction, weed control, water development, and fish and wildlife habitat enhancement.

***Taylor Grazing Act of 1934 (43 U.S.C 315) as, amended by the Act of August 28, 1937 (43 U.S.C. 1181d),*** authorizes the establishment of grazing districts, regulation, and administration of grazing on the public lands, and improvement of the public rangelands. It also authorizes the Secretary to accept contributions for the administration, protection, and improvement of grazing lands, and establishment of a trust fund to be used for these purposes.

***7 U.S.C. 1010 (the Bankhead Jones Farm Tenant Act of 1937),*** provides that the Secretary of Agriculture is authorized and directed to develop a program of land conservation and utilization in order to correct maladjustments in land use, and thus assist in controlling soil erosion, conducting reforestation, preserving natural resources, protecting fish and wildlife, developing and protecting recreational facilities, mitigating floods, preventing impairment of dams and reservoirs, conserving surface and subsurface moisture, protecting the watersheds of navigable streams, and protecting the public land, health, safety, and welfare; but not to build industrial parks or establish private industrial or commercial enterprises.

***Executive Orders 10046, et al.,*** provide that land under the jurisdiction of the Secretary of Agriculture under the provision of §32 of the Bankhead Jones Farm Tenant Act is transferred

from the Department of Agriculture to the Department of the Interior for use, administration, or exchange under the applicable provisions of the Taylor Grazing Act.

**30 U.S.C. 355**, provides that all mineral leasing receipts derived from leases issued under the authority of the Mineral Leasing Act for Acquired Lands of 1947 shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease. The intention is that this act shall not affect the distribution of receipts pursuant to legislation applicable to such lands.

**Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2814)**, provides for the designation of a lead office and person trained in the management of undesirable plants; establishes and funds an undesirable plant management program; completes and implements cooperative agreements with State agencies; and establishes integrated management systems to control undesirable plant species.

**The Annual Department of the Interior, Environment, and Related Agencies Appropriations Acts**, provide that a minimum amount is appropriated, that the appropriation shall remain available until expended, and that a maximum of \$600,000 is available from this appropriation for BLM administrative expenses.

Under the provisions of the **Balanced Budget and Emergency Deficit Control Act of 1985 and the Budget Enforcement Act of 1990**, this account is classified as a current, mandatory account.

Summary of Requirements  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	Transfers		2017 President's Budget		Requested Amount		Change from 2016	
	FTE	Amount	FTE	Amount		FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Public Lands Improvements	29	7,582	29	7,621	+0	-	-	-	+558	29	8,179	-	-
Farm Tenant Act Land Improvements	6	1,688	6	1,699	+0	-	-	-	+122	6	1,821	-	-
Administrative Costs	-	[600]	-	[600]	+0	-	-	-	+0	-	[600]	-	-
<b>Range Improvements</b>	<b>35</b>	<b>9,270</b>	<b>35</b>	<b>9,320</b>	<b>+0</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>+680</b>	<b>35</b>	<b>10,000</b>	<b>-</b>	<b>+0</b>

- Notes:
- The 2015 amount includes 7.3% (\$730,000) sequester pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.
  - The 2015 AND 2016 amounts reflect sequesters \$680,000 the increase from 2016 to 2017 just reflects a change in available appropriations due to a sequester in 2016, not a request for an increase of appropriations in 2017.
  - The increase from 2016 to 2017 just reflects a change in available appropriations due to a sequester in 2016, not a request for an increase of appropriations.

## Appropriation: Range Improvements

		2015 Actual	2016 Enacted	2017 President's Budget			Requested Amount	Change from 2016
				Fixed Costs	Transfers	Program Change		
Public Lands Improvements	\$000	7,582	7,621	+0	+0	+558	8,179	+558
	FTE	30	30		+0	+0	30	+0
Farm Tenant Act Land Improvements	\$000	1,688	1,699	+0	+0	+122	1,821	+122
	FTE	5	5		+0	+0	5	+0
Administrative Costs	\$000	[600]	[600]	+0	+0	+0	[600]	[0]
Range Improvements	\$000	9,270	9,320	+0	+0	+680	10,000	+680
	FTE	35	35		+0	+0	35	+0

*Notes: 2015 amount for Range Improvements includes 7.3% sequester and the 2016 amount reflects a sequester of 6.8 percent.*

*"Change in Range Improvements between 2016 and 2017 reflects the change in available appropriations between 2016 and 2017 due to sequester in 2016, not a request for an increase in appropriated funds*

### Justification of 2017 Program Changes

The 2017 budget request for the Range Improvement Account is \$10,000,000 and 35 FTE.

### Program Overview

#### Program Components

The Range Improvement Account functions as the primary support program for Rangeland Management and is used to construct on-the-ground projects, such as vegetation management treatments, fencing, and wildlife-livestock water developments.

These funds are used to improve land health and resource conditions, facilitating the production of a wide variety of ecosystem goods and services, such as high quality water. Areas identified through land health evaluations are prioritized at the district level for funding. Examples of areas not achieving rangeland health standards could be riparian areas functioning at-risk with a downward trend, areas with unacceptable plant community composition including areas invaded by noxious and invasive weeds or other invasive species, or areas with unnaturally high amounts of exposed soil that would be subject to accelerated erosion.

Healthy landscapes in the West today are at greater risk due to more intense and extended droughts, increasing wildfire frequency, and continuing migration of invasive species. Range Improvement funds also provide field offices with the flexibility to address changing resource conditions such as drought, wildfire, newly listed species, critical habitat, and candidate species such as sage-grouse.



Rangeland drill restoration after Soda Fire

### Means and Strategies

- The BLM uses funding from the Range Improvement Account in addition to funding from other programs and contributions from permittees and partner organizations to support rangeland health. The amount of funding the BLM is able to leverage from partners and stakeholders is a factor used to help prioritize projects for funding.
- Other workload priorities such as wildfire, droughts, floods, and litigation can affect the BLM's ability to complete range improvement projects.
- Project prioritization is based on resource issues, such as protection of sensitive species through management of sage-grouse habitat, reduction of wildfire risks through the management of fuel loads, and coordination with post-fire rehabilitation efforts to help manage the spread of invasive or noxious weeds.

### Funding for the Range Improvement Appropriation

Fifty percent of grazing fees collected on public lands, or \$10.0 million, whichever is greater, is appropriated annually into the Range Improvement Account. Funding is distributed to the BLM grazing districts according to where the receipts were collected. This funding remains available until exhausted and is to be used for on-the-ground projects, principally for improving public lands not achieving land health standards.

Please refer to the Collections chapter for information on grazing fees collected on public lands.

## Grazing Fees

Grazing fees are set each year under the authority of FLPMA and the Public Range Improvement Act. The fee for 2015 was \$1.69 per Animal Unit Month (AUM), as announced on January 29, 2015. The fee for 2016 will be announced in late January 2016. A portion of the grazing fees are deposited into the Treasury and 50 percent of the fees are appropriated to the BLM in this Range Improvement Account for the purposes described in this chapter.

These fees do not fund the Rangeland Management Program, and they also differ from the proposed grazing permit administrative fee. More information on the Rangeland Management Program and the proposed cost recovery measure can be found in the MLR appropriation section.

## 2017 Program Performance

In 2017, the focus and priorities of the Range Improvement Account will remain as described in the overview section. It is estimated that approximately 18,000 acres would receive vegetation treatment, 300 new structural projects would be constructed, 250 existing projects would be re-constructed/maintained and 50,000 acres of weed treatment would be completed.



Cattle grazing near Wood River

## Budget Schedules – Current Law

Account Symbol and Title 14X5132 Range Improvements	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Public Lands Improvements	0001	8	8	8
Farm Tenant Act Lands Improvements	0002	2	1	1
Total new obligations	0900	10	9	9
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	4	3	3
Budget authority:				
Appropriations, mandatory:				
Appropriation (General Fund)	1200	3	3	3
Appropriation (special or trust fund)	1201	7	7	7
Appropriations and/or unobligated balance of appropriations temporarily reduced	1232	-1	-1	0
Appropriations, mandatory (total)	1260	9	9	10
Appropriations, mandatory - Computed Totals	1260-20	9	9	10
Appropriation [Indefinite]	1260-40	4	2	2
Baseline Civilian Pay	1260-50		0	0
Baseline Non-Pay	1260-50		2	2
Policy Outlays:				
New Authority	1260-61	4	1	1
Balances (excl of EOY PY Bal)	1260-62	5	0	1
End of PY Balances	1260-63		2	1
Subtotal, outlays	1260-64	9	3	3
Baseline Outlays:				
New Authority	1260-81		1	1
Balances (excl of EOY PY Bal)	1260-82			1
End of PY Balances	1260-83		2	1
Subtotal, outlays	1260-84		3	3
Appropriation [Special Fund, Indefinite]	1260-40	6	7	8
Baseline Civilian Pay	1260-50		3	3
Baseline Non-Pay	1260-50		4	5
Policy Outlays:				
New Authority	1260-61	0	3	3
Balances (excl of EOY PY Bal)	1260-62	0	0	2
End of PY Balances	1260-63		4	2
Subtotal, outlays	1260-64	0	7	7
Baseline Outlays:				
New Authority	1260-81		3	3
Balances (excl of EOY PY Bal)	1260-82			2

Account Symbol and Title 14X5132				
Range Improvements	Line	2015 Act	2016 CY	2017 BY
End of PY Balances	1260-83		4	2
Subtotal, outlays	1260-84		7	7
Effects of 2014 sequester	1260-40	-1	0	0
Baseline Non-Pay	1260-50		0	0
Policy Outlays:				
New Authority	1260-61	0	0	0
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63		0	0
Subtotal, outlays	1260-64	0	0	0
Baseline Outlays:				
New Authority	1260-81		0	0
Balances (excl of EOY PY Bal)	1260-82		0	0
End of PY Balances	1260-83		0	0
Subtotal, outlays	1260-84		0	0
Total budgetary resources available	1930	13	12	13
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	3	3	4
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	4	5	4
Obligations incurred, unexpired accounts	3010	10	9	9
Outlays (gross)	3020	-9	-10	-10
Unpaid obligations, end of year	3050	5	4	3
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	4	5	4
Obligated balance, end of year	3200	5	4	3
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	9	9	10
Outlays, gross:				
Outlays from new mandatory authority	4100	4	4	4
Outlays from mandatory balances	4101	5	6	6
Outlays, gross (total)	4110	9	10	10
Budget authority, net (mandatory)	4160	9	9	10
Outlays, net (mandatory)	4170	9	10	10
Budget authority, net (total)	4180	9	9	10
Outlays, net (total)	4190	9	10	10

## INVESTMENT ACTIVITIES:

Physical assets:

Account Symbol and Title				
14X5132				
Range Improvements	Line	2015 Act	2016 CY	2017 BY
Major equipment:				
Other physical assets:				
Direct Federal programs:				
Budget Authority	1352-01	9	9	10
Outlays	1352-02	9	10	10
<b>Object Classification</b>				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	2	2	2
Civilian personnel benefits	12.1	1	1	1
Other services from non-Federal sources	25.2	1	1	1
Other goods and services from Federal sources	25.3	1	1	1
Supplies and materials	26.0	2	1	1
Land and structures	32.0	1	1	1
Grants, subsidies, and contributions	41.0	2	2	2
Total new obligations	99.9	10	9	9
<b>Employment Summary</b>				
Direct civilian full-time equivalent employment	1001	35	35	35
<b>Budget year budgetary resources [014-5132]</b>				
Budget year budgetary resources [014-5132]	1000			10,000

# Service Charges, Deposits and Forfeitures



# SERVICE CHARGES, DEPOSITS AND FORFEITURES

## Appropriations Language

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579 (43 U.S.C. 1701 et seq.), and under section 28 of the Mineral Leasing Act (30 U.S.C. 185), to remain available until expended: *Provided*, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.*)

## Appropriations Language Citations

**1. For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources,**

This language provides authority to recover costs associated with the processing of documents related to Rights-of-Way (ROW) and energy and minerals authorizations required to dispose of public lands and resources. These funds are deposited in the Service Charges, Deposits, and Forfeitures account and used by BLM for labor and other expenses of processing these documents. Only those costs directly associated with processing an application or issuing a ROW grant are charged to an individual project.

**2. for costs of providing copies of official public land documents,**

The BLM performs certain types of realty work on a cost-recoverable basis. Regulations promulgated pursuant to FLPMA allow the BLM to collect from applicants the costs associated with providing copies of public land documents.

**3. for monitoring construction, operation, and termination of facilities in conjunction with use authorizations,**

The BLM performs certain types of realty work on a cost-recoverable basis. Regulations promulgated pursuant to FLPMA allow the BLM to collect from applicants the costs of monitoring construction, operation and termination of facilities.

**4. and for rehabilitation of damaged property,**

The BLM performs certain types of realty work on a cost-recoverable basis. Regulations promulgated pursuant to the FLPMA allow the BLM to collect from applicants the costs of monitoring rehabilitation and restoration of the land.

**5. such amounts as may be collected under Public Law 94–579 (43 U.S.C.1701 et seq.),**

This language authorizes the BLM to collect amounts for activities authorized by FLPMA.

**6. and under section 28 of the Mineral Leasing Act (30 U.S.C. 185),**

This language authorizes the Secretary to issue Rights-of-Way and other land use authorizations related to the Trans-Alaska Pipeline. Rights-of-Way applicants and permittees are to reimburse the U.S. for all costs associated with processing applications and monitoring pipeline construction and operations.

**7. to remain available until expended:**

The language makes the funds deposited into the account available on a no-year basis. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, maintenance, construction, operations, and rehabilitation of public lands.

**8. Provided, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)),**

This provision authorizes BLM to collect for land damaged by users who have not fulfilled the requirements of contracts or bonds.

**9. any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)),**

This language authorizes the Secretary to issue a refund of the amount in excess of the cost of doing work to be made from applicable funds.

**10. shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action:**

This language authorizes the Secretary to use funds to improve, protect, or rehabilitate public lands that were damaged by a developer or purchaser even if the funds collected were not for damages on those exact lands.

**11. Provided further, that any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.**

If a funding excess exists after repair has been made to the exact land for which funds were collected or forfeited, then the BLM may use these funds to improve, protect, or rehabilitate any damaged public land.

### Appropriation Language Authorizations

<b><i>Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1735)</i></b>	Authorizes the BLM to receive deposits and forfeitures.
<b><i>The Mineral Leasing Act of 1920, as amended by the Trans-Alaska Pipeline Act of 1973, §101 (Public Law 93-153) (30 U.S.C. 185)</i></b>	Authorizes rights-of-way for oil, gas, and other fuels. It further authorizes the Secretary to issue Rights-of-Way and other land use authorizations related to the Trans-Alaska Pipeline. Rights-of-Way applicants and permittees are to reimburse the U.S. for all costs associated with processing applications and monitoring pipeline construction and operations.
<b><i>The Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719)</i></b>	Authorizes the granting of certificates, Rights-of-Way permits, and leases.
<b><i>The National Environmental Policy Act of 1969 (42 U.S.C. 4321, 4331-4335, 4341-4347)</i></b>	Requires the preparation of environmental impact statements for Federal projects that may have a significant effect on the environment.
<b><i>The Wild Free Roaming Horse and Burro Act of 1971, as amended by the Public Rangelands Improvement Act of 1978 (16 U.S.C. 1331-1340)</i></b>	Authorizes adoption of wild horses and burros by private individuals under cooperative agreements with the Government.
<b><i>The Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1908)</i></b>	Establishes the policy of improving Federal rangeland conditions and facilitates the humane adoption or disposal of excess wild free-roaming horses and burros.
<b><i>Omnibus Public Land Management Act, 2009 (P.L. 111-11)</i></b>	Among numerous other things, authorizes the disposal of certain lands in the Boise District of the Bureau of Land Management, in Washington County, Utah, and in Carson City, Nevada. It authorizes BLM to retain and spend most of the proceeds of these sales to acquire lands in wilderness and other areas and for other purposes, and to pay a portion to the States in which the sold land was located.

**Summary of Requirements**  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	Transfers		2017 President's Budget		Requested Amount		Change from 2016	
	FTE	Amount	FTE	Amount		FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Rights-of-Way Processing	80	11,014	80	14,690	-	-	-	-	80	14,690	-	-	
Energy and Minerals Cost Recovery	22	2,799	22	5,160	-	-	-	-	22	5,160	-	-	
Recreation Cost Recovery	7	3,536	7	3,690	-	-	-	-	7	3,690	-	-	
Adopt-A-Horse Program	-	432	-	380	-	-	-	-	-	380	-	-	
Repair of Damaged Lands	10	4,385	10	3,420	-	-	-	-	10	3,420	-	-	
Cost Recoverable Realty Cases	5	940	5	830	-	-	-	-	5	830	-	-	
Timber Purchaser Expenses	1	97	1	60	-	-	-	-	1	60	-	-	
Commercial Film and Photography Fees	2	301	2	230	-	-	-	-	2	230	-	-	
Copy Fees	8	826	8	970	-	-	-	-	8	970	-	-	
Trans Alaska Pipeline	23	3,741	23	1,620	-	-	-	-	23	1,620	-	-	
<b>Subtotal (gross)</b>	<b>158</b>	<b>28,070</b>	<b>158</b>	<b>31,050</b>					<b>158</b>	<b>31,050</b>			
<i>Offsetting Collections</i>	-	(28,070)		(31,050)						(31,050)		+0	
<b>Total, Service Charges, Deposits &amp; Forfeitures</b>	<b>158</b>	<b>-</b>	<b>158</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>158</b>	<b>-</b>	<b>-</b>	<b>-</b>	

## Appropriation: Service Charges, Deposits, and Forfeitures (Indefinite)

### Program Overview

***Rights-of-Way Processing and Energy and Minerals Cost Recovery*** – The BLM recovers certain costs of processing documents related to Rights-of-Way (ROW), and energy and minerals authorizations. These funds are deposited in the Service Charges, Deposits, and Forfeitures account and used by BLM for labor and other expenses of processing these documents. More detail for each type of cost recovery is described below.

***Rights-of-Way Processing*** – ROW processing is funded through a combination of applicant deposits made into this indefinite appropriation and a direct appropriation of funds in the Management of Lands and Resources (MLR) appropriation, which include the Renewable Energy subactivity as well as the Land and Realty Management subactivity.

The BLM recovers costs for the processing of ROW applications pursuant to the Mineral Leasing Act (MLA) and the Federal Land Policy and Management Act (FLPMA). Processing fees are determined by a fee schedule for minor category ROWs (those which require fewer than 50 Federal work hours). Processing fees for major category ROWs (those which require greater than 50 Federal work hours) are based on reasonable costs (FLPMA) or actual costs (MLA). In 2015, BLM's average cost to process a major category right-of-way application was approximately \$98,000 and will remain the same for 2016. Major category ROW projects are usually for oil and gas pipelines, electric transmission lines, wind and solar energy development sites, or other projects associated with energy development. Twenty percent of BLM's rights-of-way applications are for these types of projects. BLM estimates that it will recover 80 percent of the reasonable or actual processing costs of the larger scale project types of applications.

Approximately 80 percent of the ROW projects are minor category which usually consists of short roads, well gathering pipelines, and electric distribution lines. Minor category ROW applications cost an average of \$2,600 each to process in 2015; in 2016 minor category cost recovery applications are estimated to have an average processing cost of \$2,800. For these smaller-scale projects, the BLM recovers 50 percent of the actual costs of each right-of-way application. Approximately 10 percent of the ROW projects are for roads and other infrastructure for local or State government agencies for which BLM recovers no cost recovery funds.

Only those costs directly associated with processing an application or issuing a ROW grant are charged to an individual project. Costs of land use planning or studies to determine placement of ROW corridors, and other general costs that are not specific to a ROW application, cannot be charged to the individual ROW cost recovery account. These costs are funded entirely from the MLR appropriation. In addition, certain types of ROW applicants are exempted, by law, from cost recovery. These applicants include States and local governments.

The BLM currently administers more than 112,000 ROW authorizations. The Bureau will continue to expedite the granting of ROWs by processing applications, issuing grants, and monitoring construction involved with the operation and termination of ROWs on the public land as authorized by the FLPMA and the MLA.

**Energy and Minerals Cost-Recovery** - The BLM issued a final rule effective November 7, 2005, to amend its mineral resources regulations to increase certain fees and to impose new fees to cover BLM's costs of processing documents relating to its minerals programs. The new fees included costs of actions such as environmental studies performed by the BLM, lease applications, name changes, corporate mergers, lease consolidations and reinstatements, and other processing-related costs. The BLM charges the fees pursuant to authorities under the Independent Offices Appropriation Act, as amended, 31 U.S.C. 9701 (IOAA); Section 304(a) of FLPMA; and OMB Circular A-25; DOI Manual 346 DM 1.2 A; and case law (also see the preamble to the proposed rule at 70 FR 41533 and Solicitor's Opinion M-36987 (December 5, 1996)).

**Recreation Cost Recovery** – The BLM recovers its costs associated with authorizing and administering certain recreation activities or events. The BLM uses Special Recreation Permits to authorize events such as off-highway vehicle areas, shooting ranges, and specialized trail systems; or to authorize group activities or recreation events. This subactivity covers revenues and expenditures associated with any Special Recreation Permit that has been determined to be cost recoverable by BLM personnel as outlined in 43 CFR 2930-1 Permits for Recreation on Public Lands and H-2930-1, Recreation Permit Administration Handbook. Primary work in this program involves processing the application and administering the permit, which includes environmental analysis and monitoring.

**Adopt-a-Horse Program** – The BLM conducts adoptions of wild horses and burros removed from its public lands. In 2017, the BLM will continue offering animals for adoption to qualified applicants. The BLM administers animal adoptions primarily through a competitive bidding process that often increases the adoption fee above the base fee of \$125 per horse or burro. On an occasional basis in special circumstances, the \$125 adoption fee is lowered to a minimum of \$25. Adoption fees are used to defray part of the costs of the adoption program.

**Repair of Damaged Lands** – Under FLPMA, the BLM is authorized to collect for land damaged by users who have not fulfilled the requirements of contracts or bonds. If a funding excess exists after repair has been made to the exact land for which funds were collected or forfeited, then the BLM may use these funds to improve, protect, or rehabilitate any damaged public land.

**Cost-Recoverable Realty Cases** – The BLM performs certain types of realty work on a cost-recoverable basis. Regulations promulgated pursuant to the FLPMA allow the BLM to collect from applicants the costs of processing applications for realty work, as described below.

- **Conveyance of Federally Owned Mineral Interests** –The BLM collects costs from applicants to cover administrative costs, including the costs of conducting an exploratory program to determine the type and amount of mineral deposits, establishing the fair market value of the mineral interests to be conveyed, and preparing conveyance documents.
- **Recordable Disclaimers of Interest** – The BLM collects costs from applicants to cover administrative costs, including the costs to determine if the U.S. has an interest in the property or boundary definitions, as well as preparing the riparian specialist's report or preparing and issuing the document of disclaimer.
- **Leases, Permits, and Easements** – The BLM collects costs from applicants to cover administrative costs, including the cost of processing applications, monitoring construction, operating and maintaining authorized facilities, and monitoring rehabilitation and restoration of the land.

Applicants may deposit money in an approved account for the BLM use in completing specific realty work. These dollars become immediately available to the BLM without further appropriation.

**Timber Contract Expenses** – Many BLM timber contracts have provisions that allow the purchaser to make cash payments to the BLM in lieu of performing specified work directly. The BLM uses these funds as required by the contract. This involves performing timber slash disposal and reforestation.

**Commercial Film and Photography** – A permit is required for all commercial filming activities on public lands. Commercial filming is defined as the use of motion picture, videotaping, sound recording, or other moving image or audio recording equipment on public lands that involves the advertisement of a product or service, the creation of a product for sale, or the use of actors, models, sets, or props, but not including activities associated with broadcasts for new programs. Creation of a product for sale includes a film, videotape, television broadcast, or documentary of participants in commercial sporting or recreation event created for the purpose of generating income. These fees are exclusive of cost recovery fees for processing the permits which are collected under leases, permits, and easements.

**Copy Fees** – The BLM is the custodian of the official public land records of the United States. There are more than 500,000 requests annually from industry, user organizations, and the general public, for copies of these official records. The BLM charges a fee for copies of these documents (maps, plats, field notes, copies of use authorizations, reservations of easements and ROW, serial register pages, and master title plats). This fee covers the cost of research, staff time, and the supplies required for printing and for responding to Freedom of Information Act requests.

## Budget Schedules

Account Symbol and Title 14X5017 Service Charges, Deposits, and Forfeitures	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Right-of-way processing	0001	10	13	13
Energy and minerals cost recovery	0004	2	3	3
Wild horse and burro cost recover	0005	1	1	1
Repair of damaged lands	0006	2	3	3
Cost recoverable realty	0007	1	1	1
Recreation cost recovery	0008	4	3	3
Copy fees	0009	1	1	1
Trans Alaska Pipeline Authority	0011	4	4	4
Total new obligations	0900	25	29	29
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	48	51	53
Recoveries of prior year unpaid obligations	1021	0	0	0
Unobligated balance (total)	1050	48	51	53
Budget authority:				
Appropriations, discretionary:				
Appropriation (special or trust fund)	1101	28	31	31
Appropriation, discretionary (total)	1160	28	31	31
Appropriation, discretionary - Computed Totals	1160-20	28	31	31
Appropriation [Text]	1160-40	28	31	31
Baseline Civilian Pay	1160-50		21	22
Baseline Non-Pay	1160-50		10	10
Policy Outlays:				
New Authority	1160-61	13	16	16
Balances (excl of EOY PY Bal)	1160-62	12	0	16
End of PY Balances	1160-63		14	0
Subtotal, outlays	1160-64	25	30	32
Baseline Outlays:				
New Authority	1160-81		16	16
Balances (excl of EOY PY Bal)	1160-82		0	16
End of PY Balances	1160-83		14	0
Subtotal, outlays	1160-84		30	32
Total budgetary resources available	1930	76	82	84
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	51	53	55
Change in obligated balance:				

Account Symbol and Title 14X5017				
Service Charges, Deposits, and Forfeitures	Line	2015 Act	2016 CY	2017 BY
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	4	4	3
Obligations incurred, unexpired accounts	3010	25	29	29
Outlays (gross)	3020	-25	-30	-32
Recoveries of prior year unpaid obligations, unexpired	3040	0	0	0
Unpaid obligations, end of year	3050	4	3	0
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	4	4	3
Obligated balance, end of year	3200	4	3	0
Budget authority and outlays, net:				
Discretionary:				
Budget authority, gross	4000	28	31	31
Outlays, gross:				
Outlays from new discretionary authority	4010	13	16	16
Outlays from discretionary balances	4011	12	14	16
Outlays, gross (total)	4020	25	30	32
Budget authority, net (discretionary)	4070	28	31	31
Outlays, net (discretionary)	4080	25	30	32
Budget authority, net (total)	4180	28	31	31
Outlays, net (total)	4190	25	30	32
NON-INVESTMENT ACTIVITIES:				
Direct Federal programs:				
Budget Authority	2004-01	28	31	31
Outlays	2004-02	25	30	32
Object Classification				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	11	13	13
Other than full-time permanent	11.3	1	1	1
Other personnel compensation	11.5	1	1	1
Total personnel compensation	11.9	13	15	15
Civilian personnel benefits	12.1	4	5	5
Travel and transportation of persons	21.0	1	1	1
Other services from non-Federal sources	25.2	1	2	2
Other goods and services from Federal sources	25.3	4	4	4
Supplies and materials	26.0	1	1	1
Grants, subsidies, and contributions	41.0	1	1	1
Total new obligations	99.9	25	29	29

Account Symbol and Title				
14X5017				
Service Charges, Deposits, and Forfeitures	Line	2015 Act	2016 CY	2017 BY
Employment Summary				
Direct civilian full-time equivalent employment	1001	158	158	158
Budget year budgetary resources [014-5017]	1000			31,050

# Miscellaneous Permanent Payments



# MISCELLANEOUS PERMANENT PAYMENTS

## Appropriations Language

No Appropriations Language

## Explanation

The Permanent Payment Accounts provide for sharing specified receipts collected from the sale, lease, or use of the public lands and resources with States and counties. They do not require annual appropriations action. Amounts are estimated based on anticipated collections, or in some cases, upon provisions required by permanent legislation. The BLM distributes these funds in accordance with the provisions of the various laws that specify the percentages to be paid to the applicable recipient jurisdictions and, in some cases, how the States and counties must use these funds. These payments are made subject to the authorities of permanent law, and the amounts are made available by operation of permanent laws. The payment amounts shown for each year are the amounts paid, or estimated to be paid, in that year.

## Authorizations

<b>30 U.S.C. 191, 286; 95 Stat. 12051</b>	Mineral leasing receipts are collected from the leasing of public land (including bonuses, royalties and rents) for exploration of oil and gas, coal, oil shale, and other minerals. The amount charged depends on the type of mineral that is leased.
<b>1952 Interior and Related Agencies Appropriations Act (65 Stat. 252)</b>	States are paid five percent of the net proceeds (four percent of gross proceeds) from the sale of public land and public land products.
<b>Taylor Grazing Act of 1934 (43 U.S.C. 315 b, i and m)</b>	States are paid 12½ percent of the grazing fee receipts from lands within organized grazing district boundaries; States are paid 50 percent of the grazing fee receipts from public land outside of organized grazing districts; and States are paid specifically determined amounts from grazing fee and mineral receipts from miscellaneous lands within grazing districts that are administered under certain cooperative agreements which stipulate that the fees be retained by the BLM for distribution.
<b>The Oregon and California Grant Lands Act of 1937 (50 STAT. 874)</b>	Provides for payments to 18 western Oregon counties of 75 percent of receipts derived from the activities of BLM on O&C grant lands. The percentage was changed to 50 percent by agreement between Oregon and the Federal government.
<b>The Act of May 24, 1939 (53 STAT. 753)</b>	Provides for payments in lieu of taxes to Coos and Douglas counties in Oregon of not to exceed 75 percent of receipts derived from BLM activities on Coos Bay Wagon Road grant lands.
<b>7 U.S.C. 1012, the Bankhead Jones Farm Tenant Act of 1937, and Executive Orders 107878 and 10890</b>	25 percent of the revenues received from the use of these land use project lands, including grazing and mineral leasing, are paid to the counties in which such lands are located. The Act transfers the management of certain Farm Tenant Act-Land Utilization Project lands to the jurisdiction of the Department of the Interior.
<b>The Burton-Santini Act of 1980 (P.L. 96-586) and P.L. 105-263</b>	Authorizes and directs the sale of up to 700 acres per year of certain lands in Clark County, Nevada, and the acquisition of environmentally sensitive lands in the Lake Tahoe Basin, with 85 percent of the proceeds. The remaining 15 percent of proceeds from sales are distributed to Nevada and Clark County.
<b>Southern Nevada Public Land Management Act, P.L. 105-263, as amended by P.L. 107-282.</b>	Authorizes the disposal through sale of 27,000 acres in Clark County, Nevada, the proceeds of which are distributed as follows: (a) five percent for use in the general education program of the State of Nevada; (b) 10 percent for use by Southern Nevada Water Authority for water treatment and transmission facility infrastructure in Clark County, Nevada; and (c) the remaining 85 percent to be used to acquire environmentally sensitive lands in Nevada; to make capital improvements to areas administered by NPS, FWS and BLM in Clark County, Nevada; to develop a multi-species habitat plan in Clark County, Nevada; to develop parks, trails, and natural areas in Clark County, Nevada; and to provide reimbursements for BLM costs incurred in arranging sales and exchanges under this Act.

<b><i>The Alaska Native Claims Settlement Act of 1971 as amended by Public Law 94-204 of 1976 (43 U.S.C. 1611)</i></b>	Directs the Secretary to make conveyances to Cook Inlet Region, Inc. (CIRI) in accordance with the "Terms and Conditions for Land Consolidation and Management in Cook Inlet Area."
<b><i>The Alaska National Interest Lands Conservation Act of 1980 (43 U.S.C. 1611)</i></b>	Authorizes CIRI to bid on surplus property in accordance with the <i>Federal Property and Administrative Services Act of 1940 (40 U.S.C. 484)</i> , and provides for the establishment of a CIRI surplus property account by the Secretary of the Treasury.
<b><i>The Alaska Railroad Transfer Act of 1982 (43 U.S.C. 1611)</i></b>	Expands the account by allowing CIRI to bid on properties anywhere in the U.S.
<b><i>The 1988 Department of Defense Appropriations Act (101 Stat. 1329- 318)</i></b>	Authorizes CIRI to bid at any public sale of property by any agent of the U.S., including the Department of the Defense.
<b><i>The 1990 Department of Defense Appropriation Act (16 U.S.C 396f)</i></b>	Appropriated monies to be placed into the CIRI Property Account in the U.S. Treasury as permanent budget authority.
<b><i>Alaska Land Status Technical Corrections Act of 1992 (P.L. 102-415)</i></b>	Authorizes payments to the Haida and Gold Creek Corporations to reimburse them for claims in earlier land settlements.
<b><i>The Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393) as amended by P.L. 110-343, October, 2008.</i></b>	Authorizes stabilized payments to Oregon and California (O&C) Grant lands and Coos Bay Wagon Road Counties for fiscal years 2001 through 2006. Each county that received a payment during the eligibility period (1988-1999) had an option to receive an amount equal to the average of the three highest 50 percent payments and safety net payments made for the fiscal years of the eligibility period. The payments were adjusted to reflect 50 percent of the cumulative changes in the Consumer Price Index that occur after publication of the index for fiscal year 2000. The final payments for 2006 were made in 2007, consistent with the Act. Public Law 110–28, May 25, 2007 provided payments for one additional year. The fiscal year 2007 payments under the original act were made in October, 2007, that is in FY2008.
<b><i>Public Law 110-28</i></b>	Provided one additional year of payments to Oregon & California Grant Lands and Coos Bay Wagon Road counties for 2007 to be made in 2008.
<b><i>Public Law 110-343</i></b>	Secure Rural Schools and Community Self-Determination Act payments were authorized to be made in 2009 through 2012 (for 2008 through 2011) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.
<b><i>Public Law 112-141</i></b>	Secure Rural Schools and Community Self-Determination Act payments were authorized to be made in 2013 (for 2012) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.

<b>Public Law 113-40</b>	Secure Rural Schools and Community Self-Determination Act payments were authorized to be made in 2014 (for 2013) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.
<b>Public Law 114-10</b>	Under the Medicare Access and CHIP Reauthorization Act of 2015, and the Extension of Secure Rural Schools and Community Self-Determination Act of 2000, the payments were authorized to be made in 2015 (for 2014) and 2016 (for 2015) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.
<b>Clark County Conservation of Public Land and Natural Resources Act of 2002 (P.L. 107-282) as amended by P.L. 108-447</b>	Enlarges the area in which the BLM can sell lands under the Southern Nevada Public Land Management Act; approves a land exchange in the Red Rock Canyon Area; designates wilderness; designates certain BLM lands for a new airport for Las Vegas; and gives land to the State and City for certain purposes.
<b>Lincoln County Conservation, Recreation and Development Act (PL 108-424)</b>	Addresses a wide range of public lands issues in Lincoln County, Nevada, designates as wilderness 768,294 acres of BLM-managed lands and releases from wilderness study area (WSA) status 251,965 acres of public land. The bill also directs the BLM to dispose of up to 90,000 acres of public land and divides the proceeds 85 percent to a Federal fund and 15 percent to State and county entities, establishes utility corridors, transfers public lands for State and county parks, creates a 260-mile OHV trail and resolves other public lands issues.
<b>Public Law 109-432, White Pine County Land Sales</b>	Authorizes the disposal through sale of 45,000 acres in White Pine County, Nevada, the proceeds of which are distributed as follows: (a) 5 percent for use in the general education program of the State of Nevada; (b) 10 percent shall be paid to the County for use for fire protection, law enforcement, education, public safety, housing, social services, transportation, and planning; and (c) the remaining 85 percent to be used to reimburse the BLM and DOI for certain costs, to manage unique archaeological resources, for wilderness and endangered species protection, for improving recreational opportunities in the County, and for other specified purposes.
<b>Public Law 111-11, State Share, Carson City Land Sales</b>	Authorizes five percent of the proceeds from Carson City, Nevada land sales to be paid to the State for the general education program of the State.

Summary of Requirements  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	2017 President's Budget				Change from 2016			
	FTE	Amount	FTE	Amount		Transfers FTE	Amount	Program Change FTE	Amount	Requested Amount FTE	Amount	FTE	Amount
<b>Miscellaneous Permanent Payments Appropriation Total</b>	-	<b>52,521</b>	-	<b>50,829</b>	-	-	-	-	<b>-37,056</b>	-	<b>13,773</b>	-	<b>-37,056</b>
Payments to States from Proceeds of Sales (L5133)	-	627	-	1,057	-1	-	-	-	-19	-	1,038	-	-19
Payments to States from Grazing Fees, etc. on Public Lands outside Grazing Districts (L5016)	-	847	-	875	-1	-	-	-	-25	-	850	-	-25
Payments to States from Grazing Fees, etc. on Public Lands within Grazing Districts (L5032)	-	1,126	-	1,309	-1	-	-	-	-121	-	1,188	-	-121
Payments to States from Grazing Fees, etc. on Public Lands within Grazing Districts, Misc. (L5044)	-	25	-	21	-1	-	-	-	+1	-	22	-	+1
Payments to Counties, National Grasslands (Farm Tenant Lands) (L5896)	-	590	-	613	-1	-	-	-	-1	-	612	-	-1
Payments to Nevada from Receipts on Land Sales (inc. 15%) (L5129)	-	11,016	-	10,574	-1	-	-	-	-511	-	10,063	-	-511
State Share, Carson City Land Sales (5561)	-	-	-	3	-1	-	-	-	-3	-	-	-	-3
Payments to O&C Counties 50% of receipts under 1937 statute	-	-	-	-	-1	-	-	-	+0	-	-	-	+0
Payments to Coos and Dougals Counties under 1939 statute	-	-	-	-	-1	-	-	-	+0	-	-	-	+0
<b>Secure Rural Schools</b>	-	<b>38,290</b>	-	<b>36,377</b>	-1	-	-	-	<b>-36,377</b>	-	-	-	<b>-36,377</b>
Payments to O&C Counties, Title I/III	-	34,802	-	32,670	-1	-	-	-	-32,670	-	-	-	-32,670
Payments to Coos Bay Wagon Road Counties, Title I/III	-	296	-	260	-1	-	-	-	-260	-	-	-	-260
Payments to O&C and Coos Bay Wagon Road Counties, Title II	-	3,192	-	3,447	-1	-	-	-	-3,447	-	-	-	-3,447

## Appropriation: Miscellaneous Permanent Payments

### Program Overview

The following activities include payments made to States and counties from the sale, lease, or use of other public lands or resources under the provisions of permanent legislation and do not require annual appropriations. The payment amounts for 2016 and 2017 are estimated based on the amounts of collections or receipts as authorized by applicable legislation and the provisions of those laws that specify the percentage of receipts to be paid to designated States, counties, or other recipients.

**Payments to States from Proceeds of Sales** – The BLM collects funds from the sale of public lands and materials in the limits of public domain lands pursuant to 31 U.S.C. 1305. States are paid five percent of the net proceeds of these sales. The BLM makes these payments annually and payments are used by States either for educational purposes or for the construction and improvement of public roads. The payments in 2015 were \$627,000. The estimated payments for 2016 and 2017 are \$1,057,000 and \$1,038,000 respectively.

**Payments to States from Grazing Receipts, etc., on Public Lands outside Grazing Districts** – The States are paid 50 percent of the grazing receipts from public lands outside grazing districts (43 U.S.C. 315i, 315m). These funds are to be expended by the State for the benefit of the counties in which the lands are located. The States will continue to receive receipts from public lands outside organized grazing districts. The BLM makes these payments annually. The actual payments for 2015 were \$847,000 and estimated payments for 2016 and 2017 are \$875,000 and \$850,000 respectively.

**Payments to States from Grazing Receipts, etc., on Public Lands within Grazing Districts** – The States are paid 12½ percent of grazing receipts from public lands inside grazing districts (43 U.S.C. 315b, 315i). These funds are to be expended by the State for the benefit of the counties in which the lands are located. The BLM makes the payments annually. The actual payments for 2015 were \$1,126,000 and estimated payments for 2016 and 2017 are \$1,309,000 and \$1,188,000 respectively.

**Payments to States from Grazing Fees, etc. on Public Lands within Grazing Districts, misc.** – Also included are grazing receipts from isolated or disconnected tracts. The States are paid specifically determined amounts from grazing receipts derived from miscellaneous lands within grazing districts when payment is not feasible on a percentage basis (43 U.S.C. 315m). These funds are to be expended by the State for the benefit of the counties in which the lands are located. The BLM makes these payments annually. The actual payments for 2015 were \$25,000 and estimated payments for 2016 and 2017 are \$21,000 and \$22,000 respectively.

**Payments to Counties, National Grasslands (Farm Tenant Act Lands)** – Of the revenues received from the use of Bankhead-Jones Act lands administered by the BLM, 25 percent is paid to the counties in which such lands are situated for schools and roads (7 U.S.C. 1012). The BLM makes payments annually on a calendar-year basis. The actual payments for 2015 were \$590,000 and estimated payments for 2016 and 2017 are \$613,000, and \$612,000 respectively.

**Payments to Nevada from Receipts on Land Sales** – Payments to the State of Nevada are authorized by two Acts. The Burton-Santini Act authorizes and directs the Secretary to sell not more than 700 acres of public lands per calendar year in and around Las Vegas, Nevada, the proceeds of which are to be used to acquire environmentally sensitive land in the Lake Tahoe Basin of California and Nevada. Annual revenues are distributed to the State of Nevada (five percent) and the county in which the land is located (ten percent).

The Southern Nevada Public Land Management Act (SNPLMA), as amended, authorizes the disposal through sale of approximately 50,000 acres in Clark County, Nevada, the proceeds of which are to be distributed as follows: (a) 5 percent for use in the general education program of the State of Nevada (b) 10 percent for use by Southern Nevada Water Authority for water treatment and transmission facility infrastructure in Clark County, Nevada and (c) the remaining 85 percent for various uses by the BLM and other Federal lands. (For more information, see the Southern Nevada Public Land Management Act, P.L. 105-263, as amended by P.L. 107-282.)

The actual payments for 2015 were \$11,016,000. Estimated payments for 2016 and 2017 are \$10,574,000 and \$10,063,000 based on the estimates of collections from planned land sales. Sales values for these lands in Clark County have stabilized, but collections are still relatively low compared to the past. The BLM collected \$81,793,000 in 2015 from Nevada land sales (including SNPLMA and Lincoln County) and estimates collections from sales in 2016 and 2017 will be \$75,501,000 and \$67,087,000 respectively. Some receipts from sales held in the latter half of one fiscal year are not collected in full until the next fiscal year because of normal delay in the acceptance of bids.

**Payments to Oregon and California Grant Lands Counties** – Under the Oregon and California Act of 1937, the BLM paid 50 percent of receipts from Federal activities on O&C lands (mainly from timber sales) to 18 counties in western Oregon. These revenues decreased since the 1980s due to changes in Federal timber policies.

The Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393) was enacted on October 30, 2000. The Act was designed to provide a predictable payment to States and counties, in lieu of funds derived from Federal timber harvests. Payments were based on historical payments, adjusted for inflation.

Payments to the 18 O&C counties were derived from:

1. Revenues from Federal activities on O&C lands in the previous fiscal year that are not deposited to permanent operating funds such as the Timber Sale Pipeline Restoration or the Forest Ecosystem Health and Recovery, and,
2. To the extent of any shortfall, out of any funds in the Treasury not otherwise appropriated.

Under P.L. 106-393, and in the extensions of it, payments for a fiscal year were made in the following fiscal year. For example, payments for 2013 were made in 2014.

Payments have been extended five times. Under the extensions, payments tend to be reduced each year, and they are not adjusted for inflation as they were under P.L. 106-393 during the first six years.

P.L. 110-28 provided authorized payments for 2007 which were made in 2008. Payments in 2008 were distributed among the counties in the same way as payments in 2007. Payments

were limited to a total of \$525,000,000 for both the BLM and the Forest Service, \$100,000,000 from receipts and \$425,000,000 from the General Fund. BLM's share was \$116,865,000.

In October, 2008, Congress enacted Section 601 of Public Law 110-343, which extended the Secure Rural Schools Act of 2000. Public Law 110-343 provided an extension of payments to the O&C Grant Lands and the Coos Bay Wagon Road counties through fiscal year 2011 (with final payment to be made in 2012). As in the prior act, payments were to be made for the year prior. The payments for 2008 through 2010 were described in the law as "transition" payments, and were a declining percentage of the payments made in 2006; the payment in 2009 (for 2008) was 90 percent of the amount paid in 2006, the payment in 2010 (for 2009) was 81 percent, and the payment in 2011 (for 2010) was 73 percent.

The payments in 2012 (for 2011) were calculated based on several factors that included acreage of Federal land, previous payments, and per capita personal income. The table below shows payments made from 2002 (for 2001) through the payments for 2012 (in 2013). The payments to the Coos and Douglas counties have followed the same pattern as payments to O&C counties under the Secure Rural Schools Act and extensions.

In July 2012, Congress enacted Public Law 112-141, which extended the Secure Rural Schools Act of 2000. Public Law 112-141 provided an extension of payments to the O&C Grant Lands and the Coos Bay Wagon Road counties through fiscal year 2012 (with the payment to be made in 2013).

In October 2013, Congress enacted Public Law 113-40 which extended payments for one year to the O&C Grant Lands and the Coos Bay Wagon Road counties through fiscal year 2013 (with the payment to be made 2014).

In April 16, 2015 under the Medicare Access and CHIP Reauthorization Act of 2015, and the Extension of Secure Rural Schools and Community Self-Determination Act of 2000, the payments were authorized to be made in 2015 (for 2014) and 2016 (for 2015) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.

The 2017 Budget reflects a five-year reauthorization of the Secure Rural Schools Act with funding through mandatory U.S. Forest Service (USFS) appropriations, starting with the payments for fiscal year 2016 (which would be made in 2017). This SRS proposal revises the allocation split between the three portions of the program from the current authority emphasizing enhancement of forest ecosystems, restoration and improvement of land health and water quality and the increase of economic activity. For more information on this proposal, see the USFS 2017 Budget Justification.

For any of the 18 counties in Western Oregon choosing not to receive payments for 2016 (in 2017) under the reauthorization proposal discussed above, the payments would revert back to payments under the 1937 O&C Act and subsequent amendments. The 1937 statute authorizes payments of 50 percent of Federal receipts from activities on O&C grant lands. In the case of Coos and Douglas Counties, if they were to choose not to receive payments for 2016 (in 2017) under the proposal, the 1939 statute authorizes payments for lost tax revenue not to exceed 75 percent of the receipts from activities on Coos Bay Wagon Road grant lands.

The table below shows actual and estimated payments for 2001 through 2016.

**Secure Rural Schools Payments (\$ in thousands)**

<b>Payments for 2001 in 2002</b>	O&C	CBWR	Total
Amount from Receipts:	<b>\$15,540</b>	<b>\$330</b>	<b>\$15,869</b>
Amount from General Fund:	\$93,192	\$618	\$93,811
Total	\$108,732	\$948	\$109,680
Title I/III	\$101,085	\$875	\$101,960
Title II	\$7,647	\$73	\$7,720
Total	\$108,732	\$948	\$109,680

<b>Payments for 2002 in 2003</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,519	\$229	\$11,748
Amount from General Fund:	\$98,083	\$727	\$98,809
Total	\$109,602	\$956	\$110,558
Title I/III	\$101,433	\$834	\$102,266
Title II	\$8,169	\$122	\$8,291
Total	\$109,602	\$956	\$110,558

<b>Payments for 2003 in 2004</b>	O&C	CBWR	Total
Amount from Receipts:	\$6,199	\$51	\$6,249
Amount from General Fund:	\$104,718	\$917	\$105,635
Total	\$110,917	\$967	\$111,884
Title I/III	\$102,468	\$844	\$103,312
Title II	\$8,449	\$124	\$8,572
Total	\$110,917	\$967	\$111,884

<b>Payments for 2004 in 2005</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,935	\$133	\$12,068
Amount from General Fund:	\$100,424	\$847	\$101,271
Total	\$112,359	\$980	\$113,339
Title I/III	\$103,595	\$936	\$104,531
Title II	\$8,763	\$44	\$8,808
Total	\$112,359	\$980	\$113,339

<b>Payments for 2005 in 2006</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,100	\$251	\$11,351
Amount from General Fund:	\$103,843	\$751	\$104,594
Total	\$114,943	\$1,002	\$115,946
Title I/III	\$106,123	\$955	\$107,077
Title II	\$8,820	\$48	\$8,868
Total	\$114,943	\$1,002	\$115,946

Note: Amounts may not add due to rounding

<b>Payments for 2006 in 2007</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,720	\$530	\$12,250
Amount from General Fund:	\$104,373	\$394	\$104,767
<b>Total</b>	<b>\$116,093</b>	<b>\$924</b>	<b>\$117,017</b>
Title I/III	\$107,928	\$924	\$108,852
Title II	\$8,165	\$88	\$8,253
<b>Total</b>	<b>\$116,093</b>	<b>\$1,013</b>	<b>\$117,105</b>

<b>Payments for 2007 in 2008*</b>	O&C	CBWR	Total
Amount from Receipts:	\$6,354	\$297	\$6,652
Amount from General Fund:	\$109,500	\$713	\$110,213
<b>Total</b>	<b>\$115,854</b>	<b>\$1,010</b>	<b>\$116,865</b>
Title I/III	\$110,873	\$995	\$111,868
Title II	\$4,982	\$15	\$4,997
<b>Total</b>	<b>\$115,854</b>	<b>\$1,010</b>	<b>\$116,865</b>
P.L. 110-28 extended Secure Rural Schools payments for one year.			

<b>Payments for 2008 in 2009</b>	O&C	CBWR	Total
Amount from Receipts:	\$12,999	\$312	\$13,311
Amount from General Fund:	\$91,484	\$599	\$92,083
<b>Total</b>	<b>\$104,483</b>	<b>\$911</b>	<b>\$105,394</b>
Title I/III	\$95,870	\$838	\$96,708
Title II	\$8,614	\$73	\$8,686
<b>Total</b>	<b>\$104,483</b>	<b>\$911</b>	<b>\$105,394</b>
P.L. 110-343 extended Secure Rural Schools payments through 2011 with the final payment in 2012.			

<b>Payments for 2009 in 2010</b>	O&C	CBWR	Total
Amount from Receipts:	\$14,423	\$248	\$14,471
Amount from General Fund:	\$79,812	\$573	\$80,384
<b>Total</b>	<b>\$94,035</b>	<b>\$820</b>	<b>\$94,855</b>
Title I/III	\$86,420	\$755	\$87,175
Title II	\$7,615	\$65	\$7,680
<b>Total</b>	<b>\$94,035</b>	<b>\$820</b>	<b>\$94,855</b>

<b>Payments for 2010 in 2011</b>	O&C	CBWR	Total
Amount from Receipts:	\$9,670	\$636	\$10,306
Amount from General Fund:	\$75,077	\$102	\$75,180
<b>Total</b>	<b>\$84,748</b>	<b>\$739</b>	<b>\$85,487</b>
Title I/III	\$77,393	\$636	\$78,029
Title II	\$7,354	\$102	\$7,457
<b>Total</b>	<b>\$84,748</b>	<b>\$739</b>	<b>\$85,487</b>

Note: Amounts may not add due to rounding

<b>Payments for 2011 in 2012</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,575	0	\$11,575
Amount from General Fund:	\$28,116	\$346	\$28,463
<b>Total</b>	<b>\$39,691</b>	<b>\$346</b>	<b>\$40,037</b>
Title I/III	\$35,992	\$318	\$36,310
Title II	\$3,699	\$28	\$3,727
<b>Total</b>	<b>\$39,691</b>	<b>\$346</b>	<b>\$40,037</b>

<b>Payments for 2012 in 2013</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,521	\$326	\$11,847
Amount from General Fund:	\$26,162	\$0	\$26,162
<b>Total</b>	<b>\$37,683</b>	<b>\$326</b>	<b>\$38,009</b>
Title I/III	\$34,054	\$281	\$34,334
Title II	\$3,629	\$45	\$3,675
<b>Total</b>	<b>\$37,683</b>	<b>\$326</b>	<b>\$38,009</b>

<b>Payments for 2013 in 2014</b>	O&C	CBWR	Total
Amount from Receipts:	\$17,341	\$337	\$17,678
Amount from General Fund:	\$21,952	\$0	\$21,952
<b>Total</b>	<b>\$39,293</b>	<b>\$337</b>	<b>\$39,630</b>
Title I/III	\$35,976	\$310	\$36,286
Title II	\$3,317	\$27	\$3,344
<b>Total</b>	<b>\$39,293</b>	<b>\$337</b>	<b>\$39,630</b>
P.L. 113-40 extended Secure Rural Schools payments through 2013 with the payment to be made in 2014.			

<b>Payments for 2014 in 2015</b>	O&C	CBWR	Total
Amount from Receipts:	\$30,238	\$322	\$30,560
Amount from General Fund:	\$7,731	\$0	\$7,731
<b>Total</b>	<b>\$37,969</b>	<b>\$322</b>	<b>\$38,291</b>
Title I/III	\$34,802	\$296	\$35,098
Title II	\$3,167	\$26	\$3,193
<b>Total</b>	<b>\$37,969</b>	<b>\$322</b>	<b>\$38,291</b>
P.L. 114-10 extended Secure Rural Schools payments through 2014 with the payment to be made in 2015.			

<b>Estimated Payments for 2015 in 2016</b>	O&C	CBWR	Total
Amount from Receipts:	\$28,726	\$306	\$29,032
Amount from General Fund:	\$7,345	\$0	\$7,345
<b>Total</b>	<b>\$36,071</b>	<b>\$306</b>	<b>\$36,377</b>
Title I/III	\$33,062	\$281	\$33,343
Title II	\$3,009	\$25	\$3,034
<b>Total</b>	<b>\$36,071</b>	<b>\$306</b>	<b>\$36,377</b>
P.L. 114-10 extended Secure Rural Schools payments through 2015 with the payment to be made in 2016.			

Note: Amounts may not add due to rounding

**2015 Total Payments of BLM Receipts to States and Counties  
(\$ in thousands)**

State	a/ Mineral Leasing Act ROW payments	Taylor Grazing Act			Proceeds of Sales	Other	Total Payments
		SEC. 15 Outside Grazing Districts	SEC. 3 Outside Grazing Districts	Other			
Alaska	0	0	0	0	478	0	478
Arizona	145,214	84,969	48,967	0	53,097	0	332,247
California	774,538	40,242	11,214	0	41,720	0	867,714
Colorado	319,916	31,108	55,142	12,764	19,895	0	438,825
Florida	0	0	0	0	19		19
Idaho	87,450	19,332	139,242	0	9,094	0	255,118
Michigan	0	0	0	0	156		156
Illinois	0	0	0	0	54	0	54
Montana	29,690	104,896	126,800	0	26,245	b/ 539,964	827,595
Nebraska	0	902	0	0	0	0	902
Nevada	65,562	2,137	179,265	0	153,200	c/ 11,738,922	12,139,086
New Mexico	1,316,793	121,310	179,172	15	154,123	7,378	1,778,791
North Dakota	5,091	4,633	0	0	10.00	0	9,734
Oklahoma	658	60	0	0	0.00	0	718
Oregon	51,971	21,766	118,104	0	19,267.00	d/ 38,291,303	38,502,411
South Dakota	0	104,921	28	0	208.00	0	105,157
Utah	248,316	0	130,142	0	30,219.00	0	408,677
Washington	803	18,856	0	0	347.00	0	20,006
Wisconsin	0	0	0	0	2,852	0	2,852
Wyoming	1,109,295	292,484	138,674	12,128	70,556	0	1,623,137
<b>Total</b>	<b>4,155,297</b>	<b>847,616</b>	<b>1,126,750</b>	<b>24,907</b>	<b>581,384</b>	<b>50,577,567</b>	<b>57,313,521</b>
<p>Note: The amounts shown above are outlays, some of which may be from prior year budget authority, and therefore, may be different than the amounts reported for fiscal year 2015 in the Summary of Requirements at the beginning of this chapter.</p>							
<p>a/ These are payments to States of 50 percent of mineral leasing rights-of-way rents. They are not reported in the Summary of Requirements table in this chapter because the Department of the Interior, Office of Natural Resource Revenues (ONRR), not BLM, includes these payments in accounting reports to Treasury. The Summary of Requirements amounts in the BLM Justifications tie to the amounts reported to Treasury by BLM. ONRR does not include the mineral leasing rights-of-way payments to States in the ONRR Budget Justifications.</p>							
<p>b/ LU lands under the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1021)</p>							
<p>c/ Payments to Clark County and the State of Nevada.</p>							
<p>d/ These are Secure Rural Schools and Community-Self-Determination Act payments to 18 counties in Western Oregon authorized by P.L. 106-393, as amended by P.L. 110-343, and P.L. 112-141.</p>							

## Budget Schedules - Current Law

Account Symbol and Title 14X9921 Miscellaneous Permanent Payment Accounts	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Payments to O&C Counties, Title I/III 5884	0001	34	32	0
Payment to O&C and CBWR Counties, Title II 5485	0003	0	4	0
From grazing fees, etc., public lands outside grazing districts 5016	0004	1	1	1
From grazing fees, etc., public lands within grazing districts 5032	0005	1	1	1
Proceeds from sales 5133	0009	1	1	1
Payments to counties from national grasslands 5896	0010	1	1	1
Payments to State and Counties from Nevada Land Sales	0013	11	10	10
Payments to O&C counties under 1937 statute	0014	0	0	15
Payments to CBWR counties under 1939 statute	0015	0	0	2
Total new obligations	0900	49	50	31
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	3	7	7
Recoveries of prior year unpaid obligations	1021	0	0	0
Unobligated balance (total)	1050	3	7	7
Budget authority:				
Appropriations, mandatory:				
Appropriation	1200	8	0	0
Proceeds of sales-payments to states	1201	46	1	1
Payments from grazing fees outside grazing districts	1201	0	1	1
Payments from grazing fees within grazing districts	1201	0	1	1
Payments to Counties, National Grasslands, BLM	1201	0	1	1
Payments from Nevada Land Sales	1201	0	11	10
Payments to O&C Grants lands counties under 1937 statute	1201	0	0	15
Payments to CBWR counties under 1939 statute	1201	0	0	2
Appropriation (SRS O&C Payments from GF- Title I/III)	1201	0	14	0
Appropriation (SRS O&C Payments from receipts- Title I/III)	1201	0	18	0
Appropriation (SRS Payments from GF-Title II)	1201	0	4	0
Appropriations and/or unobligated balance of appropriations temporarily reduced	1232	-1	-1	0
Appropriations, mandatory (total)	1260	53	50	31

Account Symbol and Title 14X9921				
Miscellaneous Permanent Payment Accounts	Line	2015 Act	2016 CY	2017 BY
Appropriations, mandatory - Computed Totals	1260-20	53	50	31
Appropriation [Text]	1260-40	53	50	31
Baseline Civilian Pay	1260-50		0	0
Baseline Non-Pay	1260-50		50	31
Policy Outlays:				
New Authority	1260-61	0	40	25
Balances (excl of EOY PY Bal)	1260-62	53	0	10
End of PY Balances	1260-63		6	2
Subtotal, outlays	1260-64	53	46	37
Baseline Outlays:				
New Authority	1260-81		40	25
Balances (excl of EOY PY Bal)	1260-82			10
End of PY Balances	1260-83		6	2
Subtotal, outlays	1260-84		46	37
Effects of 2014 sequester	1260-40	0	0	0
Baseline Non-Pay	1260-50		0	0
Policy Outlays:				
New Authority	1260-61	0	0	0
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63		0	0
Subtotal, outlays	1260-64	0	0	0
Baseline Outlays:				
New Authority	1260-81		0	0
Balances (excl of EOY PY Bal)	1260-82		0	0
End of PY Balances	1260-83		0	0
Subtotal, outlays	1260-84		0	0
Total budgetary resources available	1930	56	57	38
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	7	7	7
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	7	3	7
Obligations incurred, unexpired accounts	3010	49	50	31
Outlays (gross)	3020	-53	-46	-37
Recoveries of prior year unpaid obligations, unexpired	3040	0	0	0
Unpaid obligations, end of year	3050	3	7	1
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	7	3	7
Obligated balance, end of year	3200	3	7	1
Budget authority and outlays, net:				

Account Symbol and Title 14X9921				
Miscellaneous Permanent Payment Accounts	Line	2015 Act	2016 CY	2017 BY
Mandatory:				
Budget authority, gross	4090	53	50	31
Outlays, gross:				
Outlays from new mandatory authority	4100	0	40	25
Outlays from mandatory balances	4101	53	6	12
Outlays, gross (total)	4110	53	46	37
Budget authority, net (mandatory)	4160	53	50	31
Outlays, net (mandatory)	4170	53	46	37
Budget authority, net (total)	4180	53	50	31
Outlays, net (total)	4190	53	46	37
NON-INVESTMENT ACTIVITIES:				
Grants to State and local govts:				
Budget Authority	2001-01	53	50	31
Outlays	2001-02	53	46	37
Object Classification				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	0	0	0
Other services from non-Federal sources	25.2	0	0	0
Grants, subsidies, and contributions	41.0	49	50	31
Total new obligations	99.9	49	50	31
Employment Summary				
Direct civilian full-time equivalent employment	1001	0	0	0
Budget year budgetary resources [014-9921]				
	1000			0

## Budget Schedules - Proposal

Account Symbol and Title 14X9921				
Miscellaneous Permanent Payment Accounts	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Payments to O&C counties under 1937 statute	0014	0	0	-15
Payments to CBWR counties under 1939 statute	0015	0	0	-2
Total new obligations (object class 41.0)	0900	0	0	-17
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	0	0	0
Budget authority:				
Appropriations, mandatory:				
Payments to O&C Grants lands counties under 1937 statute	1201	0	0	-15
Payments to CBWR counties under 1939 statute	1201	0	0	-2
Appropriations, mandatory (total)	1260	0	0	-17
Appropriations, mandatory - Computed Totals	1260-20	0	0	-17
Appropriation [Text]	1260-40	0	0	-17
Policy Outlays:				
New Authority	1260-61	0	0	-17
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63	0	0	0
Subtotal, outlays	1260-64	0	0	-17
Appropriation [FLTFA]	1260-40	0	0	0
Policy Outlays:				
New Authority	1260-61	0	0	0
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63	0	0	0
Subtotal, outlays	1260-64	0	0	0
Total budgetary resources available	1930	0	0	-17
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	0	0	0
Obligations incurred, unexpired accounts	3010	0	0	-17
Outlays (gross)	3020	0	0	17
Unpaid obligations, end of year	3050	0	0	0
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	0	0	0
Obligated balance, end of year	3200	0	0	0

Account Symbol and Title 14X9921				
Miscellaneous Permanent Payment Accounts	Line	2015 Act	2016 CY	2017 BY
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	0	0	-17
Outlays, gross:				
Outlays from new mandatory authority	4100	0	0	-17
Budget authority, net (mandatory)	4160	0	0	-17
Outlays, net (mandatory)	4170	0	0	-17
Budget authority, net (total)	4180	0	0	-17
Outlays, net (total)	4190	0	0	-17
NON-INVESTMENT ACTIVITIES:				
Grants to State and local govts:				
Budget Authority	2001-01	0	0	-17
Outlays	2001-02	0	0	-17
Object Classification				
Direct obligations:				
Grants, subsidies, and contributions	41.0	0	0	-17

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# Permanent Operating Funds



# PERMANENT OPERATING FUNDS

## Appropriation Language

No Appropriation Language Sheet

## Explanation

The Permanent Operating Funds Appropriation contains funds available for use by the BLM for the purposes specified in permanent laws and do not require annual appropriation action. The activities authorized by the appropriations are funded through various receipts received from the sale, lease or use of the public lands and resources. Amounts shown for 2016 and 2017 are estimates based on anticipated collections.

## Authorizations

***Forest Ecosystem Health  
& Recovery Fund (P.L.  
102-381)***

The initial purpose of this fund was to allow quick response to fire and reforestation of forests damaged by insects, disease, and fire. Expanded authorization in the 1998 Interior and Related Agencies Appropriations Act allows activities designed to reduce the risk of catastrophic damage to forests in addition to responding to damage events. Funds in this account are derived from the Federal share (defined as the portion of receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181-1 et seq., and P.L. 106-393) of receipts from all BLM timber salvage sales and all BLM forest health restoration treatments funded by this account. The authority to make deposits and to spend from this fund was provided in the 2010 Interior Appropriations Act (P.L. 111-88, 123 STAT. 2906) and was scheduled to expire at the end of fiscal year 2015. The 2015 Omnibus Appropriations Act (Section 117) extended this authority through 2020.

***Omnibus Consolidated  
Appropriations Act of  
1996, section 327***

This Act established the Timber Sale Pipeline Restoration Fund, using revenues generated by timber sales released under Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act, which directs that 75 percent of the Pipeline Fund be used to fill each agency's timber sale "pipeline" and that 25 percent of the Pipeline Fund be used to address the maintenance backlog for recreation projects on BLM and U.S. Forest Service lands after statutory payments are made to State and local governments and the U.S. Treasury.

***1985 Interior and Related  
Agencies, Appropriations  
Act (P.L. 98-473), Section  
320***

Established a permanent account in each bureau for the operation and maintenance of quarters, starting with 1985 and each fiscal year thereafter.

<b>75th Congress, 1st Session – Ch. 876 – August 28, 1937, 50 Stat. 874</b>	An Act relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon provides that 18 counties in western Oregon be paid 50 percent of the revenues from Oregon and California grant lands.
<b>76th Congress, 1st Session – Ch. 142-144 – May 24, 1939, 53 Stat. 753</b>	An Act relating to the disposition of funds derived from the Coos Bay Wagon Road grant lands provides that Coos and Douglas counties in western Oregon be paid for lost tax revenue.
<b>The Omnibus Budget Reconciliation Act of 1993</b>	Amended the <i>Land and Water Conservation Fund Act</i> and further expanded collection of recreation use fees to be deposited into a special account established for each agency in the U.S. Treasury to offset the cost of collecting fees.
<b>The 1993 Interior and Related Agencies Appropriations Act</b>	The Federal share of receipts from the disposal of salvage timber from lands under BLM jurisdiction is deposited in a special fund in the U.S. Treasury.
<b>Section 502(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1762(c))</b>	Provides for the permanent appropriation of money collected from commercial road users in lieu of user maintenance. Receipts are permanently appropriated to the BLM for road maintenance.
<b>Act of October 30, 1998 (P.L. 105-321)</b>	The legislation provides that the BLM will convey property to Deschutes County, Oregon, and the amount paid by the County pursuant to the Act, may be used by the Secretary of the Interior to purchase environmentally sensitive land east of Range 9 East of Willamette Meridian, Oregon.
<b>Lincoln County Conservation, Recreation and Development Act (PL 108-424)</b>	Addresses a wide range of public lands issues in Lincoln County, Nevada, designates as wilderness 768,294 acres of BLM-managed lands and releases from Wilderness Study Area (WSA) status 251,965 acres of public land. The Act also directs the BLM to dispose of up to 90,000 acres of public land and divides the proceeds 85 percent to a Federal fund and 15 percent to State and County entities, establishes utility corridors, transfers public lands for State and County parks, creates a 260-mile off-highway vehicle trail and resolves other public lands issues.
<b>Lincoln County Land Sales (P.L. 106-298)</b>	The <i>Lincoln County Land Act of 2000</i> , among other things, authorizes the Secretary to dispose of certain lands in Lincoln County, Nevada, to distribute the proceeds as follows: Five percent to the State of Nevada, 10 percent the County, and 85 percent to an interest bearing account that is available for expenditure without further appropriation.
<b>White River Oil Shale Mine, Utah Property Sale Provisions, The 2001 Interior and Related Agencies Appropriations Act (P.L. 106-291)</b>	The Act authorized the sale of improvements and equipment at the White River Oil Shale Mine with the proceeds to be available for expenditure without further appropriation to reimburse (A) the Administrator for the direct costs of the sale; and (B) the Bureau of Land Management Utah State Office for the costs of closing and rehabilitating the mine.

***The Federal Land Transaction Facilitation Act (P.L. 106-248)***

The Federal Land Transaction Facilitation Act (FLTFA) provides that the BLM may conduct sales of lands that have been classified as suitable for disposal under current resource management plans. This law provides that receipts from such sales may be used to acquire non-Federal lands with significant resource values that fall within the boundaries of areas now managed by the Department. FLTFA expired on July 25, 2010. It was reauthorized through July 25, 2011 by the 2010 Supplemental Appropriations Act (P.L. 111-212). The 2017 Budget includes a proposal to reauthorize FLTFA and allow lands identified as suitable for disposal in recent land use plans to be sold using the FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally sensitive lands and the administrative costs associated with conducting sales.

***Southern Nevada Public Land Management Act (P.L. 105-263).***

Provides for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition of environmentally sensitive lands in the State of Nevada. Receipts are generated primarily through the sale of public lands in the Las Vegas Valley.

***Federal Lands Recreation Enhancement Act (Title VIII of P.L. 108-447)***

Enacted as Title VIII of the Consolidated Appropriations Act, 2005, this Act provides authority for 10 years for the BLM to manage public lands for recreational purposes and to collect and spend recreation use fees. The purposes for which the collections may be spent are generally for maintenance and repair of recreation facilities, visitor services, and habitat restoration related to recreation, law enforcement related to public use and recreation, and direct operating and capital costs of the recreation fee program. The 2016 budget proposes legislation to permanently authorize the Federal Lands Recreation Enhancement Act, which will expire in December 2016. In addition, the Department will propose a general provision in the 2016 budget request to amend appropriations language to extend the authority through FY 2017.

***Energy Policy Act of 2005 (P.L. 109-58, Sections 224 and 234, Section 365, Section 332, and Section 349)***

Established three multi-year appropriations to use a portion of onshore mineral leasing receipts to improve oil and gas permit processing, facilitate the implementation of the Geothermal Steam Act, and clean up environmental contamination on the Naval Petroleum Reserve Numbered 2 in California. It also authorized the Secretary of the Interior to establish standards under which leaseholders may reduce payments owed by the reasonable actual costs of remediating, reclaiming, and closing orphaned wells.

***Public Law 109-432, White Pine County Land Sales***

Authorizes the disposal through sale of 45,000 acres in White Pine County, Nevada, the proceeds of which are distributed as follows: (a) Five percent for use in the general education program of the State of Nevada; (b) 10 percent shall be paid to the County for use for fire protection, law enforcement, education, public safety, housing, social services, transportation, and planning; and (c) the remaining 85 percent to be used to reimburse the Bureau of Land Management and the Department of the Interior for certain costs, to manage unique archaeological resources, for wilderness and endangered species protection, for improving recreational opportunities in the County, and for other specified purposes.

***Public Law 111-11,  
Omnibus  
Public Land Management  
Act of 2009***

Among numerous other things, authorizes the disposal of certain lands in the Boise District of the Bureau of Land Management, in Washington County, Utah, and in Carson City, Nevada. It authorizes the BLM to retain and spend most of the proceeds of sales of those lands to acquire lands in wilderness and other areas and for other purposes, and to pay a portion to the States in which the sold land was located.

***Sec. 347 of Public Law  
105-277, as amended by  
Public Law 108-7 and  
Public Law 113-79***

Permanently authorizes the BLM, via agreement or contract as appropriate, to enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

***Public Law 109-94,  
Ojito Wilderness Act***

Authorizes the sale of land to the Pueblo of Zia Tribe, and appropriates the proceeds of that sale to the BLM to purchase lands within the State of New Mexico.

***Public Law 113-291,  
National Defense  
Authorization Act***

Provides for permanent extension of BLM's access to the Permit Processing Improvement Fund and adds fees for applications for permit to drill as a source of deposits to the Fund.

Summary of Requirements  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	Transfers		2017 President's Budget		Requested Amount		Change from 2016			
	FTE	Amount	FTE	Amount		FTE	Amount	Program Change		FTE	Amount	FTE	Amount	FTE	Amount
								FTE	Amount						
Operations & Maintenance of Quarters	1	807	1	670	-1	-	-	+0	1	670	-	+0	-	+0	
Recreation Enhancement Act, BLM	107	21,842	121	18,662	-1	-	-	+317	121	19,204	-	+542	-	+542	
Forest Ecosystem Health & Recovery	45	12,018	48	14,633	-1	-	-	-6,540	48	7,942	-	-6,691	-	-6,691	
Timber Sale Pipeline Restoration	34	9,843	23	9,735	-1	-	-	-4,997	23	5,291	-	-4,444	-	-4,444	
Expenses, Road Maintenance Deposits	8	3,094	10	2,820	-1	-	-	+0	10	2,820	-	+0	-	+0	
Southern Nevada Public Land Sales	43	64,425	54	68,123	-1	-	-	-11,354	54	61,422	-	-6,701	-	-6,701	
Southern Nevada Earnings on Investments	-	258	-	2,000	-1	-	-	+3,000	-	5,000	-	+3,000	-	+3,000	
Lincoln County Land Sales	7	3,183	7	801	-1	-	-	-247	7	418	-	-383	-	-383	
Interest, Lincoln County Land Sales	-	17	-	200	-1	-	-	+60	-	260	-	+60	-	+60	
White Pine County Special Account	-	140	-	132	-1	-	-	-130	-	9	-	-123	-	-123	
Stewardship contract excess receipts	-	15	-	20	-1	-	-	-1	-	21	-	+1	-	+1	
Federal Land Disposal Account	-	0	-	-	-1	-	-	+4,800	-	4,800	-	+4,800	-	+4,800	
Owyhee Land Acquisition Account	-	0	-	198	-1	-	-	+1,288	-	1,450	-	+1,252	-	+1,252	
Washington County, Utah Land Acquisition Account	-	747	-	4,031	-1	-	-	-4,262	-	290	-	-3,741	-	-3,741	
Silver Saddle Endowment	-	348	-	763	-1	-	-	-790	-	54	-	-709	-	-709	
Carson City Special Account	-	6	-	48	-1	-	-	-52	-	4	-	-44	-	-44	
Ojito Land Acquisition	-	0	-	-	-1	-	-	+0	-	-	-	+0	-	+0	
NPR-2 Lease Revenue Account	-	5	2	5	-1	-	-	+0	2	5	-	+0	-	+0	
Geothermal Lease and Use Authorization Fund	-	0	-	-	-1	-	-	+0	-	-	-	+0	-	+0	
Oil and Gas Permit Processing Improvement Fund	76	11,799	430	44,192	-1	-	-	+1,844	430	51,667	-	+7,475	-	+7,475	
<b>Total, Permanent Operating Fund</b>	<b>321</b>	<b>128,547</b>	<b>696</b>	<b>167,033</b>	-	-	-	<b>-17,064</b>	<b>696</b>	<b>161,327</b>	-	<b>-5,706</b>	-	<b>-5,706</b>	

Note:

The 2016 and 2017 amounts in this table are updated from the estimates in the Appendix, Budget of the United States Government, Fiscal Year 2017. Specifically, the 2016 and 2017 estimates for the Oil and Gas Permit Processing Improvement Fund have been adjusted in this table to correctly include both estimated APD fees and 50 percent of rent revenues from onshore leases.

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## Appropriation: Permanent Operating Funds

### Program Overview

The following activities account for certain receipts received from the sale, lease, or use of public lands or resources. They are available for use by Bureau of Land Management (BLM) for the purposes specified in permanent laws and do not require annual appropriation action by Congress. Amounts shown for 2016 and 2017 are estimates based on anticipated collections. Projected collection amounts consider such factors as market and economic indicators, expected public or industry demand levels for services or sales products, fee or collection schedules or structures, and certain legislative proposals expected to be enacted into law.

**Operations & Maintenance of Quarters** – This account is used to maintain and repair all BLM employee-occupied quarters from which quarters rental charges are collected. Agencies are required to collect quarter rentals from employees who occupy Government-owned housing and quarters. This housing is provided only in isolated areas or when an employee is required to live on-site at a Federally-owned facility or reservation. The BLM currently maintains and operates 248 housing or housing units in 11 States.

**Recreation Fee Program, BLM** – The Federal Lands Recreation Enhancement Act (FLREA) of 2004, Title VIII of the Consolidated Appropriations Act, 2005, Public Law 108-447, provided a comprehensive restatement of Federal authority, including that of the BLM, to collect and spend recreation use fees. This statute replaced prior authorities enacted in the Land and Water Conservation Act, the Omnibus Budget Reconciliation Act of 1993, and the Recreational Fee Demonstration Program authority enacted in annual appropriation acts since 1996. During fiscal 2005, the BLM switched to the authorities and arrangements enacted in the FLREA.

Recreation projects operating under the former Recreational Fee Demonstration program have varying fee structures depending upon the day of week, season of use, free use days, and standardized entrance fees. Service fees, automated fee collection machines, third-party collection contracts, volunteer fee collectors, entrance booths, donations, self-serve pay stations, reservation systems, fee collection through the mail for permitted areas, special recreation permits for competitive and organized groups, and online Internet reservation payment with credit cards are examples of new collection methods the BLM has used as a result of the Recreational Fee Demonstration program. The fee structure at each site is periodically evaluated to ensure that the fees are comparable to similar sites in the surrounding area. These fees, combined with appropriated funds, are used to maintain buildings, shelters, water supply systems, fences, parking areas, and landscaping; to pump vault toilets and dump stations; to replace or repair broken or non-functioning facilities; to modify facilities to accessibility standards; and to collect trash at recreation sites.

The Administration proposes to permanently reauthorize the Department of the Interior's and the Department of Agriculture's recreation fee programs under the Federal Lands Recreation Enhancement Act, which is set to expire on September 30, 2017.

The following table provides the actual collections for 2015 and the estimated revenues projected for 2016 and 2017 from BLM recreational fee sites. In addition, the table provides

information on the number of projects approved, the type of work conducted and the amount of revenues spent for all three fiscal years.

### Recreation Fee Projects

(In thousands of dollars)

Bureau of Land Management	2015 Actual	2016 Estimated	2017 Budget
Unobligated Balance Brought Forward & Recoveries	14,995	19,866	19,443
Recreation Fee Revenues [Post-sequestration]	21,842	18,662	19,204
America the Beautiful pass	[800]	[800]	[800]
Funds Obligated	-16,971	-19,085	-19,900
<b>Unobligated Balance</b>	<b>19,866</b>	<b>19,443</b>	<b>18,747</b>
<b>Total Expenditures (outlays)</b>	<b>16,379</b>	<b>20,244</b>	<b>18,933</b>
<i>Obligations by Type of Project</i>			
Asset Repair & Maintenance			
<i>Facilities Routine/Annual Maintenance</i>	4,742	4,900	5,000
<i>Facilities Capital Improvements Health &amp; Safety</i>	170	185	200
<i>Facilities Deferred Maintenance</i>	708	1,000	1,040
<b>Subtotal, Asset Repair and Maintenance</b>	<b>5,620</b>	<b>6,085</b>	<b>6,240</b>
<i>Interp. Visitor Services, issue SRP &amp; RUP</i>	5,421	6,000	6,100
<i>Law Enforcement, Recreation</i>	2,376	2,800	2,800
<i>Habitat Restoration, Resource Protection</i>	848	800	850
<i>Collection Costs</i>	508	400	410
<i>Fee Mgmt. Agreement &amp; Reservation Services</i>	847	1,000	1,000
<i>Pass Administration and Overhead</i>			
<i>Administration, Overhead, Indirect Costs &lt;= 15%</i>	1,351	2,000	2,500
<b>Total Obligations</b>	<b>16,971</b>	<b>19,085</b>	<b>19,900</b>
<b>Total Expenditures (outlays)</b>	<b>16,379</b>	<b>20,244</b>	<b>18,933</b>

### Use of Fees

The BLM Annual Maintenance program maintains assets on recreation sites. In fiscal year 2015, the BLM maintained 92 percent of buildings and 89 percent of non-building assets in fair condition. In FY 2015, \$5.6 million of recreation fee revenue was used for annual maintenance and operations at recreation sites.

Projects that have been completed or started are quite varied in nature, and include the following accomplishments:

*Repair and Maintenance* - Recreation fee revenues have been used for maintaining existing facilities; repairing roofs; paving and grading roads and bridges; trail maintenance; repairing equipment and vehicles; adding communication systems; repairing gates, fences and flood damage; and repairing, replacing, installing, and expanding water systems.

*Improving Visitor Services* - Recreation fee revenues have been used for retrofitting restrooms and providing access to picnic areas for persons with disabilities; repairing existing restrooms or constructing new ones; landscaping recreation sites; expanding campgrounds; adding new grills and tables; constructing trails and additional tent pads; creating and adding directional signs; repairing, replacing, and constructing boat ramps; replacing and constructing boat and fishing docks; developing maps; brochures; exhibits and other outreach materials; and designing and creating interpretive displays.

*Providing for Fee Collection* - Recreation fee revenues have been used for constructing fee collection facilities, purchasing and installing lighting for exhibits and kiosks, adding seasonal positions, and expanding partnerships.

**Forest Ecosystem Health and Recovery Fund (FEHRF)** - Funds in this account are derived from the Federal share of receipts (defined as the portion of receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181-1 et seq., and P.L. 106-393, as amended) from all BLM timber salvage sales, and from BLM forest health restoration treatments funded from this account. Funds from this account are available for planning, preparing, implementing, monitoring, and reforestation of salvage timber sales and forest health restoration treatments, including those designed to release trees from competing vegetation, control tree densities, and treat hazardous fuels. Most of these treatments are implemented through service contracts or commercial timber sales. BLM projects may occur on Oregon and California Grant Lands, Coos Bay Wagon Road Grant Lands in Oregon, and on the public domain lands throughout the BLM.

The initial purpose of this fund was to allow quick response to fire and for reforestation of forests damaged by insects, disease, and fire. Expanded authorization in the 1998 Interior and Related Agencies Appropriations Act allows activities designed to promote forest health, including reducing the risk of catastrophic damage to forests in addition to responding to damage events. The Federal share of receipts in 2015 was \$12 million. The expected receipts for 2016 and 2017 are estimated to be \$14.6 million and \$7.6 million respectively.

The volume of salvage timber harvested and associated revenues in any given year may vary depending upon the severity of wildland fires, weather events such as drought and windstorms, and insect and disease mortality. The volume and value of harvest is also influenced by the demand for wood products.

In 2015, the BLM harvested approximately 70 million board feet of timber worth \$11.4 million dollars from over 5,000 acres and inventoried or monitored over 100,000 acres, from salvage and forest restoration activities using a combination of FEHRF and Public Domain Forestry

funds. In addition, in 2015 the BLM offered approximately 75.6 million board feet of FEHRF new timber sales from over 7,000 acres worth approximately \$12.3 million dollars.

In 2016 and 2017, the BLM intends to treat approximately 10,000 acres, inventory or monitor between 100,000 and 200,000 acres, and offer approximately 60.0 million board feet of timber from salvage and forest restoration activities using a combination of FEHRF and Public Domain Forestry funds. Under current law, the FEHRF fund expires at the end of 2020.

<b>Deposits and Expenditures, Forest Ecosystem Health and Recovery Fund (\$000)</b>				
<b>Year</b>	<b>Annual Deposit</b>	<b>Cumulative Deposit</b>	<b>Annual Expenditure</b>	<b>Cumulative Expenditure</b>
<b>Earlier</b>		10,648		3,412
1998	5,897	16,545	7,575	10,987
1999	5,454	21,999	9,247	16,822
2000	11,888	33,887	8,906	25,728
2001	997	34,884	5,579	31,307
2002	4,986	39,870	3,883	35,190
2003	5,003	44,873	3,698	38,888
2004	5,954	50,827	4,254	43,142
2005	6,236	57,063	4,596	47,738
2006	6,795	63,858	5,779	53,517
2007	7,274	71,132	5,865	59,382
2008	5,334	76,466	6,179	65,561
2009	6,998	83,464	5,707	71,268
2010	4,270	87,734	4,880	76,148
2011	3,793	91,527	5,308	81,456
2012	6,437	97,964	4,624	86,080
2013	6,104	104,068	5,505	91,585
2014	4,524	108,592	4,991	96,576
2015	12,018	120,610	4,559	101,135
<b>2016 Estm</b>	7,020	127,630	5,500	106,635
<b>2017 Estm</b>	5,060	132,690	5,500	112,135

**Timber Sale Pipeline Restoration Fund** – The Pipeline Fund was established under Section 327 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996. The Act established separate funds for the U.S. Forest Service (USFS) and the BLM using revenues generated by timber sales released under Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act. This Act directs that 75 percent of the Pipeline Fund be used to fill each agency’s timber sale “pipeline”; and, that 25 percent of the Pipeline Fund be used to address the maintenance backlog for recreation projects on BLM and USFS lands. Funds are deposited into the fund after statutory payments are made to State and local governments.

Receipts deposited in 2015 were \$9.8 million. In 2016, receipts are estimated to be \$9.7 million and in 2017 \$5.3 million. In 2016 and 2017, 100 percent of timber sale pipeline receipts from O&C Grant Lands will be deposited to the Timber Sales Pipeline Restoration Fund due to the proposed reauthorization of Secure Rural Schools payments. That law exempts deposits to permanent operating funds such as to the Timber Sales Pipeline Restoration Fund from being available for use to make Secure Rural Schools payments to western Oregon counties.

<b>Deposits and Expenditures, Timber Sale Pipeline Restoration Fund (\$000)</b>				
<b>Year</b>	<b>Annual Deposit</b>	<b>Cumulative Deposit</b>	<b>Annual Expenditure</b>	<b>Cumulative Expenditure</b>
1998	31,803	31,803	4,474	4,474
1999	3,122	38,192	10,239	14,713
2000	0	38,192	8,454	23,167
2001	6,590	41,868	7,489	30,656
2002	563	42,431	5,615	36,271
2003	2,879	45,502	5,339	41,610
2004	6,993	53,421	2,904	44,514
2005	8,843	62,301	2,887	47,401
2006	12,339	74,756	5,059	52,460
2007	10,922	85,718	8,381	60,841
2008	10,396	96,093	10,340	71,181
2009	5,162	101,274	16,768	87,949
2010	4,078	105,352	10,587	98,536
2011	4,048	109,400	4,718	103,254
2012	4,023	113,423	4,514	107,768
2013	2,889	116,313	2,106	109,874
2014	2,991	119,304	3,172	113,046
2015	9,843	129,147	4,302	117,348
<b>2016 Est.</b>	4,636	133,783	4,300	121,648
<b>2017 Est.</b>	3,648	137,431	4,300	125,948

At the end of 2015, the unobligated balance in the Fund was \$14.2 million. The BLM estimates the Fund balance will be \$14 million at the end of fiscal year 2017.

Recreation Projects Funded Through the Pipeline Fund – Significant progress has been made in western Oregon to address recreation projects using funds from the Timber Sale Pipeline Restoration Fund. Through the end of 2015, 25% of the Pipeline Fund has been used to complete millions of dollars of deferred maintenance work at recreation sites scattered throughout western Oregon on O&C lands. The principal focus of recreation spending is maintaining existing facilities, resolving critical safety needs, and meeting the requirements of the Americans with Disabilities Act. The BLM has made considerable investment in projects such as renovation of water and sewer systems, upgrading restroom facilities, improving parking areas, and adapting existing recreation sites for handicapped visitors. In 2017, the BLM

level of expenditures for recreation projects from the Pipeline Fund is estimated to be between \$700,000 and \$800,000.

Timber Sales Prepared by Use of the Pipeline Fund – Approximately 75 percent of the Timber Sale Pipeline Fund is specifically used by a multiple resource team of specialists to prepare timber sales, including all necessary NEPA, environmental inventories and analyses; timber sale layout; timber cruising and appraising; and contract preparation costs. Upon completion of these requirements, a timber sale is officially prepared and placed “on-the-shelf” in anticipation of being offered for sale in future years.

Since 2001, the BLM has harvested approximately 620 million board feet of timber from over 41,000 acres valued at approximately \$89 million dollars from the Pipeline Fund timber sales. In 2015, the BLM expended \$4.3 million from the Timber Sale Pipeline Fund and offered approximately 19.8 million board feet of timber for sale valued at approximately \$3.8 million. The BLM expects to deposit \$4.6 million in 2016 and \$3.6 million in 2017 from associated timber sales into the Pipeline Fund.

**Expenses, Road Maintenance Deposits** – This activity provides for the permanent appropriation of money collected from commercial road users in lieu of user maintenance. The receipts are permanently appropriated to the BLM for road maintenance. Users of certain roads under BLM jurisdiction make deposits for maintenance purposes. Moneys collected are available for needed road maintenance. Moneys collected on Oregon and California Grant Lands are available only for those lands (43 U.S.C. 1762(c), 43 U.S.C. 1735(b)). The BLM has authority to collect money for road maintenance from commercial users of the public lands and the public domain lands transportation system. Most of the funds generated for this account come from Oregon and California Grant Lands and are available for those lands only.

**Southern Nevada Public Land Sales** – This receipt account allows the BLM to record transactions authorized by the Southern Nevada Public Land Management Act (SNPLMA) (P.L. 105-263). The purpose of the Act is to provide for the orderly disposal of certain Federal lands in Clark County, Nevada, to meet the demands for community expansion and economic development, and to use the proceeds from these sales to address critical environmental and educational needs in Clark County and other areas of Nevada. Receipts are generated primarily through sale to the public of lands in the Las Vegas valley. Approximately 50,000 acres of public land are within the disposal boundary area.

Currently, funds collected from the land sales are distributed as follows:

- Five percent to the State General Education Fund.
- 10 percent to the Southern Nevada Water Authority to fund the infrastructure needed to support the development resulting from land sales under the Act.
- 85 percent is deposited into a special account and available to be spent by the Secretary of the Interior.

To date, SNPLMA has generated more than \$2.9 billion in deposits to the special fund, including earnings on investments, from land sales since its enactment in 1998. When SNPLMA was originally passed, proceeds from land sales under the bill were estimated at roughly \$70 million per year. Collections in 2014 and 2015 were \$61,430,000 and \$78,441,000 respectively. Sales in 2016 are projected to produce \$75,065,000. The increase is due to an increase in estimates of acres sold offsetting a lower price per acre. Estimated collections for 2017 are expected to be \$66,660,000 mainly coming from final payments received from 2016 sales and a planned fall

auction of 600 acres. Collections are reported when payments are received regardless of when sales are held and the estimates make allowance for the normal lag of 180 days between sales and collections. For more information on SNPLMA, see the 2008 report to Congress, at <http://www.blm.gov/nv/st/en/snplma.html>. See the Collections chapter for more information on anticipated land sales in 2016 and 2017.

**Lincoln County Sales** – This receipt account allows the BLM to record transactions authorized by the *Lincoln County Land Sales Act (P.L. 106-298)*, which was enacted by Congress in 2000. The purpose of the Act is to provide for the disposal of certain Federal lands in Lincoln County, Nevada. Funds accumulated in the special account may be used to:

- Preserve archaeological resources, conserve habitat, and reimburse the BLM Nevada State Office for land sale costs related to this act;
- Process public land use authorizations and rights-of-way stemming from conveyed land; and
- Purchase environmentally sensitive land or interests in land in the State of Nevada, with priority given to land outside Clark County.

In 2015, \$3,183,000 was deposited from land sales. In 2016 and 2017, deposits from land sales are estimated to be \$801,000 and \$418,000. Those estimates exclude interest deposited to the fund and payments to the State and County.

**Southern Nevada Public Land Management and Lincoln County – Earnings on Investments** – SNPLMA authorizes the Secretary to manage the collections account for the purposes set out above, and is also authorized to use interest generated from the above-mentioned funds. The BLM is authorized to invest the unspent balance of collections from SNPLMA and Lincoln County Lands Act land sale receipts. Earnings on investments for 2014 and 2015 were \$369,000 and \$275,000 respectively. Interest estimated to be earned in 2016 and 2017 is \$2,200,000 and \$5,260,000 respectively. Projected investment earnings take into account revenue from land sales, earnings on investments, and projected interest rates and outlays. Funds in the special account earn interest at a rate determined by the Secretary of the Treasury and are available for expenditure without further appropriation under the provisions of the Act.

**Stewardship "End Results" Contracting Fund** –The 2003 Omnibus Appropriations Act (P.L. 108-7), Section 323, amended Section 347 of the 1999 Appropriation Omnibus (P.L. 105-277, Oct. 21, 1998) that originally granted the USFS pilot stewardship contracting authority. Until September 30, 2013, the USFS and the BLM, via agreement or contract as appropriate, may enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forest and the public lands that meet local and rural community needs.

The Act granted the BLM the ability to utilize stewardship contracting as a tool for forest and rangeland restoration. The BLM may apply the value of timber or other forest products removed as an offset against the cost of services received, and monies from a contract under subsection (a) may be retained by the USFS and the BLM and shall be available for expenditure without further appropriation at the project site from which the monies are collected or at another project site. In 2015, the BLM deposited \$15,000 into the fund and expects to deposit \$20,000 in 2016 and \$21,000 in 2017 respectively.

The Agriculture Act of 2014 (P.L. 113-79) provides permanent stewardship contracting authority.

**Federal Land Disposal Account** – The Federal Land Transaction Facilitation Act (FLTFA), provides authority for the use of receipts from disposal actions by the BLM to purchase inholdings and lands adjacent to federally designated areas containing exceptional resources, as defined in FLTFA, from willing sellers with acceptable titles, at fair market value, to “promote consolidation of the ownership of public and private lands in a manner that would allow for better overall resource management administrative efficiency, or resource allocation.

The Act expired on July 25, 2010. On July 29, 2010, Congress passed PL 111-212, which included a one-year extension of FLTFA. Because of the break in FLTFA authority, the funds in the account on July 25, 2010 were deposited into the Land and Water Conservation Fund. This included \$37.0 million designated for land purchase and \$13.0 million designated to administer the BLM’s land sale program, for a total of approximately \$50.0 million. When the one year extension expired, the unobligated balance of \$2.2 million was transferred to the Land and Water Conservation Fund.

The Budget includes a proposal to reauthorize FLTFA and allow lands identified as suitable for disposal in recent land use plans to be sold using the FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally sensitive lands and the administrative costs associated with conducting sales.

**Owyhee Land Acquisition Account** – The Owyhee Land Acquisition Account was established under Section 1505 of the Omnibus Public Land Management Act of 2009. This account provides a process for orderly sale of certain public lands in Boise District of the BLM that, as of July 25, 2000, had been identified for disposal in an appropriate resource management plan. In 2015, there were no deposits, 2016 and 2017 expect to deposit \$198,000 and \$1,450,000 into the fund.

**Washington County, Utah Land Acquisition Account** – This account was established under Section 1778 of the Omnibus Public Land Management Act of 2009. This account provides a process for the orderly sale of certain public lands in Washington County, Utah, that, as of July 25, 2000, had been identified for disposal in appropriate resource management plans. Proceeds from the sale of public land are deposited into the “Washington County, Utah Land Acquisitions Account”. Amounts in the account are available to the Secretary to purchase, from willing sellers, inholdings of lands or interest in land within the wilderness areas and National Conservation Area established by the Omnibus Public Land Management Act. In 2015, the BLM deposited \$747,000 into the fund and expects to deposit \$4,031,000 in 2016 respectively and \$290,000 is estimated for 2017.

**Silver Saddle Endowment Account** – This account was established by the Omnibus Public Land Management Act of 2009, and authorizes, under certain conditions, the sale of a 62-acre parcel to Carson City, Nevada. Proceeds of the sale are to be used by the BLM for the oversight and enforcement of a perpetual conservation easement to the land to protect, preserve, and enhance the conservation values of the land. In 2015, the BLM deposited \$348,000 into the fund and expects to deposit \$763,000 in 2016 respectively and \$54,000 is estimated for 2017.

**Carson City Special Account** – This account was established by the Omnibus Public Land Management Act of 2009, and authorizes the sale of approximately 158 acres described in the law. Five percent of the proceeds will be paid directly to the State for use in the general education program of the State. The remainder is deposited in this account to reimburse the

BLM and the Forest Service for the costs of the sale and appraisals, and to acquire environmentally sensitive land or an interest in environmentally sensitive land in the city. In 2011, 2012 and 2013 there were no receipts. In 2015, the BLM deposited \$6,000 into the fund; \$48,000 is estimated in 2016; \$4,000 is estimated for 2017.

***NPR-2 Lease Revenue Account*** – Section 331 of the Energy Policy Act of 2005, P.L.109–58 transferred Naval Petroleum Reserve Numbered 2 from the Department of Energy to the Department of the Interior and appropriates a portion of revenues from mineral leases on the site to remove environmental contamination. The appropriations end when the cleanup is completed. In 2015, the BLM deposited \$5,000 into the fund. Estimated deposits in 2016 and 2017 are \$5,000 and \$5,000.

***Geothermal Steam Act Implementation Fund*** – Section 224 of the Energy Policy Act of 2005, P.L.109–58, amended the Geothermal Steam Act of 1970. The amendment provides that fifty percent of geothermal bonuses, rents, and royalties will be paid to the State and twenty-five percent will be paid to the County within the boundaries of which the leased lands or geothermal resources are or were located. Section 234 provided that twenty-five percent be deposited to the BLM Geothermal Steam Act Implementation Fund from 2006 through 2010 for the purpose of expediting the development of geothermal steam as an energy source. That authority was repealed by Congress a year early.<sup>1</sup> A deposit of \$2.7 million was made in 2010 from revenues collected in 2009 before the authority expired. No additional deposits will be made under current law. More information about this fund can be found in the Oil and Gas and Renewable Energy Management sections of the Management of Lands and Resources chapter.

***Permit Processing Improvement Fund*** –Section 365 of the Energy Policy Act of 2005, P.L.109–58, permanently directed that fifty percent of rents from onshore mineral leases for oil and gas, coal, and oil shale on Federal lands were to be deposited into the Permit Processing Improvement Fund (PPIF), and authorized BLM access to the PPIF from 2006 through 2016 for the purpose of identifying and implementing improvements and cost efficiencies in processing applications for permits to drill (APDs) and related work.

Section 3021 of the National Defense Authorization Act (NDAA), P.L. 113-291 permanently extends BLM's access to the rent receipts in the PPIF. Section 3021 of the NDAA also added fees for APDs as a source of receipts to the PPIF. Specifically, Section 3021 authorizes the Secretary in fiscal years 2016 through 2026 to charge and collect a \$9,500 APD processing fee, as indexed for inflation. The NDAA-authorized APD fee obviates the need for the \$6,500 APD processing fee that has been authorized in annual appropriations acts the last several years.

The NDAA created two sub-accounts within the PPIF to accommodate these two sources of receipts:

- The Rental Account is comprised of rents from oil, gas, and coal leases not paid to States.
- The Fee Account is comprised of fees paid with applications for permits to drill.

The law requires that the rental account is used for coordination and processing of leasing activity by BLM project offices.

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<sup>1</sup> Section 423, P.L. 111-88, (123 STAT. 2961). Department of the Interior, environment, and related agencies appropriations for the fiscal year ending September 30, 2010

The law requires that the fee account is used for the same purposes but is not limited to the activities of project offices.

In 2015, the BLM deposited \$11,799,000 into the fund. Estimated APD fees are expected to deposit \$32,761,000 in 2016 and \$38,398,000 in 2017 respectively. Pursuant to the NDAA, from 2016 through 2019, 15 percent of APD collections are subject to appropriation while 85 percent is permanently appropriated. For more information on the use of this Fund, please see the Oil and Gas Management section in the Management of Lands and Resources Chapter.

***Ojito Land Acquisition*** – The Ojito Wilderness Act authorized the sale of land to the Pueblo of Zia Indian Tribe and the purchase of land from willing sellers within the State of New Mexico. The sale to the Tribe has been completed; the BLM is planning a land purchase using the proceeds of that sale. No deposits in 2015 and none are estimated for 2016 and 2017.

## Budget Schedules - Current Law

Account Symbol and Title 14X9926 Permanent Operating Funds	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Forest ecosystem health and recovery fund	0001	4	6	6
Recreation fee demonstration	0002	17	19	19
Expenses, road maintenance deposits	0003	2	2	2
Timber sale pipeline restoration fund	0004	4	2	2
Southern Nevada public land sales (85)	0005	52	75	75
Lincoln County Lands Act	0008	2	3	3
Operation and maintenance of quarters	0013	1	1	1
Permit Processing Improvement Fund	0014	9	49	49
Geothermal Steam Act Fund	0015	0	0	0
NPR-2 Cleanup Fund	0018	0	1	1
Total new obligations	0900	91	158	158
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	578	646	644
Recoveries of prior year unpaid obligations	1021	31	0	0
Unobligated balance (total)	1050	609	646	644
Budget authority:				
Appropriations, mandatory:				
Recreation fee demonstration program	1201	137	19	19
Forest ecosystem health and recovery fund	1201	0	13	4
Timber sales pipeline restoration fund	1201	0	9	2
Expenses, road maintenance deposits	1201	0	3	3
S. Nevada public land management	1201	0	64	57
S. Nevada public land management-interest earned	1201	0	2	5
Permit processing improvement fund	1201	0	39	42
Operation and maintenance of quarters	1201	0	1	1
Washington County (Land Acquisition)	1201	0	5	1
Lincoln Cty. land sales	1201	0	1	1
Appropriation (Ojito Land Acquisition)	1201	0	0	0
Appropriation (previously unavailable)	1203	0	9	9
Appropriations and/or unobligated balance of appropriations temporarily reduced	1232	-9	-9	0
Appropriations, mandatory (total)	1260	128	156	144
Appropriations, mandatory - Computed Totals	1260-20	128	156	144
Appropriation [SNPLMA]	1260-40	77	82	38
Baseline Civilian Pay	1260-50		4	3
Baseline Non-Pay	1260-50		78	35

Policy Outlays:				
New Authority	1260-61	12	30	14
Balances (excl of EOY PY Bal)	1260-62	136	0	25
End of PY Balances	1260-63		117	73
Subtotal, outlays	1260-64	148	147	112
Baseline Outlays:				
New Authority	1260-81		30	14
Balances (excl of EOY PY Bal)	1260-82			25
End of PY Balances	1260-83		117	73
Subtotal, outlays	1260-84		147	112
Appropriation [Recreation Fees]	1260-40	16	19	22
Baseline Civilian Pay	1260-50		8	8
Baseline Non-Pay	1260-50		11	14
Policy Outlays:				
New Authority	1260-61	0	10	11
Balances (excl of EOY PY Bal)	1260-62	0	0	10
End of PY Balances	1260-63		9	0
Subtotal, outlays	1260-64	0	19	21
Baseline Outlays:				
New Authority	1260-81		10	11
Balances (excl of EOY PY Bal)	1260-82			10
End of PY Balances	1260-83		9	0
Subtotal, outlays	1260-84		19	21
Appropriation [Other Perm Operating]	1260-40	35	64	75
Baseline Civilian Pay	1260-50		15	20
Baseline Non-Pay	1260-50		49	55
Policy Outlays:				
New Authority	1260-61	0	45	52
Balances (excl of EOY PY Bal)	1260-62	0	0	13
End of PY Balances	1260-63		15	5
Subtotal, outlays	1260-64	0	60	70
Baseline Outlays:				
New Authority	1260-81		45	52
Balances (excl of EOY PY Bal)	1260-82			13
End of PY Balances	1260-83		15	5
Subtotal, outlays	1260-84		60	70
Appropriation [Sequestration]	1260-40	0	0	0
Baseline Civilian Pay	1260-50		0	0
Policy Outlays:				
New Authority	1260-61	0	0	0
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63		0	0
Subtotal, outlays	1260-64	0	0	0
Baseline Outlays:				
New Authority	1260-81		0	0
Balances (excl of EOY PY Bal)	1260-82		0	0
End of PY Balances	1260-83		0	0
Subtotal, outlays	1260-84		0	0
Effects of sequester	1260-40	0	-9	0
Baseline Civilian Pay	1260-50		0	0

Baseline Non-Pay	1260-50		-9	0
Policy Outlays:				
New Authority	1260-61	0	-9	0
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63		0	0
Subtotal, outlays	1260-64	0	-9	0
Baseline Outlays:				
New Authority	1260-81		-9	0
Balances (excl of EOY PY Bal)	1260-82		0	0
End of PY Balances	1260-83		0	0
Subtotal, outlays	1260-84		-9	0
Appropriation [Text]	1260-40	0	0	9
Baseline Civilian Pay	1260-50		0	0
Baseline Non-Pay	1260-50		0	9
Policy Outlays:				
New Authority	1260-61	0	0	9
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63		0	0
Subtotal, outlays	1260-64	0	0	9
Baseline Outlays:				
New Authority	1260-81		0	9
Balances (excl of EOY PY Bal)	1260-82		0	0
End of PY Balances	1260-83		0	0
Subtotal, outlays	1260-84		0	9
Total budgetary resources available	1930	737	802	788
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	646	644	630
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	201	113	54
Obligations incurred, unexpired accounts	3010	91	158	158
Outlays (gross)	3020	-148	-217	-212
Recoveries of prior year unpaid obligations, unexpired	3040	-31	0	0
Unpaid obligations, end of year	3050	113	54	0
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	201	113	54
Obligated balance, end of year	3200	113	54	0
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	128	156	144
Outlays, gross:				
Outlays from new mandatory authority	4100	12	76	86
Outlays from mandatory balances	4101	136	141	126

Outlays, gross (total)	4110	148	217	212
Budget authority, net (mandatory)	4160	128	156	144
Outlays, net (mandatory)	4170	148	217	212
Budget authority, net (total)	4180	128	156	144
Outlays, net (total)	4190	148	217	212

## Memorandum (non-add) entries:

Total investments, SOY: Federal securities: Par value	5000	609	634	660
Total investments, EOY: Federal securities: Par value	5001	634	660	687

## Character Classification (C)

## NON-INVESTMENT ACTIVITIES:

## Direct Federal programs:

Budget Authority	2004-01	128	156	144
Outlays	2004-02	148	217	212

## Object Classification (O)

## Direct obligations:

## Personnel compensation:

Full-time permanent	11.1	16	41	41
Full-time permanent - Allocation	11.1	4	7	7
Other than full-time permanent	11.3	2	3	3
Other than full-time permanent - Allocation	11.3	2	2	2
Other personnel compensation	11.5	1	3	3
Total personnel compensation	11.9	25	56	56
Civilian personnel benefits	12.1	7	16	16
Civilian personnel benefits - Allocation	12.1	2	3	3
Travel and transportation of persons	21.0	1	1	1
Communications, utilities, and miscellaneous charges	23.3	1	1	1
Other services from non-Federal sources	25.2	5	8	8
Other services from non-Federal sources - Allocation	25.2	23	27	27
Other goods and services from Federal sources	25.3	5	8	8
Other goods and services from Federal sources - Allocation	25.3	1	2	2
Operation and maintenance of facilities	25.4	2	3	3
Operation and maintenance of facilities - Allocation	25.4	2	2	2
Operation and maintenance of equipment	25.7	1	2	2
Supplies and materials	26.0	2	2	2
Equipment	31.0	1	2	2
Land and structures	32.0	0	3	3
Land and structures - Allocation	32.0	7	12	12
Grants, subsidies, and contributions	41.0	2	6	6
Grants, subsidies, and contributions - Allocation	41.0	4	4	4
Total new obligations	99.9	91	158	158

## Employment Summary (Q)

**Bureau of Land Management****2017 Budget Justifications**

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Direct civilian full-time equivalent employment	1001	321	696	696
<b>Appropriations Requests in Thousands of Dollars (T)</b>				
Budget year budgetary resources [014-9926]	1000			0

## Budget Schedules - Proposal

Account Symbol and Title 14X9926 Permanent Operating Funds	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Forest ecosystem health and recovery fund	0001	0	2	5
Timber sale pipeline restoration fund	0004	0	2	2
Federal land disposal fund	0005	0	0	1
Total new obligations	0900	0	4	8
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	0	0	0
Budget authority:				
Appropriations, mandatory:				
Forest ecosystem health and recovery fund	1201	0	2	2
Timber sales pipeline restoration fund	1201	0	2	1
Federal land disposal fund	1201	0	0	5
Appropriations, mandatory (total)	1260	0	4	8
Appropriations, mandatory - Computed Totals	1260-20	0	4	8
Appropriation [Timber sales]	1260-40	0	4	3
Policy Outlays:				
New Authority	1260-61	0	3	2
Balances (excl of EOY PY Bal)	1260-62	0	0	1
End of PY Balances	1260-63		0	0
Subtotal, outlays	1260-64	0	3	3
Appropriation [FLTFA]	1260-40	0	0	5
Policy Outlays:				
New Authority	1260-61	0	0	0
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63		0	0
Subtotal, outlays	1260-64	0	0	0
Total budgetary resources available	1930	0	4	8
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	0	0	1
Obligations incurred, unexpired accounts	3010	0	4	8
Outlays (gross)	3020	0	-3	-3
Unpaid obligations, end of year	3050	0	1	6
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	0	0	1

**Bureau of Land Management****2017 Budget Justifications**

Obligated balance, end of year	3200	0	1	6
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	0	4	8
Outlays, gross:				
Outlays from new mandatory authority	4100	0	3	2
Outlays from mandatory balances	4101	0	0	1
Outlays, gross (total)	4110	0	3	3
Budget authority, net (mandatory)	4160	0	4	8
Outlays, net (mandatory)	4170	0	3	3
Budget authority, net (total)	4180	0	4	8
Outlays, net (total)	4190	0	3	3
<b>Character Classification (C)</b>				
NON-INVESTMENT ACTIVITIES:				
Direct Federal programs:				
Budget Authority	2004-01	0	4	8
Outlays	2004-02	0	3	3
<b>Object Classification (O)</b>				
Direct obligations:				
Other services from non-Federal sources	25.2	0	2	5
Supplies and materials	26.0	0	2	2
Land and structures	32.0	0	0	1
Total new obligations	99.9	0	4	8

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# Miscellaneous Trust Funds



# MISCELLANEOUS TRUST FUNDS

## Appropriations Language

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.*)

## Appropriations Language Citations

**1. In addition to amounts authorized to be expended under existing laws,**

In addition to the amounts provided under other statutes for BLM operations and activities.

**2. there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737),**

This appropriation consists of both current and permanent funds. The current appropriations are the contributions authorized by the Federal Land Policy Management Act (FLPMA) section 307 (c), which allows parties to contribute funds to the BLM for resource development, protection, and management activities; for acquisition and conveyance of public lands; and for cadastral surveys on Federally controlled or intermingled lands.

**3. and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)),**

The permanent appropriation allows the BLM to spend funds contributed under the authority of the Taylor Grazing Act and under authority of various land survey acts.

**4. to remain available until expended.**

The language makes the funds available without fiscal year limitation. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, agreements and purchases.

## Authorizations

Statutes that authorize permanent mandatory trust funds

***The Taylor Grazing Act of 1934, as amended (43 U.S.C. 315h, 315i)***

Provides for the Secretary of the Interior to accept contributions for the administration, protection, and improvement of grazing lands, and for these funds to be deposited into the Treasury in a trust fund; the Act also permanently appropriates them for use by the Secretary.

***The Act of March 3, 1891, Section 11 (43 U.S.C. 355)***

Provides for the sale of town lots to non-Native Alaskans. This Act was repealed by FLPMA in 1976. However, the Comptroller General Opinion of November 18, 1935, and 31 U.S.C. 1321 authorize the use of trust funds to provide for survey and deed recordation of town lots occupied prior to passage of FLPMA.

***43 U.S.C. 759***

Provides for accomplishment of public surveys of whole townships through a trust fund; deposits for expenses deemed appropriated. 43 U.S.C. 761 provides for refunds from trust funds established in 43 U.S.C. 759 of costs in excess of expenses.

***31 U.S.C. 1321(a)(47) and (48)***

Classifies the activities of "Expenses, public survey work, general" and "Expenses, public survey work, Alaska" as trust funds.

***48 Stat. 1224-36***

Provides for payments in advance for public surveys.

Statutes that authorize current mandatory appropriations of trust funds.

***43 U.S.C. 1721(a) and (b) (FLPMA Section 211(a) and (b))***

Provides for the donation of funds for surveys of omitted lands.

***The Comptroller General Opinion of November 18, 1935, and 31 U.S.C. 1321***

Authorizes the use of trust funds to provide for survey and deed recordation of town lots occupied prior to passage of FLPMA.

***The Sikes Act of 1974, as amended (16 U.S.C. 670 et seq.)***

Provides for the conservation, restoration, and management of species and their habitats in cooperation with State wildlife agencies.

***Omnibus Appropriations Act, 2009, Division E—Department of the Interior, Environment, and Related Agencies Appropriations Act, 2009, P.L. 111-8, March 10, 2009***

Provides that projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis.

Summary of Requirements  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	2017 President's Budget						Change from 2016		
	FTE	Amount	FTE	Amount		FTE	Amount	Transfers FTE	Amount	Program Change FTE	Amount	Requested Amount FTE	Amount	FTE
<b>Current:</b>	<b>84</b>	<b>21,972</b>	<b>86</b>	<b>24,000</b>	-	-	-	-	-	-	<b>86</b>	<b>22,930</b>	-	<b>-1,070</b>
Conveyance of Omitted Lands	-	-	-	-	-	-	-	-	-	-	-	-	-	+0
Resource Development Protection & Management - FLPMA	61	17,610	55	19,235	-	-	-	-	-	-	55	18,378	-	-857
Resource Development Protection & Management - California Off-Highway	22	3,999	29	4,368	-	-	-	-	-	-	29	4,173	-	-195
Wildlife & Fish Conservation & Rehabilitation - Sikes Act	1	363	2	397	-	-	-	-	-	-	2	379	-	-18
Rights-Of-Way	-	-	-	-	-	-	-	-	-	-	-	-	-	+0
<b>Permanent:</b>	<b>5</b>	<b>1,505</b>	<b>7</b>	<b>2,220</b>	-	-	-	-	-	-	<b>7</b>	<b>2,220</b>	-	<b>+0</b>
Resource Development Protection & Management - Taylor Grazing Act	3	1,439	3	2,123	-	-	-	-	-	-	3	2,123	-	+0
Public Survey	2	66	4	97	-	-	-	-	-	-	4	97	-	+0
Trustee Funds - Alaska Townsites	-	-	-	-	-	-	-	-	-	-	-	-	-	+0
<b>Total, Miscellaneous Trust Fund</b>	<b>89</b>	<b>23,477</b>	<b>93</b>	<b>26,220</b>	-	-	-	-	-	-	<b>93</b>	<b>25,150</b>	-	<b>-1,070</b>

## Appropriation: Miscellaneous Trust Funds (Current and Permanent)

### Activity Description

The Land and Resource Management Trust Fund provides for resource development, protection, and management improvement of the public lands using money and services that are contributed to the BLM from non-Federal sources.

Contributions and donations of money from private individuals, companies, user organizations, State government agencies, and other non-Federal entities provide for the performance of certain conservation practices. Any money remaining after the project is completed is returned to the contributor if they desire.

#### Current Appropriations:

Funds are routinely received for the following purposes:

- **Conveyance of Omitted Lands** - This activity accounts for contributed funds for land and realty actions from non-Federal sources or applicants as agreed to through an established contribution agreement.
- **Resource Development, Protection, and Management--FLMPA** - According to FLPMA, the BLM can accept contributed money or services for resource development, protection, and management; conveyance or acquisition of public lands; and conducting cadastral surveys.
- **Resource Development, Protection and Management of California Off-Highway Vehicles** - Includes contributions from the State of California Off-Highway Vehicle license ("Green Sticker") fund. The BLM uses this fund for the development, maintenance, and operation of benefiting projects on BLM-administered public lands in California. The BLM requests these funds from the State of California each year through a competitive process. The amount awarded to the BLM varies each year.
- **Wildlife & Fish Conservation & Rehabilitation--Sikes Act** - The Sikes Act authorizes State game and fish departments to charge fees for activities such as hunting, fishing, and trapping on Federal lands. These funds are shared with the BLM and used by the BLM for the conservation, restoration, management and improvement of wildlife species and their habitat.
- **Rights-of-Way** - This activity accounts for funds contributed by private entities to pay the casework costs of processing Rights-of-Way grants requested by them.

#### Permanent Appropriations:

The following funds are permanently available as Permanent Miscellaneous Trust Funds to the Secretary of the Interior for efforts as specified by the authorizing Act:

- ***Taylor Grazing Act Contributions*** - These contributions are permanently appropriated as trust funds to the Secretary for rangeland improvement.
- ***Public Survey Contributions*** - These funds are contributions from individuals, companies or other users of the public lands, for cadastral survey services provided by the BLM.
- ***Trustee Funds, Alaska Townsites*** - These contributions are provided for the sale of town lots to non-Native Alaskans. These trust funds provide for the survey and deed transfer of town lots. Purchasers pay the cost of survey and deed transfer plus \$25. (Native Alaskans are exempt from payment.) Only lots occupied before the passage of FLPMA may be deeded to the occupants; all other lots are the property of the municipality.

## Budget Schedules

Account Symbol and Title 14X9971 Miscellaneous Trust Funds	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Resource development FLPMA	0001	13	14	14
Resource development CA OHV	0002	4	4	4
Resource development Taylor Grazing	0003	1	1	1
Public Survey	0004	0	0	0
Sikes Act	0005	0	1	1
Total new obligations	0900	18	20	20
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	53	59	64
Recoveries of prior year unpaid obligations	1021	1	0	0
Unobligated balance (total)	1050	54	59	64
Budget authority:				
Appropriations, mandatory:				
Appropriation (special or trust fund)	1201	23	25	25
Appropriation (previously unavailable)	1203	0	0	0
Appropriations and/or unobligated balance of appropriations temporarily reduced	1232	0	0	0
Appropriations, mandatory (total)	1260	23	25	25
Appropriations, mandatory - Computed Totals	1260-20	23	25	25
Appropriation [Text]	1260-40	21	25	25
Baseline Civilian Pay	1260-50		8	8
Baseline Non-Pay	1260-50		17	17
Policy Outlays:				
New Authority	1260-61	6	16	16
Balances (excl of EOY PY Bal)	1260-62	13	0	8
End of PY Balances	1260-63		8	0
Subtotal, outlays	1260-64	19	24	24
Baseline Outlays:				
New Authority	1260-81		16	16
Balances (excl of EOY PY Bal)	1260-82			8
End of PY Balances	1260-83		8	0
Subtotal, outlays	1260-84		24	24
Effects of 2014 sequester	1260-40	2	0	0
Baseline Non-Pay	1260-50		0	0
Policy Outlays:				
New Authority	1260-61	0	0	0
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63		0	0

Account Symbol and Title 14X9971				
Miscellaneous Trust Funds	Line	2015 Act	2016 CY	2017 BY
Subtotal, outlays	1260-64	0	0	0
Baseline Outlays:				
New Authority	1260-81		0	0
Balances (excl of EOY PY Bal)	1260-82		0	0
End of PY Balances	1260-83		0	0
Subtotal, outlays	1260-84		0	0
Total budgetary resources available	1930	77	84	89
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	59	64	69
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	10	8	4
Obligations incurred, unexpired accounts	3010	18	20	20
Outlays (gross)	3020	-19	-24	-24
Recoveries of prior year unpaid obligations, unexpired	3040	-1	0	0
Unpaid obligations, end of year	3050	8	4	0
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	10	8	4
Obligated balance, end of year	3200	8	4	0
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	23	25	25
Outlays, gross:				
Outlays from new mandatory authority	4100	6	16	16
Outlays from mandatory balances	4101	13	8	8
Outlays, gross (total)	4110	19	24	24
Budget authority, net (mandatory)	4160	23	25	25
Outlays, net (mandatory)	4170	19	24	24
Budget authority, net (total)	4180	23	25	25
Outlays, net (total)	4190	19	24	24
NON-INVESTMENT ACTIVITIES:				
Direct Federal programs:				
Budget Authority	2004-01	23	25	25
Outlays	2004-02	19	24	24

## Object Classification

Account Symbol and Title 14X9971 Miscellaneous Trust Funds		Line	2015 Act	2016 CY	2017 BY
Direct obligations:					
Personnel compensation:					
Full-time permanent	11.1	4	4	4	
Other than full-time permanent	11.3	1	1	1	
Other personnel compensation	11.5	1	1	1	
Total personnel compensation	11.9	6	6	6	
Civilian personnel benefits	12.1	2	2	2	
Other services from non-Federal sources	25.2	2	3	3	
Other goods and services from Federal sources	25.3	3	3	3	
Supplies and materials	26.0	1	1	1	
Land and structures	32.0	1	2	2	
Grants, subsidies, and contributions	41.0	3	3	3	
Total new obligations	99.9	18	20	20	
<b>Employment Summary</b>					
Direct civilian full-time equivalent employment	1001	89	93	93	
<b>Budget year budgetary resources [014-9971]</b>					
	1000			22,930	

# Helium Fund and Operations



# HELIUM FUND AND OPERATIONS

## Appropriations Language

No Appropriations Language

## Explanation

No appropriations language is necessary. The Helium Stewardship Act of 2013, Public Law No. 113-40, provides the authority and funding for operation of the program.

**Summary of Requirements**  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	2017 President's Budget				Requested Amount		Change from 2016			
	FTE	Amount	FTE	Amount		Transfers		Program Change		FTE	Amount	FTE	Amount	FTE	Amount
						FTE	Amount	FTE	Amount						
Helium Fund	-	46,747	-	26,975	-1	-	-	-	-	-	25,654	-	(1,321)		
Offsetting Collections	-	(46,747)	-	(26,975)	-1	-	-	-	-	-	(25,654)	-	1,321		
Production and Sales	19	43,666	19	23,327	-1	-	-	-	-	19	20,937	-	(2,390)		
Transmission & Storage Operations	19	850	19	1,350	-1	-	-	-	-	19	2,350	-	1,000		
Administrative and Other Expenses	19	2,231	19	2,298	-1	-	-	-	-	19	2,367	-	69		
<b>Total, Helium</b>	<b>57</b>	<b>46,747</b>	<b>57</b>	<b>26,975</b>						<b>57</b>	<b>25,654</b>	<b>-</b>	<b>(1,321)</b>		

## Activity: Helium Fund and Operations

### Justification of 2017 Program Changes

The 2017 budget request for the Helium Fund and Operations program is \$25,654,000 and 57 FTE, a program decrease of \$1,321,000 from the 2016 estimate. The amount of the 2017 budget request is based on estimated costs of natural gas and liquid gas sales operations of the Crude Helium Enrichment Unit, and oversight of helium production on Federal lands. The Helium Stewardship Act of 2013 (HSA) required the BLM to hold a sale and auction in 2015 for helium that will be delivered in 2016. In 2015, the BLM held one sale, both allocated and non-allocated, and one auction. Due to extended contract negotiations with the Federal Helium System's Storage Contract Holders, the BLM received payment in FY 2016 for helium purchased in 2015 to be delivered in 2016.

### Program Overview

The Helium Act Amendments of 1960, Public Law 86–777 (50 U.S.C. 167), authorized activities necessary to provide sufficient helium to meet the current and foreseeable future needs of essential government activities. The Helium Privatization Act of 1996 (HPA), Public Law 104–273, provided for the eventual privatization of the program and its functions, specifying that once the helium debt is retired, the Helium Production Fund would be dissolved. The debt was repaid at the beginning of fiscal year 2014. The HSA, Public Law 113-40, provided for continued operation of the Helium program while facilitating a gradual exit from the helium market.

The HSA established the following goals for the BLM's Helium program:

- Continued storage and transmission of crude helium;
- Oversight of the production of helium on Federal lands; and
- Administration of in-kind and open market crude helium gas sale programs.

To minimize impacts to the helium market, the HSA provides a "glide path" for ensuring a market-based price for the sale of crude helium through an annual auction and crude helium sale until the amount in storage reaches 3.0 billion cubic feet of federally owned helium. At that point, sales to private industry will cease and the remaining helium will be reserved for Federal users until the HSA mandated disposal of the program assets and sunset of the program by September 30, 2021.

The table below shows actual and estimated revenues for 2014 through 2017. The revenues include funds from the sale of crude helium (through sales and auctions, as described above) and revenue from in-kind crude helium sales, sales of natural gas and natural gas liquids, and royalties from the extraction of helium from Federal lands. Collections in excess of operating costs were deposited to a receipt account and are not shown in the Summary of Requirements table as revenue.

Helium Program	\$ in thousands			
	2014 Actual	2015 Actual	2016 Estimate	2017 Estimate
Revenues	242,111	181,699	207,297	125,811

The BLM Helium Program is currently responsible for the following operational activities:

- Storing and transmitting Federal and private crude helium via the helium storage system;
- Administering the helium fee and royalty contracts for helium extracted from gas produced on Federal lands;
- Administering the in-kind and open market crude helium gas sale program; and
- Conducting helium resource evaluation and reserve tracking to determine the extent of helium resources.

The helium storage system ensures that excess helium produced from natural gas processing plants connected to the pipeline network is conserved for future use. Federally owned natural gas containing marketable helium reserves will be identified and contracted for sale or royalty to enhance conservation of crude helium already in storage.

### **Funding History**

The income derived from crude helium sales, private helium storage, and fee sales/royalty payments for helium extracted from Federal lands pays the full cost of the Helium Program, pursuant to the HSA.

Funds generated from the sale of helium were used to repay the Helium Debt. The Helium Debt was retired at the beginning of FY 2014.

### **2017 Program Performance**

The amount of the budget request is based on estimated costs of natural gas and liquid gas sales operations of the Crude Helium Enrichment Unit, and oversight of helium production on Federal lands. The income derived from crude helium sales, from private helium storage, and from fee sales/royalty payments for helium extracted from Federal lands will continue to pay for the full costs of the program.

**Helium Fund-** Revenues from the sale or auction of helium, as well as royalties from helium extraction on Federal lands and sales of natural gas and natural liquids byproducts from helium enrichment are deposited in the Helium Fund. In 2015, approximately \$182 million in revenues was deposited in the Helium Fund. Revenue from the 2015 sale and auction was received in early FY 2016 and is included in the FY 2016 revenue estimate.

## Budget Schedules

Account Symbol and Title 14X4053 Helium Fund	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Production and sales	0801	7	20	20
Transmission and storage	0802	3	2	2
Administration and other expenses	0803	3	2	3
Total new obligations	0900	13	24	25
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	216	148	27
Recoveries of prior year unpaid obligations	1021	1	0	0
Capital transfer of unobligated balances to general fund	1022	-100	-124	0
Unobligated balances applied to repay debt	1023	0	0	0
Unobligated balance (total)	1050	117	24	27
Budget authority:				
Appropriations, mandatory:				
Appropriations and/or unobligated balance of appropriations permanently reduced	1230	0	0	0
Appropriations, mandatory (total)	1260	0	0	0
Spending authority from offsetting collections, discretionary:				
Offsetting collections (previously unavailable)	1702	0	0	0
Spending auth from offsetting collections, disc (total)	1750	0	0	0
Spending authority from offsetting collections, mandatory:				
Collected	1800	47	25	25
Offsetting collections (previously unavailable)	1802	0	3	1
Capital transfer of spending authority from offsetting collections to general fund	1820	0	0	0
New and/or unobligated balance of spending authority from offsetting collections temporarily reduced	1823	-3	-1	0
Spending auth from offsetting collections, mand (total)	1850	44	27	26
Spending auth from offsetting collections, mand - Computed Totals	1850-20	44	27	26
Spending authority from offsetting collections [Text]	1850-40	44	24	25
Baseline Program [Text]	1850-50		24	25

Account Symbol and Title 14X4053 Helium Fund				
	Line	2015 Act	2016 CY	2017 BY
Policy Outlays:				
New Authority	1850-61	9	4	4
Balances (excl of EOY PY Bal)	1850-62	7		20
End of PY Balances	1850-63		20	0
Subtotal, outlays	1850-64	16	24	24
Baseline Outlays:				
New Authority	1850-81		4	4
Balances (excl of EOY PY Bal)	1850-82			20
End of PY Balances	1850-83		20	0
Subtotal, outlays	1850-84		24	24
Spending authority from offsetting collections [Text]	1850-40	0	3	1
Spending authority from offsetting collections [Text]	1850-50		3	1
Policy Outlays:				
New Authority	1850-61	0	3	1
Balances (excl of EOY PY Bal)	1850-62	0		0
End of PY Balances	1850-63		0	0
Subtotal, outlays	1850-64	0	3	1
Baseline Outlays:				
New Authority	1850-81		3	1
Balances (excl of EOY PY Bal)	1850-82		0	0
End of PY Balances	1850-83		0	0
Subtotal, outlays	1850-84		3	1
Budget authority (total)	1900	44	27	26
Total budgetary resources available	1930	161	51	53
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	148	27	28
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	14	10	7
Obligations incurred, unexpired accounts	3010	13	24	25
Outlays (gross)	3020	-16	-27	-25
Recoveries of prior year unpaid obligations, unexpired	3040	-1	0	0
Unpaid obligations, end of year	3050	10	7	7
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	14	10	7
Obligated balance, end of year	3200	10	7	7
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	44	27	26

Account Symbol and Title				
14X4053				
Helium Fund	Line	2015 Act	2016 CY	2017 BY
Outlays, gross:				
Outlays from new mandatory authority	4100	9	7	5
Outlays from mandatory balances	4101	7	20	20
Outlays, gross (total)	4110	16	27	25
Offsets against gross budget authority and outlays:				
Offsetting collections (collected) from:				
Non-Federal sources	4123	-47	-25	-25
Non-Federal sources (total)	4123-10	-47	-25	-25
Policy Program [Text]	4123-41	-47	-25	-25
Baseline Program [Text]	4123-71		-25	-25
Budget authority, net (mandatory)	4160	-3	2	1
Outlays, net (mandatory)	4170	-31	2	0
Budget authority, net (total)	4180	-3	2	1
Outlays, net (total)	4190	-31	2	0
Memorandum (non-add) entries:				
Unexpired unavailable balance, SOY: Offsetting collections	5090	0	3	1
Unexpired unavailable balance, EOY: Offsetting collections	5092	3	1	0
Unexpired unavailable balance, SOY: Appropriations	5096	0	0	0
Unexpired unavailable balance, EOY: Appropriations	5098	0	0	0
<b>INVESTMENT ACTIVITIES:</b>				
Physical assets:				
Major equipment:				
Other physical assets:				
Direct Federal programs:				
Budget Authority	1352-01	-3	2	1
Outlays	1352-02	-31	2	0
<b>Balance Sheet</b>				
<b>ASSETS:</b>				
Federal assets:				
Fund balances with Treasury	1101	230		
Other Federal assets:				
Inventories and related properties	1802	95		
Property, plant and equipment, net	1803	9		
Other assets	1901	179		
Total assets	1999	513		
<b>LIABILITIES:</b>				
Federal liabilities:				
Debt	2103	0		
Other	2105	289		
Total liabilities	2999	289		

Account Symbol and Title 14X4053 Helium Fund		Line	2015 Act	2016 CY	2017 BY
<b>NET POSITION:</b>					
Cumulative results of operations		3300	224		
Total liabilities and net position		4999	513		
<b>Object Classification</b>					
Reimbursable obligations:					
Personnel compensation:					
Full-time permanent		11.1	4	5	5
Civilian personnel benefits		12.1	1	1	1
Communications, utilities, and miscellaneous charges		23.3	3	4	4
Other services from non-Federal sources		25.2	4	6	7
Supplies and materials		26.0	1	2	2
Equipment		31.0	0	1	1
Grants, subsidies, and contributions		41.0	0	5	5
Total new obligations		99.9	13	24	25
<b>Employment Summary</b>					
Reimbursable civilian full-time equivalent employment		2001	57	57	57

# Abandoned Wells Remediation Fund



# ABANDONED WELLS REMEDIATION FUND

## Appropriations Language

(b) ABANDONED WELL REMEDIATION.—Section 349 of the Energy Policy Act of 2005 (42 U.S.C. 15907) is amended by adding at the end the following:

“(j) FEDERALLY DRILLED WELLS.—Out of any amounts in the Treasury not otherwise appropriated, \$10,000,000 for fiscal year 2014, \$36,000,000 for fiscal year 2015, and \$4,000,000 for fiscal year 2019 shall be made available to the Secretary, without further appropriation and to remain available until expended, to remediate, reclaim, and close abandoned oil and gas wells on current or former National Petroleum Reserve land.”.

## Appropriations Language Citations and Authorizations

**Public Law 113-40, Helium  
Stewardship Act of 2013**

Provides funding to remediate, reclaim and close abandoned oil and gas wells on current and former National Petroleum Reserve Land.

**Summary of Requirements**  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	Transfers		2017 President's Budget Program Change		Requested Amount		Change from 2016	
	FTE	Amount	FTE	Amount		FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Abandoned Wells Remediation	2	33,372	2	-	-	-	-	-	-	2	-	-	-

*Note: The 2015 actual amount reflects sequester in 2015*

## Activity: Abandoned Wells Remediation Fund

### Program Overview

This permanent appropriation was enacted in the Helium Stewardship Act of 2013.

#### Program Components

The BLM is responsible for managing 136 wells within the 22.8 million acre National Petroleum Reserve in Alaska (NPR-A). All well sites have been thoroughly reviewed and grouped into three categories:

Wells Requiring No Additional BLM Action	71
Wells Currently In Use By USGS	18
Wells Currently Requiring BLM Action	47

18 of the 47 wells requiring BLM action will be remediated under current task orders and requests for proposals. The wells requiring no additional action include those wells that have previously been remediated by the BLM or other Federal agencies, those conveyed to the North Slope Borough under the Barrow Gas Field Transfer Act of 1984 (P.L. 98-366), and shallow test boreholes that present no subsurface or surface risks. The wells currently being used by the U.S. Geological Survey (USGS) are part of climate change monitoring studies, and the BLM will work with the USGS to establish a plan for the eventual disposition and remediation of these wells when they are no longer necessary for research.

There were 50 wells analyzed based on details from the 2013 Legacy Wells Summary Report (released May 2013) and put into an action plan within the 2013 Legacy Wells Strategic Plan (released September 2013), of which 3 have since been remediated. The 50 wells accounted for the potential surface and subsurface risks posed to human health, safety, and the environment. The plan presents a near-term strategy for addressing the highest priority wells. The strategy is dynamic and flexible, meaning that the order of remediation work will be adjusted as site conditions change and additional information becomes available.

#### Critical Factors

- The BLM will use an adaptive management approach and adjust to the dynamic situation on the ground in the NPR-A by continuing to conduct risk evaluations, monitor changing site conditions, evaluate strategic plan effectiveness, and develop new or updated actions if necessary to remediate legacy well sites.
- The BLM will continue to work with stakeholders, such as the North Slope Borough (NSB) and the Arctic Slope Regional Corporation, to coordinate well plugging and clean-up activities, determine future prioritization, and assure cost effective closure of legacy well sites. The BLM will coordinate with Barrow Gas Field staff and the Alaska Oil and Gas Conservation Commission (AOGCC) on technical concerns for each well, and with the NSB to identify research opportunities in the Simpson Peninsula. The BLM will coordinate any contaminant investigation of a potential release with the Alaska Department of Environmental Conservation (ADEC) and appropriate stakeholders.

## 2017 Program Performance

The September 2013 passage of the Helium Stewardship Act of 2013 (Helium Act) included a provision to fund BLM's legacy well cleanup efforts with \$50 million dollars over fiscal years 2014 to 2019. The BLM continues to follow the path outlined in the 2013 Legacy Wells Strategic Plan for the duration of available funding from this Abandoned Well Remediation Fund.

In fiscal year 2015, approximately \$10 million dollars of this allocation was spent remediating three wells at Umiat, and conducting surface clean-up of three wells on the Simpson Peninsula. Because the wells at Umiat are complete, the BLM plans to continue work in two separate geographic areas; Barrow and the Simpson Peninsula in 2016.

On December 4, 2015, the BLM awarded contracts to two Alaska Native-owned businesses for remediation of legacy wells in the NPR-A. The Indefinite Delivery Indefinite Quantity (IDIQ) contracts will enable the two companies to compete for individual task orders for the efficient cleanup of priority legacy well sites. The contracts will use the remaining \$40 million allocated under the Helium Act. With this IDIQ, BLM will be able to expeditiously award individual task orders and reduce overall costs.

The first task order was awarded to Marsh Creek, LLC, to complete the remediation of four legacy wells near Barrow, Alaska. The legacy wells are: Avak #1, Barrow Core Rig Test #2, Iko Bay #1, and South Barrow #3. On-site work is expected to begin the end of January or beginning of February 2016, depending on weather conditions.

The BLM has also issued 2 requests for proposals (RFPs); the first to perform various levels of remediation of 11 wells in the vicinity of Cape Simpson. The legacy wells are: Simpson Core Tests #13, #14, #14A, #15, #26, #27, #28, #29, #30, #30A, and #31. Proposals were received on January 13, 2016. The second RFP addresses the 3 remaining wells in Barrow and includes: Arcon Barrow Core Test #1, South Barrow #1, and South Barrow #2.

The BLM will review contractor bids for these proposals in January and February 2016. If the proposals allow BLM to fund the remediation of the 18 wells identified in the task orders, there will be 29 remaining wells identified in the 2013 Legacy Wells Strategic Plan that will still require remediation.

The 2017 budget request for BLM's Oil and Gas Management program includes a \$2.8 million increase for addressing Alaska legacy wells that will supplement permanent funds provided in the Helium Stewardship Act.

## Budget Schedules

Account Symbol and Title 14X2640 Abandoned Well Remediation Fund	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Abandoned Well Remediation Fund (Direct)	0001	9	15	10
Total new obligations (object class 25.2)	0900	9	15	10
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	10	34	19
Budget authority:				
Appropriations, mandatory:				
Appropriation	1200	36	0	0
Appropriations and/or unobligated balance of appropriations permanently reduced	1230	-3	0	0
Appropriations, mandatory (total)	1260	33	0	0
Appropriations, mandatory - Computed Totals	1260-20	33	0	0
Appropriation [Abandoned well remediation fund]	1260-40	33	0	0
Baseline Civilian Pay	1260-50		0	0
Baseline Non-Pay	1260-50		0	0
Policy Outlays:				
New Authority	1260-61	0	0	0
Balances (excl of EOY PY Bal)	1260-62	8	0	0
End of PY Balances	1260-63		8	8
Subtotal, outlays	1260-64	8	8	8
Baseline Outlays:				
New Authority	1260-81		0	0
Balances (excl of EOY PY Bal)	1260-82			0
End of PY Balances	1260-83		8	8
Subtotal, outlays	1260-84		8	8
Total budgetary resources available	1930	43	34	19
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	34	19	9
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	0	1	8
Obligations incurred, unexpired accounts	3010	9	15	10
Outlays (gross)	3020	-8	-8	-8
Unpaid obligations, end of year	3050	1	8	10

Account Symbol and Title				
14X2640				
Abandoned Well Remediation Fund	Line	2015 Act	2016 CY	2017 BY
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	0	1	8
Obligated balance, end of year	3200	1	8	10
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	33	0	0
Outlays, gross:				
Outlays from mandatory balances	4101	8	8	8
Budget authority, net (mandatory)	4160	33	0	0
Outlays, net (mandatory)	4170	8	8	8
Budget authority, net (total)	4180	33	0	0
Outlays, net (total)	4190	8	8	8
<b>INVESTMENT ACTIVITIES:</b>				
Physical assets:				
Construction and rehabilitation:				
Research and development facilities:				
Direct Federal Programs:				
Budget Authority	1312-01	33	0	0
Outlays	1312-02	8	8	8
<b>Object Classification</b>				
Direct obligations:				
Other services from non-Federal sources	25.2	9	15	10
<b>Employment Summary</b>				
Direct civilian full-time equivalent employment	1001	2	2	2

# Administrative Provisions



# ADMINISTRATIVE PROVISIONS

## Appropriations Language

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$10,000: *Provided*, That notwithstanding Public Law 90–620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.*)

## Appropriation Language Citations

**44 U.S.C. 501** provides that all executive, congressional, and judicial printing must be done at the GPO, except for printing in field plants operated by executive departments or independent offices if approved by the Joint Committee on Printing.

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# Appendices



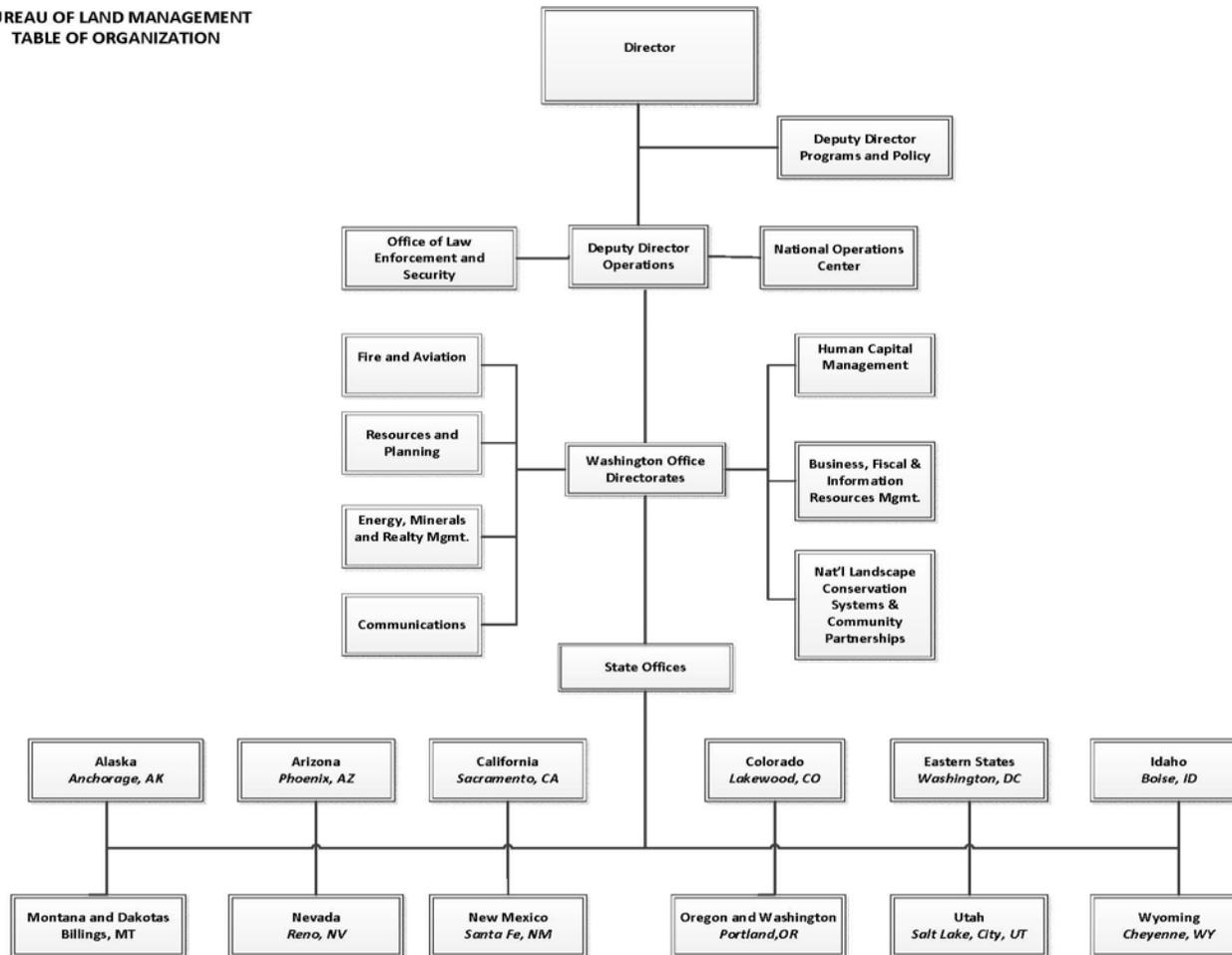
# EMPLOYEE COUNT BY GRADE

## Employee Count by Grade (Total Employment)

	Prior Year Actuals (2015)	Current Year Estimate (2016)	Budget Year Estimate (2017)
Executive Level V .....	1	1	1
SES .....	18	18	18
<b>Subtotal</b> .....	<b>19</b>	<b>19</b>	<b>19</b>
SL - 00 .....	0	0	0
ST - 00 .....	0	0	0
<b>Subtotal</b> .....	<b>0</b>	<b>0</b>	<b>0</b>
GS/GM -15 .....	92	92	92
GS/GM -14 .....	341	352	363
GS/GM -13 .....	922	927	934
GS -12 .....	1,516	1,527	1,538
GS -11 .....	2,512	2,519	2,526
GS -10 .....	59	59	59
GS - 9 .....	1,087	1,099	1,106
GS - 8 .....	245	246	247
GS - 7 .....	1,074	1,074	1,074
GS - 6 .....	511	511	511
GS - 5 .....	562	562	562
GS - 4 .....	432	432	432
GS - 3 .....	266	266	266
GS - 2 .....	34	34	34
GS - 1 .....	0	0	0
<b>Subtotal</b> .....	<b>9,653</b>	<b>9,700</b>	<b>9,744</b>
Other Pay Schedule Systems .....	475	477	481
<b>Total employment (actuals &amp; estimates)</b> .....	<b>10,147</b>	<b>10,196</b>	<b>10,244</b>
* Number of actual employees, whether employees are full or part-time.			
<b>Total FTE usage (actual &amp; projected)</b> .....	<b>9,451</b>	<b>9,641</b>	<b>9,727</b>

# TABLE OF ORGANIZATION

BUREAU OF LAND MANAGEMENT  
TABLE OF ORGANIZATION



**From:** Nelson, Andrea  
**To:** [Hermann, Maya \(Heinrich\)](#)  
**Cc:** [Lisa Morrison](#)  
**Subject:** Re: Greenbooks  
**Date:** Thursday, February 25, 2016 12:57:29 PM  
**Attachments:** [FY2017\\_BLM\\_Budget\\_Justification.pdf](#)

---

Maya,  
BLM Greenbook attached.  
Andrea

Andrea Nelson  
BLM Legislative Affairs  
202-912-7431 (direct)  
202-536-9860 (cell)  
[anelson@blm.gov](mailto:anelson@blm.gov)

On Fri, Feb 12, 2016 at 6:22 PM, Hermann, Maya (Heinrich)  
<[Maya\\_Hermann@heinrich.senate.gov](mailto:Maya_Hermann@heinrich.senate.gov)> wrote:

Got your voicemail—thanks for following up! If you can let me know when it's online, I'd appreciate it, but nothing especially urgent.

---

**Maya Hermann**

**Legislative Assistant | Office of U.S. Senator Martin Heinrich of New Mexico**

**Web:** [Heinrich.Senate.Gov](http://Heinrich.Senate.Gov)

**Email:** [maya\\_hermann@heinrich.senate.gov](mailto:maya_hermann@heinrich.senate.gov)

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**BUDGET** The United States  
Department of the Interior  
**JUSTIFICATIONS**

and Performance Information  
Fiscal Year 2017

**BUREAU OF  
LAND MANAGEMENT**

NOTICE: These budget justifications are prepared for the Interior, Environment and Related Agencies Appropriations Subcommittees.

Approval for release of the justifications prior to their printing in the public record of the Subcommittee hearings may be obtained through the Office of Budget of the Department of the Interior.



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# Executive Summary



# EXECUTIVE SUMMARY

The Bureau of Land Management (BLM) manages public lands for the benefit of all Americans. Charged by Congress with managing these lands under the dual framework of multiple use and sustained yield, the BLM oversees some of the most spectacular landscapes in the West and Alaska. Today, the BLM undertakes its mission to maintain the health, diversity, and productivity of public lands in an increasingly complex and growing Nation. The BLM is working hard to develop new tools and innovative strategies to carry out our longstanding task of achieving balanced management of the national public lands.

The BLM's mandate, laid out in the *Federal Land Policy and Management Act of 1976 (FLPMA)*, requires the agency to manage the national public lands for multiple use and sustained yield. This mission emphasizes the interconnection and interdependence between people and the public lands. It also requires the agency to take into consideration the diversity of interests and values associated with the Nation's natural and cultural resources when making land use decisions. This multidisciplinary approach remains one of the BLM's greatest strengths.

The 2017 budget request for the BLM positions the agency for success by further strengthening the Administration's commitment to restoring and conserving the Nation's 65 million acre sage-steppe ecosystem, supporting the safe and effective management of the agency's oil and gas program, making historic investments in the BLM's National Conservation Lands, and taking a proactive approach to better manage the unsustainable proliferation of wild horses and burros on western public lands.

In 2015, the BLM's update of nearly 70 land use plans across 10 different States, served as the critical underpinning for the Fish and Wildlife Service's (FWS) decision to keep the Greater Sage-Grouse off the Endangered Species Act (ESA) list at this time. The Greater Sage-Grouse conservation effort is the largest landscape-scale conservation undertaking in U.S. history, and resulted from strong and sustained collaboration among State, local, tribal and Federal partners and private stakeholders. While this historic collaboration resulted in an outcome celebrated across the West, the work of the BLM to implement these plans has just begun. The future of sage steppe lands depends on the successful implementation of the Federal and State management plans and the actions of private landowners, as well as a continuing focus on reducing invasive grasses and controlling rangeland fire. This budget supports the BLM's long-term commitment to successfully implementing the sage grouse plans.

The BLM made significant progress in 2015 promoting responsible energy development on public lands while also managing for a wide range of uses on the 245 million acres managed by the agency. The BLM advanced modern safety and production-measurement regulations, made progress developing master leasing plans for oil and gas areas, undertook new landscape-scale planning efforts to achieve both conservation and energy development goals, and made critical investments in technological upgrades to facilitate key aspects of its work. This budget includes investments that support the safe and effective management of the 100,000 oil and gas production wells the BLM is responsible for overseeing and will help bolster BLM's capacity to effectively respond to industry demand and manage the increasing workload in its Oil and Gas Management program.

This budget also includes historic levels of funding and investment in the BLM National Conservation Lands, one of the greatest gifts we can give to future generations. Through legislative action and Presidential initiative, special designations for these lands protect significant resource values, provide exceptional opportunities for recreation, and make significant contributions to local economies. The proposed investments will help ensure that these legacy lands are managed for the enjoyment of all Americans and preserved in perpetuity.

When the Wild Horse and Burro Act was passed in the 1970s, approximately 25,000 wild horses could be found nationwide. Today, the BLM is attempting to manage the 58,000 animals that are on the western rangelands – more than twice as many as is sustainable for these areas – while also seeking to find homes for the roughly 48,000 horses and burros that have already been removed from the range and are living on leased pastures or in corrals. The costs of this program are substantial and unsustainable. The agency projects that the cost of caring for a horse in a corral facility is nearly \$50,000 over the life of the animal, and this situation has created very serious challenges to effective cost management. The FY 2017 budget request supports new, innovative efforts to secure safe and cost-effective placement for unadopted animals, which will work in tandem with more proactive efforts beginning in 2016 to better manage the overpopulation problem. In addition to expanding use of contraceptives and spay and neuter treatments, the BLM is proposing legislation to better facilitate the transfer of animals to other public entities, including local, state, and Federal government agencies. The BLM's proactive efforts in 2016 and 2017 are designed to begin addressing the severe overpopulation via increased adoptions and better herd management, and will ultimately save money for American taxpayers by avoiding the significant costs of holding animals over the long-term.

Once again, the budget request includes a legislative proposal for the formation of a BLM Foundation that will help link Americans to their public lands and provide a vehicle for innovative public-private partnerships on the wide range of BLM issues and programs. The BLM is the Nation's only large land management agency without a congressionally chartered foundation to support its work.

## **Bureau Overview**

About 9,700 BLM employees manage a vast portfolio of public lands and resources encompassing 245 million surface acres, primarily located in 12 Western States, including Alaska, and in scattered tracts east of the Mississippi. The BLM also administers 700 million acres of sub-surface mineral estate throughout the Nation, as well as the mineral operations and cadastral surveys on 56 million acres of Indian trust lands. In total, the BLM is entrusted with 13 percent of the Nation's surface land and roughly one-third of its mineral resources.



These public lands serve several important functions. As population growth in the West has expanded, the BLM has faced a corresponding rise in public demand for uses such as recreation, wildlife observation, and open space. At the same time, the Nation's public lands also provide energy, minerals, forage, forest products, and other goods to a growing Nation.

These lands support the production of natural gas, oil, and coal, as well as the solar, wind, and geothermal resources that are driving the Nation's new energy economy. The BLM is a steward of the Nation's public lands, helping to preserve the great American wilderness, protect threatened and endangered species, restore valuable habitat, manage forest and rangeland fires, preserve historical and paleontological resources, and administer a range of resources that benefit a growing economy. In these ways, the BLM's management efforts contribute to the vitality of local economies, and deliver benefits to all Americans.

As with all great responsibilities, effective public land management also entails considerable challenges that the BLM addresses through cooperation and creativity. Collaboration is the hallmark of the BLM's management approach, engaging a wide range of stakeholders and communities in all its land management decisions.

### 2017 Budget Request

The 2017 BLM budget request for current appropriations is \$1.3 billion, \$7.1 million above the 2016 enacted level. The budget proposes \$1.1 billion for the Management of Lands and Resources appropriation and \$107 million for the Oregon and California Grant Lands appropriation, BLM's two main operating accounts, which represents a net increase of \$2.1 million over the 2016 enacted level. The change in total program resources for BLM operations from 2016 to 2017 is somewhat larger, as the budget proposes offsetting user fees in its Rangeland Management and Oil and Gas Management programs which reduce the total request by \$64.5 million. The budget also proposes \$44 million in discretionary funding for Land Acquisition, an increase \$5.3 million above the 2016 enacted level.

Recent Department of the Interior (Interior) studies indicate that BLM's management of the public lands provides an outstanding economic return to the American people. For example, over 4.36 billion tons of coal were produced from Federal leases with a total value of \$61.4 billion. In 2014,<sup>1</sup> activities on BLM managed lands were estimated to contribute \$114 billion to the Nation's economic output and supported nearly 450,000 domestic jobs through extractive and non-extractive uses of those lands.<sup>2</sup>

This request provides sustainable benefits across the West and for the Nation as a whole. It maintains working landscapes for grazing, timber and recreation; it strengthens oversight of onshore oil and gas development while providing increased opportunities for developing these economic resources; and it protects unique wildlife habitat and ecosystem functions that are also essential sources for clean water, clean air, carbon sequestration, nutrient cycling and cultural preservation.

**Powering Our Future & Responsible Use of the Nation's Resources** – The BLM has approved 55 renewable energy projects since 2009, including 32 solar projects, 11 wind farms, and 12 geothermal plants, with associate transmission corridors and infrastructure to connect with established power grids. These projects represent a total of over 14,500 MWs of capacity that could provide power to over 4.9 million homes and support some 24,000 construction and operations jobs. These approved projects have also facilitated substantial capital investments

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<sup>1</sup> The most recent year for which figures are available.

<sup>2</sup> Department of the Interior Economic Impact Report, 2014 (page 18)

by industry in clean energy development. Total capital investments for projects that have completed construction to date are estimated at \$8.6 billion. Total potential future capital investments for projects that are pending construction are estimated at 28 billion. In addition to solar and wind energy, BLM has authorized a total of 48 geothermal projects.



In 2015, the BLM held 22 oil and gas lease sales, generating more than \$159 million in bonus bids and rental fees. Approximately half of this revenue, in addition to royalties, goes directly back to the States in which the development was located. In addition, BLM's efforts to modernize its out-of-date oil and gas regulations began to take shape in the form of rule proposals and final regulations.

In addition, in 2015 the BLM published its final rule on hydraulic fracturing. The rule protects water quality for communities by establishing standards for well construction and the handling of water after it is used in fracturing operations. It also increases public access to information about chemicals used and other aspects of the hydraulic fracturing process. The BLM also published three proposed rules that update its requirements for the measurement of oil and gas extracted from the Nation's public lands in order to ensure those resources are properly accounted for and that all royalties due are paid. Public comments on the proposed rules will be taken into account as the final rules are written in 2016.

Six Master Leasing Plans (MLP) were completed in Wyoming and Colorado, and the draft MLP for Moab, the first plan in Utah to reach that stage, was published. By providing for more orderly development, MLPs will lend more certainty to industry while limiting the number of leasing protests and challenges.

Accordingly, the 2017 budget reflects continued strong support for the Administration's energy goals and further strengthens the management of onshore oil and gas development. This budget request proposes a net discretionary increase of \$20.1 million above the 2016 enacted level to support implementation of oil and gas rules and regulations, make additional investments in technology and personnel recruitment and retention to improve program management and implementation, and address legacy wells on Alaska's North Slope. This net increase reflects a reduction of \$760,000 in the requested appropriation of APD fee revenue authorized, but not permanently appropriated, by the National Defense Authorization Act of 2015. This reduction reflects a projected decrease in APD fees to be collected in 2017.

Since 2000, the BLM has permitted nearly 47,000 new oil and gas wells; however, the agency's role does not end once a well goes into production. The BLM has cradle to grave oversight responsibility for each of the approximately 100,000 wells located on the Nation's public lands. This is a significant responsibility and one that the BLM takes seriously to protect the public, the environment, and taxpayer interests. The 2017 budget request again proposes an inspection fee to cover the costs of performing those functions for industry. The BLM estimates that the fee schedule included in the budget will generate \$48.0 million in offsetting collections for the inspection and oversight program. This proposed fee would bring onshore oil and gas

inspections and oversight in line with offshore oil and gas management, where inspection and related activities are presently funded through precisely the type of operator fee that the BLM is proposing.

In addition to the requested current appropriations and offsetting collections, permanent funds are also available to support the Oil and Gas Management program, as authorized by the National Defense Authorization Act for 2015. These are shown and discussed in the Permanent Operating Funds chapter, as well as in the Oil and Gas Management subactivity. All told, total funding resources available to the Oil and Gas Program in 2017 through current appropriations, offsetting collections, and permanent appropriations are estimated to be \$186.6 million, an increase of \$27.6 million over the 2016 estimate (the actual increase would be affected by any sequestration to permanent funds that may occur in 2017).

The BLM budget request maintains funding for Renewable Energy at essentially the 2016 enacted level, providing the BLM with the necessary resources to continue to aggressively facilitate and support solar, wind, and geothermal energy development. A top priority is the continued implementation of the Western Solar Plan, which covers six western States and provides for a more efficient and predictable permitting process by focusing development in solar energy zones with the highest resource potential and fewest conflicts. Three new projects in the Dry Lake Solar Energy Zone in Nevada were approved in 2015. The success of the Dry Lake Solar Zone was due in part to a regional mitigation strategy developed prior to the leasing of the Dry Lake area. Similar Solar Regional Mitigation Strategies are being developed in Arizona, Colorado, and Nevada to encourage further use of solar zones established through the Western Solar Plan and to provide for early public input on mitigation needs and requirements. Also noteworthy was the release of the Final Environmental Impact Statement for the first phase of the Desert Renewable Energy Conservation Plan in November 2015. It was a key part of the BLM's long-term, collaborative effort with the State of California to streamline renewable energy development in the California desert while conserving desert ecosystems and promoting outdoor recreation opportunities on the 10 million acres of BLM-managed lands there.

The 2017 budget request maintains funding for Coal Management at the 2016 enacted level and reduces Other Mineral Resources Management by \$1.0 million in anticipation of the completion of the Minerals Tracking System. The BLM's coal program generated about \$1.1 billion in royalties, rents, and bonuses in 2015. The agency also made progress in 2015 implementing reforms designed to provide greater transparency related to the production of coal on the public lands. In 2015, the BLM held 5 listening sessions (Washington, DC; Billings, MT; Gillette, WY; Denver CO; and Farmington, NM) to provide the public an opportunity to comment on the coal program and provide recommendations for enhancement of the program. As a result of comments expressed during the listening sessions and recommendations from OIG/GAO audits, in January 2016, the Secretary issued a Secretarial Order that places a pause on new leasing under the program (with certain limited exceptions) until the BLM completes a full programmatic review of the program. A programmatic review of the coal leasing program has not been undertaken in more than 30 years. This review will take a careful look at issues related to the Bureau of Land Management's (BLM) administration of the federal coal program.

The BLM's role in meeting the Nation's energy needs extends to electric transmission. Across the public lands of the West, the BLM facilitates the efficient delivery of energy to meet growing demand and address the West's aging electrical infrastructure, which currently impedes efficient energy transmission and inhibits renewable energy development. To continue to support necessary upgrades for reliability and increased capacity, the budget request maintains the \$5.0

million increase enacted in 2016 for in the Cadastral, Lands and Realty Management program. This will help the program identify and designate energy corridors for the siting of transmission lines and other related infrastructure in an environmentally sensitive manner. This increase complements the Secretary's Powering Our Future initiative.

**Greater Sage-Grouse Conservation** – In a March 2010 decision, the FWS determined that listing the Greater Sage-Grouse under the ESA was “warranted, but precluded.” The FWS stated that the BLM was not “fully implementing the regulatory mechanisms available” to ensure the species’ conservation. To address those concerns, the BLM initiated a formal land use planning process in 2011.

In 2013, with a \$15.0 million increase included in its Operating Plan, BLM began a multi-year effort of implementing broad-scale sage-grouse planning and conservation activities. As noted above, the BLM's successful update of nearly 70 land use plans across 10 different states in 2015 served as the critical underpinning for the FWS decision to keep the Greater Sage-Grouse off the Endangered Species List, and represents one of the largest



land conservation undertakings in U.S. history. In a parallel effort, the BLM in April began to use a new tool—the Fire and Invasives Assessment Tool (FIAT)—to prioritize efforts to prevent and suppress wildfires in sage-grouse habitat in the Great Basin, a region encompassing most of Nevada and parts of Utah, Oregon, Idaho, and California. In the 2016 Omnibus Appropriation Act, Congress supported a \$45.0 million requested increase to allow BLM to begin implementation of the new sage grouse conservation plans and ramp up on the ground restoration and monitoring activities in support of sage-steppe habitat conservation.

Success in sage-grouse conservation will demonstrate the value of planning for conservation and development at a landscape level. It will also help demonstrate that working at this level – through landscape-level planning, interagency collaboration, and public-private partnerships – successful measures can be developed and implemented to effectively recover a species that was previously in decline.

The 2017 budget request includes an additional \$14.2 million within Wildlife Management to expand BLM conservation efforts for sage-grouse habitat. Integral to the success of this effort is a \$5.0 requested increase to support implementation of the recently released National Seed Strategy. With these requests, BLM's resources dedicated to sage-grouse conservation will total \$79.2 million and represent a critical investment in preserving Western values and economies. The BLM unveiled the first-ever National Seed Strategy for Rehabilitation and Restoration in August 2015. Developed in coordination with the Plant Conservation Alliance, the Chicago Botanic Garden, the U.S. Department of Agriculture, western states, and many other partner organizations, the strategy aims to ensure that the right seed gets to the right

places at the right time. The strategy will also guide ecological restoration efforts and make treated lands more resilient to fires, invasive species, and drought. The BLM is requesting \$5.0 million to aggressively implement the National Seed Strategy, which will increase the native seed inventory and supply through 1,500 seed collections; engage youth to become the next generation of land stewards by training them to locate and harvest native seed; clean and store native seed in long-term conservation seed banks; identify areas for important native plants to ensure field reserves of target species; and engage federal procurement officers and native seed producers to analyze procurement procedures and facilitate improved Federal access to native seed markets.

The BLM will continue implementing new methods to measure and track the effectiveness of its conservation efforts for the Greater Sage-Grouse. The BLM will create measurable objectives for habitat management, use common criteria that can be shared with partner agencies, and use unbiased measures to assess and publicly report on the outcomes of mitigation. In the Great Basin alone, there are 17 million acres of sage-grouse habitat at risk of loss due to changing climate, drought, wildfire, and invasive grasses. The BLM manages about 13 million of those acres. The BLM's ability to assess and monitor the results of conservation efforts across these large landscapes is crucial and is also consistent with a commitment to use adaptive management as a means of ensuring that investments in sage grouse conservation are effective and efficient. The importance of having accurate ongoing data and information extends to the Rocky Mountain region, where development pressure is greatest.

**Building a Landscape-Level Understanding of Our Resources** – Understanding and responding to the impacts of a changing climate is an Administration priority, one in which the BLM plays a critical role as both the Nation's largest land manager and a partner with States, Tribes, local governments, and private stakeholders. Climate change is already altering the structure and function of ecosystems, changing the distribution and abundance of plants and animals, and in many cases limiting the ability of lands and waters to provide sustainable ecological services to communities. As average temperatures rise due to climate change, droughts are increasing, wildfire is more frequent and catastrophic, snowpack is declining, water supplies are diminishing in key areas of the West, and Arctic permafrost is thawing in Alaska. Collectively, these changes are creating challenges, as well as opportunities, on the national landscape.



Landscapes are large, connected geographical regions that have similar environmental characteristics, such as the Sonoran Desert or the Colorado Plateau. Because the issues affecting them are not bound by political or jurisdictional boundaries, the BLM is moving towards implementation of a landscape-scale management approach to better understand these

challenges and support balanced stewardship of the diverse natural resources of the public lands.

To achieve this goal, the BLM recently began an effort to connect two important initiatives that are critical to the agency's success: Rapid Ecoregional Assessments (REAs) and a landscape approach for managing public lands. These initiatives are designed to help BLM managers and stakeholders, both public and private, understand environmental conditions and trends from a broader landscape perspective and to use this information to inform, focus, and coordinate management efforts on-the-ground. The REAs provide a science-based information platform for formulating coordinated, multi-agency strategies that can respond effectively to climate change, wildfire, and other environmental challenges that transcend local administrative boundaries.

Since 2010, the BLM has launched 15 REAs to improve the understanding of the existing condition of these landscapes and anticipate how they might change. In 2017, the BLM will continue to release REAs and their underlying maps and data for public use. The most recent assessment covers nearly 15.7 million acres of the Madrean Archipelago located mostly in southeastern Arizona. A newly revised public data portal contains maps and other information associated with BLM's REAs and other landscape-scale initiatives.

In 2015, the BLM also began a review aimed at creating a more dynamic and durable way of developing the Resource Management Plans (RMPs) that guide its efforts. Public involvement early in the planning process is the key to this improved approach, called Planning 2.0. Through this effort the BLM hopes to improve its land-use planning process so that it can more effectively plan across landscapes and be more responsive to environmental and social change. This approach will create a more dynamic, durable, and efficient planning process that can better honor the valuable contributions made by the public; non-government organizations; industry; and our partners from State; tribal, and local governments; as well as other Federal agencies.

Informed decision making and adaptive management require current data about the status and trend of terrestrial and aquatic systems and about the location and extent of natural and human-caused disturbances. The BLM's Assessment, Inventory, and Monitoring (AIM) Strategy provides the framework for consistent data collection and application of field-based AIM protocols. The 2017 budget request includes an increase of \$4.3 million to facilitate and expand implementation of the AIM strategy, which is central to meeting commitments outlined in the Greater Sage-Grouse land use plans, Secretary Jewell's landscape mitigation strategy, and other initiatives.

The budget request also includes a \$6.9 million increase in Resource Management Planning, Assessment, & Monitoring to support implementation of the BLM's geospatial strategy. The BLM's Enterprise Geospatial Information System (EGIS) aggregates and displays data across boundaries to capture ecological conditions and trends; natural and human influences; and opportunities for resource conservation, restoration, development, and partnering. The BLM geospatial proposal is integrated within the Department's growing enterprise GIS capabilities and serves as a critical component of the Department's corporate geospatial strategy.

The BLM has been the lead for the United States for the period of 2013-2017 on the Arctic Council's Conservation of Flora and Fauna Working Group (CAFF) Circumpolar Biodiversity Monitoring Program (CBMP), which coordinates living resource monitoring among an international network of scientists, government agencies, indigenous organizations, and

conservation groups. For FY 2016, the Terrestrial, Marine, and Freshwater monitoring plans are underway, and the U.S. and Canada are leading the newly established coastal monitoring plan.

During fiscal year 2017, BLM will continue to support the North Slope Science Initiative (NSSI), an intergovernmental effort to increase collaboration at the local, State, and Federal levels to address research, inventory, and monitoring on the North Slope of Alaska. BLM will pursue scenario planning for energy and resource extraction development on the North Slope of Alaska and in the offshore environments of the Chukchi and Beaufort Seas in coordination with the Bureau of Ocean Energy Management, the State of Alaska, the North Slope Borough, and other local, regional, and national stakeholders. The project will help decision makers prioritize monitoring and research needed to address a variety of emerging issues: weather and climate, increasing marine activity, permafrost, coastal and riverine erosion, hydrology and lake drying, coastal salinization, contaminants, fire regime, and vegetation changes.

**Celebrating and Enhancing America's Great Outdoors** – Lands managed by the BLM are vital to connecting Americans to outdoor opportunities. Getting Americans outdoors and onto their national public lands helps preserve the social fabric of the Nation, bond families across generations, and preserve the character of the rural American West. In 2014, 61 million recreational visits to the national public lands generated \$5.48 billion in economic outputs, and supported almost 42,000 jobs<sup>3</sup>. However, financial investment in the Recreation and Visitor Services program has not kept pace with the growing recreation-related demands on BLM lands. In 2017, the BLM would use additional funding of \$2.0 million in Recreation Resources Management to implement the national recreation strategy and the widely shared goals of improving recreation access – including access to information, engaging youth, promoting healthy lifestyles, increasing tourism, improving the economies of our rural communities, and providing for better planning across landscapes and jurisdictions. The BLM recreation program will expand a multi-year, integrated effort to considerably expand its geospatial data collection, validation, and sharing capabilities – both internally and externally.



The 2017 President's Budget request for the BLM includes a \$13.6 million increase for the National Conservation Lands, bringing program funding to a historic \$50.1 million level in the year following its 15<sup>th</sup> anniversary. Resources will address high priority needs in national monuments and national conservation areas, including developing management plans for recently designated units, and developing and implementing travel management plans for high-use areas.

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<sup>3</sup> Department of the Interior Economic Impact Report, 2014 (page 18)

A strong commitment to conservation on the public lands also means proactive management of the cultural and paleontological resources that reside there. America's cultural resources embody a rich heritage of human experiences, architectural achievements, and cultural identities. The BLM manages the largest, most diverse and scientifically important collection of heritage resources in North America. Through the Cultural Resources Management Program, a proposed \$1.1 million increase will enhance the BLM's capacity to preserve and protect these vast heritage resources, moving from a compliance-driven support program to one that is more capable of addressing large-scale, cross-jurisdictional projects. Currently, only 10 percent of BLM lands have completed cultural resource inventories.

The 2017 budget also includes increases for programs funded through the Land and Water Conservation Fund, a vital component of the America's Great Outdoors initiative. The 2017 budget proposal includes a total of \$88.7 million for BLM Federal land acquisition, including \$44.0 million in requested discretionary appropriations and \$44.8 million in permanent funding.

**Offsetting Collections for Grazing** – The BLM proposes to begin a pilot project to cover a portion of the costs of grazing permit renewals through proposed grazing administration fees. A fee of \$2.50 per animal unit month is estimated to generate \$16.5 million in fee collections in 2017, offsetting a decrease of \$16.5 million in the request for appropriations.

The tables below summarize the BLM's 2017 Budget Request and available permanent appropriations by major appropriation account:

Current Appropriations (in \$000)	2015 Actual	2016 Enacted	2017 President's Budget	
			vs. 2016	Request
Management of Lands & Resources	973,819	1,072,675	+2,870	1,075,545
Grazing Administration Mgt (offsetting collections)*	-	-	+16,500	16,500
Mining Law Administration*	39,696	39,696	+0	39,696
Oil & Gas Permit Processing (offsetting collections)*	28,697	-	+0	-
Onshore Oil & Gas Inspection Activities (offsetting coll)	-	-	+48,000	48,000
Communication Site Management <sup>^</sup>	2,000	2,000	+0	2,000
<b>Management of Lands &amp; Resources, Before Offsets</b>	<b>1,044,212</b>	<b>1,114,371</b>	<b>+67,370</b>	<b>1,181,741</b>
Offsetting Collections †	-70,393	-41,696	-64,500	-106,196
<b>Management of Lands &amp; Resources</b>	<b>973,819</b>	<b>1,072,675</b>	<b>+2,870</b>	<b>1,075,545</b>
<b>Oregon and California Grant Lands</b>	<b>113,777</b>	<b>107,734</b>	<b>-749</b>	<b>106,985</b>
<b>Land Acquisition•</b>	<b>19,746</b>	<b>38,630</b>	<b>+5,329</b>	<b>43,959</b>
Service Charges, Deposit, & Forfeitures‡	28,070	31,050	+0	31,050
Offsetting Collections	-28,070	-31,050	+0	-31,050
<b>Total, Service Charges, Deposits &amp; Forfeitures</b>	<b>+0</b>	<b>+0</b>	<b>+0</b>	<b>+0</b>
<b>Total, Current Discretionary</b>	<b>1,107,342</b>	<b>1,219,039</b>	<b>+7,450</b>	<b>1,226,489</b>
Range Improvements◊	9,270	9,320	+680	10,000
<b>Total, Current Mandatory, Federal Funds</b>	<b>9,270</b>	<b>9,320</b>	<b>+680</b>	<b>10,000</b>
<b>Total, Current, Federal Funds</b>	<b>1,116,612</b>	<b>1,228,359</b>	<b>+8,130</b>	<b>1,236,489</b>
Miscellaneous Trust Funds, Current Portion‡◊	21,972	24,000	-1,070	22,930
<b>Current Mandatory, Contributed Funds</b>	<b>21,972</b>	<b>24,000</b>	<b>-1,070</b>	<b>22,930</b>
<b>Total, Current Appropriations</b>	<b>1,138,584</b>	<b>1,252,359</b>	<b>+7,060</b>	<b>1,259,419</b>

\*Direct budget authority for program activities appropriated within the Management of Land and Resources Account, but offset through collections (See Offsetting Collections line).

<sup>^</sup>Available budget authority, up to the amount shown, derived from offsetting collections from communication site rental fees.

†Amount for fiscal years 2015 through 2017; includes estimates of offsetting collections for direct spending authority for program activities: Annual Maintenance (currently \$155/claim) and Location Fees (currently \$37/claim) for Locatable Minerals offsetting Mining Law Administration, Application for Permit to Drill (APD) Fees (\$6,500/ADP) offsetting Oil & Gas Permit Processing in 2015 (changed to permanent funding beginning in 2016),

Communication Site rental fees offsetting Communication Site Management,

Onshore oil and gas inspection fees proposed in this request offsetting Onshore Oil & Gas Inspection & Enforcement, and A \$2.50 per animal unit month administrative fee proposed in this request offsetting Grazing Administration Management.

‡Shown as estimated amounts for fiscal years 2016 and 2017; Authority to spend collections appropriated annually; budget authority created when collections are recognized. Collections authorized by the Federal Land Policy and Management Act of 1976 (FLPMA), as amended (43 USC 1735), and the Mineral Leasing Act of 1920, as amended by the Trans-Alaska Pipeline Act of 1973 (30 USC 185).

◊ 2015 and 2016 amounts include sequesters of 7.3% and 6.8% respectively, pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Δ Contributed amounts authorized to be collected under Section 307(c) of FLPMA (43 USC 1701).

Permanent Appropriations (in \$000)	2015 Actual	2016 Enacted	2017 President's Budget	
			vs. 2016	Request
Miscellaneous Trust Funds, Permanent Portion <sup>◇</sup>	1,505	2,220	+0	2,220
Permanent Operating Funds <sup>◇</sup>	128,547	167,033	-5,706	161,327
Abandoned Well Remediation Fund	33,372	-	+0	-
Miscellaneous Permanent Payment Accounts <sup>△</sup>	52,521	50,829	-37,056	13,773
Land Acquisition	-	-	+44,818	44,818
Helium Fund	46,747	26,975	-1,321	25,654
Helium Fund Offsetting Collections	-46,747	-26,975	+1,321	-25,654
<b>Total, Permanent Funds</b>	<b>215,945</b>	<b>220,082</b>	<b>+2,056</b>	<b>222,138</b>

Employees	2015 Actual	2016 Enacted	2017 President's Budget	
			vs. 2015	Request
<b>Fulltime Equivalents (FTEs)</b>	<b>9,451</b>	<b>9,641</b>	<b>+86</b>	<b>9,727</b>

<sup>◇</sup> 2015 and 2016 amounts include sequesters of 7.3% and 6.8% respectively, pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

<sup>△</sup> 2015 amount includes 7.2% sequester of payments to States and Counties pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, except for Secure Rural Schools and Community Self-Determination Act payments authorized to be made in 2015 and 2016 to Oregon & California Grant Lands and Coos Bay Wagon Road counties under Public Law 113-40.

Note: The Helium Stewardship Act of 2013 does not authorize further appropriations to the Abandoned Well Remediation Fund until FY 2019, and the 2015 amount reflects sequestration of 7.3%.

Note: Does not include the BLM Working Capital Fund, nor the offsetting collections of that fund.

Note: The 2016 and 2017 FTE are updated from the estimates included in the Appendix, Budget of the United States Government, Fiscal Year 2017. The 2016 and 2017 estimates reflected above are eleven less than reflected in the Appendix, but accurately reflect the FTE associated with the budget.

Note: The 2016 and 2017 amounts for Permanent Operating Funds in this table are updated from the estimates in the Appendix, Budget of the United States Government, Fiscal Year 2017.

## Administration Management Initiatives

**Supporting the President's Management Agenda** - The President's Management Agenda seeks to improve the way that government works and delivers for citizens. The BLM has been particularly focused on delivering world-class customer service to citizens by making it faster and easier for individuals and businesses to complete transactions and have a positive experience with government, including through the use of electronic permitting ("e-permitting").

Within the Oil & Gas Management program, the BLM is deploying a redesigned Automated Fluid Minerals Support System (AFMSS) in order to further improve its review processes and provide the latest tools to help facilitate the program's other important oversight responsibilities. The first module automates all of the internal and external processes for submitting and processing Notices of Staking (NOS) and Applications for Permit to Drill (APD) for Federal and Indian oil and gas resources. This module automates the process from the time the operator submits the NOS or APD, through the required BLM reviews, to the BLM's final decision on the applications. The system will provide enhanced reporting capabilities that will allow the BLM to better track the NOS/APD through the process, identify bottlenecks, and provide increased transparency and accountability to external users.

The new APD module will enhance and eventually replace the current capabilities of the Well Information System (WIS) and the functionality of the current AFMSS system by automating workflows and having all data in electronic format. To date, the NOS/APD module has been implemented in 9 offices within 5 states that receive approximately 90% of the NOS/APD requests. The remaining BLM offices will be brought online throughout 2016. The NOS/APD module is the first of many that will include processing of Sundry Notices, additional reporting, and automation of inspections using mobile applications.

With respect to APDs, the goal of e-permitting is to continue to reduce the time spent with the operators fine-tuning and completing the field data required for proper surface and downhole technical analysis. The BLM continues to experience challenges in the permit approval process, and the level of analysis has grown to match the complex and sophisticated horizontal well completions that BLM increasingly deals with. The BLM anticipates an improvement in processing time and overall greater program efficiency as a result of implementing this new system.

The BLM also continues to pursue shared services and common infrastructure, facilitate agency collaboration and co-funding, and implement innovative approaches to resource management. The BLM's IT Transformation initiative will continue to achieve savings through labor reductions, consolidation of infrastructure staff, servers and data center closures, contract consolidations and the promotion of mobility which will allow us to reduce our overall footprint.

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# Summary of Program and Legislative Changes



# SUMMARY OF PROGRAM AND LEGISLATIVE CHANGES

BUREAU OF LAND MANAGEMENT BUDGET REQUEST SUMMARY (dollars in thousands)	
<b>Fiscal Year 2016 Enacted</b>	<b>\$ 1,252,359</b>
<b>2017 Fixed Costs</b>	<b>+3,181</b>
<b>Program Change</b>	<b>+3,879</b>
<b>America's Great Outdoors</b>	
<i>Cultural Resources Management - Safeguarding Our Irreplaceable Heritage</i>	+1,075
<i>Recreation Resources Management - Improve Accessibility</i>	+2,039
<i>National Conservation Lands - New Designations and Enhanced Operations</i>	+13,651
<b>Sage-grouse Conservation</b>	
<i>Wildlife Management - Implementation of Greater Sage-Grouse Conservation Plans</i>	+14,150
<b>Land Acquisition - America's Great Outdoors</b>	
<i>Land Acquisition - High-Priority Projects</i>	+5,287
<b>Powering Our Future</b>	
<i>Oil &amp; Gas Management - Strengthening Oil and Gas Oversight and Systems AFMSS II</i>	+15,227
<i>Oil &amp; Gas Management - Oil &amp; Gas Special Pay</i>	+2,576
<i>Oil &amp; Gas Management - Alaska Legacy Wells</i>	+2,811
<i>Oil &amp; Gas Permit Processing - Updated Fee Estimate</i>	-760
<i>Oil &amp; Gas Inspection Activities - Shift Cost to Fees</i>	-48,000
<i>Other Mineral Resources - Mineral Tracking System</i>	-1,000
<b>Applied Science</b>	
<i>Resource Management Planning, Assessment, and Monitoring - Assessment Inventory Monitoring</i>	+4,300
<i>Resource Management Planning, Assessment, and Monitoring - Enterprise Geospatial System</i>	+6,916
<i>Resource Management Planning, Assessment, and Monitoring - High-Priority Planning Efforts</i>	+5,700
<b>Rangeland Management</b>	
<i>Rangeland Management - Shift Costs to Fee</i>	-16,500
<b>Western Oregon</b>	
<i>O&amp;C Resources Management, Planning, Assessment, and Monitoring - Anticipated Plan Completion</i>	-1,000
<b>Enhancing Core Capability</b>	
<i>Soil, Water, &amp; Air Management - Enhance Core Capability</i>	+983
<i>Riparian Management - Enhance Core Capability</i>	+1,463
<b>Other Program Changes</b>	
<i>Soil, Water &amp; Air Management - National Mitigation Team</i>	+641
<i>Wild Horse &amp; Burro Management - General Program Decrease</i>	-572
<i>Wildlife Management - National Seed Strategy</i>	+5,000
<i>Alaska Conveyance - Streamline Conveyance Process</i>	-4,780
<i>Hazardous Materials Management - General Program Decrease</i>	-251
<i>Deferred Maintenance &amp; Capital Improvements - General Program Decrease</i>	-4,049
<i>Deferred Maintenance &amp; Capital Improvements - DOI Southwest Border Radio Initiative</i>	+1,775
<i>Challenge Cost Share - Program Elimination</i>	-2,413
<i>Range Improvements - Enhance Core Capability</i>	+680
<i>Miscellaneous Trust Fund (Current)</i>	-1,070
<b>Fiscal Year 2017 President's Budget Request, Direct Appropriations</b>	<b>\$ 1,259,419</b>

The following describes the major increases, decreases, transfers, legislative and administrative changes and management efficiencies in the BLM's 2017 budget.

### Fixed Costs

**Fixed Costs Increases (+\$3,181,000/+0 FTE)** – Requested fixed cost increases include costs such as planned pay increases, space rental costs, retirement system costs, health plan costs, workers compensation costs, unemployment compensation costs, and specified Department of the Interior costs funded through the Department's Working Capital Fund.

### America's Great Outdoors

**Cultural Resources Management - Safeguarding Our Irreplaceable Heritage (+\$1,075,000/+0 FTE)** – The 2017 budget request includes a program increase of \$1.1 million that will be focused on inventory strategies to collect baseline heritage resource data and enhance geospatial modeling efforts to support planning and resource management at a landscape scale. Ten percent of the public lands have been surveyed for heritage resources, largely conducted for land-use compliance, resulting in databases containing considerable information on high-development areas, and less information on other areas. To better understand the nature and extent of resources and inform predictive modeling, BLM will conduct baseline inventory in priority areas vulnerable to climate change, fire, looting, and vandalism. To further incorporate management of heritage resources in the landscape approach, BLM will synthesize and analyze available information at a broad scale to produce high-level, comprehensive, regional overviews and sensitivity maps critical for evaluating resources and planning at different scales.

**Recreation Resources Management - Improve Accessibility (+\$2,039,000/+3 FTE)** – The 2017 request includes an increase of \$2.0 million to implement the national recreation strategy and the widely shared goals of improving recreation access – including access to information, engaging youth, promoting healthy lifestyles, increasing tourism, improving the economies of our rural communities, and providing for better planning across landscapes and jurisdictions. The BLM recreation program will expand a multi-year, integrated effort to considerably expand its geospatial data collection, validation, and sharing capabilities – both internally and externally. Expansion of our partnership capacity to leverage staffing so that we can move into the future of data collection, validation and management, and increase our ability to share information is critical.

**National Monuments and National Conservation Areas - New Designations and Enhanced Operations (+\$13,651,000/+30 FTE)** – The 2017 budget request includes an increase of \$13.7 million to support critical resource protection and maintenance work on the National Conservation Lands. This investment addresses some of the system's most basic infrastructure and maintenance needs, including signs and kiosks, campground benches, larger trash dumpsters, bathroom facilities, and new access-point facilities needed to ensure the public health and safety of visitor centers. Funding for the visitor centers will accommodate public demand for increased hours of operation, program offerings and greater accessibility to National Conservation Lands. Additional priority efforts include eradicating invasive plants that jeopardize native species and contribute to unnatural and increasingly difficult-to-manage fire regimes; protecting equipment investments from weather; conducting inventories of the world-class and often endemic resources, objects, and values for which each unit was designated;

and implementing the provisions of the resource, science and travel management plans that the agency develops in cooperation with States, Tribes, local governments, partners and the public.

The increase also supports critical staff positions, including dedicated unit managers, essential resources specialists, outdoor recreation planners, partnership/volunteer/youth coordinators, law enforcement, and seasonal park and river rangers needed to staff visitor centers and manage the multiple uses and unique conservation values of the units. Funds will allow the program to support the Secretary's youth initiative and implement priority restoration work.

### **Sage-grouse Conservation**

**Wildlife Management - Implement Sage-Grouse Conservation Plans (+\$14,150,000/+12 FTE)** – The 2017 budget request includes additional funding to implement actions to reduce threats to Greater Sage-Grouse habitats across the 10 Western States. A multi-year program of work for habitat restoration projects and treatments describes implementation, monitoring and reporting on the BLM's investment in Greater Sage-Grouse conservation. As BLM continues implementing the 68 sage grouse plans, new information and challenges have identified further needed investments to keep plan implementation on schedule. For example, over the past year, BLM's Fire and Invasives Assessment Tool identified an additional 13.1 million acres of high priority habitat that need to be treated to prevent and suppress wildfires and control the spread of invasive species. To meet these and other needs, the 2017 budget includes an increase of \$14.2 million for sage grouse protection, primarily supporting more on-the-ground vegetative treatments to protect, improve, or restore sage steppe habitat. Funds will also assist States in implementing their own GSG conservation plans.

The Greater Sage-Grouse plans provide a landscape-scale approach to protecting and conserving Greater Sage-Grouse and its habitat. The plans seek to limit or eliminate additional disturbance as well as target habitat improvements to the most important areas. In addition to establishing protective land use allocations, the plans implement a suite of management actions, such as the establishment of disturbance limits, Greater Sage-Grouse habitat objectives, mitigation requirements, monitoring protocols, and adaptive management triggers and responses, as well as other conservation measures on over 60 million acres of Greater Sage-Grouse habitat on BLM-managed lands. Effective implementation will require a sustained effort by the BLM for many years.

### **Land Acquisition – America's Great Outdoors**

**Landscape Acquisition Projects: High Priority Projects (+\$5,287,000/+0 FTE)** - In 2017, the BLM will acquire high priority acquisition projects in the core and collaborative landscape planning land acquisition programs. The 2017 core program is \$13.1 million and will fund nine of BLM's highest priorities. The collaborative landscape planning component builds on efforts begun in 2011 to invest strategically in interagency landscape-scale conservation projects while continuing to meet bureau-specific programmatic needs. The Department of the Interior and the U.S. Forest Service (USFS) collaborated extensively to develop a process to more effectively coordinate land acquisitions with government and local community partners to achieve the highest priority shared conservation goals. The 2017 request includes a total of \$19.2 million for five collaborative landscapes consisting of 12 projects. Within this total, the BLM includes \$9.0 million for the High Divide landscape, \$3.0 million for the Rivers of the Chesapeake landscape, \$2.0 million for projects that are part of the National Trails System landscape, \$412,000 for the Florida-Georgia Longleaf Pine landscape and \$4.8 million for the Pathways to the Pacific

landscape. The 2017 request also includes a total of \$8.0 million to benefit Sportsmen/Recreational access, level with the 2016 enacted level.

**Permanent Appropriation: Permanent Land Acquisition** – The Department of the Interior will submit a legislative proposal to permanently authorize annual funding, without further appropriation or fiscal year limitation, for the Land and Water Conservation Fund (LWCF). Starting in 2018, \$900 million annually in permanent funds would be available. During the transition to full permanent funding in 2018, the budget proposes \$900 million in total LWCF funding in 2017, comprised of \$500 million in permanent and \$400 million discretionary funds. The amounts requested include the authorized levels for the Department of the Interior and the Department of Agriculture.

### Powering Our Future

**Oil and Gas Management - Strengthening Oil and Gas Oversight and System AFMSS II (+\$15,227,000/+25 FTE)** – The 2017 budget request includes an increase of \$15.2 million (estimated in the Economic and Threshold Regulatory Impact Analysis (RIA)) to implement new oil and gas measurement and site security regulations and other regulations. These new oil and gas measurement regulations set appropriate standards, based upon current technology, to ensure that operators accurately measure, properly report, and account for production. The funding will also support: more effective implementation of existing oil and gas regulations; implementation of the recently finalized hydraulic fracturing regulations and currently pending natural gas venting and flaring regulations expected to be finalized and released in FY 2016; and continued support for development of additional modules of the AFMSS II database.

**Oil and Gas Management - Oil & Gas Special Pay (+\$2,576,000/+0 FTE)** – The 2017 budget request includes an increase of \$2.6 million to provide up to a 35 percent pay increase for employees in five critical occupational series that are funded through the Oil and Gas program.

**Oil and Gas Management - Alaska Legacy Well Remediation (+\$2,811,000/+0 FTE)** – The 2017 budget requests an increase of \$2.8 million to address legacy well remediation within the National Petroleum Reserve in Alaska (NPR-A). This funding will augment the existing \$1.0 million annual base funding provided to BLM Alaska as well as the permanent funding authorized by the Helium Stewardship Act of 2013 for legacy well remediation.

**Oil and Gas Permit Processing from Fees (net change of -\$760,000/-0 FTE)** – The 2017 request reflects a projected decrease in APD fees collected in 2017. The National Defense Authorization Act of 2015 amended the Mineral Leasing Act to authorize APD fees in 2016 through 2026, and to permanently appropriate the majority of these fees. For fiscal years 2016 through 2019, the NDAA permanently appropriates only 85 percent of the fee revenues, leaving the other 15 percent of fee revenues subject to future appropriation. The proposed reduction of \$760,000 represents 15 percent of the projected reduction in total APD fees collected in 2017.

**Oil and Gas Inspection Activities(-\$48,000,000/-295 FTE)** – The 2017 budget proposes to institute new onshore oil and gas inspection fees to cover the costs of BLM's inspection activities and reduce the net cost to taxpayers of operating BLM's oil and gas inspection program. The fees are similar to those already in place for offshore operations. Such authority will reduce the net costs to taxpayers of operating BLM's oil and gas program and allow BLM to be more responsive to industry demand and increased inspection workload in the future while reducing the need for current appropriations that could be directed toward other priority

programs. Below is language included in the 2017 President's Budget to authorize the onshore inspection fees:

#### ONSHORE OIL AND GAS INSPECTION FEES

SEC. 114. (a) In fiscal year 2017, the designated operator of each lease on Federal or Indian lands, or each unit and communitization agreement that includes one or more Federal or Indian leases, that is subject to inspection under 30 U.S.C. 1718(b), and that is in force at the start of fiscal year 2017, shall pay a nonrefundable inspection fee that the Bureau of Land Management (BLM) shall collect and deposit in the "Management of Lands and Resources" account.

(b) Fees for 2017 shall be: (1) \$700 for each lease or unit or communitization agreement with no active or inactive wells, but with surface use, disturbance or reclamation; (2) \$1,225 for each lease or unit or communitization agreement with 1 to 10 wells, with any combination of active or inactive wells; (3) \$4,900 for each lease or unit or communitization agreement with 11 to 50 wells, with any combination of active or inactive wells; and (4) \$9,800 for each lease or unit or communitization agreement with more than 50 wells, with any combination of active or inactive wells. (c) BLM will bill designated operators within 60 days of enactment of this Act, with payment required within 30 days of billing. (d) If the designated operator fails to pay the full amount of the fee as prescribed in this section, BLM may, in addition to utilizing any other applicable enforcement authority, assess civil penalties against the operator under 30 U.S.C. 1719 in the same manner as if this section were a mineral leasing law as defined in 30 U.S.C. 1702(8).

**Other Mineral Resources Management - Mineral Tracking System (-\$1,000,000/+0 FTE) –** The 2016 enactment included increased funding in the Other Minerals Resources Management program and the Coal Management program to develop the Mineral Tracking System (MTS). The BLM anticipates making substantial progress in the development of the MTS in FY 2016. The 2017 budget request eliminates this increase to focus on the program's primary objectives.

#### Applied Science

**Resource Management Planning, Assessment, and Monitoring - Assessment, Inventory, & Monitoring (+\$4,300,000/+3 FTE) –** The 2017 budget request includes an increase of \$4,300,000 to develop assessment and monitoring protocols using core indicators, standardized field methods, remote sensing, and a statistically valid study design to provide nationally consistent and scientifically defensible information. These protocols will be used to meet the monitoring commitments made during the Greater Sage-Grouse Conservation effort. These commitments include gathering information on terrestrial and aquatic site condition, ecological sites, special status species, vegetation treatments, disturbance of the public lands, fire, and land uses.

**Resource Management Planning, Assessment, and Monitoring - Enterprise GIS (+\$6,916,000/+0 FTE) –** The budget request includes a \$6.9 million increase in Resource Management Planning to support the deployment of the Enterprise Geographic Information System (EGIS), which is critical to help the BLM make a generational leap forward in its geospatial capabilities. The EGIS will support the adoption and implementation of core

indicators, standardization of data and collection methods, and the digitization of legacy data for inclusion in decision-making analyses.

**Resource Management Planning, Assessment, and Monitoring - High Priority Planning Efforts (+\$5,700,000/+0 FTE)** – The BLM is requesting an increase of \$5.7 million to support high-priority planning efforts that could include the initiation of new plan revisions in 2017, as well as plan evaluations and implementation strategies. Resource management plans provide the basis for every BLM management action. Keeping them current in an era of rapidly changing resource use and demands, such as in energy, changing ecological conditions, continued population growth, and increasing recreation use on the public lands is a high priority.

### Rangeland Management

**Grazing Permit Issuance/Shift Cost to Fees (-\$16,500,000/-85 FTE)** – The budget proposes to shift a portion of the costs of issuing and managing grazing permits from appropriated funds to fees.

**Permit Administrative Processing Fee (+\$16,500,000/+85 FTE)** – The 2017 budget includes appropriations language for a three-year pilot project to allow the BLM to recover some of the costs of issuing grazing permits/leases on BLM lands. The BLM would charge a permit administrative fee of \$2.50 per Animal Unit Month, which would be collected along with current grazing fees. The budget estimates the permit administrative fee will generate \$16.5 million in 2017 and the fees will be used for monitoring, land health evaluations, and completing NEPA and other legal and regulatory requirements for processing grazing permit applications. During the period of the pilot, the BLM will promulgate regulations for the continuation of the administrative fee as a cost-recovery fee, to be in place once the pilot expires. Below is language included in the 2017 President's Budget to authorize the grazing administration fees:

SEC. 417. In fiscal year 2017, beginning on March 1, 2017, and only to the extent and in the amount provided in advance in appropriations Acts, the Secretary of the Interior shall collect an administrative fee to offset the increased cost of administering the livestock grazing program on public lands managed by the Bureau of Land Management by charging \$2.50 per Animal Unit Month, which shall be billed, collected, and subject to the penalties using the same process as the annual grazing fee in 43 C.F.R. 4130.8–1. Penalties assessed shall be deposited in the General Fund of the Treasury. Nothing in this provision affects the calculation, collection, distribution, or use of the grazing fee under 43 U.S.C. 315–315rr, 43 U.S.C. 1751(b), 43 U.S.C. 1905, Executive Order 12548, or administrative regulation.

### Western Oregon

**O&C Resource Management Planning - Anticipated Plan Completion (-\$1,000,000/+0 FTE)** – By July 2016, the BLM plans to issue 2 revised Resource Management Plans (RMPs) and 2 Records of Decision (RODs) for western Oregon O&C lands: A Northwest Oregon RMP for the moist forests and a Southwest Oregon RMP for the drier forests. These RMPs were initiated in March of 2012 and will replace the six 1995 RMPs for western Oregon. As the final environmental impact statements are released and decisions are signed, the program's emphasis will be to support plan implementation with continued collaboration both internally and externally.

### Enhancing Core Capability

**Soil, Water & Air Management - Enhance Core Capability(+\$983,000/+3 FTE)** – To support monitoring and analysis of soil, water and air resources needed to implement a landscape management approach, including 1) ecological site descriptions supporting land health treatments, 2) adaptation strategies in response to a changing climate as well as, 3) sediment and salinity reductions within the Colorado River Basin.

**Riparian Management - Enhance Core Capability (+\$1,463,000/+2 FTE)** - Additional funds will be used to enhance core capacity and restore riparian miles not meeting land health standards in sage-grouse habitat. The Riparian Management program will fund restoration of 300 of the 650 miles of stream restoration expected to be completed in 2017. This is an addition of 50 miles for the program. The BLM will continue to inventory 500,000 riparian areas, especially those in priority sage-grouse habitats where grazing permits are expected to be renewed to ensure that conditions meet those specified in management plans.

### Other Program Changes

**Wildlife Management - National Mitigation Team (+\$641,000/+4 FTE)** – Following guidance from the Council on Environmental Quality, the BLM has committed to analyze and implement mitigation actions to avoid, minimize and compensate for residual impacts to at-risk resources in the Western Solar Plan, the Greater Sage-grouse (GRSG) Conservation Strategy, and other permitted activities. The need to analyze and implement mitigation actions is also a requirement of Secretarial Order 3330, “Improving Mitigation Policies and Practices of the Department of the Interior”, and draft BLM regional mitigation policy.

The analysis and implementation of mitigation actions is new work for the BLM and will require resources that are beyond the Bureau’s current capacity. The \$641,000 increase would provide funds to establish a mitigation team. This team, which would be located in BLM State offices and at the Washington Office, will provide crucial expertise necessary to support field staff, work with Bureau partners to develop local and regional mitigation strategies, develop an all-lands program of work, oversee mitigation funds, interact with mitigation banks and exchanges, and integrate other restoration activities. Absent these funds, the BLM would likely have to curtail other important activities in order to fulfill the commitments made in the Western Solar Plan and the GRSG Conservation Strategy, and other permitted activities such as those recently completed for the National Petroleum Reserve – Alaska.

**Wild Horse & Burro Management - General Program Reduction (-\$572,000/+0 FTE)** –

A reduction of \$572,000 in the Wild Horse and Burro Management program reflects the anticipated completion of short-term activities supported with the \$3.0 million increase provided in 2016. The BLM will continue to maintain core functions in the Wild Horse and Burro (WHB) program by focusing on the highest priority work and implementing program efficiencies where possible. The BLM will also continue expanding the use of contraceptives and the application of spay and neuter treatments to begin to reduce program costs and help address the unsustainable proliferation of wild horses and burros on public lands.

**Wildlife Management - National Seed Strategy (+\$5,000,000/+9 FTE)** – The requested increase will enable BLM to aggressively implement the recently developed National Seed Strategy ([www.blm.gov/seedstrategy](http://www.blm.gov/seedstrategy)), which is critical to BLM’s ability to respond with appropriate restoration resources to landscape-scale ecological changes due to drought,

invasive species and catastrophic wildfires. Implementation of the National Seed Strategy will result in nationwide networks of native seed collectors, researchers developing wildland seed into commercial crops, farmers and growers increasing seed supplies, nurseries and storage facilities providing sufficient amounts of appropriate seed; and restoration ecologists identifying the appropriate timing and placement for seed and plant material to optimize treatment results.

**Alaska Conveyance - Streamline Conveyance Process (-\$4,780,000/+0 FTE)** – The Alaska State Land Transfer Program is the largest remaining workload in the BLM’s cadastral survey program. The BLM has identified a faster, more accurate, and more cost-effective method that would provide a higher quality survey record than is currently available and would allow the BLM to more efficiently complete the survey and conveyance work for all remaining State land selections. This innovation provides a unique opportunity to save time and money for both the Federal government and the State of Alaska, while supporting economic development within the State. The BLM intends to implement this new survey method as quickly as possible in the coming months.

**Hazardous Materials Management - General Program Reduction (-\$251,000/+0 FTE)** – A reduction of \$251,000 in lower priority activities is proposed. The BLM will continue to maintain core functions in the Hazardous Materials Management Program by focusing on the highest priority work and implementing program efficiencies where possible.

**Deferred Maintenance - General Program Reduction (-\$4,049,000/+0 FTE)** – The BLM will continue to make progress on many of its Deferred Maintenance projects, with a focus on those with human health and safety risk, and will look to the support received from the Department of Transportation’s Federal Roads program to ensure that critical infrastructure improvements are achieved along with the physical assets that are targeted for repair.

**Deferred Maintenance - DOI Southwest Border Radio Initiative (+\$1,775,000/+0 FTE)** – The 2017 budget request includes an increase of \$1.8 million to implement the Department’s Southwest Border Radio Demonstration Project. The Southwest Border Radio Demonstration Project was developed in cooperation with the BLM, the National Park Service, the U.S. Fish and Wildlife Service, and the U.S. Forest Service (USFS) in the border region of New Mexico and Arizona. The Inspector General identified material deficiencies in management of the land mobile radio program and infrastructure. The DOI Bureaus have been working to address these issues and formed the DOI Radio Executive Steering Committee. An assessment of land mobile radio infrastructure and operations is underway and these funds would be used to implement priority actions. Project work will lead to integration of infrastructure, eliminate duplicative or obsolete infrastructure, and result in future cost avoidance for maintenance. Safety and effectiveness will also be enhanced with upgraded replacement communication hardware. Upgrading facilities and removal of duplicative or obsolete sites will be accomplished in coordination with DOI Bureaus and the USFS.

**Challenge Cost Share - Program Elimination (-\$2,413,000/-5 FTE)** – The 2017 budget request eliminates funding for the Challenge Cost Share program to focus on other higher-priority programs and initiatives.

### Other Legislative Proposals

**National BLM Foundation** – The budget request includes a legislative proposal to establish a congressionally-chartered BLM Foundation. This foundation is an opportunity to leverage

private funding to support public lands, achieve shared outcomes, focus public support of the BLM mission, and improve messaging.

The legislative proposal to be transmitted soon will follow the structure of statutes establishing similar foundations for other land management agencies. As a charitable corporation under section 501(c)(3) of the Internal Revenue Code of 1986, the foundation will not be considered an agency of the United States and will be authorized to encourage, accept and administer private gifts of money for the benefit of BLM activities. It will also undertake activities that further the purposes of public lands and support the mission of BLM.

As with similar organizations, the foundation will have a board of directors appointed by the Secretary for set terms and may receive support from the Secretary. For the purposes of audits, it will be treated as a private corporation under Federal law. The foundation will not be authorized to perform any function the authority for which is provided to BLM under any other provision of law.

**Reform Hardrock Mining on Federal Lands** – The budget proposes to institute a leasing program under the Mineral Leasing Act of 1920 for certain hardrock minerals, including gold, silver, lead, zinc, copper, uranium, and molybdenum, currently covered by the General Mining Law of 1872 and administered by BLM. After enactment, mining for these metals on Federal lands will be governed by the new leasing process and subject to annual rental payments and a royalty of not less than five percent of gross proceeds. Half of the receipts will be distributed to the States in which the leases are located and the remaining half will be deposited in the U.S. Treasury. Existing mining claims will be exempt from the change to leasing system but will be subject to increases in the annual maintenance fees under the General Mining Law of 1872. Holders of existing mining claims for these minerals, however, could voluntarily convert claims to leases. The Office of Natural Resources Revenue will collect, account for, and disburse the hardrock royalty receipts. The proposal is projected to generate revenues to the U.S. Treasury of \$80.0 million over 10 years, with larger revenues estimated in following years.

**Federal Oil and Gas Reforms** - The 2017 budget includes a package of legislative reforms to bolster and backstop administrative actions being taken to reform the management of Interior's onshore and offshore oil and gas programs, with a key focus on improving the return to taxpayers from the sale of these Federal resources and on improving transparency and oversight. Proposed statutory and administrative changes fall into three general categories: (1) advancing royalty reforms; (2) encouraging diligent development of oil and gas leases; and (3) improving revenue collection processes.

Royalty reforms include evaluating minimum royalty rates for oil, gas, and similar products, adjusting onshore royalty rates, analyzing a price-based tiered royalty rate, and repealing legislatively-mandated royalty relief. Diligent development requirements include shorter primary lease terms, stricter enforcement of lease terms, and monetary incentives to get leases into production, for example, through a new per-acre fee on nonproducing leases. Revenue collection improvements include simplification of the royalty valuation process and permanent repeal of Interior's authority to accept in-kind royalty payments. Collectively, these reforms will generate nearly \$1.7 billion in revenue to the Treasury over 10 years, of which an estimated \$1.2 billion will result from statutory changes. Many States will benefit from higher Federal revenue sharing payments as a result of these reforms.

**Repeal Geothermal Payments to Counties** - The Administration proposes to repeal Section 224(b) of the *Energy Policy Act of 2005*. Prior to passage of this legislation, geothermal revenues were split between the Federal government and States, with 50 percent directed to States, and 50 percent to the Treasury. The *Energy Policy Act of 2005* changed this distribution beginning in 2006 to direct 50 percent to States, 25 percent to counties, and for a period of five years, 25 percent to a new BLM Geothermal Steam Act Implementation Fund. The allocations to the new BLM geothermal fund were discontinued a year early through a provision in the 2010 Interior Appropriations Act. The repeal of Section 224(b) will permanently discontinue payments to counties and restore the disposition of Federal geothermal leasing revenues to the historical formula of 50 percent to the States and 50 percent to the Treasury. The repeal of Section 224(b) is estimated to result in savings of \$41.0 million over ten years.

**Federal Land Transaction Facilitation Act (FLTFA)** –The budget proposes to reauthorize this Act which expired on July 25, 2011, to allow lands identified as suitable for disposal in recent land use plans to be sold using this authority. The sales revenue will be used to fund the acquisition of environmentally sensitive lands and to cover the Bureau of Land Management administrative costs associated with conducting the sales.

**Hardrock Abandoned Mine Land Fund** – To provide additional resources for the reclamation of abandoned hardrock mines, the 2017 budget proposes a new AML fee on hardrock production. Just as the coal industry is held responsible for abandoned coal sites, the Administration proposes to hold the hardrock mining industry responsible for the remediation of abandoned hardrock mines. The legislative proposal will levy an AML fee on uranium and metallic mines on both public and private lands. The proposed AML fee on the production of hardrock minerals will be charged on the volume of material displaced after January 1, 2017. The receipts would be split between Federal and non-Federal lands. The Secretary will disperse the share of non-Federal funds to each State and Tribe based on need. Each State and Tribe will select its own priority projects using established national criteria. The proposed hardrock AML fee and reclamation program will operate in parallel with the coal AML reclamation program as part of a larger effort to ensure the Nation's most dangerous abandoned coal and hardrock AML sites are addressed by the industries that created the problems.

**Recreation Fees Program** – The budget proposes legislation to permanently authorize the Federal Lands Recreation Enhancement Act, which is authorized through September 30, 2017. The program currently brings in an estimated \$335 million in recreation fees annually under this authority that are used to enhance the visitor experience on Federal land recreation sites. In addition, as a short-term alternative to proposed legislation for long-term reauthorization, the 2017 budget proposes appropriations language to further extend authorization for the Federal Lands Recreation Enhancement Act through September 30, 2018.

**Reauthorization of Secure Rural Schools Payments** – In April 16, 2015 under the Medicare Access and CHIP Reauthorization Act of 2015, and the Extension of Secure Rural Schools and Community Self-Determination Act of 2000, the SRS payments were authorized to be made in 2015 (for 2014) and 2016 (for 2015) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.

The 2017 Budget reflects a five-year reauthorization of the Secure Rural Schools Act with funding through mandatory U.S. Forest Service (USFS) appropriations, starting with the

payments for fiscal year 2016 (which would be made in 2017). This SRS proposal revises the allocation split between the three portions of the program from the current authority emphasizing enhancement of forest ecosystems, restoration and improvement of land health and water quality and the increase of economic activity. For more information on this proposal, see the USFS 2017 Budget Justification.

If no proposal is enacted, payments to O&C and CBWR counties in 2017 would be made in accordance with the 1937 and 1939 statutes. For more information on this proposal, see the U.S. Forest Service 2017 Budget Justification.

**Wild Horse and Burro Management** – With more than 100,000 horses in its care, the BLM must find new ways to cooperatively manage horses that are on range and horses that have been removed from the range and are available for adoption. The 2017 request includes appropriations language to more efficiently facilitate the transfer of animals to other public entities (local, State, and Federal agencies) who have a need for domestic work animals. The BLM is also committed to expanding its use of contraceptives and spay and neuter technologies, considering improvements to existing incentive programs, pushing forward with on-going critical research on population control tools, and exploring other creative solutions.

**Land and Water Conservation Fund** -- The Department will submit a legislative proposal to authorize permanent annual funding, without further appropriation or fiscal year limitation, for the Land and Water Conservation Fund (LWCF). In 2017, the proposal includes \$43.9 million in discretionary funding and \$44.8 million in mandatory funding for the BLM's land acquisition program.

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# Performance Overview



# PERFORMANCE OVERVIEW

This section discusses the BLM's Priority Goals and their relationship to the BLM's major initiatives, and the BLM's contributions to the Department of the Interior's Strategic Plan.

## Priority Goals

The four areas where the BLM contributes to DOI's success in meeting its priority goals are:

- Renewable Energy Resource Development,
- Climate Change Adaptation,
- Youth Stewardship of Natural and Cultural Resources, and
- Oil & Gas Resources Management.

The BLM programs affected include: Soil, Water, and Air Management; Range Management; Forestry; Riparian Management; Wildlife and Fisheries Management; Threatened and Endangered Species Management; Wild Horse and Burro Management; Recreation Management; National Monuments and Conservation Areas; Wilderness Management; Oil and Gas Management; and Renewable Energy Management.

**Renewable Energy Resource Development** – By September 30, 2017, increase approved capacity authorized for renewable (solar, wind, and geothermal, and hydropower) energy resources affecting Department of the Interior managed lands, while ensuring full environmental review, to at least 16,600 Megawatts (since end of FY 2009).

*BLM Contribution:* The BLM's Renewable Energy Management Program contributes to the Secretary's Powering Our Future and Responsible Use of the Nation's Resources Initiative. Public lands managed by the BLM in the western U.S. have high potential for wind, solar and geothermal energy production. Public lands also provide crucial transmission corridors for renewable energy generated on non-Federal lands. The BLM has identified approximately 20 million acres with wind energy potential in 11 western States, 22 million acres with solar energy potential in six southwestern States, and 149 million acres with geothermal potential in several western States and Alaska. The 2017 President's Budget requests \$29.2 million for Renewable Energy Management, which maintains funding at the 2016 enacted level plus an increase of \$128,000 for fixed costs.

*Implementation Strategy:* In 2016, the BLM anticipates initiating a competitive leasing program using new regulations for solar and wind energy leasing developed under Federal Land Policy and Management Act authority. Prior to that, it will continue to selectively offer for competitive leasing some lands made available by the solar energy Programmatic Environmental Impact Statement (PEIS). The Record of Decision on the Solar PEIS includes 17 solar energy zones, containing approximately 285,000 acres potentially available for solar energy development. The BLM has added two additional solar energy zones through land use planning efforts for the Arizona Restoration Design Project and the West Chocolate Mountains Renewable Energy Evaluation Area in California. More are anticipated with future land use planning efforts. Making these lands available for BLM leasing proposals provides for the best siting locations for environmentally-sound solar energy development projects. The BLM is continuing this leasing

program through a nomination and request for proposal process, until competitive leasing is fully established through rulemaking.

In 2016, a West Wide Wind Mapping Project will be available to identify wind energy exclusion areas and sensitive resource conflicts for wind energy development on public lands. This project will assist in BLM land use planning efforts and in siting reviews of proposed wind energy projects on BLM public lands in the western States. The wind energy constraint analysis methodology will further streamline the environmental review of site-specific wind projects. It will also broaden the analysis of additional planned transmission development. The final Wyoming wind analysis report will provide new information to address a greater level of wind energy development in Wyoming.

*Performance Metrics:* The Department is presently employing a set of internal measures and milestones to monitor and track achievement of the priority goals. Progress in these areas is reported and reviewed throughout the year by the Deputy Secretary's Principals Operations Group to identify and address any need for enhanced coordination or policy measures to overcome barriers to the achievement of the priority goal. The BLM has identified the following existing Strategic Plan measure that relates to this priority goal: "Number of megawatts of approved capacity authorized on public land for renewable energy development while ensuring full environmental review." Through the end of 2015, the BLM issued decisions on solar, wind, and geothermal energy development project proposals with a combined capacity of more than 15,000 megawatts under the priority goal. Projects approved by BLM are projected to provide sufficient additional capacity to reach the Department goal of 16,600 megawatts by the end of FY 2017.

**Climate Change Adaptation** – By September 30, 2017, the Department of the Interior will mainstream climate change adaptation and resilience into program and regional planning, capacity building, training, infrastructure, and external programs, as measured by scoring 300 of 400 points through the Strategic Sustainability Performance Plan scorecard.

*BLM Contribution:* The BLM will work within five broad strategies developed by DOI to demonstrate implementation of climate change adaptation. These five broad strategies are mainstream and integrate climate change adaptation into both agency-wide and regional planning efforts; ensure agency principals demonstrate commitment to adaptation efforts through internal communications and policies; ensure workforce protocols and policies reflect projected human health and safety impacts of climate change; design and construct new or modify/manage existing agency facilities and/or infrastructure with consideration for the potential impacts of projected climate change; and update agency external programs and policies to plan for and address the impacts of climate change. Each of these five strategies will have a BLM component that will contribute to the Department's overall goal of addressing the impacts of climate change. The 2017 BLM budget request includes \$15.0 million for climate change adaptation which maintains funding at the 2016 enacted level.

*Implementation Strategy:* In 2016 and 2017, the BLM will identify priority focal areas for funding to restore or enhance landscape resiliency as one of many efforts to integrate climate change adaptation into planning efforts. The Bureau will integrate national science committee recommendations into decision making as part of its ongoing management commitment. Similarly, the BLM will review design criteria for climate change considerations in deferred maintenance or capital improvement projects over \$1.0 million to ensure they incorporate best available sustainable measures, reduce water use to help mitigate possible water shortages,

install photovoltaic cells where possible to help alleviate energy use, and use inspections to identify potential energy savings in facilities. Each of these measures helps to alleviate greenhouse gas emissions. Finally in working with our public land users, the BLM will develop a program to help visitors understand how climate change may affect their ability to use and enjoy the public lands.

*Performance Metrics:* The Department is presently employing a set of internal measures and milestones to monitor and track achievement of the priority goals. Progress in these areas will be reported and reviewed throughout the year by the Deputy Secretary's Principals Operations Group to identify and address any need for enhanced coordination or policy measures to overcome barriers to the achievement of the priority goal.

***Engaging the Next Generation*** – By September 30, 2017, the Department of the Interior will provide 100,000 work and training opportunities over four fiscal years (FY 2014 through FY 2017) for individuals age 15 to 35 to support Interior's mission.

*BLM Contribution:* The BLM has incorporated this priority goal into its Engaging the Next Generation Initiative. The Bureau will continue to focus on providing a continuum of experiences through its youth education, engagement, and employment programs. Special consideration is given to those programs that involve young people ages 15 to 35 through various student employment programs, the 21<sup>st</sup> Century Conservation Service Corps and other youth partnership organizations. The BLM is also emphasizing recruiting youth from diverse backgrounds. Programs for school age youth such as Hands on the Land and conservation corps and internship programs for high school and older youth expose young people to natural and cultural resources and to career pathways in those fields. The 2017 BLM budget includes \$1.0 million for the Engaging the Next Generation initiative, which maintains funding at the 2016 enacted level. This funding will provide youth opportunities assisting the BLM with habitat restoration, inventory, and monitoring in support of a wide range of projects, as well as climate change impacts.

*Implementation Strategy:* In 2016 and 2017, the BLM will continue to pursue opportunities to facilitate, develop, and sustain partnership activities to support BLM's mission and will continue pursuing collaborative opportunities to educate, engage, and employ youth, particularly throughout the National Landscape Conservation System.

*Performance Metrics:* The Department is presently employing a set of internal measures and milestones to monitor and track achievement of the priority goals. Progress in these areas will be reported and reviewed throughout the year by the Deputy Secretary's Principals Operations Group to identify and address any need for enhanced coordination or policy measures to overcome barriers to the achievement of the priority goal.

***Oil and Gas Resources Management*** – By September 30, 2017, the Bureau of Land Management (BLM) will complete 100 percent of the inspections for Federal and Indian potential high risk oil and gas production cases annually to better ensure accountability and safety.

*BLM Contribution:* The inspection of high-risk-producing oil and gas cases ensures that hydrocarbon production on federally-managed lands is properly accounted for and results in accurate royalty payments to the public and Indian owners of the minerals. Oil and gas production on federally-supervised lands represents a significant part of the Nation's hydrocarbon production. Operating regulations at 43 CFR 3161.3 (a) require the BLM to inspect at least once a year all leases which produce high volumes of oil or natural gas and those leases that have a history of non-compliance. By focusing on high-risk-producing cases, rather than randomly selecting producing cases for inspection, the BLM's resources are more efficiently used. The high-risk cases comprise about 13 percent of the total cases but account for over 60 percent of the oil and gas produced on Federal and Indian mineral estates. This effort is a component of addressing the deficiencies identified in the GAO High Risk report, including ensuring data on production verification and royalties are consistent and reliable, meeting goals for oil and gas verification inspections, and ensuring that informal employee training is supported by formalized training courses offered on a consistent basis. The 2017 budget includes \$48.0 million in proposed inspection fees to cover the cost of the inspections, which continues inspection program capacity at the 2016 enacted level. The 2017 budget also proposes an increase to complete the final phase of the Automated Fluid Minerals Support System (AFMSS) modernization project allowing collection of inspection and enforcement data across Federal onshore operations. This will strengthen BLM's oversight and permitting functions and enable the BLM to effectively implement its leasing reforms.

*Implementation Strategy:* High-risk cases are determined by four risk factors generated by the BLM: production rating; number of missing Oil and Gas Operations Reports; non-compliance rating; and last production inspection date rating. The Field Offices inspect the cases throughout the year, which are then entered into AFMSS. The Washington Office then runs reports from AFMSS showing the number of high-risk-production inspections completed. The number of high-risk-production cases is determined by the individual Field Offices, based on the Bureau's risk-based inspection strategy. The BLM proposes to inspect 100 percent of the high-risk cases in 2016 and 2017.

*Performance Metrics:* The BLM is presently employing the following milestones to monitor and track achievement of this priority goal: 1) Revising Onshore Oil and Gas Orders 3, 4, 5, and 9 which cover how oil and gas is measured and stored in a secure facility to prevent theft and mishandling of production, waste, and beneficial use; 2) Evaluating and adjusting onshore royalty rates; and 3) Continuing to require managers and supervisors to take the revised training class on oversight of oil and gas operations. Progress in these areas is reported and reviewed throughout the year by the Deputy Secretary's Principals Operations Group to identify and address any need for enhanced coordination or policy measures to overcome barriers to the achievement of the priority goal.

## **The BLM's Contribution to the Department's Strategic Plan**

The FY 2014-2018 DOI Strategic Plan, in compliance with the principles of the GPRA Modernization Act of 2010, provides a collection of mission objectives, goals, strategies and corresponding metrics that provide an integrated and focused approach for tracking performance across a wide range of DOI programs. While the DOI Strategic Plan for 2014 – 2018 is the foundational structure for the description of program performance measurement and planning for the 2017 President's Budget, further details for achieving the Strategic Plan's goals are presented in the DOI Annual Performance Plan and Report (APP&R). Bureau-and program-specific plans for 2017 are fully consistent with the goals, outcomes, and measures described in the 2014-2018 version of the DOI Strategic Plan and related implementation information in the Annual Performance Plan and Report (APP&R).

**Target Codes:** SP = Strategic Plan measure, BUR = Bureau specific measure

**Type Codes:** C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
<b>Mission Area 1: Celebrating and Enhancing America's Great Outdoors</b>						
<b>Goal 1: Protect America's Landscapes</b>						
<b>Strategy 1: Improve land and water health.</b>						
Percent of DOI stream/shoreline miles that have achieved desired conditions where condition is known and as specified in management plans. (SP)	86% 133,055/ 155,274	86% 133,866 155,151	85% 132,344/ 154,976	86% 133,070/ 154,976	86% 133,090/ 154,976	86% 134,010/ 154,976
<u>Contributing Programs:</u> Land Resources; Wildlife and Fisheries Management; O&C Resources; Contributed Funds; Challenge Cost Share; and Other Subactivities.						
Percent of DOI acres that have achieved desired conditions where condition is known and as specified in management plans. (SP)	66% 163,558,379/ 248M	63% 155,210,537/ 248M	63% 155,317,905/ 248M	63% 155,861,568/ 248M	63% 156,650,000/ 248M	64% 158,000,000/ 248M
<u>Contributing programs:</u> Land Resources; Wildlife Management; O&C Resources Management; Contributed Funds/Reimbursables; and Other Subactivities.						
Percent of baseline acres infested with invasive plant species that are controlled. (SP)	0.57% 204,667/ 35,762,000	0.68% 246,710/ 35,762,000	0.58% 210,395/ 35,762,000	1.6% 1,237,360/ 79,236,079	1.3% 1,050,000/ 79,236,079	1.3% 1,050,000/ 79,236,079
<u>Contributing Programs:</u> Land Resources; Burned Area Rehabilitation; O&C Resources Management; Challenge Cost Share; and Other Subactivities.						
Number of DOI riparian (stream/shoreline) miles restored to the condition specified in management plans. (BUR)	867	671	510	639	650	700
<u>Contributing Programs:</u> O&C Resources Management; Land Resources; Wildlife Management; Reimbursables; Challenge Cost Share and Contributed Funds; and Range Improvements.						
Number of DOI acres restored to the condition specified in management plans. (BUR)	556,457	502,787	487,770	543,663	500,000	540,000
<u>Contributing Programs:</u> Land Resources; Wildlife Management; O&C Resources Management; Range Improvements; Forest Ecosystems; SNPLMA Conservation; Resource Management Planning; Forestry Pipeline Restoration; NM&NCA's; Other Reimbursables.						

**Target Codes:** SP = Strategic Plan measure, BUR = Bureau specific measure

**Type Codes:** C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Percent of surface waters (acres) managed by BLM that meet State (EPA-approved) water quality standards. (BUR)	91% 335,765/ 371,060	90% 11,631,022/ 12,923,358	89% 3,049,333/ 3,426,217	89% 3,049,333/ 3,426,217	89% 3,049,333/ 3,426,217	89% 3,049,333/ 3,426,217
<u>Contributing Programs:</u> Land Resources; Wildlife Management; O&C Resources Management; Range Improvements; Forest Ecosystems; SNPLMA Conservation; Resource Management Planning; Forestry Pipeline Restoration; NM&NCA's; Other Reimbursables.						
Percent of surface waters (stream miles) managed by BLM that meet State (EPA-approved) water quality standards. (BUR)	89% 103,700/ 116,937	91% 221,722/ 243,706	91% 142,583/ 143,959	91% 131,003/ 143,959	91% 131,003/ 143,959	91% 131,003/ 143,959
Percent of Wild Horse and Burro Herd Management Areas (HMAs) achieving appropriate management levels. (BUR)	40% 72/179	26% 47/179	17% 31/179	15% 26/179	15% 26/179	TBD
Percent of Resource Management Plans completed within four years of start. (BUR)	39% 28/72	39% 29/75	38% 29/77	31% 30/95	36% 38/104	35% 39/110
Percent of Resource Management Plan evaluations completed within 5 years. (BUR)	44% 65/149	42% 66/157	45% 73/164	47% 78/164	49% 81/164	60% 100/164
Percent of Resource Management Plans with Implementation Strategies. (BUR)	38% 56/149	37% 58/157	34% 55/164	35% 58/164	40% 66/164	48% 79/164
Percent of Resource Management Plans evaluated as making significant progress toward achieving riparian condition goals. (BUR)	22% 33/149	22% 34/157	25% 41/164	28% 44/164	32% 52/164	43% 71/164
Percent of public lands where Visual Resource Management data have been recorded in digital format for both inventory and management classes. (BUR)	76% 187,663,813/ 248M	80% 198,541,465/ 248M	82% 201,506,063/ 248M	82% 201,506,063/ 248M	85% 211,706,063/ 248M	90% 224,406,063/ 248M

**Target Codes:** SP = Strategic Plan measure, BUR = Bureau specific measure

**Type Codes:** C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Percent of sites (acres) reclaimed or mitigated from the effects of degradation from past mining. (BUR)	51% 4,723/ 9,262	64% 8,834/ 13,747	9% 2,982/ 34,510	8% 2,851/ 35,434	8% 2,925/ 36,000	7% 2,720/ 37,500
Percent of known contaminated sites remediated on BLM-managed land. (BUR)	39% 108/ 272	46% 126/ 272	49% 131/269	9% 15/175	9% 15/175	9% 16/175
Percent of physical and chemical hazards mitigated in appropriate time to ensure visitor or public safety. (BUR)	91% 9601/1,052	92% 1,026/1,112	85% 980/1,159	100% 1,398/1,398	85% 1,037/1,220	83% 1,000/1,1210
Number of incidents/investigations closed for natural, cultural, and heritage resources offenses.(BUR)	4,450	6,330	6,774	10,613	10,613	10,613
Number of natural, cultural, and heritage resource crimes detected that occur on BLM lands.(BUR)	9,434	15,307	17,640	15,941	15,941	15,941
<b>Strategy 2: Sustain fish, wildlife, and plant species by protecting and recovering the Nation's fish and wildlife, in cooperation with partners, including States.</b>						
Number of threatened and endangered species recovery activities implemented. (SP)	1,921	1,844	1,519	1,740	1,680	1,680
<u>Contributing Programs:</u> Threatened and Endangered Species Management; O&C Wildlife Habitat Management, and NM&NCA's.						
Number of stream/shoreline miles of habitat restored or enhanced that directly support the conservation of Bureau species of management concern. (BUR)	225	307	510	263	237	263
<u>Contributing Programs:</u> Fisheries; Wildlife Management; Threatened and Endangered Species Management; O&C Wildlife Management; and NM&NCA's.						

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Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Number of acres of habitat restored or enhanced that directly support the conservation of Bureau species of management concern. (BUR)	250,000	250,000	218,500	293,200	394,216	448,000
<u>Contributing Programs:</u> Wildlife; Fisheries ; T&E Management; O&C Wildlife Management; and NM&NCA's.						
<b>Goal 2:</b> Protect America's Cultural and Heritage Resources						
<b>Strategy 1:</b> <i>Protect and maintain the Nation's most important historic areas and structures, archeological sites, and museum collections.</i>						
Percent of archaeological sites on DOI inventory in good condition (SP)	86% 69,362/ 80,653	85% 64,562/ 75,918	85% 68,588/ 80,685	85% 72,267/ 84,788	87% 80,400/ 92,000	87% 84,000/ 97,000
Comments: Archaeological sites are evaluated to be in good condition when they are intact and maintains their character and material, with no noticeable deterioration.						
Percent of historic structures on DOI inventory in good condition (SP)	48% 197/410	52% 217/421	51% 221/431	51% 218/429	53% 230/435	54% 234/435
Comments: Historic structures are evaluated to be in good condition when they are intact, structurally sound, and maintain character and material.						
Percent of collections on DOI inventory in good condition. (SP)	83% 120/144	86% 123/ 143	84% 132/158	85% 135/159	87% 139/160	87% 142/163
Comments: Collections are considered to be in good condition when professional environmental and security controls employed by the facility are in place to secure and stabilize the artifacts and specimens.						
Percent of paleontological localities in BLM inventory in good condition. (BUR)	99% 26,376/ 26,621	98% 19,259/ 19,609	36% 6,191/17,129	22% 6,191/ 27,629	45% 9,000/ 20,000	22% 6,690/ 30,413
Comments: Paleontological localities are assessed to be in good condition when they are intact with no noticeable deterioration and potential impacts are being mitigated.						

**Target Codes:** SP = Strategic Plan measure, BUR = Bureau specific measure

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Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Number of units of National Scenic and Historic Trail inventory completed to standards. (BUR)	222	106	91	70	43	45
Number of units of National Scenic and Historic Trail monitoring completed to standards. (BUR)	2,542	153% 718/ 469 units	189	197	167	165
Percent of designated Wild and Scenic River miles achieving goals, objectives, and desired conditions in maintaining, protecting, and/or enhancing river-related values. (BUR)	88% 2,371/2,681	61% 1,505 / 2,450	62% 1,526/ 2,450	64% 1,562/2,450	64% 1,562/2,450	64% 1,562/2,450
Percent of Wilderness Areas under BLM Management with Completed Baseline Wilderness Character Monitoring. (BUR)	New Measure in 2015	New Measure in 2015	Baseline to be established	50% 112/223	73% 162/223	84% 187/223
Percent of designated Monuments and NCAs inventoried for the resources, objects, and values for which they were designated, (BUR)	New Measure in 2014	New Measure in 2014	47% 4,557,999/ 9,697,871	53% 5,140,384/ 9,698,841	55% 5,333,829/ 10,546,766	60% 5,819,305/ 10,546,766
<b>Goal 3: Provide Recreation and Visitor Experience</b>						
<b>Strategy 1: Enhance the enjoyment and appreciation of our natural and cultural heritage by creating opportunities for play, enlightenment, and inspiration.</b>						
Percent of visitors satisfied with the quality of their experience. (SP)	94% 94/100	96% 96/100	96% 96/100	96% 96/100	96% 96/100	96% 96/100
Percent satisfaction among visitors served by facilitated programs. (SP)	97% 97/100	94% 94/100	95% 95/100	94% 94/100	94% 94/100	95% 95/100
Percent of customers satisfied with the value for fee paid. (BUR)	70%	83% 83/100	75% 75/100	74% 74/100	74% 74/100	74% 74/100

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Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Percent of recreation fee program receipts spent on fee collection. (BUR)	3%	3%	3%	3%	3%	3%
<b>Mission Area 3: Powering Our Future and Responsible Use of the Nation's Resources</b>						
<b>Goal 1: Secure America's Energy Resources</b>						
<b>Strategy 1: Ensure environmental compliance and the safety of energy development.</b>						
Percent of oil and gas acres reclaimed to appropriate final land condition. (SP)	23% 1,949/ 8,651	24% 1,661/ 6,992	24% 2,122/ 8,822	41% 2,328/ 5,643	38% 1,920/ 5,078	38% 1,900/ 5,000
Percent of producing fluid mineral cases that have a completed inspection during the year. (SP)	33% 10,297/ 27,419	37% 10,204/ 27,719	27% 7,915/ 29,321	27% 7,758/ 29,212	31% 9,000/ 29,200	31% 9,000/ 29,200
Percent of required coal inspection and enforcement reviews completed. (BUR)	101% 2,731/ 2,700	95% 2,467/ 2,600	91% 2,353/ 2,600	103% 2,277/ 2,212	100% 2,100/ 2,100	100% 2,200/ 2,200
Percent of Federal oil and gas lease assignments processed. (BUR)	90% 12,706/ 14,087	80% 12,140/ 15,361	87% 12,194/ 14,000	91% 10,800/ 11,844	92% 12,000/ 13,000	92% 12,000/ 13,000
<b>Strategy 2: Develop Renewable Energy Potential</b>						
Number of megawatts of approved capacity authorized on public land and the Outer Continental Shelf (OCS) for renewable energy development while ensuring full environmental review. (SP)	9,844	15,767	16,534	17,526	18,360	19,000
<b>Strategy 3: Manage Conventional Energy Development</b>						

**Target Codes:** SP = Strategic Plan measure, BUR = Bureau specific measure

**Type Codes:** C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Percent of coal lease applications processed. (SP)	18% 8/45	15% 6/40	10% 4/41	23% 9/39	10% 4/42	11% 4/35
Percent of pending fluid mineral Applications for Permit to Drill (APDs) which are processed. (SP)	61% 5,861/ 9,549	60% 4,892/ 8,180	56% 4,924/ 8,862	57% 4,913/ 8,596	56% 4,500/ 7,885	56% 4,500/ 7,852
Number of coal post-leasing actions approved for energy minerals. (BUR)	375	325	263	270	260	260
Percent of pending cases of right-of-way grant applications. (BUR)	47% 1,380/ 2,965	47% 1,402/ 3,000	49% 1,458/ 2,989	54% 1,675/ 3,110	50% 1,500/ 3,000	50% 1,500/ 3,000
Percent of oil and gas Reservoir Management Agreements processed. (BUR)	82% 3,605/4,385	86% 3,443/ 4,000	91% 4,089/4453	111% 4,468/4,009	91% 3,557/4,044	91% 3,557/4,044
<b>Goal 2: Sustainably Manage Timber, Forage, and Non-Energy Minerals</b>						
<b>Strategy 1: Manage Timber and Forest Products Resources</b>						
Percent of allowable sale quantity timber offered for sale consistent with applicable resource management plans. (SP)	85% 172/ 203	80% 162/ 203	77% 155/ 203	80% 162/ 203	80% 162/ 203	80% 162/ 203
Volume of wood products offered consistent with applicable management plans (Public Domain & O&C) (SP)	242	243	269	251	228	228
<u>Contributing Programs:</u> O&C Forest Management; Forestry Management						

**Target Codes:** SP = Strategic Plan measure, BUR = Bureau specific measure

**Type Codes:** C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Administrative cost per thousand board feet of timber offered for sale. (BUR)	\$194	\$207	\$182	\$164	\$200	\$200
Volume of wood products offered (biomass for energy) consistent with applicable management plans. (BUR)	157,751	137,347	116,559	125,076	100,000	100,000
<u>Contributing Programs:</u> Forestry Management; Hazardous fuels; O&C Resources Management ; and Forest Ecosystem Health .						
Percent of forestry improvements (acres) completed as planned. (BUR)	62% 15,906/ 25,700	100% 16,050/ 16,000	111% 17,720/ 16,000	106% 16,946/ 16,000	91% 14,500/ 16,000	91% 14,500/ 16,000
<b>Strategy 2: Provide for Sustainable Forage and Grazing</b>						
Percent of grazing permits and leases processed as planned consistent with applicable resource management plans. (SP)	22% 1,491/ 6,685	21% 1,344/ 6,300	22% 1,374/ 6,300	18% 1,213/ 6,900	20% 1,350/ 6,800	22% 1,500/ 6,800
<u>Contributing Programs:</u> Range Land Management; National Monuments and National Conservation Areas; O&C Range Management .						
Number of grazing administration actions conducted. (BUR)	108% 34,200/ 31,617	115% 35,298/ 30,752	120% 33,738/28,000	111% 35,717/ 31,994	100% 32,016/ 32,016	100% 34,500/ 34,500
<u>Contributing Programs:</u> Range Land Management; National Monuments and National Conservation Areas; O&C Range Management .						
<b>Strategy 3: Manage Non-Energy Mineral Development</b>						
Percent of non-energy mineral exploration and development requests processed. (SP)	11% 73/ 645	25% 114/475	22% 105/475	12% 58/482	27% 110/415	30% 125/415

Target Codes: SP = Strategic Plan measure, BUR = Bureau specific measure

Type Codes: C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Number of mined acres reclaimed to appropriate land condition and water quality standards. (SP)	1,408	2,279	1,554	5,637	1,500	1,500
Percent of Mineral Material permits and contracts processed for non-energy minerals. (BUR)	37% 740/ 2,000	21% 503/ 2,028	47% 513/1,082	42% 511/1,224	45% 710/1,565	40% 400/1,000
Percent of Reclamation Bond Adequacy. (BUR)	98% \$2,363,046,865/ \$2,404,511,715	99% 2,543,000,000/ 2,563,000,000	96% 2,590,000,000/ 2,697,000,000	97% 2,801,567,645/ 2,875,053,978	98% 1,960,000,000/ 2,000,000,000	98% 1,960,000,000/ 2,000,000,000
Average time for processing Plans of Operation for locatable minerals. (BUR)	14 mo	14 mo	17 mo	23 mo	15 mo	16 mo
Percent of Notices and Plans of Operations inspected. (BUR)	44% 1,338/3,039	47% 1,393/ 2,954	48% 1,293/ 2,674	65% 1,624/ 2,514	50% 1,525/ 3,050	50% 1,525/ 3,050
Percent of Mineral Material trespass actions resolved for non-energy minerals. (BUR)	23% 42/ 180	13% 15/ 117	27% 12/ 44	44% 31/71	44% 31/71	27% 19/70
Number of mining notices processed. (BUR)	525	516	521	454	460	450
Percent of time the Crude Helium Enrichment Unit (CHEU) was operating during the fiscal year. (BUR)	105% 357/340	105% 356/ 340	102% 347/ 340	100% 340/ 340	100% 340/ 340	100% 340/ 340
Number of Mineral Material inspections and production verifications. (BUR)	3,076	2,969	3,106	2,899	2,770	2,770
Number of Non-energy Solid Mineral inspections and production verifications. (BUR)	1,817	1,757	1,684	1,651	1,474	1,500
<b>Mission Area 6: Building a Landscape Level Understanding of Our Resources</b>						

**Target Codes:** SP = Strategic Plan measure, BUR = Bureau specific measure

**Type Codes:** C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
<b>Goal 1: Provide Shared Landscape-Level Management and Planning Tools</b>						
<b>Strategy 1:</b> <i>Ensure the use of landscape level capabilities and mitigation actions</i>						
Number of landscape-scale mitigation actions taken that directly expand the conservation of natural resources. (SP)	New in 2014	New in 2014	2	6	21	4
<b>Management Initiatives : Building a 21st Century Department of the Interior</b>						
<b>Goal 4:</b> Improving Acquisition & Real Property Management						
Percent of buildings maintained in adequate condition, determined by Facilities Condition Index (FCI) < 0.15. (BUR)	92% 4,546/4,971	90% 3,978/ 4,323	92% 3,976/4327	93% 3,960/4,288	92% 3,967/4,294	92% 3,967/4,294
Percent of sites maintained in adequate condition, determined by Facilities Condition Index (FCI) < 0.15. (BUR)	89% 3,079/3,464	88% 3,128/3,490	89% 3,120/3,499	89% 3,137/3,535	89% 3,141/3,542	89% 3,141/3,542
Number of lane miles of roads maintained in adequate condition. (BUR)	34,376	33,765	33,625	33,568	33,600	33,600
Number of Deferred Maintenance and Construction projects completed. (BUR)	311	70	220	220	220	220
Increase the percentage of BLM organizational units rated in good safety, health, and environmental condition (CASHE). (BUR)	96% 115/ 120	95% 114/ 120	94% 113/ 120	94% 113/ 120	95% 114/ 120	95% 115/ 120

Target Codes: SP = Strategic Plan measure, BUR = Bureau specific measure

Type Codes: C = Cumulative measure, A = Annual measure

Supporting Performance Measures	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Enacted	2017 President's Budget
Number of public land title records posted on the Internet to assist title, survey, historical, and genealogical research and retrieval. (BUR)	250,844	235,590	191,202	264,798	160,000	200,000
Percent of survey projects of Federal and Indian Trust lands that are funded. (BUR)	20% 317/1,570	14% 258/1,862	16% 248/1,570	20% 319/1,575	18% 291/1,639	18% 291/1,639
Percent of cadastral surveys approved within 18 months of the funding date. (BUR)	82% 335/409	69% 388/559	59% 241/409	52% 219/409	37% 227/606	37% 227/606
Percent of land entitlements patented to the State and Alaskan Native Corporations as required by statute. (BUR)	63% 94,244,957/ 150,149,836	65% 97,000,457 150,149,836	65% 97,544,793/ 150,149,836	66% 99,150,624/ 150,262,087	67% 100,344,793/ 150,149,836	67% 101,544,793/ 150,148,836
Number of acres conveyed out of public ownership through sale or exchange. (BUR)	20,491	114,924	58,363	41,884	40,000	40,000
Number of acres acquired to consolidate ownership and improve management. (BUR)	1% 111/ 11,849	62% 7,371/ 11,849	144% 17,054/ 11,849	82% 20,292/ 24,696	50% 12,000/ 24,000	50% 12,000/ 24,000
Number of land exchange cases completed to consolidate ownership, improve management, and acquire important resources. (Bureau Measure)	New Measure in 2014	New Measure in 2014	12	0	10	10

# Crosscutting Programs



# CROSSCUTTING PROGRAMS

The BLM has a number of programs that are funded through multiple sources. The National Conservation Lands is one such example; its components are described below. In addition, the BLM has partnership, education, and volunteer programs that are supported by a number of funding sources. Service First and BLM's partnership program provide tools to BLM managers to more efficiently and effectively use funding and to provide results on the ground.

## The National Conservation Lands

The BLM is unique in its mission within the Department of managing the public lands for multiple use and sustained yield of resources, including conservation. More than 30 million acres of BLM land is recognized for outstanding conservation values and designated for special management by Acts of Congress or Presidential Proclamations.



*Cashe Creek Natural Area, Barryessa Snow Mountain  
2015 Newly Designated National Monument, BLM California*

The BLM manages these special areas to maintain and enhance their conservation values with the goal to conserve, protect, and restore these important landscapes and their outstanding cultural, ecological, and scientific values. These areas range from broad Alaskan tundra to red-rock deserts and from deep river canyons to rugged ocean coastlines and include some of America's finest natural and cultural treasures.

The National Conservation Lands include the following unit designations. Each of these unit designations and information about each unit type can be found in the following sections.

- National Monuments and National Conservation Areas and similar designations;
- Wilderness/Wilderness Study Areas;
- National Wild and Scenic Rivers; and
- National Scenic and Historic Trails.

**Natural and Cultural Benefits** - The diverse ecosystems designated in the National Conservation Lands protect a myriad of endangered species and habitats, and the ecosystems help ensure that the Nation's extraordinary biodiversity will be sustained for present and future generations to enjoy. National Conservation Lands also are a refuge for native plant communities that are important for species adapting to a changing climate. As landscape pressures associated with drought, climate change and the effects of landscape stressors on species habitat and migration corridors continue to be of concern, units of the National Conservation Lands offer opportunities for scientists to conduct important research and data collection. Additionally, the National Conservation Lands contain over 30 percent of all special-status animal species found on BLM lands.

Also preserved within the National Conservation Lands are priceless artifacts from our Nation's history, including explorer William Clark's 1806 signature on a sandstone bluff in Montana. This signature is the only on-site physical evidence of the Lewis and Clark expedition. Dinosaurs and other prehistoric species left countless evidence of their passing through the National Conservation Lands and many of their fossils are now displayed in visitor centers and cooperating museums. New species of dinosaurs have been discovered in the past decade on National Conservation Lands, including *Nasutoceratops titusi*, a type of big-bodied horned dinosaur in the same family as the famous Triceratops, at the Grand Staircase-Escalante National Monument.

**Recreation Benefits** - As wide-open spaces and opportunities for natural exploration continue to dwindle, the National Conservation Lands conserve over 30 million acres of rugged landscapes for the public to explore and enjoy and host more than one-fourth of all recreation on BLM lands. These diverse lands provide opportunities for recreationists of all kinds, from white-water rafters and rock climbers to hunters and fishermen, hikers and mountain bikers to boaters and off-highway vehicle riders. The BLM manages units that include over 2,700 recreation sites and 22 visitor centers, and



*Silver Lake Aquatic Camp, BLM Alaska*

serve approximately 14 million visitors annually. Because of the high rate of visitation, the communities surrounding the National Conservation Lands reap significant economic benefits through tourism services. In southeast Nevada, Red Rock Canyon National Conservation Area alone serves over one million visitors each year. These visitors generate more than \$1.7 million in recreation fees that are reinvested in the unit and directly contribute to the regional tourist economy, benefitting local communities and businesses located there.

The BLM, in cooperation with local communities, supports the creation of recreation and visitor facilities in nearby gateway communities rather than building extensive facilities within the units. In New Mexico, the BLM worked with the Las Cruces Museum of Nature and Science to establish exhibits on the Prehistoric Trackways National Monument. The new visitor center will provide educational opportunities highlighting BLM-managed resources at the nearby Prehistoric Trackways National Monument. These facilities also draw additional tourism which supports the local economy and creates economic diversity.

These lands are critical to the implementation of important Administration initiatives, including America's Great Outdoors, Engaging the Next Generation, Let's Move Outside, and the Department of the Interior's Every Kid in a Park Initiative. For example, the National Conservation Lands connect youth, veterans, and families to the outdoors through a number of programs and recreational opportunities including internship opportunities for students, employment and training opportunities for veterans, and volunteer opportunities on designated units of the National Conservation Lands. The incredible beauty and sense of adventure provided by these lands entice both individuals and families to be a part of these public lands.

In addition to the revenue generated by tourism, the National Conservation Lands also provide revenue from energy development, ranching, mineral extraction, and art. The BLM promotes the sustainable use of these lands as supported through the proclamation or designating legislation to conserve these lands for present and future generations.

The following table displays the amount of funding allocated to the National Conservation Lands. These amounts represent recurring base funding only.

<b><u>National Conservation Lands</u></b>				
	<b>2015 Actual</b>	<b>2016 Enacted</b>	<b>2017 Request</b>	<b>Program Change from 2016</b>
<b><i>Management of Land &amp; Resources:</i></b>				
NMs & NCAs	31,819	36,819	50,645	+13,826
Wilderness Management	18,264	18,264	18,392	+128
<b><i>Oregon &amp; California Grant Lands:</i></b>				
NMs & NCAs	753	767	779	+12
<b><i>Crosscutting Programs:</i></b>				
National Wild & Scenic River Program	6,948	6,948	6,948	+0
National Scenic & Historic Trails Program	6,358	6,358	6,358	+0
<b>Total, National Conservation Lands</b>	<b>64,142</b>	<b>69,156</b>	<b>83,122</b>	<b>+13,966</b>

### **Units of the National Conservation Lands**

The following table displays the individual units, by designation type, included in BLM's National Conservation Lands System (NCL). The NCL includes National Monuments, National Conservation Areas and Similar Designations, Wilderness Areas, Wilderness Study Areas, National Wild and Scenic Rivers, National Historic Trails, National Scenic Trails, and Other Congressional Designations.

<b><u>23 National Monuments</u></b>	
<b>Arizona</b>	Agua Fria 70,980 acres
	Grand Canyon-Parashant 808,747 acres
	Ironwood Forest 128,734 acres
	Sonoran Desert 486,600 acres
	Vermilion Cliffs 279,568 acres
<b>California</b>	Berryessa Snow Mountain 133,566 acres
	California Coastal 3937 acres along 840 miles of coastline
	Carrizo Plain 208,698 acres
	Fort Ord National Monument 7,205 acres
	Santa Rosa-San Jacinto Mountains 94,055 acres
<b>Colorado</b>	Browns Canyon 9,783 acres
	Canyons of the Ancients 174,560 acres
<b>Idaho</b>	Craters of the Moon 274,693 acres

<b><u>23 National Monuments cont.</u></b>		
<b>Montana</b>	Pompeys Pillar	51 acres
	Upper Missouri River Breaks	374,976 acres
<b>New Mexico</b>	Kasha-Katuwe Tent Rocks	4,124 acres
	Prehistoric Trackways	5,255 acres
	Organ Mountains-Desert Peaks	496,330 acres
	Rio Grande del Norte	242,555 acres
<b>Nevada</b>	Basin and Range	703,585 acres
<b>Oregon/Washington</b>	Cascade-Siskiyou	63,977 acres
	San Juan Islands	970 acres
<b>Utah</b>	Grand Staircase-Escalante	1,866,134 acres

<b><u>21 National Conservation Areas and Similar Designations</u></b>		
<b>Alaska</b>	Steese NCA	1,208,624 acres
<b>Arizona</b>	Gila Box Riparian NCA	21,767 acres
	Las Cienegas NCA	41,972 acres
	San Pedro Riparian NCA	55,495 acres
<b>California</b>	King Range NCA	56,167 acres
	Headwaters Forest Reserve	7,542 acres
	Piedras Blancas Historic Light Station Outstanding National Area (ONA)	18 acres
<b>Colorado</b>	McInnis Canyon NCA	123,430 acres
	Gunnison Gorge NCA	62,844 acres
	Dominguez-Escalante NCA	210,172 acres
<b>Florida</b>	Jupiter Inlet Lighthouse ONA	63 acres
<b>Idaho</b>	Morley Nelson Snake River Birds of Prey NCA	482,100 acres
<b>Nevada</b>	Black Rock Desert High Rock Canyon Emigrant Trails NCA	799,165 acres
	Red Rock Canyon NCA	198,065 acres
	Sloan Canyon NCA	48,438 acres
<b>New Mexico</b>	Fort Stanton-Snowy River Cave NCA	24,977
	El Malpais NCA	230,000 acres
<b>Oregon</b>	Steens Mountain Cooperative Management and Protection Area	428,446 acres
	Yaquina Head ONA	95 acres
<b>Utah</b>	Red Cliffs NCA	44,825 acres
	Beaver Dam Wash NCA	63,478 acres

- **223 Wilderness Areas** 8,760,029 acres
- **517 Wilderness Study Areas** 12,607,811 acres
- **69 National Wild and Scenic Rivers** 2,423 miles  
(1,001,353 acres or/ 20% of the national system)
- **18 National Scenic and Historic Trails** 5,761 miles

<b>13 National Historic Trails</b> <b>5,078 miles</b> (Majority of all Federal miles)	
California	1,493 miles
Captain John Smith Chesapeake	2 miles
El Camino Real de Tierra Adentro	60 miles
Iditarod	149 miles
Lewis and Clark	369 miles
Mormon Pioneer	498 miles
Nez Perce	70 miles
Oregon	848 miles
Pony Express	596 miles
Juan Bautista De Anza	103 miles
Old Spanish	887 miles
Star Spangled Banner National Historic Trail	2 miles
Washington-Rochambeau Revolutionary Route	1 mile

<b>5 National Scenic Trails</b> <b>683 miles</b>	
Arizona	46 miles
Continental Divide	389 miles
Pacific Crest	233 miles
Pacific Northwest	12 miles
Potomac Heritage	3 miles

<b>Other Congressional Designations</b>	
California Desert*	10,671,080 acres

\*The lands of the California Desert are congressionally designated, but are not a part of the National Landscape Conservation System.

## National Wild and Scenic Rivers System

The National Wild and Scenic Rivers (WSR) System was created by Congress on October 2, 1968, to preserve rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. The BLM plans to commemorate the Act and WSR System through special public events and activities through the 50<sup>th</sup> anniversary in 2018.



The Act is notable for safeguarding the special character of these rivers, while also recognizing the potential for their appropriate use and development. It encourages river management that crosses political boundaries and promotes public participation in developing goals for river protection. Through the America's Great Outdoors (AGO) initiative, the President emphasized the value of rivers and waterways to our Nation's history, economy, and way of life. Rivers connect people and communities to America's great outdoors and are vital migration corridors for fish and wildlife. In the 21<sup>st</sup> century, healthy rivers will enhance the resilience of human and natural communities. Millions of people visit WSRs annually either on their own or through hundreds of permitted commercial outfitters and the associated use provides significant economic impact to local communities and helps them to sustain the natural heritage of their wild and scenic rivers.

The BLM WSR program is part of the National Conservation Lands and engages local communities to help them foster a sense of shared stewardship and pride in their local WSRs.

The BLM has the responsibility to protect and enhance river values (free flowing condition, water quality, and outstandingly remarkable values) on 69 designated rivers in seven States covering over 2,400 miles and 1,001,353 acres (about 20 percent of the WSR) and on hundreds of eligible and suitable rivers across the western States. The BLM WSR Program focuses on the protection and enhancement of river values with the following activities:

- Evaluate free flowing rivers to determine if they are eligible and suitable for inclusion within the WSR System and determine tentative classifications (wild, scenic or recreational);
- Submit recommendations resulting from studies on potential WSRs;
- Manage eligible, suitable and designated WSRs to protect and enhance their free flowing condition, water quality and outstandingly remarkable values;
- Develop and implement statutorily required comprehensive river management plans that reflect the requirements of the WSR Act and national policies and guidance;
- Monitor designated WSR and eligible and suitable river segments to minimize noxious weed infestations, trespass activities, and the impacts from commercial and non-commercial recreation activities;
- Provide visitor services and public information and interpretation through publications, wayside exhibits, appropriate instructional signage, and river-related visitor centers;

- Restore riparian habitats to healthy and functioning condition by removing or modifying activities creating unacceptable impacts along rivers;
- Protect or enhance water quality on WSRs by requiring and implementing best management practices for new land use authorizations and activities, changing current management practices where appropriate, and restoring degraded watershed function;
- Make determinations regarding the impacts of proposed water resources projects on designated WSRs, congressionally authorized study rivers, and on rivers identified for study by the BLM; and
- Maintain relationships with tribal governments, other Federal agencies, State and local governments, friends' groups and other non-profit organizations, and the general public concerned with comprehensive river-related plans, studies, and/or management.

The BLM's revised Wild and Scenic Rivers Manual provides policy and program direction for identification, evaluation, planning, and management of designated rivers, congressionally authorized study rivers, and BLM-identified eligible and suitable rivers. The BLM will continue to implement this updated policy and program guidance by providing training courses that enable staff and managers to work collaboratively with partners and communities to protect river values and manage river uses. The BLM will coordinate with other programs, agencies and organizations to strengthen and improve monitoring strategies and best management practices; using partnerships, science and outreach to help monitor and manage river values.

The WSR program works to implement the AGO initiative through collaborative landscape and watershed protection and restoration work, improved recreation access and opportunities, and community partnerships that enhance quality of life outcomes for residents and visitors. The WSR program also supports the Department of the Interior's Every Kid in a Park initiative. The BLM will focus on protecting and restoring rivers for people and wildlife; enhancing river recreation which supports jobs in tourism and outdoor recreation; working with communities to take action to secure economic, social and ecological benefits of having a healthy river; and working collaboratively with local, State, tribal and other Federal agencies on river protection, restoration, and recreation access.

The WSR program is funded by multiple subactivities at \$6.9 million within the MLR and O&C appropriations (see table below). Fees collected at specific recreation sites and for Special Recreation Permits are returned to those locations to support management of WSRs. The BLM also leverages base funding by matching volunteer labor and contributions; cooperating with the National Park Service (NPS), the U.S. Forest Service (USFS) and State agencies where river areas are co-managed. Donations of labor and contributed funds from river and other partnership organizations increase BLM's capability and improve outcomes. The BLM plans to align funding and performance to increase program efficiencies and transparency.

<b>National Wild &amp; Scenic River Program</b>				
	<b>2015 Actual</b>	<b>2016 Enacted</b>	<b>2017 Request</b>	<b>Change from 2016</b>
Soil, Water & Air Management	181	181	181	+0
Rangeland Management	457	457	457	+0
Public Domain Forest Mgmt	118	118	118	+0
Riparian Management	419	419	419	+0
Cultural Resources Mgmt	320	320	320	+0
Wild Horse & Burro Mgmt	9	9	9	+0
Wildlife Management	214	214	214	+0
Fisheries Management	352	352	352	+0
Threatened & Endangered Species	213	213	213	+0
Recreation Resources Management	2,947	2,947	2,947	
Oil & Gas Management	31	31	31	+0
Alaska Conveyance	113	113	113	+0
Cadastral, Lands & Realty Mgmt	50	50	50	+0
Land & Realty Management	0	0	-	+0
Hazardous Materials Management	121	121	121	+0
Annual Maint. & Ops	1,220	1,220	1,220	+0
Administrative Support	59	59	59	+0
O&C Other Forest Resource Mgmt	124	124	124	+0
<b>National Wild &amp; Scenic Rivers</b>	<b>6,948</b>	<b>6,948</b>	<b>6,948</b>	<b>+0</b>

### **National Scenic and Historic Trails Program**

The U.S. Congress authorized the Nation's National Trails System through the National Trails System Act on October 2, 1968. The BLM plans to commemorate the Act and the National Trails System through special public events and activities through the 50<sup>th</sup> anniversary in 2018. As part of the National Trails System, and as BLM National Conservation Lands, National Scenic and Historic Trails are protected as corridors of cultural heritage, resource conservation, and outstanding recreation opportunities. National Trail corridors span thousands of miles in nearly all 50 States, crossing Federal, State, tribal, local government, and private lands. Program responsibilities include managing eighteen National Trails (five scenic and 13 historic) on the ground, crossing nearly 6,000 miles of BLM public lands in 15 States. The BLM serves as interagency Trail Administrator, or trail-wide lead, for the Iditarod, Old Spanish, and El Camino Real de Tierra Adentro National Historic Trails. The BLM coordinates closely with the NPS and the USFS Trail Administrators and other National Trail managing agencies to promote a seamless system of public trails. The BLM also supports five National Trail-related visitor centers which tell the stories of the trails, fostering public enjoyment, appreciation, volunteerism, and learning, while inspiring people to get outside to experience these National Trail treasures.

The BLM safeguards the nature and purposes of National Trails, and protects the scenic, historic, natural, and cultural resources and qualities of the areas through which the trails pass for recreational and conservation purposes. The BLM strives to model the America's Great

Outdoors initiative along these trails in its work with volunteers, nonprofit trail groups, long-term partners, and willing landowners and supports the Secretary's Youth Initiative by providing opportunities for recreation, education, and volunteerism. National Trail work is guided by the 15-year National Conservation Lands Strategy and the National Trails Strategy.

National Scenic Trails provide outdoor recreation opportunities, public enjoyment, and promote conservation. They are planned, constructed, and maintained by the BLM and volunteers to provide visitors with long-distance hiking, backpacking, day hiking, and horseback riding opportunities, and to support related recreational activities such as camping, fishing, hunting, wildlife observation, nature study, and photography. National Scenic Trails provide public access to some of the Nation's most spectacular vistas, guiding visitors through canyons, along arid deserts, across windswept alpine, and to the summit of snowcapped peaks.



*Moab Brand Trails, BLM Utah*

National Historic Trails tell the iconic stories of America, including exploration, western expansion and settlement, economic development, cultural divides, and the pursuit of religious freedom. These pathways of history and the associated settings are identified, protected, restored, stabilized, and interpreted by the BLM and volunteers for future generations. Physical remnant and artifact discoveries include wagon ruts, swales, wagon train encampments, structures, signature rocks, pioneer grave sites, and skirmish sites, and artifacts such as period coins, weapons, household items, and tools. Public land visitors can experience National Historic Trails and the stories of the trails at visitor centers, wayside exhibits, historic sites, recreational trails, auto tour routes, and along intact trail segments. The BLM manages more miles of National Historic Trails than any other Federal agency.

Capacity-building and leveraging limited funding is critical to program success. The BLM recognizes its charge under the National Trails System Act of 1968 in encouraging and assisting nonprofit organizations, and provides limited support for training, education, workshops, conferences, publications, and youth apprenticeships. National Trails stewardship work is effected through cooperative agreements to acknowledge, support, and leverage resources. As part of this effort, approximately twenty major nonprofit trail organizations, such as the Nez Perce Trails Foundation, Oregon-California Trails Association, National Pony Express Association, and the Pacific Crest Trail Association, contribute thousands of hours working with the BLM in National Trail planning, development, operations, maintenance, and acquisition. National Trail organizations estimate that volunteer organizations contribute more than \$35.0 million in annual program value through volunteer hours and fiscal contributions.

BLM National Trail inventory and monitoring work is a BLM performance requirement, critical for the establishment of National Trail management corridors in land use planning and for proposed project review for priority renewable and nonrenewable energy development and transmission projects. Based on the current policy, the BLM plans to develop a standard methodology for this work and to engage agency professionals, partners, contractors, and universities.

The BLM National Trails Program remains funded by multiple subactivities within the MLR appropriation (see table below). The budget proposes \$6.4 million in 2017, the same as the 2016 level. Fees collected at National Trail Visitor Centers and specific recreation sites are returned to those locations. The BLM also leverages base funding by matching volunteer labor and contributions; applying for grants or other Federal or State funding; and through cooperative agreements at the local, State, and national level. The BLM plans to align funding and performance to increase program efficiencies and transparency.

<b><u>National Scenic &amp; Historic Trail Program*</u></b>				
	<b>2015 Actual</b>	<b>2016 Enacted</b>	<b>2017 Request</b>	<b>Change from 2016</b>
Soil, Water & Air Management	112	112	112	+0
Rangeland Management	68	68	68	+0
Riparian Management	20	20	20	+0
Cultural Resources Mgmt.	557	557	557	+0
Wildlife Management	93	93	93	+0
Threatened & Endangered Species	99	99	99	+0
Recreation Resources Management	4,397	4,397	4,397	+0
Annual Maint. & Ops	1,012	1,012	1,012	0
<b>National Scenic &amp; Historic Trails</b>	<b>6,358</b>	<b>6,358</b>	<b>6,358</b>	<b>0</b>

\*Several additional subactivities have provided funding, but to increase budget efficiencies they are no longer included in the table.

## Service First

Service First is a partnership authority (P.L. 106-291, as amended by P.L. 109-54, P.L. 112-74, and further amended by P.L. 113-76) between the agencies and offices of the Department of the Interior and the agencies and offices of the Department of Agriculture. Service First authority was made permanent in the Consolidated Appropriations Act, 2012 (P.L. 112-74) and further expanded to include all agencies and offices in both the Department of the Interior and Department of Agriculture in the Consolidated Appropriations Act, 2014 (P.L. 113-76).

The BLM continues to strengthen partnerships among the NPS, the U.S. Fish and Wildlife Service (FWS), and the USFS to attain the three Service First goals of improving natural and cultural resource stewardship, enhancing customer service, and increasing operational efficiency. The four agencies provide national leadership, direction, and counsel on implementing the authorities and promoting the principles of Service First through the Service First Leadership Team (SFLT). The SFLT's goals include enhancing each agency's ability to meet its mission; increasing collective capacity to manage Federal resources on a landscape basis; overcoming institutional barriers that hinder interagency programs and initiatives; and improving constituent and customer service and resource management through streamlined processes, increased efficiencies, and use of emerging technologies.

Discussions are already underway with the legal community in both Departments about implementing the expanded authority in the new agencies. Further, both Departments and other agencies are exploring how and where to use the newly expanded authority in existing and new partnerships.

In 2017, Service First will continue to focus on opportunities for co-location of agency facilities where feasible and appropriate. Co-location better facilitates inter-agency communication and results in integration of natural resource management across the landscape. It is one method for increasing coordination across resource programs that include conserving water, hazardous fuels reduction, landscape-scale species conservation, sustaining rural communities, nurturing youth through education and connections to the outdoors, and recreation management, including off-highway vehicle use and trail management.

Service First will also continue to make advances in creating an integrated information technology system where employees will be able to access other agencies' data and systems while maintaining appropriate security levels. Joint access to the more complex databases including geographic information systems, invasive weed inventories, and other natural resource data will result in more seamless customer service and improve operational efficiency for shared employees and co-located offices.

Finally, the agencies plan to build a strong interagency network with focused tools and regular outreach and information exchange such as best practices on Service First opportunities, challenges and successes.

## Engaging the Next Generation

The BLM has a long history of working with its Federal and non-Federal partners to engage young people and veterans in projects that protect, restore, and enhance America's Great Outdoors. Building on youth education and engagement programs that foster personal connections with our Nation's public lands, the BLM is engaging millennials, including veterans and members of the 21<sup>st</sup> Century Conservation Service Corps (21CSC), in work that supports the multiple-use mission of the Bureau. Young people are employed in priority projects such as trail construction and maintenance, habitat restoration, and inventorying and monitoring in support of a wide range of program needs, including archaeological resources; wilderness characteristics; soil, water, air and climate resources; and renewable energy compliance.



*Meadowood Special Recreation Management Area  
BLM Eastern States*

The BLM's National Strategy on Education, Interpretation, and Youth Engagement envisions young people involved from an early age in learning and recreation on public lands, who then go on to become active stewards and conservation leaders as adults. The BLM's strategic focus aligns well with the four pillars of the Secretary's youth platform announced early in FY 2014. The Secretary has pledged that the Department will engage the next generation by providing opportunities to play, learn, serve, and work on public lands by:

- Creating recreational opportunities for more than 10 million young people by 2017;
- Providing educational opportunities in the natural classrooms that our public lands provide to at least 10 million K-12 students annually;
- Engaging one million volunteers in support of public lands; and
- Providing 100,000 work and training opportunities over four fiscal years, 2014 through 2017, for individuals ages 15 to 35 to support the mission of the Department.

The 2017 President's budget request supports the Secretary's goals for the Engaging the Next Generation initiative. Funding will be used to support the BLM's capacity to offer educational and recreational programs for 4<sup>th</sup> graders involved in Every Kid in a Park, a White House initiative. Funding will also support engagement of youth interns and crews in rivers and trails projects as part of the upcoming anniversary celebrations of the Wild & Scenic Rivers Act and the National Trails System Act.

By supporting work and training opportunities for young people across a broad range of resource programs, the funding will enable the bureau to accomplish high-priority projects in a cost-effective way.

The BLM will continue to partner with youth corps organizations, with a special emphasis on those organizations that meet the needs of underserved youth, including those from Tribes and rural communities. In 2017, the BLM will also continue to identify science and resource priorities

that can be addressed through short- or long-term projects involving the 21 CSC and other youth corps and veteran's crews, as well as volunteers, field schools, and interns.

In 2017, the BLM will also focus on identifying mission-critical jobs and skills that are needed for entry-level positions in those occupations. This includes continued support for the Direct Hire Authority/Resource Assistant Internship program, which is focused on hiring students and recent graduates from diverse backgrounds into mission-critical jobs. In addition, by expanding partnerships with universities and professional organizations, the Bureau will enable more young people to explore careers in Science, Technology, Engineering, and Mathematics (STEM). Opportunities to pursue field-based investigations and experiences, such as those provided to college interns and to K-12 students involved in the BLM Hands on the Land network of outdoor classrooms, can nurture and sustain student interest in pursuing STEM degrees and careers.

The BLM will also support the DOI/VISTA volunteers who have been engaged in several States to serve impoverished communities with programs that engage youth in outdoor educational experiences and STEM education, foster economic opportunities in conservation and land management, and promote healthy futures for underserved populations.

### Education

In 2017, the BLM will complete development of the education manual section, formalizing policy and guidance on the role of education in supporting the BLM's land management mission, expand competency training opportunities for staff, volunteers, and partners who deliver educational programming, and continue evaluating the effectiveness of education products, programs, and partners to enhance and guide improvements in the education program.



*Water Discovery Days, BLM Alaska*

The BLM offers a range of education programs for youth and adults, including the following signature programs:

- ***Hands on the Land:*** Through the national HOL network of outdoor classrooms, the BLM's 80 HOL sites collaborate with local schools and communities to educate 70,000 students on the public lands each year. Launched in 2013, the HOL Teachers on the Public Lands program, which engages classroom teachers as summer interns in BLM offices, will further ensure even stronger connections with schools and standards-based classroom curriculum. Field-based educational programming at HOL sites fosters connections to nature, exposes students to issues confronting 21st-century land managers, and creates broad-based community support for the BLM to address the Department's STEM Education and Employment Pathways Strategic Plan and other Interior Department and national youth initiatives. In order to achieve the BLM's goal of 108 HOL sites by 2017, the BLM will continue to expand the number of sites involved in the HOL program, as well as the number of Teachers on the Public Lands.

- **Project Archaeology:** Since its inception, Project Archaeology, the BLM's primary heritage education program, has served more than 13,000 educators through professional development for classroom teachers and informal educators, and through high-quality curricular materials. These educators reach an estimated 260,000 learners every year with high-quality cultural resource materials and programs. In addition to hosting professional development workshops for teachers, BLM field offices incorporate Project Archaeology materials into programs such as HOL and into materials and programs for local schools and the general public.
- 
- **Take It Outside!** Opportunities for young people and families to get outdoors and informally learn about the public lands are offered through Take It Outside! activities and partnerships with over 300 organizations annually, including the Boy Scouts of America and Girl Scouts of the USA. Annually, Take It Outside! reaches over 70,000 youth and families through more than 200 different types of activities on BLM lands, including overnight and day camps; National Public Lands Day projects; and recreational outings such as fishing, hiking, and paleontology explorations.
  - **Stewardship:** For over 20 years, the BLM has partnered with the Leave No Trace Center for Outdoor Ethics and Tread Lightly!, Inc., to teach BLM staff and visitors how to behave responsibly on public lands through outdoor ethics education. Outdoor ethics education, training, and materials help the public learn to take care of the lands they visit and foster a sense of stewardship for public lands. BLM visitors also learn outdoor ethics through Take It Outside! activities, educational signs, printed materials, and informal training.
  - **Public Education Opportunities:** Field trips, classroom visits by resource professionals, and service learning opportunities not only educate but also foster conservation and stewardship ethics. Additionally, BLM lands provide a rich opportunity for collegiate-level research, professional development opportunities for teachers and continuing education for seniors.

The BLM's increased use of technology helps the agency reach a broad array of audiences to enhance public understanding, achieve management goals, foster stewardship, and build public support. BLM offices also use social media, web, and mobile technologies to provide educational programs, information, and materials to an ever-expanding virtual audience.

## Interpretation

Serving audiences with diverse backgrounds, viewpoints, and needs, BLM interpretive programs and services connect public land visitors to BLM's natural and cultural resources, enhance understanding of resource management issues, add to the quality of visitor experiences, and build public interest in conserving and protecting America's public lands. In 2015, interpretive programs and products served over 4 million people at 160 sites.



*Jupiter Environmental Research and Field Studies Academy  
Jupiter Inlet Outstanding Natural Area, Florida*

In 2017, the interpretation program as outlined in the BLM Education, Interpretation and Youth Engagement National Strategy will complete the development of the interpretation manual section, formalizing policy and guidance on the role of interpretation in supporting the BLM's land management mission. The program will continue to expand training opportunities in interpretation for staff, volunteers, and partners who deliver interpretive programming, and continue to evaluate the effectiveness of interpretive products, programs, and partners to enhance and guide improvements in the interpretation program.

**Junior Explorers/Junior Ranger:** The BLM's Junior Explorer program was formally launched in 2013 with the goal of encouraging awareness of the BLM and public land stewardship, and informally educating children about the natural and social sciences. In 2016, the program began a transition over to a Junior Ranger program, which included creation of an implementation plan, execution of some actions under that plan, and the publication of three national level Junior Ranger booklets. The purpose will remain the same and provide an avenue for BLM district and field offices to develop and provide engaging, high-quality educational materials and activities to elementary-age children, as well as their parents and teachers.

**Artist in Residence:** The BLM's Artist in Residence (AIR) program began in 2011. AIR participants are encouraged to use their skills to depict the variety of cultural and natural resources on BLM lands, including historic structures, artifacts, cultural landscapes, geologic features, and plant and animal life. These artists "translate" the resources--the heart of BLM's mission--into images, objects, and performances that bring others enjoyment and a deeper understanding of the public lands.

## Volunteers

Volunteer contributions to the BLM are highly valued and vitally important to achieving agency goals. In 2015, more than 25,000 volunteers (about one-quarter of them youth) provided over one million hours of service valued at approximately \$23.5 million to BLM lands and resources, including national monuments and national conservation areas, recreation areas and trails, wild and scenic rivers, rangelands, cultural resources, and wild horses and burros. The return on investment was more than 34:1 in 2015; in other words, for every dollar invested in volunteer

program management, which includes volunteer recruitment, training, and recognition, as well as costs such as the purchase of volunteer uniforms, the agency received \$34 worth of service.

**National Public Lands Day:** National Public Lands Day (NPLD) is the Nation's largest volunteer workday on behalf of the public lands and a contributor to the America's Great Outdoors, Let's Move, and Take It Outside! initiatives. In 2015 alone, the 22<sup>nd</sup> celebration of this annual service day, the BLM coordinated 195 projects in 16 States, and over 10,000 volunteers participated in a variety of enhancement and restoration activities. The BLM is a leading Federal partner this and every year on NPLD.

**The BLM's Annual "Making a Difference" National Volunteer Awards:** The BLM's National Volunteer Awards take place each year in late May. In 2015, the BLM marked the 20<sup>th</sup> anniversary of this program, which has recognized scores of volunteers from around the country. States submit nominations for volunteers in three categories (outstanding achievement, lifetime achievement, and outstanding youth) as well as a separate category for outstanding efforts to support volunteers by BLM employees. This cost-effective program brings agency leadership and volunteers together across the Nation by linking senior agency and Department leadership with State office leadership in their home offices as they host their winners via the use of BLM's extensive video teleconferencing system, allowing for both a national ceremony and individual State-based celebrations.

**BLM Volunteer Administration Training:** The BLM holds an average of four in-person, instructor-led training classes each year for BLM employees who work with volunteers. Field, District and State offices nominate their site to host a training course based on local demand, and seasoned volunteer coordinators and State leads within the BLM travel to their offices to instruct, offering a needs-based, highly cost-effective training course for maximum results. In 2015 over 75 staff members received training through these courses as well as through a newly developed, self-paced, on-line introductory training course.

In 2017, the BLM will focus on scaling up citizen science initiatives, rolling out new national policy to guide the agency's volunteer programming, and continuing to expand the slate of available volunteer administration training tools in order to both strengthen the skill sets of agency volunteer coordinators and staff working with volunteers and increase the capacity of long-term, highly-skilled volunteers.

## Partnerships

The BLM has long depended on working with others, through partnerships, to enhance public lands and to carry out its multiple-use mission. Meaningful engagement with diverse partners helps ensure that management decisions and efforts reflect the interests of affected communities while accomplishing shared or complementary goals. Working with partners also helps improve rangeland health, guard fragile biological and cultural resources, support a wide range of recreational activities, and tackle other stewardship goals.

In 2017, the BLM will further bolster its capacity to support partnerships to continually improve the management, stewardship, and public enjoyment of the Nation's public lands. To achieve these objectives, the BLM will continue implementing its national partnerships strategy, which provides a framework to support and coordinate the use of partnerships across the BLM. Areas of focus include staffing and training, guidance and tools, practitioner networks, and data

collection and reporting. The strategy and implementation plan build on the BLM's successful partnership history and will help advance and strengthen partnerships across BLM programs.

Successful and diverse partnerships across the BLM address agency and Department priorities. Some recent examples include:

- **Seeds of Success (SOS)** is a national native seed collection partnership program composed of a network of more than 50 collection teams, with participation from Federal and non-Federal partners. Since 2001, these partners have made over 16,000 wildland native seed collections representing more than 5,000 species. These collections provide a hedge against native plant loss from climate change and help to ensure that iconic American species and their plant communities are preserved for future generations. SOS collections are the basis for much of the work that is conducted under the BLM's Native Plant Materials Development Program, whose mission is to increase the quality and quantity of native plant materials available for restoring and supporting resilient ecosystems, especially after wildfire, flooding and other disturbances. SOS also supports national pollinator goals as seed collecting teams across BLM field offices contribute to the seed reserve of pollinator friendly species.
- The **Burly Landscape Sage-Grouse Habitat Restoration Partnership** in Idaho works to restore sage-grouse habitat by removing juniper to allow healthy sage-brush communities to thrive in southern Idaho. The public-private partnership has treated more than 8,000 acres and engaged youth and volunteers in planting sagebrush seedlings in areas burned by wildfire adjacent to or near treated junipers. Lek counts provide evidence that sage-grouse are returning to areas once overgrown with juniper. Removing juniper also improves recreational opportunities such as hunting, photography, and bird watching and lessens wildfire impacts created by the flammable plant. Wildfire is currently the foremost threat to sustaining sage-grouse populations in Idaho. The project's goal is to treat 38,000 acres of BLM land by 2017 in addition to treating State and private lands.
- The **Phoenix District Youth Initiative** in Arizona is a model youth engagement partnership that encourages urban and Native American youth involvement in natural resource careers. The partnership delivers hands-on certification, environmental education, and employment programs on public lands; natural resource course and degree offerings; and tribal internships. Youth gain valuable work experience monitoring riparian habitats, removing invasive plants, performing stewardship and conservation projects, and participating in field-based science programs. Their work fosters sustainable youth engagement in the stewardship of America's natural and cultural heritage.

## Landscape Approach to Managing the Public Lands

The 2017 budget request enhances BLM's capacity to effectively use regional information to manage the public lands to achieve conservation and development priorities in the face of compounding stressors such as prolonged drought, catastrophic wildland fire, invasive species and urban growth.

Over the last ten years, the BLM has developed a number of tools to help manage the public lands on a landscape basis. These tools include creating the capacity to systematically synthesize large amounts of geospatial information to help the BLM and its partners develop a shared understanding of regional trends and regional conservation and development opportunities; working with public land users to institutionalize the "mitigation hierarchy" to help achieve conservation and development goals; developing regional partnerships to coordinate and focus multiple funding streams to help achieve regional conservation goals; and identifying core indicators, standard methods and multi-scale sampling frameworks to monitor changes in terrestrial and aquatic condition across a region.

The BLM is incorporating the use of these tools into a number of major initiatives including the California Desert Renewable Energy Conservation Plan (DRECP), the Greater Sage-Grouse Conservation Plans, the Western Solar Energy Plan, and the plan for the National Petroleum Reserve – Alaska (NPRA).

In 2017, the BLM will build on these successes by moving forward with the development of critical corporate geospatial data and a multi-scale approach to planning for the public lands.

In 2017, the BLM will move forward with the implementation of a number of major Executive and Secretarial orders including:

- Secretarial Order 3289: Addressing the Impacts of Climate Change (September 2009) which establishes DOI's Energy and Climate Change Task Force and Climate Change Working Group.
- Executive Order 13514: Federal Leadership in Environmental, Energy and Economic Performance (October 2009) which directs agencies to reduce GHG emissions and support the development of renewable energy.
- Executive Order 13604: Improving Performance of Federal Permitting and Review of Infrastructure Projects (March 2012) which directs agencies to significantly reduce the aggregate time required to make decisions in the permitting and review of infrastructure projects and improve environmental and community outcomes.
- The President's Climate Action Plan (June 2013) which outlines executive actions to cut carbon pollution in America; prepare the United States for the impacts of climate change, and lead international efforts to combat global climate change and prepare for its impacts.
- Executive Order 13653: Preparing the United States for the Impacts of Climate Change (November 2013) which directs Federal agencies to help improve climate preparedness and resilience through deliberate preparation, close cooperation, and coordinated planning.
- Secretarial Order No. 3330: Improving Mitigation Policies and Practices of the Department of the Interior (October 2013) which promotes a landscape-scale approach to identify and facilitate investments in key regional conservation priorities.
- The President's Priority Agenda for Enhancing the Climate Resilience of America's Natural Resources (October 2014) which identifies strategies to: foster climate-resilient lands and waters; manage and enhance US carbon sinks; enhance community preparedness and resilience by utilizing and sustaining natural resources; and modernize Federal programs, investment, and delivery of services to build resilience and enhance sequestration of biological carbon.
- Secretarial Order No. 3336: Rangeland Fire Prevention, Management, and Restoration (January 2015) which enhance the protection, conservation, and restoration of a healthy sagebrush-steppe ecosystem, and to address important public safety, economic, cultural, and social concerns.

The Landscape Approach:

The BLM is working with Federal, State, tribal and non-governmental partners to develop a landscape approach to managing the public lands. This approach will use broad ecological assessments to better understand resource conditions and trends and to identify opportunities for resource conservation and development. As shown on the diagram to the right, the landscape approach to managing the Nation's public lands consists of several interconnected actions, including regional assessments, regional conservation and development strategies, land use plans, projects and permits, monitoring for adaptive management, science integration, and geospatial services. Taken together, these components will enable the BLM and its partners to more effectively evaluate and address conservation and development needs across

programmatically, organizational and administrative boundaries.



Regional Assessments: The BLM released ten Rapid Ecoregional Assessments (REAs) between 2013 and 2015 and is planning to release five additional REAs in 2016 and 2017. Taken together, these 15 REAs cover over 700 million acres of public and non-public lands. The REAs are peer-reviewed science products that synthesize existing information (including a significant amount of non-BLM data) about resource conditions and trends. They highlight and map areas of high ecological value; gauge potential risks from stressors including climate change; and establish landscape-scale baseline ecological data to gauge the effect and effectiveness of future management actions. The REAs provide the BLM with a large amount of information about current and projected resource condition, which the Bureau can then use along with similar information from other large-scale assessments to help identify potential development and conservation priorities; prepare land use plans and plan amendments; conduct cumulative impact analyses; develop best management practices; and authorize public land uses. The REAs and other sources for regional information, such as the Western Governors Association's Crucial Habitat Assessment Tool, are foundational to the landscape management approach.

To help address the President's priority to manage and enhance US carbon sinks, the BLM will work with USGS and the other natural resource management agencies to ensure that the public lands managed by the BLM are covered by the Nation's inventory of land carbon. This will include completing baseline assessments of ecosystem carbon sequestration and greenhouse gas fluxes and conducting studies to better understand how land management practices affect carbon stocks.

Additionally, the BLM will continue working with partners to understand the interaction of changes in climate with the major habitat types that sustain the ecological and economic health of our Nation. The spatial analysis will identify spatial and temporal trends of climate change that have already occurred across the Western US landscapes. For specific ecosystems, e.g.,

sagebrush, 'leading' and 'losing' edges will be identified. Potentially resilient systems will be mapped, along with those with highest chances for transition. The resulting web-based mapping interface will support decision making for resource management across the West.

Regional Conservation and Development Strategies are critical bridges between ecoregional assessments and land use planning and other decision making processes. The BLM is working with partners to inventory and compile existing assessments and cross-walk the priority areas identified in each assessment.

In 2014 and 2015, the BLM began work with a number of Landscape Conservation Cooperatives (LCCs) and other regional partnerships to develop shared understandings of the conservation and development opportunities highlighted by the REAs and other large-scale assessments, to identify what the BLM and its partners are already doing to address regional challenges and opportunities, and to outline additional actions that could be undertaken over the next five to ten years to help achieve regional goals. These regional strategies will significantly help the BLM implement the recent Secretarial Order on Improving Mitigation Policies and Practices. Because the REA information will be applied to many different types of management concerns, it is likely that more than one ecoregional strategy will be developed in each ecoregion. In 2016 and 2017, the BLM will continue work with the LCCs, as well as the Climate Science Centers and other regional partnerships, to complete ongoing regional strategies with a geographic emphasis on the Great Basin, the Southern Rockies, and the Southwestern Deserts.

In 2016-2017, the BLM will complete and begin to implement the regional mitigation strategies mandated by the approved Greater Sage Grouse Conservation Plans. And, in a closely related effort, the BLM

will also complete and begin to implement phase one of the Conservation and Restoration Strategy mandated by the Department's 2015 Integrated Rangeland Fire Strategy. This will set the stage for developing multi-year programs of work to more effectively focus and integrate conservation and restoration projects funded from multiple appropriated and non-appropriated funding sources.

Land Use Plans: BLM field offices are incorporating these regional assessments and strategies as appropriate into ongoing planning and other resource management activities. For example, data from completed REAs is being used to inform the Desert Renewable Energy Conservation Plan in California, to develop regional mitigation plans for Solar Energy Zones in Arizona, Colorado and Nevada, and to identify where National Conservation Lands units are important

The landscape approach to public land management is a multi-year investment. The BLM anticipates that in each ecoregion it will take several years to implement this multi-scale approach to management.

- The first two to three years focuses on conducting REAs. In these assessments, the BLM and its partners: identify management questions; develop conceptual models; evaluate significant ecological values such as native fish, wildlife, and plants; evaluate terrestrial condition and aquatic condition; and identify four potential change agents (climate change, fire, invasive plants and animals, and urban and industrial development).
- In the third and fourth years, efforts to develop Regional Conservation and Development strategies are kicked-off. To provide a solid understanding of the components of REAs and the data, scientific approaches, modeling tools, and results for each ecoregion, the BLM is offering hands-on workshops and on-line content delivery, such as YouTube videos, to staff, partners, and the public that will increase our ability to utilize the vast amount of data and information in the REAs to enhance decision making.
- The next three to ten years are devoted to implementing planned actions, effectiveness monitoring, and data analysis and review for adaptive management.

for resource protection and conservation within a broader landscape context. The BLM Division of Planning, Assessment and Monitoring has provided guidance on the use of REAs and other large-scale assessments for planning purposes, and is developing an efficient and adaptive approach to landscape level land use planning in which plans are more responsive to changing ecological systems over political and jurisdictional boundaries. This effort, referred to as Planning 2.0, facilitates the ability to effectively conduct land use planning across landscapes. Planning 2.0 will focus the planning process on collaborative work with partners at different scales to produce highly useful decisions that readily address the rapidly changing environment and conditions posed by the changing climate, rapid growth and development and other ecological stressors.

General guidance about BLM's Landscape Approach to Managing the Public Lands can be found in the following locations:

- Climate Change:  
<http://www.blm.gov/wo/st/en/prog/more/climatechange.html>
- Landscape Approach:  
<http://www.blm.gov/wo/st/en/prog/more/LandscapeApproach.html>
- Rapid Ecoregional Assessments (REAs):  
<http://www.blm.gov/wo/st/en/prog/more/LandscapeApproach/reas.html>
- Monitoring for Adaptive Management:  
[http://www.blm.gov/wo/st/en/prog/more/LandscapeApproach/Monitoring\\_for\\_Adaptive\\_Management.html](http://www.blm.gov/wo/st/en/prog/more/LandscapeApproach/Monitoring_for_Adaptive_Management.html)

Projects and Permits: Field implementation puts the management strategies into practice through existing BLM programs, including the public participation and intergovernmental coordination opportunities associated with implementation planning and environmental impact assessment procedures. Examples of field implementation include authorizing land use, constructing facilities, and implementing on-the-ground treatments and projects. As a matter of policy, the BLM is committed to using the "mitigation hierarchy" to help site and design new developmental projects and focus off-site mitigation in areas with high value and high probability of success.

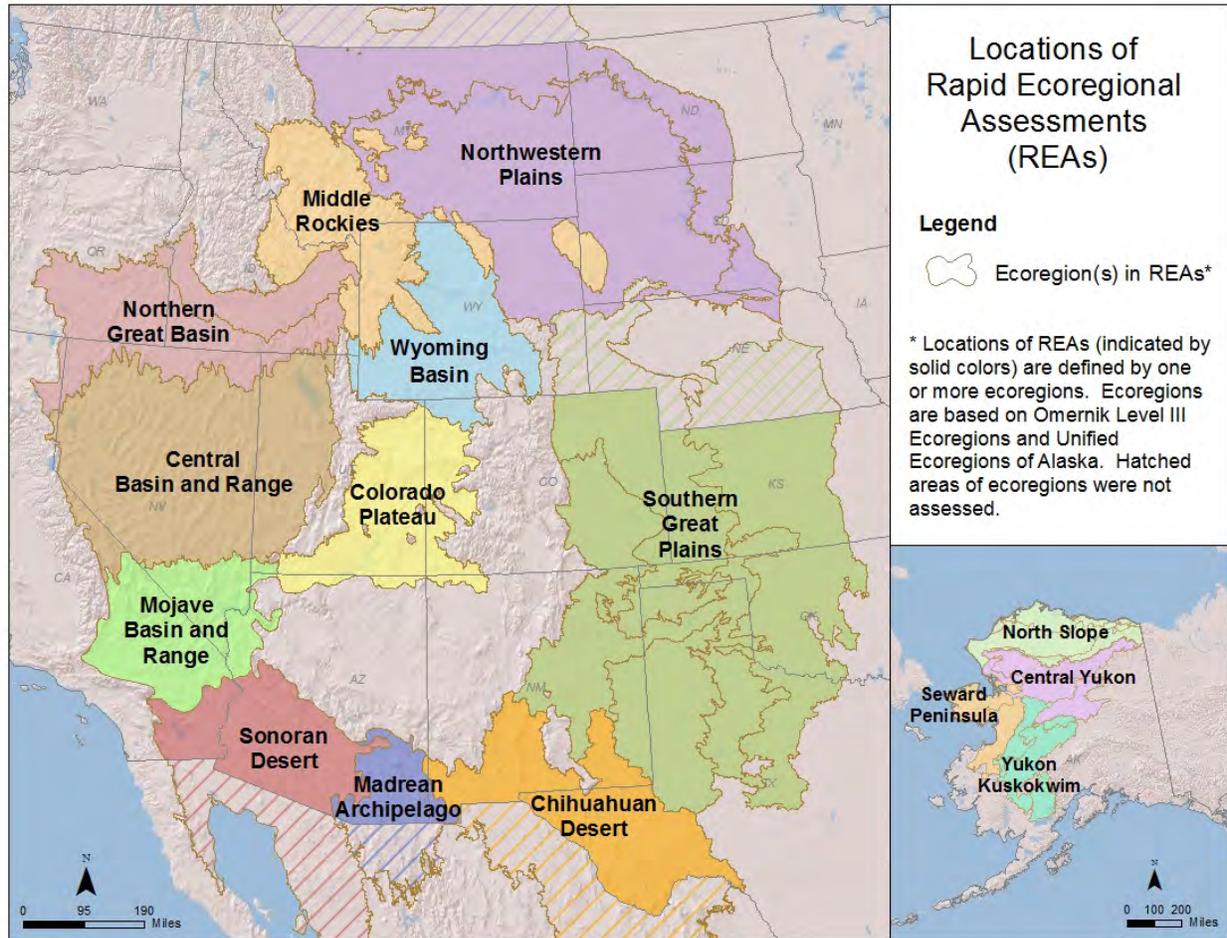
Healthy Landscapes (HL) is a critical effort to integrate and focus on-the-ground restoration projects. The HL effort helps target project dollars from multiple BLM programs, partner contributions, and compensatory mitigation to fund conservation and restoration work in identified, cross-jurisdictional, priority areas. For example, HL funds may be combined or coordinated with other funds to complete a portfolio of projects in one focus area, such as vegetation treatments, travel management planning, Land and Water Conservation Fund acquisitions, and applied regional mitigation funds, when each project contributes to the objective of conserving intact habitat or defragmenting habitat. Coordinating and focusing integrated resource stewardship investments can help to generate added value, over and above what individual programs or mitigation funds could accomplish. Since its inception in 2007, HL has supported: more than 1.7 million acres of treatments in New Mexico through the Restore New Mexico program; more than 1 million acres of treatments in Utah in partnership with the Utah Watershed Initiative; and hundreds of thousands of acres of restoration projects through such partnerships as the Wyoming Landscape Conservation Initiative, the Great Basin Restoration Initiative and many lesser known projects coordinated at District Office levels. Although exact rates vary project to project, the BLM's HL funds are typically leveraged by at least a 3:1 ratio.

The BLM has developed a proposal to address the reforestation/afforestation backlog on the public lands. When implemented, it will enhance carbon sequestration on western BLM lands.

Monitoring for Adaptive Management: Informed decision making and adaptive management require current data about the status and trend of terrestrial and aquatic systems, about the

location and extent of natural and human-caused disturbances, and about the location and effectiveness of land treatments. The BLM's Assessment, Inventory, and Monitoring (AIM) Strategy is the framework for this data collection. This strategy outlines a process for using core indicators, standardized field methods, remote sensing, and a statistically valid study design to provide nationally consistent and scientifically defensible information to determine the status of and track changes to natural resources on the public lands over time. The AIM Strategy is currently being implemented through five sets of interrelated projects. The first three are designed to implement West-wide monitoring that is coordinated, and where possible, integrated with the monitoring activities of other Federal, State and non-governmental partners. The West-wide projects include the BLM Rangeland Assessment, the BLM Western Rivers and Streams Assessment, and the BLM Grass-Shrub Fractional Mapping Project. Some of the Federal partners included in these efforts are the National Resources Conservation Service, U.S. Environmental Protection Agency, U.S. Geological Survey, and U.S. Forest Service. The two remaining projects are designed to help support immediate multi-State and field office priorities. These projects include efforts to monitor the effectiveness of BLM land use plans and to determine the effectiveness of BLM treatments and actions. In 2016 and 2017, these five interrelated monitoring efforts will be implemented to inform the regional mitigation and monitoring strategies for the Solar Programmatic EIS and for the Greater Sage-Grouse Conservation Plans.

Adapting to Climate Change: In 2016 BLM issued policy on Adapting to Climate Change that identifies six priorities: sustain basic ecological processes; conserve and enhance areas with significant resource values; manage new development to avoid, minimize and when necessary compensate for direct, indirect and cumulative impacts; identify the potential effects of climate change on public land users and adjacent communities and help them develop and implement strategies to adapt to these changes; identify and manage risks from landscape scale change agents to cultural, paleontological and tribal resources; and foster an understanding of the role of protected area networks in climate change adaptation. In 2017, BLM will continue to incorporate these priorities in its land use planning and other decision making processes.



**Map of Rapid Ecoregional Assessments and Landscape Conservation Cooperatives**

*The BLM initiated seven REAs in 2010, two assessments in 2011, and six more in 2012. The BLM published 10 completed REAs in 2013-2015 and is planning to publish 5 more REAs in 2016-2017. BLM is coordinating with other agencies and partners to keep the REAs updated and fresh.*

# Budget at a Glance



# BUDGET AT A GLANCE

Budget at a Glance  
(dollars in thousands)

	2015 Actual	2016 Enacted	Fixed Costs	2017 President's Budget		
				Transfers	Program Change	Requested Amount
<b>Management of Lands and Resources</b>						
<b>Soil, Water &amp; Air Management</b>	43,239	43,609	+145	-	+1,624	45,378
<i>Enhance Core Capability</i>	-	-	+0	-	+983	-
<i>National Mitigation Team</i>	-	-	+0	-	+641	-
<b>Rangeland Management</b>	79,000	79,000	+332	-	-16,500	62,832
<i>Shift Cost to Fee</i>	-	-	+0	-	-16,500	-
<b>Grazing Administration Management</b>	-	-	+0	-	+0	16,500
Grazing Administration Fee	-	-	+0	-	+16,500	-
<b>Grazing Administration Fee Offset</b>	-	-	+0	-	-16,500	(16,500)
<b>Public Domain Forest Mgmt</b>	9,838	9,980	+96	-	+0	10,076
<b>Riparian Management</b>	21,321	21,321	+136	-	+1,463	22,920
<i>Enhance Core Capability</i>	-	-	+0	-	+1,463	-
<b>Cultural Resources Mgmt</b>	15,131	16,131	+122	-	+1,075	17,328
<i>Safeguarding Our Irreplaceable Heritage</i>	-	-	+0	-	+1,075	-
<b>Wild Horse &amp; Burro Mgmt</b>	77,245	80,555	+125	-	-572	80,108
<i>General Program Decrease</i>	-	-	+0	-	-572	-
<b>Activity Total, Land Resources</b>	245,774	250,596	+956	-	-12,910	238,642

**Budget at a Glance**  
(dollars in thousands)

	2015 Actual	2016 Enacted	Fixed Costs	2017 President's Budget		
				Transfers	Program Change	Requested Amount
<b>Management of Lands and Resources</b>						
<b>Wildlife Management</b>	52,338	89,381	+160	-	+19,150	108,691
<i>Sage-grouse Conservation</i>	-	-	-	-	+14,150	-
<i>National Seed Strategy</i>	-	-	-	-	+5,000	-
<b>Fisheries Management</b>	12,530	12,530	+98	-	-	12,628
<b>Subtotal Wildlife &amp; Fisheries</b>	64,868	101,911	+258	-	+19,150	121,319
<b>Threatened &amp; Endangered Species</b>	21,458	21,567	+131	-	-	21,698
<b>Wilderness Management</b>	18,264	18,264	+128	-	-	18,392
<b>Recreation Resources Management</b>	48,697	51,197	+229	-	+2,039	53,465
<i>Improve Accessibility</i>	-	-	-	-	+2,039	-
<b>Subtotal, Recreation Resource Management</b>	66,961	69,461	+357	-	+2,039	71,857

(continued)

**Budget at a Glance**  
(dollars in thousands)

	2015 Actual	2016 Enacted	Fixed Costs	2017 President's Budget Transfers	Program Change	Requested Amount
<b>Management of Lands and Resources</b>						
<b>Oil &amp; Gas Management</b>	53,183	59,671	+289	-	+20,614	80,574
<i>Strengthening Oil and Gas Oversight and Systems AFMSS II</i>	-	-	-	-	+15,227	-
<i>Oil &amp; Gas Special Pay</i>	-	-	-	-	+2,576	-
<i>Alaska Legacy Wells</i>	-	-	-	-	+2,811	-
<b>Oil &amp; Gas Permit Processing</b>	32,500	7,125	-	-	-760	6,365
<i>Updated Fee Estimate</i>					-760	
<b>Oil &amp; Gas Inspection Activities</b>	41,126	48,000	-	-	-	48,000
<b>Less: Offsetting Fees (Permit Processing and Inspection)</b>	(28,697)	-	-	-	-48,000	-48,000
<b>Coal Management</b>	9,595	10,868	+94	-	-	10,962
<b>Other Mineral Resources</b>	10,586	11,879	+99	-	-1,000	10,978
<i>Anticipated Completion of Mineral Tracking System</i>	-	-	-	-	-1,000	-
<b>Renewable Energy</b>	29,061	29,061	+128	-	-	29,189
<b>Subtotal, Energy and Minerals Management</b>	147,354	166,604	+610	-	-29,146	138,068
<b>Alaska Conveyance</b>	22,000	22,000	+107	-	-4,780	17,327
<i>Streamline Conveyance Process</i>	-	-	+0	-	-4,780	-
<b>Cadastral, Lands &amp; Realty Management</b>	45,658	51,252	+228	-	-	51,480
<b>Communication Site Management</b>	2,000	2,000	-	-	-	2,000
<b>Comm Site Offset</b>	(2,000)	-2,000	-	-	-	(2,000)
<b>Activity Total, Realty &amp; Ownership Management</b>	67,658	73,252	+335	-	-4,780	68,807

(continued)

**Budget at a Glance**  
(dollars in thousands)

	2015 Actual	2016 Enacted	2017 President's Budget			
			Fixed Costs	Transfers	Program Change	Requested Amount
<b>Management of Lands and Resources</b>						
<b>Resource Mgmt Planning, Assessment &amp; Monitoring</b>	<b>38,125</b>	<b>48,125</b>	<b>+162</b>	-	<b>+16,916</b>	<b>65,203</b>
<i>Assessment, Inventory, &amp; Monitoring Strategy</i>	-	-	-	-	+4,300	-
<i>Enterprise Geospatial System</i>	-	-	-	-	+6,916	-
<i>High-Priority Planning Efforts</i>	-	-	-	-	+5,700	-
<b>Abandoned Mine Lands</b>	<b>16,987</b>	<b>19,946</b>	<b>+90</b>	-	-	<b>20,036</b>
<b>Law Enforcement</b>	<b>25,325</b>	<b>25,495</b>	<b>+121</b>	-	-	<b>25,616</b>
<b>Hazardous Materials Management</b>	<b>15,612</b>	<b>15,612</b>	<b>+102</b>	-	<b>-251</b>	<b>15,463</b>
<i>General Program Decrease</i>					-251	
<b>Activity Total, Resource Prot. &amp; Maint.</b>	<b>96,049</b>	<b>109,178</b>	<b>+475</b>	-	<b>+16,665</b>	<b>126,318</b>
<b>Annual Maint. &amp; Ops</b>	<b>38,637</b>	<b>38,942</b>	<b>+183</b>	-	-	<b>39,125</b>
<b>Def. Maint. &amp; Cap. Improvements</b>	<b>26,995</b>	<b>31,387</b>	<b>+88</b>	-	<b>-2,274</b>	<b>29,201</b>
<i>General Program Decrease</i>	-	-	-	-	-4,049	-
<i>DOI Southwest Border Radio Initiative</i>	-	-	-	-	+1,775	-
<b>Activity Total, Trans. &amp; Fac. Maintenance</b>	<b>65,632</b>	<b>70,329</b>	<b>+271</b>	-	<b>-2,274</b>	<b>68,326</b>

(continued)

**Budget at a Glance**  
(dollars in thousands)

	2015 Actual	2016 Enacted	2017 President's Budget			
			Fixed Costs	Transfers	Program Change	Requested Amount
<b>Management of Lands and Resources</b>						
<b>Challenge Cost Share</b>	2,413	2,413	-	-	-2,413	-
<i>Program Elimination</i>	-	-	-	-	-2,413	-
<b>National Conservation Lands</b>	31,819	36,819	+175	-	+13,651	50,645
<i>New Designations and Enhanced Operations</i>	-	-	-	-	+13,651	-
<b>Administrative Support</b>	47,127	50,942	+197	-	-	51,139
<b>Bureauwide Fixed Costs<sup>1</sup></b>	91,010	93,645	-996	-	-	92,649
<b>IT Management</b>	25,696	25,958	+119	-	-	26,077
<b>Activity Total, Workforce &amp; Organizational Support</b>	163,833	170,545	-680	-	-	169,865
<b>Mining Law Administration</b>	39,696	39,696	-	-	-	39,696
<i>Mining Law Offset</i>	(39,696)	(39,696)	-	-	-	(39,696)
<b>Total, Management of Lands &amp; Resources</b>	973,819	1,072,675	+2,888	-	-18	1,075,545

(continued)

**Budget at a Glance**  
*(dollars in thousands)*

	2015 Actual	2016 Enacted	2017 President's Budget			
			Fixed Costs	Transfers	Program Change	Requested Amount
<b>Land Acquisition</b>						
<b>Land Acquisition</b>	16,226	35,014	-	-	+5,287	40,301
<i>Line-item Projects</i>	-	-	-	-	+5,287	-
<b>Emergency &amp; Hardships</b>	1,616	1,616	-	-	-	1,616
<b>Acquisition Management</b>	1,904	2,000	+42	-	-	2,042
<b>Total, Land Acquisition</b>	19,746	38,630	+42	-	+5,287	43,959

*(continued)*

**Budget at a Glance**  
(dollars in thousands)

	2015 Actual	2016 Enacted	2017 President's Budget			
			Fixed Costs	Transfers	Program Change	Requested Amount
<b>Oregon and California Grant Lands</b>						
Deferred Maintenance	-	-	-	-	-	-
Annual Maintenance & Operations	9,517	9,602	+26	-	-	9,628
<b>Activity Total, Trans. &amp; Facilities Maint.</b>	<b>9,517</b>	<b>9,602</b>	<b>+26</b>	<b>-</b>	<b>-</b>	<b>9,628</b>
Forest Management	33,447	33,752	+73	-	-	33,825
Reforestation & Forest Development	23,851	24,023	+43	-	-	24,066
Other Forest Resource Mgmt	36,985	33,495	+61	-	-	33,556
Resource Mgmt Planning	7,140	3,985	+13	-	-1,000	2,998
<i>Anticipated Plan Completion</i>	-	-	-	-	-1,000	-
<b>Activity Total, Resources Management</b>	<b>101,423</b>	<b>95,255</b>	<b>+190</b>	<b>-</b>	<b>-1,000</b>	<b>94,445</b>
Info. & Resource Data Systems	1,772	1,786	+12	-	-	1,798
Construction & Acquisition	312	324	+11	-	-	335
NMs & NCAs	753	767	+12	-	-	779
<b>Total, Oregon &amp; California Grant Lands</b>	<b>113,777</b>	<b>107,734</b>	<b>+251</b>	<b>-</b>	<b>-1,000</b>	<b>106,985</b>

(continued)

**Budget at a Glance**  
(dollars in thousands)

	2015 Actual	2016 Enacted	2017 President's Budget			
			Fixed Costs	Transfers	Program Change	Requested Amount
Range Improvements	9,270	9,320	-	-	+680	10,000
Miscellaneous Trust Funds (Current)	21,972	24,000	-	-	-1,070	22,930
Service Charges, Deposits & Forfeitures	28,070	31,050	-	-	-	31,050
<i>Service Charges, Deposits &amp; Forfeitures (Offset)</i>	<i>(28,070)</i>	<i>(31,050)</i>	-	-	-	<i>(31,050)</i>
<b>Total, Service Charges, Deposits &amp; Forfeitures</b>	-	-	-	-	-	-
<b>TOTAL, DIRECT APPROPRIATIONS</b>	<b>1,138,584</b>	<b>1,252,359</b>	<b>+3,181</b>	-	<b>+3,879</b>	<b>1,259,419</b>

## Notes:

- Change in Range Improvements between 2016 and 2017 reflects the change in available appropriations due to a sequester of 6.8% in 2016, not a request for an increase in appropriated funds.

# Collections



# COLLECTIONS

## BLM Collections, 2014 - 2017 (\$000)

Collection Source	2014 Actual	2015 Actual	2016 Estimated	2017 Estimated
Sale of Public Lands	76,580	99,861	96,057	88,597
Miscellaneous Filing Fees	122	56	60	60
Mineral Leasing National Grasslands	1,897	1,159	1,780	1,780
Grazing Fees & Land Utilization Project Lands	12,117	14,516	12,755	11,704
Timber Sales & Vegetative Material	43,708	48,897	34,260	28,770
Recreational Use Fees	18,645	21,842	18,662	19,204
Earnings on Investments	369	275	2,200	5,260
Sale of Helium	242,111	181,699	207,297	125,811
Mining Claim & Holding Fees	57,437	57,341	54,981	55,117
Service Charges, Deposits and Forfeitures	29,998	28,070	31,050	31,050
Application for Permit to Drill Fees	35,413	28,698	38,950	42,437
Grazing Administrative Processing Fees	0	0	0	16,500
Onshore Oil and Gas Lease Inspection Fees	0	0	0	48,000
Other Collections	94,220	106,584	105,682	126,195
<b>Total</b>	<b>612,617</b>	<b>588,998</b>	<b>603,734</b>	<b>597,485</b>

### 2017 Collections

In 2017, the Bureau of Land Management (BLM) will directly collect an estimated total of \$600.3 million in revenue. Revenue is collected by the BLM from sources such as the sale of land and materials, grazing fees, timber sales, recreation use fees, and various filing fees. These collections assist State and local governments, support all programs funded from the General Fund of the U.S. Treasury, and offset charges for program operations where certain fees collected can be retained by the BLM.

In addition, the Office of the Natural Resources Revenue (ONRR) will collect an estimated \$2.7 billion in receipts from BLM's onshore mineral leasing activities (bonuses, rents, and royalties). Because ONRR collects them, these mineral leasing receipts are reflected in the ONRR budget materials (within the Office of the Secretary Budget Justification).

The amount of revenue expected to come from some sources varies for the reasons described below.

**Sales of Public Land** – This category includes receipts from the sale of public land, including land sales in Clark County, Nevada. Excluded from this collection source are the sales of timber and vegetative materials from the public domain land, sale of land and timber and vegetative materials from the Oregon & California Grant Lands and Coos Bay Wagon Road

Lands, sale of land from Land Utilization project lands, sale of land and materials from reclaimed lands (reserved or withdrawn), and sale of town sites and reclamation projects.

The main sources of collections in the Sale of Public Land category are described below. The collection amounts described here represent 100 percent of the funds collected. In many cases, portions of the funds collected are distributed to State governments, to the U.S. Treasury, or other entities, before the remaining portion is distributed to the BLM. The Management of Lands and Resources, Permanent Operating Funds, Miscellaneous Permanent Payments, and Miscellaneous Trust Funds chapters describe the portions allocated to the BLM and how the BLM uses the funds.

- ***Southern Nevada Public Land Management Act (SNPLMA) Sales Proceeds*** –SNPLMA, as amended, provides a process for the orderly sale of certain public lands in Clark County, Nevada, near the city of Las Vegas. Approximately 50,000 acres of public land are within the disposal boundary area. The BLM has conducted land sales for 15 years under the authority of this statute. Collections in 2014 and 2015 were \$61,430,000 and \$78,441,000 respectively. Sales in 2016 are projected to produce \$75,065,000. The increase is due to an increase in estimates of acres sold offsetting a lower price per acre. Estimated collections for 2017 are expected to be \$66,660,000 mainly coming from final payments received from the spring 2016 sale less 15% payments on the estimated total gross revenue. Collections are reported when payments are received regardless of when sales are held and the estimates make allowance for the normal lag of 180 days between sales and collections. For more information see SNPLMA, P.L. 105-263, as amended by P.L. 107-282.
- ***Southern Nevada Public Land Management and Lincoln County – Earnings on Investments*** – SNPLMA authorizes the Secretary to manage the collections account for the purposes set out above, and is also authorized to use interest generated from the above-mentioned funds. The BLM is authorized to invest the unspent balance of collections from SNPLMA and Lincoln County Lands Act land sale receipts. Earnings on investments for 2014 and 2015 were \$369,000 and \$275,000 respectively. Interest estimated to be earned in 2016 and 2017 is \$2,200,000 and \$5,260,000 respectively. Projected investment earnings take into account revenue from land sales, earnings on investments, and projected interest rates and outlays.
- ***Federal Land Transaction Facilitation Act (FLTFA)*** – No receipts were collected from the sale of land under *FLTFA, Title II* of P.L. 106-248 in 2013 or 2014 because the authority expired in July 2011; the unobligated balance was transferred to the Land and Water Conservation Fund as required by law. The 2017 Budget includes a proposal to reauthorize FLTFA and allow lands identified as suitable for disposal in current land use plans to be sold using the FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally-sensitive lands and the administrative costs associated with conducting sales. Estimated collections for 2017 are \$5,000,000. The Permanent Operating Funds section provides more information on the proposal. Four percent of FLTFA collections are paid to the State in which the land is sold.
- ***Lincoln County Land Sales*** – Revenue in the amount of \$3,353,000 was collected in 2015 from land sales under the Lincoln County Land Sales Act, P.L. 106-298, as amended. Receipts, mainly from Coyote Springs sales, are estimated to be \$436,000 and \$427,000 in 2016 and 2017, of which five percent and ten percent will be paid to the State and County.

- **Owyhee Land Acquisition Account** – Revenue collected prior to the enactment of the Omnibus Public Land Management Act of 2009 in the amount of \$2,451,000 was deposited to this account in 2010. No revenue was collected in the account since then, but \$100,000 is estimated to be collected in 2016; and sales in 2017 are estimated to produce \$1,500,000. Four percent of those amounts are paid to the State.
- **Washington County, Utah Land Acquisition Account** – Revenue in the amount of \$806,000 was collected in 2015 from the sale of land under the Washington County, Utah Acquisition Account, P.L. 111-11, (Section 1978). Estimated collections in 2016 are \$4,432,000. No revenue is estimated in 2017.
- **Silver Saddle Endowment Account** – Revenue in the amount of \$375,000 was collected in 2015 from the sale land under the Silver Saddle Endowment Account, P.L. 111-11, (Section 2601). Estimated collections in 2016 are \$823,000. Four percent of collections will be paid to the State. No revenue is estimated in 2017.
- **Carson City Special Account** – Revenue in the amount of \$55,000 was collected in 2015 from the sale of land under the Carson City Special Account, P.L. 111-11, (Section 2601). None is estimated to be collected in 2016 and 2017.

**Miscellaneous Filing Fees** – Collections in this category are primarily from fees received for filing or recording documents; charges for registration of individuals, firms, or products; and requests for approval of transfer of leases or permits under statutory authorities that do not permit the BLM to retain and spend those collections.

**Mineral Leasing-National Grasslands** – The Office of Natural Resources Revenue, formerly a component of the Minerals Management Service, is responsible for the collection and distribution of most mineral leasing receipts; however, the BLM administers and collects rentals from oil and gas pipeline rights-of-way associated with lands leased under the *Mineral Leasing Act* and the *Mineral Leasing Act for Acquired Lands*. Also, the BLM pays 25 percent of mineral leasing collections on acquired lands to counties where the collections were generated. The BLM continues to collect first-year rentals and initial bonuses from mineral leasing but transfers these receipts to ONRR accounts.

**Grazing Fees from Public Lands and Land Utilization Project Lands** – This category includes all grazing fees collected from public lands and Land Utilization Project lands administered by the BLM. It also includes mineral leasing and other receipts from Land Utilization Project lands. Grazing fees are collected under the authority of the *Taylor Grazing Act*, *Federal Land Policy and Management Act*, and the *Public Rangelands Improvement Act of 1978*. For more information on the use of these fees see the Range Improvements section.

**Timber and Vegetative Material Sales –**

- Receipts from the Oregon and California (O&C) and Coos Bay Wagon Road Grant (CBWR) Lands – In 2015, the BLM collected \$47,571,000, mostly from timber receipts from Oregon and California and Coos Bay Wagon Road lands.
- Under the Medicare Access and CHIP Reauthorization Act of 2015, and the Extension of Secure Rural Schools and Community Self-Determination Act of 2000 (P.L 114-10), Secure Rural Schools payments were authorized for two years. The payments were authorized to be made in 2015 (for 2014) and 2016 (for 2015). The 2017 Budget proposes a five-year reauthorization of the Secure Rural Schools Act with funding through mandatory U.S. Forest Service (USFS) appropriations. The USFS will make the Secure Rural Schools (SRS) payments to western Oregon counties. This SRS proposal revises the allocation split between the three portions of the program from the current authority emphasizing enhancement of forest ecosystems, restoration and improvement of land health and water quality and the increase of economic activity. (Please refer to the Miscellaneous Permanent Payments section for more information about the SRS and the USFS budget for more information on the reauthorization proposal.)
- **Timber Receipts from the Public Domain Forest Lands** – In 2016, the BLM expects to offer for sale 25 million board feet of timber products from public domain lands, and estimates collections of \$1,154,000 in timber sales receipts from public domain lands. Collections in 2014 and 2015 were \$1,920,000 and \$2,185,000 respectively, and the estimates for 2016 and 2017 are \$2,600,000 and \$1,550,000. Collections from salvage timber sale on public domain lands were \$1,270,000 in 2014 and \$1,099,000 in 2015. Estimates are \$2,000,000 in 2016 and \$1,000,000 in 2017.
- **Stewardship Contracting Fund** – With stewardship contracting, the BLM may apply the value of timber or other forest products removed as an offset against the cost of services received, and monies from a contract under subsection (a) may be retained by the USFS and the BLM. These monies are available for expenditure without further appropriation at the project site from which the monies are collected or at another project site. In 2014 and 2015, the BLM deposited \$175,000 and \$237 to this fund. The authority expired on September 30, 2013, but was extended by the Agriculture Act of 2014, Public Law No: 113-79. The BLM estimates deposits will be \$20,000 in 2016 and 2017.

**Recreation Use Fees** – Recreation use fees are derived from collecting fees on public lands at recreation sites, issuing recreation use permits, and selling Federal recreation passports such as the Golden Eagle and Golden Age passes. These funds are used to improve recreation facility conditions and user services at recreation sites where the fees were generated. In 2014, and 2015 recreation fee collections were \$18,645,000 and \$21,842,000. The BLM anticipates collecting \$18,662,000 in 2016 and \$19,204,000 in 2017 under its recreation fee collection authorities. The use of recreation fee collections is described in the Permanent Operating Funds section. Under current law, authority for these collections expires in December, 2016. The 2017 Budget proposes to permanently extend the authority to collect and spend these fees.

**Naval Oil Shale Reserve** – On August 7, 2008, the Secretaries of the Interior and Energy certified that sufficient funds had been collected to cover the cost of the cleanup and of equipment installed on the oil shale reserve. Because of the certification, no more deposits were to be made to the Naval Oil Shale Reserve Fund. New revenue from operations at the site is now distributed under the Mineral Leasing Act. The unappropriated account balance is \$76,665,506 which will not change unless new legislation is enacted.

**Sales of Helium** – The Helium Privatization Act of 1996 required the Secretary to offer for sale a portion of the Conservation Helium stored underground at the Cliffside Field north of Amarillo, Texas. Revenue from sales in 2014 was \$242,111,000. That amount was sufficient to pay the remaining debt owed to the Treasury, and the authority for the Helium Revolving Fund expired after that payment was made. Authority for the helium program was reauthorized by the Helium Stewardship Act of 2013, P.L. 113-40. Collections from annual sales were \$181,699,000 in 2015 and are projected to be \$207,297,000 and \$125,811,000 in 2016 and 2017. Revenues in excess of the cost of operating the helium program will be deposited to the General Fund. Additional information is available in the helium program section.

**Mining Claim-Related Fees** – Authority to collect these fees was initially enacted in the *Department of the Interior and Related Agencies Appropriations Act for 1989*, which provided that fees established by the Secretary of the Interior for processing actions relating to the administration of the General Mining Laws shall be immediately available to BLM for Mining Law Administration program operations.

The *Omnibus Budget Reconciliation Act of 1993, P.L. 103-66, (Section 10101)* provided for the annual \$100 per claim maintenance fee for unpatented mining claims and sites to continue through 1998. The authority has been modified and extended by Interior appropriations acts. The law allows a waiver from the fee for those claimants who hold 10 or fewer claims. The authority also established a \$25.00 per claim location fee for new claims, to be paid at the time of recordation. The law requires that the fee be adjusted for inflation. The maintenance fee is currently \$155.00 per claim and the location fee is currently \$37.00 per claim. Collections in 2014 and 2015 were \$57,437,000 and \$57,341,000. They are estimated to be \$54,981,000 in 2016 and \$55,117,000 in 2017. Additional information is included in the Mining Law Administration section.

A \$20.00 processing fee is required for new mining claim locations in addition to the initial maintenance fee and location fee. BLM collects this fee under its cost recovery regulations (see 43 CFR 3000.12). These fees are accounted for separately from the maintenance and location fees and therefore are not included in the above total. Additional information is included in the Activity: Mining Law Administration section.

**Service Charges, Deposits, and Forfeitures** – These receipts include revenue from providing special program services, such as rights-of-way application processing fees; wild horse and burro adoption fees; fees charged to timber sale purchasers when the BLM performs work required by the contract; reimbursement to the government for damage to lands and resources; collections for processing disclaimers of interest applications; and photocopying fees. The collection and retention of each of these receipts are authorized through legislation. Collections in 2015 were \$28,070,000 and are estimated to be \$31,050,000 in 2016 and in 2017. Additional information is included in the Service Charges, Deposits and Forfeitures section.

**Application for Permit to Drill Fees** – For several years, the annual Interior, Environment, and Related Agencies Appropriations Act authorized the BLM to collect a fee when an application for a permit to drill for oil and natural gas was submitted. The fee in 2014 and 2015 was \$6,500 per application. In 2014 and 2015, \$35,413,000 and \$28,698,000 were collected. Up to \$32,500,000 from those collections were authorized to be credited to the Management of Lands and Resources appropriation. Collections in excess of that amount were deposited to the General Fund. The National Defense Authorization Act, P.L. 113-291, now requires that in 2016 and beyond that the fee per application be increased to \$9,500 and be adjusted for inflation. It also

requires that the fees be deposited to the Permit Processing Improvement Fund. Estimated APD fees are \$38,950,000 in 2016 and \$42,437,000 in 2017. For more information, please refer to the discussion in the Oil and Gas Management Program and the Permanent Operating Funds Chapter.

***Onshore Oil and Gas Lease Inspection Fees*** – The 2017 budget continues to propose that inspection fees be instituted for onshore oil and gas leases, similar to the fees already collected from offshore oil and gas operations. The fees would support Federal efforts to provide services to ensure the proper reporting of oil and gas production, protect human safety and the environment, and conserve energy resources. These fees will be credited to the Management of Lands and Resources appropriation. The estimate for 2017 is \$48,000,000.

***Grazing Administrative Processing Fees*** – The Budget includes appropriations language for a three-year pilot project to allow the BLM to recover some of the costs of issuing grazing permits/leases on BLM lands. The BLM would charge a fee of \$2.50 per Animal Unit Month, which would be collected along with current grazing fees. The fee will assist the BLM in processing pending applications for grazing permit renewals. During the period of the pilot, the BLM would work through the process of promulgating regulations for the continuation of the grazing administrative fee as a cost recovery fee after the pilot expires. The fees will be credited to the Management of Lands and Resources appropriation. The estimate for 2017 is \$16,500,000.

***Other Collections*** – Other receipts collected by the BLM are from land rentals for authorized commercial, industrial, and residential purposes; annual rentals from rights-of-way permits (except those issued under the authority of the *Mineral Leasing Act*); and from contributions. These consist of funds contributed to the BLM from non-Federal sources for projects or work authorized by the *Federal Land Policy and Management Act*, *Taylor Grazing Act*, *Sikes Act*, and other laws. Additional information on other collections is included in the Miscellaneous Permanent Payments, Permanent Operating Funds, and Miscellaneous Trust Fund sections. In 2015, the BLM collected \$17,500,000 from wind and solar renewable energy rights-of-way rents. Estimates for 2016 and 2017 are of \$17,500,000 and \$21,900,000 respectively.

***Amounts Not Included in Collections*** – Payments to western Oregon counties under the *Secure Rural Schools and Community Self-Determination Act of 2000*, as amended, were made partially from receipts produced in those counties in the preceding year. Over half of the amounts paid, however, are derived from an appropriation from the General Fund. Of the total of payments of \$38,291,000 to the western Oregon counties for 2014 in 2015, \$7,731,000 million were appropriated from the General Fund. The estimated payments for 2015 (to be made in 2016) are \$36,377,000. At this time, the amount that will be appropriated from the General Fund is not known. The 2016 payment is the final payment authorized under the current law.

SRS payments were enacted by P.L. 106-393 for Fiscal Years 2002 through 2006. They were extended for one year (FY 2007) by Public Law 110-28, extended for Fiscal Years 2008 through 2011 by Public Law 110-343; extended 2012 by Public Law 112-141; extended for 2013 by Public Law 113-40; and were extended for 2014 and 2015 by Public Law 114-10. (Payments are made in the year following the year for which the payments are authorized.) The 2017 Budget reflects a five-year reauthorization of funding through mandatory USFS appropriations.

# Management of Lands and Resources



# MANAGEMENT OF LANDS AND RESOURCES

## Appropriations Language

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), **[\$1,072,675,000]** \$1,075,545,000, to remain available until expended, including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), except that amounts from permit processing fees may be used for any bureau related expenses associated with the processing of oil and gas applications for permits to drill and related use of authorizations; of which \$3,000,000 shall be available in fiscal year **[2016]** 2017 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump-sum grant without regard to when expenses are incurred.

In addition,

(1) \$48,000,000, to remain available until expended, is for conducting oil and gas inspection activities, to be reduced by amounts collected by the Bureau and credited to this appropriation that shall be derived from onshore oil and gas inspection fees that the Bureau shall collect, as provided for in this Act, except that, for fiscal year 2017, inspection fees collected by the Bureau of Land Management may be used to fund personnel and mission-related costs to expand capacity and expedite orderly energy development subject to environmental safeguards, on Federal land, pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), including the review of applications for permits to drill;

(2) \$16,500,000, to remain available until expended, is for the processing of grazing permits and leases, to be reduced by amounts collected by the Bureau and credited to this appropriation, which shall be derived from the \$2.50 per animal unit month administrative fee, as provided for in this Act; and

(3) \$39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year **[2016]** 2017, so as to result in a final appropriation estimated at not more than **[\$1,072,675,000]** \$1,075,545,000, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities. (Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.)

## Appropriation Language Citations

- 1. For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau**

Appropriates funds to implement the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1701 et seq.) for management of the public lands on a multiple-use and sustained yield basis and such laws applicable to the management of the public lands.

- 2. and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a))**

The Alaska National Interest Lands Conservation Act, Public Law 96-487 (16 U.S.C. 3150(a)) established the Alaska mineral resource assessment program to assess the oil, gas, and other mineral potential on all public lands in the State of Alaska in order to expand the data base with respect to the mineral potential of such lands. The appropriations language provision allows the funds appropriated under this section to also be used for the Alaska mineral resource assessment program to assess the oil, gas, and other mineral potential on all public lands in the State of Alaska in order to expand the database with respect to the mineral potential of such lands.

- 3. \$1,075,545,000 to remain available until expended**

The language makes the appropriations to the account available on a no-year basis. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, maintenance, construction, operations, and rehabilitation of public lands.

- 4. including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), as amended, except that amounts from permit processing fees may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use authorizations,**

Included within the appropriated amount is 15 percent of the fees collected from applications for permits to drill (APD) not permanently appropriated by the National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291), Section 3021(b), BLM Oil and Gas Permit Processing Fee, which amended the Mineral Leasing Act to authorize a fee of \$9,500 per APD (in 2016) on lands under the management of the BLM. The NDAA authorizes the fee for fiscal years 2016 through 2026. For years 2016 through 2019, the NDAA permanently appropriates 85 percent of the fees collected, and makes the remaining 15 percent of fee revenues subject to appropriation. For years 2020 through 2026, 100 percent of the fee revenues are permanently appropriated.

- 5. of which \$3,000,000 shall be available in fiscal year 2016 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared**

**projects supporting conservation of Bureau lands and such funds shall be advanced to the Foundation as a lump-sum grant without regard to when expenses are incurred.**

Provides authority for the BLM to transfer \$3.0 million to the National Fish and Wildlife Foundation (NFWF) for the purposes described and that the grant is advanced to NFWF as a lump sum in advance of them incurring or planning the expenses associated with the projects, provided NFWF matches the grant on a dollar for dollar basis from other funds.

- 6. \$48,000,000, to remain available until expended, is for conducting oil and gas inspection activities, to be reduced by amounts collected by the Bureau and credited to this appropriation that shall be derived from onshore oil and gas inspection fees that the Bureau shall collect, as provided for in this Act,**

This new provision appropriates to the BLM an amount to be offset by revenues generated by new fees to be assessed for oil and gas inspection activities. The appropriations language authorizes the BLM to spend the estimated \$48.0 million in fee collections on inspection activities, and this \$48.0 million appropriation is then reduced by the amount of inspection fees actually collected. The fee schedule is located in Section 114 of the General Provisions, and is also shown in the Summary of Program Changes and Legislative Proposals chapter of the BLM Budget Justification.

- 7. except that, for fiscal year 2017, inspection fees collected by the Bureau of Land Management may be used to fund personnel and mission-related costs to expand capacity and expedite orderly energy development subject to environmental safeguards, on Federal land, pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), including the review of applications for permits to drill;**

This language provides BLM a valuable degree of flexibility by permitting the \$48 million for oil and gas inspection activities to also be used to support orderly, rational development of oil and gas on public lands. In 2017, BLM's Oil and Gas Management program will be increasingly dependent on permanent appropriations, in the form of lease rental revenues and APD fees deposited into the Permit Processing Improvement Fund, which are not provided at the beginning of the year, but instead only become available as they are collected over the course of the fiscal year. The appropriations language will assist BLM in executing all of its oil and gas management responsibilities effectively throughout the year.

- 8. \$16,500,000, to remain available until expended, is for the processing of grazing permits and leases, to be reduced by the amounts collected by the Bureau and credited to this appropriation, which shall be derived from a \$2.50 per animal unit month administrative fee, as provided for in this Act;**

This new provision appropriates the BLM an amount to be offset by revenues generated by an administrative processing fee to offset the increased cost of administering the livestock grazing program on public lands managed by the BLM. BLM would charge a fee of \$2.50 per Animal Unit Month, which would be collected along with current grazing fees. The fee will assist the BLM in processing pending applications for grazing permit renewals. The proposed fee

authority is located in Section 416 of the General Provisions and is also shown in the Summary of Program Changes and Legislative Proposals chapter of the BLM Budget Justification.

- 9. \$39,696,000 is for Mining Law Administration program operations including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2016,**

This continued provision appropriates to the BLM an amount to be offset by revenues generated by mining claim fees (maintenance fees and location fees) to offset the cost of managing BLM's hardrock minerals program, including providing access to mineral resources in an environmentally responsible manner on public lands managed by the BLM.

- 10. so as to result in a final appropriation estimated at not more than \$1,075,545,000,**

This is the final budget authority, net of offsetting collections for oil and gas inspection and enforcement, mining law administration, and grazing permit administration.

- 11. \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.**

This continued provision authorizes the BLM to spend revenues (actual collections, but not to exceed \$2.0 million) generated by a fee on rights-of-way authorizations under Title V of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1701 et seq.).

## Authorizations

**General Authorizing Legislation** - The following authorize the general activities of the Bureau of Land Management or govern the manner in which BLM's activities are conducted.

**Reorganization Plan No. 3  
of 1946, §403**

Establishes the BLM.

**Federal Land Policy and  
Management Act of 1976,  
as amended (43 U.S.C.  
1701 et seq.)**

Outlines functions of the BLM, provides for administration of public lands through the BLM, provides for management of the public lands on a multiple-use basis, and requires land-use planning including public involvement and a continuing inventory of resources. The Act establishes as public policy that, in general, the public lands will remain in Federal ownership, and also authorizes:

- Acquisition of land or interests in lands consistent with the mission of the Department and land use plans;
- Permanent appropriation of road use fees collected from commercial road users, to be used for road maintenance;
- Collection of service charges, damages, and contributions and the use of funds for specified purposes;
- Protection of resource values;
- Preservation of certain lands in their natural condition;
- Compliance with pollution control laws;
- Delineation of boundaries in which the Federal government has right, title, or interest;
- Review of land classifications in land use planning; and modification or termination of land classifications when consistent with land use plans;
- Sale of lands if the sale meets certain disposal criteria;
- Issuance, modification, or revocation of withdrawals;
- Review of certain withdrawals by October 1991;
- Exchange or conveyance of public lands if in the public interest;
- Outdoor recreation and human occupancy and use;
- Management of the use, occupancy, and development of the public lands through leases and permits;
- Designation of Federal personnel to carry out law enforcement responsibilities;
- Determination of the suitability of public lands for rights-of-way purposes (other than oil and gas pipelines) and specification of the boundaries of each right-of-way;
- Recordation of mining claims and reception of evidence of annual assessment work.

**Omnibus Public Land  
Management Act, 2009  
(P.L. 111-11):**

- Codifies the 26 million acre National Landscape Conservation System as a permanent program in the BLM.
- Established one new National Monument in New Mexico.
- Established four new National Conservation Areas: two in Utah, one in Colorado, and one in New Mexico.
- Added approximately 2 million acres to the National Wilderness Preservation System.
- Added approximately 1,000 miles to the National Wild and Scenic River System.
- Directed eight conveyances of public land out of Federal ownership.

***National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)***

Requires the preparation of environmental impact statements for Federal projects which may have a significant effect on the environment. It requires systematic, interdisciplinary planning to ensure the integrated use of the natural and social sciences and the environmental design arts in making decisions about major Federal actions that may have a significant effect on the environment.

***The Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.)***

Directs Federal agencies to ensure that their actions do not jeopardize threatened and endangered species and that through their authority they help bring about the recovery of these species.

***Energy Policy Act of 2005 (P.L. 109-58)***

Directs Federal agencies to undertake efforts to ensure energy efficiency, and the production of secure, affordable, and reliable domestic energy.

***An Act to Amend the Reclamation Recreation Management Act of 1992 (P.L. 107-69)***

Provides for the security of dams, facilities and resources under the jurisdiction of the Bureau of Reclamation. Authorizes the Secretary of the Interior to authorize law enforcement personnel from the Department of the Interior to enforce Federal laws and regulations within a Reclamation Project or on Reclamation lands.

***The Civil Service Reform Act of 1978 (5 U. S. C. 1701)***

Requires each executive agency to conduct a continuing program to eliminate the under-representation of minorities and women in professional, administrative, technical, clerical, and other blue collar employment categories within the Federal services.

***The Civil Rights Act of 1964, as amended (42 U.S.C. 2000)***

Requires development and maintenance of affirmative action programs to ensure non-discrimination in any employment activity.

***The Paperwork Reduction Act of 1980 (44 U.S.C. 3501-3520)***

Provides national Federal information policy, and requires that automatic data processing and telecommunication technologies be acquired and used to improve services, delivery, and productivity, and to reduce the information processing burden for the Federal government and the general public.

***The Electronic FOIA Act of 1996 (P.L. 104-231)***

Requires that government offices make more information available in electronic format to the public.

***The Information Technology Management Reform Act of 1996 (P.L. 104-106 §5001)***

Requires agencies to more effectively use Information Technology to improve mission performance and service to the public, and strengthen the quality of decisions about technology and mission needs through integrated planning, budgeting, and evaluation.

***The Chief Financial Officers Act of 1990 (U.S.C. 501)***

Requires that a Chief Financial Officer be appointed by the Director of OMB and that this CFO will provide for the production of complete, reliable, timely and consistent financial information for use by the executive branch of the Government and the Congress in the financing, management, and evaluation of Federal programs.

***The Government Performance and Results Act of 1993 (P.L. 103-62)***

Requires 10 federal agencies to launch a 3-year pilot project beginning in 1994, to develop annual performance plans that specify measurable goals, and produce annual reports showing how they are achieving those goals.

***P.L. 101-512, November 5, 1990***

Authorizes BLM to negotiate and enter into cooperative arrangements with public and private agencies, organizations, institutions, and individuals to implement challenge cost share programs.

***Notification and Federal Employee Anti-discrimination and Retaliation Act of 2001 (P.L. 107-174)***

Requires Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws, and for other purposes.

***Safe Drinking Water Act Amendments of 1977 (42 U.S.C. 201)***

Requires compliance with all Federal, State, or local statutes for safe drinking water.

***E-Government Act of 2002 (P.L. 107-374)***

Requires the use of internet-based information technology to improve public access to information and to promote electronic services and processes.

***Specific Authorizing Legislation*** - In addition to the above laws that provide general authorization and parameters, a number of laws authorize specific program activities, or activities in specific or designated areas.

**Soil, Water and Air Management*****Consolidated Appropriations Act, 2005 (P.L. 108-447) – including the authorizations:***

- Watershed Restoration Projects (P.L. 106-291, Section 331, as amended by P.L. 108-447, Division E, Section 336) - permits the Colorado State Forest Service to perform watershed restoration and protection services on BLM lands in the State of Colorado when similar and complementary work is being performed on adjacent state lands.
- Snake River Water Rights Act of 2004 (P.L. 108-447, Division J, Title X) – Directs BLM to transfer, at the selection of the Nez Perce Tribe, certain land managed by the BLM in northern Idaho to the Bureau of Indian Affairs to be held in trust for the Tribe. Existing rights and uses on the selected lands remain in effect until the date of expiration of the lease or permit. The fair market value of the parcels of land selected by the Tribe is not to exceed \$7 million.

***Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2001 (P.L. 107-237)***

Authorizes the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River, Malheur River, Owyhee River, and Powder River Basins.

***Colorado River Basin Salinity Control Act Amendment of 1984 (43 U.S.C. 1593)***

Directs the Department to undertake research and develop demonstration projects to identify methods to improve the water quality of the Colorado River. The amendment requires BLM to develop a comprehensive salinity control program, and to undertake advanced planning on the Sinbad Valley Unit.

***Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2001)***

Provides for conservation, protection and enhancement of soil, water, and related resources.

***The Clean Air Act of 1990, as amended (42 U.S.C. 7401, 7642)***

Requires BLM to protect air quality, maintain Federal and State designated air quality standards, and abide by the requirements of the State implementation plans.

***The Clean Water Act of 1987, as amended (33 U.S.C. 1251)***

Establishes objectives to restore and maintain the chemical, physical and biological integrity of the nation's water.

***P.L. 107-30***

Provides further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and adds responsibilities for the Secretary of the Interior and the Bureau of Land Management.

### **Range Management**

***Taylor Grazing Act of 1934 (43 U.S.C. 315), as amended by the Act of August 28, 1937 (43 U.S.C. 1181d)***

Authorizes the establishment of grazing districts, regulation and administration of grazing on the public lands, and improvement of the public rangelands. It also authorizes the Secretary to accept contributions for the administration, protection, and improvement of grazing lands, and establishment of a trust fund to be used for these purposes.

***Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1908)***

Provides for the improvement of range conditions to assure that rangelands become as productive as feasible for watershed protection, livestock grazing, wildlife habitat, and other rangeland values. The act also authorizes:

- Research on wild horse and burro population dynamics, and facilitates the humane adoption or disposal of excess wild free roaming horses and burros, and
- Appropriation of \$10 million or 50 percent of all moneys received as grazing fees, whichever is greater, notwithstanding the amount of fees collected.

***Bankhead Jones Farm Tenant Act of 1937 (7 U.S.C. 1010 et seq.)***

Authorizes management of acquired farm tenant lands, and construction and maintenance of range improvements. It directs the Secretary of Agriculture to develop a program of land conservation and utilization to adjust land use to help control soil erosion, conduct reforestation, preserve natural resources, develop and protect recreational facilities, protect watersheds, and protect public health and safety.

***Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291)***

Provides authority to continue the terms and conditions of a grazing permit or leases that has expired until any environmental analysis and documentation has been completed.

### **Forest Management**

***Healthy Forests Restoration Act of 2003 (P.L. 108-148) – 16 U.S.C. 6501 et seq.***

Authorized the BLM and the U.S. Forest Service to conduct hazardous fuels reduction projects on federal land in wildland-urban interface areas and on certain other federal lands using expedited procedures.

***Forest Ecosystem Health & Recovery Fund (P.L. 102-381)***

The initial purpose of this fund was to allow quick response to fire and reforestation of forests damaged by insects, disease, and fire. Expanded authorization in the 1998 Interior and Related Agencies Appropriations Act allows activities designed to reduce the risk of catastrophic damage to forests in addition to responding to damage events. Funds in this account are derived from the Federal share (defined as the portion of receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181-1 et seq., and P.L. 106-393) of receipts from all BLM timber salvage sales and all BLM forest health restoration treatments funded by this account. The authority to make deposits and to spend from this fund was provided in the 2010 Interior Appropriations Act (P.L. 111-88, 123 STAT. 2906) and expires at the end of fiscal year 2015.

***Sec. 347 of Public Law 105-277, as amended by Public Law 108-7 and Public Law 113-79***

Permanently authorizes the Bureau of Land Management, via agreement or contract as appropriate, to enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

### **Riparian Management**

***The Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2814)***

Provides for the designation of a lead office and a person trained in the management of undesirable plants; establishment and funding of an undesirable plant management program; completion and implementation of cooperative agreements with State agencies; and establishment of integrated management systems to control undesirable plant species.

***Noxious Weed Control Act of 2004 (P.L. 108-412)***

Establishes a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, nonnative weeds on public and private lands.

***Carlson-Foley Act of 1968 (42 U.S.C. 1241-1243)***

Authorizes BLM to reimburse States for expenditures associated with coordinated control of noxious plants.

### **Cultural Resources Management**

***P.L. 107-346***

To convey certain property to the City of St. George, Utah, in order to provide for the protection and preservation of certain rare paleontological resources on that property, and for other purposes.

***The Federal Cave Resource Protection Act of 1988 (16 U.S.C. 4301)***

Provides for the protection of caves on lands under the jurisdiction of the Secretary, and the Secretary of Agriculture. Establishes terms and conditions for use permits, and penalties for violations.

***The Historic Sites Act (16 U.S.C. 461)***

Declares national policy to identify and preserve historic sites, buildings, objects, and antiquities of national significance, providing a foundation for the National Register of Historic Places.

***The National Historic Preservation Act of 1966, as amended (16 U.S.C. 470)***

Expands protection of historic and archaeological properties to include those of national, State and local significance. It also directs Federal agencies to consider the effects of proposed actions on properties eligible for or included in the National Register of Historic Places.

***The Archaeological Resources Protection Act of 1979, as amended (16 U.S.C. 470a, 470cc and 470ee)***

Requires permits for the excavation or removal of Federally administered archaeological resources, encourages increased cooperation among Federal agencies and private individuals, provides stringent criminal and civil penalties for violations, and requires Federal agencies to identify important resources vulnerable to looting and to develop a tracking system for violations.

***The Chacoan Culture Preservation Act of 1980 (16 U.S.C. 410; ii)***

Provides for preservation, protection, research, and interpretation of the Chacoan system, including 33 archaeological protection sites, located throughout the San Juan Basin on public, State, Indian and private lands.

***The Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001)***

Requires agencies to inventory archaeological and ethnological collections in their possession or control (which includes non-federal museums) for human remains, associated funerary objects, sacred objects, and objects of cultural patrimony; identify them geographically and culturally; and notify appropriate tribes within 5 years.

***Galisteo Basin (New Mexico) Archaeological Sites Protection Act (P.L. 108-208)***

Authorizes the Secretary of the Interior to administer the designated sites under this Act and other laws to protect, preserve, provide for research on, and maintain these archaeological resources.

**Wild Horse and Burro Management*****Wild Free-Roaming Horse and Burro Act of 1971 (P.L. 92-195), as amended***

The Secretary is authorized and directed to protect and manage wild free-roaming horses and burros as components of the public lands, and he may designate and maintain specific ranges on public lands as sanctuaries for their protection and preservation, where the Secretary after consultation with the wildlife agency of the State wherein any such range is proposed and with the Advisory Board established in section 7 of this Act deems such action desirable. The Secretary shall manage wild free-roaming horses and burros in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands.

***Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1701 et seq.)***

For the purpose of furthering knowledge of wild horse and burro population dynamics and their interrelationship with wildlife, forage and water resources, and assisting the Secretary in making his determination as to what constitutes excess animals, the Secretary shall contract for a research study of such animals with such individuals independent of Federal and State government as may be recommended by the National Academy of Sciences for having scientific expertise and special knowledge of wild horse and burro protection, wildlife management and animal husbandry as related to rangeland management.

***Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1908)***

Based on the information available to him at the time, if the Secretary determines that overpopulation of wild free-roaming horses and burros exists on a given area of the public lands and that action is necessary to remove excess animals, he shall immediately remove excess animals from the range so as to achieve appropriate management levels. Such action shall be taken until all excess animals have been removed so as to restore a thriving natural ecological balance to the range, and protect the range from the deterioration associated with overpopulation.

The Secretary shall cause such number of additional excess wild free-roaming horses and burros to be humanely captured and removed for private maintenance and care for which he determines an adoption demand exists by qualified individuals, and for which he determines he can assure humane treatment and care (including proper transportation, feeding, and handling).

**Wildlife Management**

***National Fish and Wildlife Foundation Establishment Act, as amended, (16 U.S.C. 3701)***

Established the National Fish and Wildlife Foundation as a nonprofit corporation to encourage, accept and administer private gifts of property, and to undertake activities to further the conservation and management of fish, wildlife, and plant resources of the U.S.

***The Migratory Bird Conservation Act of 1929, as amended (16 U.S.C. 715) and treaties pertaining thereto***

Provides for habitat protection and enhancement of protected migratory birds.

***The Sikes Act of 1974, as amended (16 U.S.C. 670 et seq.)***

Provides for the conservation, restoration, and management of species and their habitats in cooperation with State wildlife agencies.

**Wilderness Management**

***Defense Department FY 2006 Authorization Bill (P.L. 109-63)***

Provides for the designation and management of Cedar Mountain Wilderness in Utah.

***Tax Relief and Health Care Act of 2006***

Designates wilderness in White Pine County, Nevada.

<b>Otay Mountain Wilderness Act of 1999</b>	Establishes the Otay Mountain Wilderness Area in California, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.
<b>Clark County Conservation of Public Land and Natural Resources Act of 2002 (P.L. 107-282) (16 USC 460qqq)</b>	Establishes Wilderness Areas, including Sloan Canyon National Conservation Area, and to promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.
<b>Ojito Wilderness Act (P.L. 109-94)</b>	Designates New Mexico's Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, and for other purposes.
<b>P.L. 107-361</b>	Authorizes the Secretary of the Interior to convey certain public lands within the Sand Mountain Wilderness Study Area in Idaho to resolve an occupancy encroachment dating back to 1971.
<b>Northern California Coastal Wild Heritage Wilderness Act (P.L. 106-362)</b>	Provides for the designation and management of Wilderness Areas in California.
<b>Big Sur Wilderness and Conservation Act of 2002 (P.L. 107-370)</b>	Designates certain lands in the State of California as components of the National Wilderness Preservation System, and for other purposes.
<b>Utah West Desert Land Exchange Act of 2000 (P.L. 106-301)</b>	Authorizes exchange of public lands for certain lands owned by the State of Utah within existing and proposed Wilderness Study Areas in the West Desert Region of Utah.
<b>The Land Use Planning Act (P. L. 94-579), as amended by the California Desert Protection Act of 1994 (P.L. 103-433) (43 USC 1781)</b>	Establishes boundaries and management responsibilities for areas in the California Desert, and establishes 69 new Wilderness Areas.
<b>The Wilderness Act of 1964 (16 U.S.C. 1131 et seq.)</b>	Provides for the designation and preservation of Wilderness Areas.
<b>Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291)</b>	Establishes the Rocky Mountain Front Conservation Management Area in Montana including 13,087 acres of BLM land; withdraws certain lands in the North Fork Federal Lands Withdraw Area from all forms of location, entry, and patent under mining laws, and disposition under all laws relating to mineral leasing and geothermal leasing; and designates 26,000 acres of land as wilderness.

### **Recreation Resources Management**

***Federal Lands Recreation Enhancement Act (P.L. 104-134)***

Provides authority to the Bureau of Land Management for collection of recreation fees to maintain and improve the quality of visitor amenities and services.

***The Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460 et seq.)***

Provides for the establishment of the Land and Water Conservation Fund, special BLM accounts in the Treasury, the collection and disposition of recreation fees, the authorization for appropriation of recreation fee receipts, and other purposes. Authorizes planning, acquisition, and development of needed land and water areas and facilities.

### **Oil & Gas Management**

***The Act of March 3, 1909, as amended, and the Act of May 11, 1938 (25 U.S.C. 396, 396(a))***

Provides the basic mandate under which BLM supervises minerals operations on Indian Lands. Provides that lands allotted to Indians, and unallotted tribal Indian lands, may be leased for mining purposes, as deemed advisable by the Secretary.

***The Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701) (FOGRMA)***

Comprehensive law dealing with royalty management on Federal and Indian leases. In addition to revenue accountability, it includes provisions pertaining to onshore field operations, inspections, and cooperation with State and Indian tribes; duties of lessees and other lease interest owners, transporters, and purchasers of oil and gas; reinstatement of onshore leases terminated by operation of law; and a requirement that the Secretary study whether royalties are adequate for coal, uranium, and non-energy leasable minerals.

***Energy Policy and Conservation Act Amendments of 2000 (P.L. 106-469, Section 604) –***

Directs the Secretary of the Interior, in consultation with the Secretaries of Agriculture and Energy, to conduct an inventory of all onshore Federal lands to determine reserve estimates of oil and gas resources underlying the lands and the extent and nature of any impediments to development of the oil and gas resources.

***The Federal Onshore Oil and Gas Leasing Reform Act of 1987 (30 U.S.C. 226, et seq.)***

Establishes a new oil and gas leasing system, and changes certain operational procedures for onshore Federal lands.

***The Combined Hydrocarbon Leasing Act of 1981 (30 U.S.C. 181, 351)***

Permits the owners of oil and gas leases issued after November 16, 1981, to explore, develop, and produce tar sands. Authorizes the issuance of combined hydrocarbon leases in specified areas designated by the Department of the Interior on November 20, 1980.

***Reorganization Plan No. 3 of 1946, §402 (60 Stat. 1099)***

Transferred mineral leasing functions to the Secretary, from the Secretary of Agriculture, for certain acquired lands.

***The Interior and Related Agencies Appropriations Act for 1981 (42 U.S.C. 6508)***

Provides for competitive leasing of oil and gas in the National Petroleum Reserve in Alaska.

***The Geothermal Steam Act of 1970 (30 U.S.C. 1001)***

Authorizes the Secretary to issue leases for the development of geothermal resources.

***The Geothermal Steam Act Amendments of 1988***

Lists significant thermal features within the National Park System requiring protection, provides for lease extensions and continuation of leases beyond their primary terms, and requires periodic review of cooperative or unit plans of development.

***The Mining and Minerals Policy Act of 1970 (30 U.S.C. 21a)***

Establishes policy of fostering development of economically stable mining and minerals industries, their orderly and economic development, and studying methods for disposal of waste and reclamation.

***The Act of March 3, 1879, as amended (43 U.S.C. 31(a))***

Provides for the inventory and classification of the public lands, and examination of the geologic structure, mineral resources, and products of the national domain.

***Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235)***

Provides authority for an Internet-based oil and gas leasing program.

***Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291)***

Authorizes processing fee for applications for permit to drill (APD) for 2016 through 2026, with collections deposited into and permanently appropriated from the BLM Permit Processing Fund (PPIF), except in years 2016 through 2019 when only 85 percent of APD fee revenues are permanently appropriated. The NDAA also permanently extends BLM access to the mineral lease rent revenues deposited in the PPIF. Prior to enactment of the NDAA, BLM access to the PPIF would have expired at the end of 2015, in accordance with Section 365 of the Energy Policy Act of 2005, which created the PPIF. Amends the Mineral Leasing Act to provide authority for establish and implement internet leasing for on-shore oil and gas leases.

### **Coal Management**

***The Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.)***

Provides that lands may be declared unsuitable for surface coal mining where significant adverse impacts could result to certain wildlife species.

***The Federal Coal Leasing Amendments Act of 1976 (30 U.S.C. 201, et seq.)  
The Mining and Minerals Policy Act of 1970 (30 U.S.C. 21a)***

Requires competitive leasing of coal on public lands, and mandates a broad spectrum of coal operations requirements for lease management.

Establishes policy of fostering development of economically stable mining and minerals industries, their orderly and economic development, and studying methods for disposal of waste and reclamation.

***The Act of March 3, 1879, as amended (43 U.S.C. 31(a))***

Provides for the inventory and classification of the public lands, and examination of the geologic structure, mineral resources, and products of the national domain.

### **Other Mineral Resources**

***Mineral Materials Act of 1947 (30 U.S.C. 601)***

Authorizes the BLM to sell sand, gravel, crushed stone, clay and pumice at fair market value and to grant free-use permits to Government agencies and nonprofit organizations, so long as public land resources, the environment and the public are protected.

***The Multiple Surface Use Act (30 U.S.C. 611)***

Specified that sand, gravel, and certain other minerals were no longer locatable under the General Mining Law of 1872 but were subject to disposal by sale under the Materials Act of 1947.

### **Alaska Conveyance**

***The Alaska Native Claims Settlement Act of 1971 (ANCSA) (43 U.S.C. 1612)***

Requires the survey of Alaska Native lands for conveyance to Native corporations and individuals.

***The Alaska Statehood Act, as amended (48 U.S.C. Chap. 2 note)***

Requires the survey of lands for conveyance to the State.

***The Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3101 et seq.)***

Provides for the designation and conservation of certain public lands in Alaska. BLM responsibilities include six Wild and Scenic Rivers, nine study rivers, one National Conservation Area, one National Recreation Area, and one National Scenic Highway.

***Alaska Native Allotment Subdivision Act (P.L. 108-337)***

Allows Native Alaskans to subdivide their restricted allotment lands with the approval of the Secretary of the Interior.

***Alaska Land Acceleration Act of 2003 (P.L. 108-452)***

Reduces the delays that exist in the adjudication and conveyance of Alaska Native Allotments, State and other land entitlements that are authorized under the Alaska Native Allotment Act of 1906, the Alaska Native Claims Act, and the Alaska Statehood Act.

***43 U.S.C. 2***

Provides that the Secretary shall perform all executive duties pertaining to the surveying and sale of public lands, private claims of public lands, and the issuing of patents for all grants of land under the authority of the Government.

***43 U.S.C. 52***

Provides that the Secretary shall cause all public lands to be surveyed and monumented, that all private land claims shall be surveyed after they have been confirmed, and that the Secretary shall transmit plats of all lands surveyed to such officers as he may designate.

### **Cadastral Survey**

***Executive Order 12906***

The executive branch is developing, in cooperation with State, local, and tribal governments, and the private sector, a coordinated National Spatial Data Infrastructure to support public and private sector applications of geospatial data. BLM is charged with developing data standards, ensuring the capability to share cadastral data from the Public Land Survey System of the U.S. with partners.

### **Lands & Realty**

***Native American Technical Corrections Act of 2004 (P.L. 108-204, Title II)***

Placed in trust for the Pueblo of Santa Clara in New Mexico approximately 2,484 acres of BLM-managed land. Placed in trust for the Pueblo of San Ildefonso in New Mexico approximately 2,000 acres of BLM-managed land.

***P.L. 107-374***

Direct the Secretary of the Interior to grant to Deschutes and Crook Counties, Oregon, a right-of-way to West Butte Road.

***P. L. 109-46***

Directs the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of Interior to convey certain land to Eureka County, Nevada, for continued use of cemeteries.

***P. L. 109-69***

Directs the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada.

***P. L. 109-130***

Directs the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah.

***Southern Nevada Public Land Management Act of 1998 (P.L. 105-263)***

Authorizes the disposal through sale of 27,000 acres in Clark County, Nevada, the proceeds of which are distributed as follows: (a) 5 percent for use in the general education program of the State of Nevada; (b) 10 percent for use by Southern Nevada Water Authority for water treatment and transmission facility infrastructure in Clark County, Nevada; and (c) the remaining 85 percent to be used to acquire environmentally sensitive lands in Nevada; to make capital improvements to areas administered by NPS, FWS and BLM in Clark County, Nevada; to develop a multi-species habitat plan in Clark County, Nevada; to develop parks, trails, and natural areas in Clark County, Nevada; and to provide reimbursements for BLM costs incurred in arranging sales and exchanges under this Act.

***Clark County Conservation of Public Land and Natural Resources Act of 2002 (P.L. 107-282) as amended by P.L. 108-447***

Enlarges the area in which the BLM can sell lands under the Southern Nevada Public Land Management Act; approves a land exchange in the Red Rock Canyon Area; designates wilderness; designates certain BLM lands for a new airport for Las Vegas; and gives land to the State and City for certain purposes.

***Lincoln County Lands Act of 2000 (P.L. 106-298)***

Authorizes disposal of certain Federal lands through public sale in Lincoln County, Nevada, and provides for use of the receipts: 5 percent to the State of Nevada, 10 percent to the County, and 85 percent to an interest bearing account that is available for expenditure without further appropriation.

***Lincoln County Conservation, Recreation and Development Act (PL 108-424)***

Addresses a wide-range of public lands issues in Lincoln County, Nevada, designates as wilderness 768,294 acres of BLM-managed lands and releases from wilderness study area (WSA) status 251,965 acres of public land. The bill also directs the BLM to dispose of up to 90,000 acres of public land and divides the proceeds 85 percent to a federal fund and 15 percent to state and county entities, establishes utility corridors, transfers public lands for state and county parks, creates a 260-mile OHV trail and resolves other public lands issues.

***Consolidated Appropriations Act, 2005 (P.L. 108-447) – including the authorizations:***

- Foundation for Nevada's Veteran's Land Transfer Act of 2004 (P.L. 108-447, Division E, Section 144) – authorizes the transfer of public lands from the BLM to the Veteran's Administration for the construction and operation of medical and related facilities.
- To Resolve a Minor Boundary Encroachment on Lands of the Union Pacific Railroad Company in Tipton, CA (P.L. 108-447, Division E, Section 139) – relinquishes the Federal government's reversionary interest in an abandoned railroad right-of-way in order to clear the cloud on the title of a small parcel of private land.
- Federal Land Recreation Enhancement Act (P.L. 108-447, Division J, Title VIII) – Gives the BLM authority to collect entrance fees at certain recreation areas for ten years beginning in 2005.

***P.L. 107-324***

A bill to direct the Secretary of the Interior to convey certain land to the City of Haines, Oregon.

***T'uf Shur Bien Preservation Trust Area Act (P.L. 108-7, Division F, Title IV)***

Amended FLPMA, Section 316, to require that any corrections to land conveyance documents which affect the boundaries of land administered by a federal agency other than the BLM be made only after consultation with, and the approval of, the head of such other agency.

***P.L. 107-371***

Directs the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in Idaho resulting from possible omission of lands from an 1880 survey.

***P.L. 107-350***

Provides for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range.

***P.L. 107-138***

Require the valuation of non-tribal interest ownership of subsurface rights within the boundaries of the Acoma Indian Reservation, and for other purposes.

***P.L. 106-206***

Revised authority for commercial filming and still photography activities. In doing so, it clarifies authority on the requirements for commercial filming and still photography permits and establishes

	limitations on filming activities for the protection of resources.
<b><i>Ivanpah Valley Airport Public Land Transfer Act (P.L. 106-145)</i></b>	Authorizes sale at fair market value of certain lands in Clark County, Nevada to Clark County, for use as an airport. Provides that the funds be deposited in the special account for the Southern Nevada Public Lands Act, to be used for acquisition of private in-holdings in the Mojave National Preserve and protection of petroglyph resources in Clark County, Nevada.
<b><i>The Burton-Santini Act (P.L. 96-586)</i></b>	Authorizes the Secretary to sell not more than 700 acres of public lands per calendar year in and around Las Vegas, Nevada. The proceeds are to be used to acquire environmentally sensitive lands in the Lake Tahoe Basin of California and Nevada.
<b><i>The Federal Power Act of 1920, as amended (16 U.S.C. 818)</i></b>	Allows other uses of Federal waterpower withdrawals with Federal Energy Regulatory Commission approval.
<b><i>The Act of May 24, 1928, as amended (49 U.S.C. App. 211-213)</i></b>	Authorizes the Secretary to lease contiguous unappropriated public lands (not to exceed 2,560 acres) for a public airport.
<b><i>The Airport and Airway Improvement Act of 1982 (49 U.S.C. 2215)</i></b>	Authorizes conveyance of lands to public agencies for use as airports and airways.
<b><i>The Engle Act of February 28, 1958 (43 U.S.C. 156)</i></b>	Provides that withdrawals for the Department of Defense for more than 5,000 acres shall be made by Congress.
<b><i>The Recreation and Public Purposes Act of 1926, as amended (43 U.S.C. 869)</i></b>	Authorizes the Secretary to classify public lands for lease or sale for recreation or public purposes.
<b><i>The R&amp;PP Amendment Act of 1988</i></b>	Provides that suitable public lands may be made available for use as solid waste disposal sites, in a manner that will protect the U.S. against unforeseen liability.
<b><i>The Desert Land Act of 1877 (43 U.S.C. 321-323)</i></b>	Provides authority to reclaim arid and semi-arid public lands of the western States through individual effort and private capital.
<b><i>The Act of August 30, 1949, as amended (43 U.S.C. 687(b))</i></b>	Authorizes the Secretary to dispose of public lands, and certain withdrawn Federal lands in Alaska, that are classified as suitable for housing and industrial or commercial purposes.
<b><i>The Utah School Lands Act (P.L. 103-93)</i></b>	Authorizes the Secretary to enter into land exchanges for certain purposes.
<b><i>Federal Land Exchange Facilitation Act of 1988 (43 U.S.C. 1716)</i></b>	Amends FLPMA to provide for the streamlining of Federal land exchange procedures.
<b><i>The Arkansas-Idaho Land Exchange Act of 1992 (P.L. 102-584)</i></b>	Authorizes the Secretary to enter into land exchanges for certain purposes.

***Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291)***

Authorizes the Secretary to enter into land exchanges and to convey land for certain purposes.

***The Clean Water Act of 1987, as amended (33 U.S.C. 1251)***

Establishes objectives to restore and maintain the chemical, physical and biological integrity of the nation's water.

***The Resource Conservation and Recovery Act as amended by Federal Facility Compliance Act of 1992 (42 U.S.C. 6901-6992)***

Authorizes EPA to manage, by regulation, hazardous wastes on active disposal operations. Waives sovereign immunity for Federal agencies with respect to all Federal, State, and local solid and hazardous waste laws and regulations. Makes Federal agencies subject to civil and administrative penalties for violations, and to cost assessments for the administration of the enforcement.

***The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended by the Superfund Amendments and Reauthorization Act of 1986 (42 U.S.C. 9601-9673)***

Provides for liability, risk assessment, compensation, emergency response, and cleanup (including the cleanup of inactive sites) for hazardous substances. Requires Federal agencies to report sites where hazardous wastes are or have been stored, treated, or disposed, and requires responsible parties, including Federal agencies, to clean-up releases of hazardous substances.

***Community Environmental Response Facilitations Act of 1992 (42 U.S.C. 9620(h))***

Amendment to the *Comprehensive Environmental Response, Compensation, and Liability Act of 1980*, as amended, which expands on the risk assessment requirements for land transfers and disposal.

***The Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11001-11050)***

Requires the private sector to inventory chemicals and chemical products, to report those in excess of threshold planning quantities, to inventory emergency response equipment, to provide annual reports and support to local and State emergency response organizations, and to maintain a liaison with the local and state emergency response organizations and the public.

***The Pollution Prevention Act of 1990 (42 U.S.C. 13101-13109)***

Requires and encourages prevention and reduction of waste streams and other pollution through minimization, process change, and recycling. Encourages and requires development of new technology and markets to meet the objectives.

### **Annual Maintenance**

***National Dam Inspection Act of 1972 (33 U.S.C. 467)***

Requires the Secretary of the Army, acting through the Chief of Engineers, to carry out a dam inspection program to protect human life and property.

**National Conservation Lands**

***The King Range National Conservation Area Act of 1970, as amended (P.L. 91-476) (16 U.S.C. 460y)***

Provides for management and development of the King Range National Conservation Area for recreational and other multiple-use purposes. It authorizes the Secretary to enter into land exchanges and to acquire lands or interests in lands within the national conservation area.

***Alaska National Interest Lands Conservation Act (P.L. 96-487) (16 USC 460mm)***

Established the Steese National Conservation Area to be managed by the BLM.

***National Parks and Recreation Act of 1978 Amendment (P.L. 101-628)***

Establishes the Yaquina Head Outstanding Natural Area in the State of Oregon in order to protect the unique scenic, scientific, educational, and recreational values of such lands. Requires the Secretary of the Interior to develop a management plan for such Area. The Secretary of the Interior shall manage the monument through the Bureau of Land Management.

***Arizona Desert Wilderness Act of 1990 – Title II – Designation of the Gila Box Riparian National Conservation Area (P.L. 101-628) (16 USC 460ddd)***

Establishes the Gila Box Riparian National Conservation Area. The Secretary of the Interior shall manage the monument through the Bureau of Land Management.

***The Snake River Birds of Prey National Conservation Area Act of 1993 (P.L. 103-64) (16 USC 460iii)***

Establishes the Snake River Birds of Prey National Conservation Area, Idaho, to provide for the conservation, protection, and enhancement of raptor populations, habitats, and associated natural resources and of the scientific, cultural, and educational resources of the public lands. Requires the Secretary of the Interior to finalize a new comprehensive management plan for the Area. Authorizes the Secretary, acting through the Bureau of Land Management, to establish a visitor's center to interpret the history and geological, ecological, natural, cultural and other resources of the Area and biology of the raptors and their relationships to humans.

***An Act to Establish the Red Rock Canyon National Conservation Area in Nevada (P.L. 101-621) as amended by 107-282 (16 U.S.C. 460ccc)***

Provides for the conservation, protection, and enhancement of cultural and natural resources values by the BLM within the Red Rock Canyon National Conservation Area.

***An Act to Establish the El Malpais National Monument and the El Malpais National Conservation Area in New Mexico, P.L. 100-225 (16 U.S.C. 460uu 21)***

Provides for the protection and management of natural and cultural resource values within the El Malpais National Conservation Area by the BLM.

***An Act to Provide for the Designation and Conservation of Certain Lands in Arizona and Idaho(P.L. 100-696) (16 U.S.C. 460xx)***

Establishes the San Pedro Riparian National Conservation Area in Arizona and provides for management and development for recreation and other multiple-use purposes.

***Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999 (6 USC 410fff), as amended (PL 106-76 & 108-128)***

Establishes the Gunnison Gorge National Conservation Area to be managed by the Secretary, acting through the Director of the Bureau of Land Management. PL 108-128 amended the boundaries of the National Conservation Area.

***Black Rock Desert/High Rock Canyon Emigrant Trails National Conservation Area Act of 2000, as amended, (P.L. 106-554 & P.L. 107-63). (16 U.S.C. 460ppp)***

Establishes the Black Rock Desert/High Rock Canyon Emigrant Trails National Conservation Area in Nevada, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

***Colorado Canyons National Conservation Area and Black Ridge Canyon Wilderness Act of 2000 (16 U.S.C. 460mmm, P.L. 106-353 ), as amended by P.L. 108-400 (43 USC 460mmm)***

Establishes the McInnis Canyons National Conservation Area (formerly Colorado Canyons National Conservation Area) and Black Ridge Canyon Wilderness Area in Colorado, to be managed by the BLM.

***Las Cienegas National Conservation Area Act (P.L. 106-538) (16 U.S.C. 460ooo)***

Establishes the Las Cienegas National Conservation Area in Arizona, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

***Santa Rosa and San Jacinto Mountains National Monument Act of 2000 (P.L. 106-351) (16 U.S.C. 431)***

Establishes the Santa Rosa and San Jacinto Mountains National Monument in California, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

***Steens Mountain Cooperative Management and Protection Act of 2000 (P.L. 106-399) (16 U.S.C. 460nnn)***

Establishes the Steens Mountain Cooperative Management and Protection Area in Oregon, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

***Presidential Proclamation 6920 of 1996***

Established the Grand Staircase - Escalante National Monument, to be managed by the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

<b><i>Presidential Proclamation 7265 of 2000</i></b>	Established the Grand Canyon - Parashant National Monument. The Secretary of the Interior shall manage the monument through the Bureau of Land Management and the National Park Service. The Bureau of Land Management shall have primary management authority for those portions of the Monument outside of the Lake Mead National Recreation Area.
<b><i>Presidential Proclamation 7264 of 2000</i></b>	Established the California Coastal National Monument. The Secretary of the Interior shall manage the monument through the Bureau of Land Management.
<b><i>Presidential Proclamation 7263 of 2000</i></b>	Established the Agua Fria National Monument. The Secretary of the Interior shall manage the monument through the Bureau of Land Management.
<b><i>P.L. 107-213</i></b>	Re-designate certain lands within the Craters of the Moon National Monument, and for other purposes.
<b><i>The Wild and Scenic Rivers Act of 1968, as amended (16 U.S.C. 1271 et seq.)</i></b>	Provided for the development and management of certain rivers. Authorized the Secretary to exchange or dispose of suitable Federally-owned property for non-Federal property within the authorized boundaries of any Federally-administered component of the National Wild and Scenic Rivers System.
<b><i>The National Trails System Act of 1968, as amended (16 U.S.C. 1241- 1249)</i></b>	Established a national trails system and requires that Federal rights in abandoned railroads be retained for trail or recreation purposes, or sold with the receipts to be deposited in the LWCF.
<b><i>The National Parks and Recreation Act of 1978 (16 U.S.C. 1242-1243)</i></b>	Established a number of national historic trails which cross public lands.
<b><i>Old Spanish Trail Recognition Act of 2002 (P.L. 107-325)</i></b>	A bill to amend the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail.
<b><i>Presidential Proclamation 8803 of 2012</i></b>	Established the Fort Ord National Monument.
<b><i>Presidential Proclamation 8946 of 2013</i></b>	Established the Rio del Norte National Monument.
<b><i>Presidential Proclamation 8947</i></b>	Established the San Juan Islands National Monument.
<b><i>Presidential Proclamation 9131</i></b>	Established the Organ Mountains-Desert Peaks National Monument.
<b><i>Presidential Proclamation 9297</i></b>	Established the Basin and Range National Monument.
<b><i>Presidential Proclamation 9298</i></b>	Established the Berryessa Snow Mountain National Monument.

### **Mining Law Administration**

***The Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66)***

Establishes an annual \$100 per claim maintenance fee for unpatented mining claims and sites through 1998 and requires that the fee be adjusted for inflation. The law allows a waiver from the fee for those claimants who hold 10 or fewer claims. It also establishes a \$25 per claim location fee for new claims, to be paid when they are recorded with BLM. The Act also broadened the BLM's authority to collect recreation use fees.

***The General Mining Law of 1872, as amended (30 U.S.C. 22, et seq.), as amended by P.L. 108-447, Division E, Section 120, (30 U.S.C. 23 et seq.)***

Provides for locating and patenting mining claims where a discovery has been made for locatable minerals on public lands in specified States, mostly in the western U.S.

***The Act of March 3, 1879, as amended, (43 U.S.C. 31(a))***

Provides for the inventory and classification of the public lands, and examination of the mineral resources and products of the national domain.

***The Mining and Minerals Policy Act of 1970, (30 U.S.C. 21a) (30 U.S.C. 1601, et seq.)***

Sets out the policy of fostering development of economically stable mining and mineral industries, and studying methods for waste disposal and reclamation.

***The Department of the Interior and Related Agencies Appropriations Act for 1989 (43 U.S.C. 1474)***

Provides that receipts for 1989 and thereafter from administrative fees (service charges) established by the Secretary for processing actions relating to the administration of the General Mining Laws shall be immediately available to BLM for mining law administration program operations.

***The 1994 Interior and Related Agencies Appropriations Act (P.L. 103-138)***

Provides that funds shall be available to BLM for mining law administration program operations, to be reduced by amounts collected from annual mining claim fees.

***The 1999 Interior and Related Agencies Appropriations Act ( P.L. 105-277)***

Reauthorizes the collection of annual mining claim maintenance fees through 2001. Extends the recreation fee demonstration program through fiscal year 2001, with collected funds remaining available through fiscal year 2004.

***The 2002 Interior and Related Agencies Appropriations Act ( P.L. 107-63)***

Reauthorizes the collection of annual mining claim maintenance fees through 2003. Extends the recreation fee demonstration program through fiscal year 2004, with collected funds remaining available through fiscal year 2007.

**Other Authorizations*****The Food Security Act of 1985 (7 U.S.C. 148f)***

Provides for the transfer of funds to the Secretary of Agriculture for Mormon cricket and grasshopper control.

***Indian Self Determination And Education Assistance Act (P.L. 93-638)***

Provides for non-competitive contracts, grants, or cooperative agreements entered into between a tribal organization and the Federal government for the planning, conduct, and administration of programs which enhance Indian educational achievement or provide other Federal services more responsive to the needs and desires of those communities.

***Oregon Land Exchange Act of 2000 (P.L. 106-257)***

Authorizes exchange of specified parcels of public and national forest lands in Oregon for specified parcels of private lands.

***P.L. 109-127***

Revokes a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California.

Summary of Requirements  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	Transfers		2017 President's Budget Program Change		2017 President's Budget Requested Amount		Change from 2016	
	FTE	Amount	FTE	Amount		FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Land Resources</b>													
Soil, Water & Air Management	218	43,239	218	43,609	+145	-	-	+7	+1,624	225	45,378	+7	+1,769
Rangeland Management	634	79,000	634	79,000	+332	-	-	-85	-16,500	549	62,832	-85	-16,168
Grazing Administration Management	-	-	-	-	-	-	-	+85	+16,500	85	16,500	+85	+16,500
<i>Grazing Administration Management Offset</i>	-	-	-	-	-	-	-	-	-16,500	-	-16,500	-	-16,500
Public Domain Forest Mgmt	75	9,838	75	9,980	+96	-	-	-	-	75	10,076	-	+96
Riparian Management	146	21,321	146	21,321	+136	-	-	+2	+1,463	148	22,920	+2	+1,599
Cultural Resources Mgmt	104	15,131	104	16,131	+122	-	-	-	+1,075	104	17,328	-	+1,197
Wild Horse & Burro Mgmt	153	77,245	153	80,555	+125	-	-	-	-572	153	80,108	-	-447
<b>Total, Land Resources</b>	<b>1,330</b>	<b>245,774</b>	<b>1,330</b>	<b>250,596</b>	<b>+956</b>	<b>-</b>	<b>+0</b>	<b>+9</b>	<b>-12,910</b>	<b>1,339</b>	<b>238,642</b>	<b>+9</b>	<b>-11,954</b>
<b>Wildlife &amp; Fisheries</b>													
Wildlife Management	237	52,338	257	89,381	+160	-	-	+21	+19,150	278	108,691	+21	+19,310
Fisheries Management	77	12,530	77	12,530	+98	-	-	-	-	77	12,628	-	+98
<b>Total, Wildlife &amp; Fisheries</b>	<b>314</b>	<b>64,868</b>	<b>334</b>	<b>101,911</b>	<b>+258</b>	<b>-</b>	<b>+0</b>	<b>+21</b>	<b>+19,150</b>	<b>355</b>	<b>121,319</b>	<b>+21</b>	<b>+19,408</b>
<b>Threatened &amp; Endangered Species</b>	<b>131</b>	<b>21,458</b>	<b>131</b>	<b>21,567</b>	<b>+131</b>	<b>-</b>	<b>+0</b>	<b>-</b>	<b>+0</b>	<b>131</b>	<b>21,698</b>	<b>-</b>	<b>+131</b>
<b>Recreation Management</b>													
Wilderness Management	134	18,264	134	18,264	+128	-	-	-	-	134	18,392	-	+128
Recreation Resources Management	349	48,697	349	51,197	+229	-	-	+3	+2,039	352	53,465	+3	+2,268
<b>Total, Recreation Management</b>	<b>483</b>	<b>66,961</b>	<b>483</b>	<b>69,461</b>	<b>+357</b>	<b>-</b>	<b>+0</b>	<b>+3</b>	<b>+2,039</b>	<b>486</b>	<b>71,857</b>	<b>+3</b>	<b>+2,396</b>
<b>Energy &amp; Minerals Management</b>													
Oil & Gas Management	326	53,183	326	59,671	+289	-	-	+25	+20,614	351	80,574	+25	+20,903
Oil & Gas Permit Processing from Fee Collection	268	32,500	41	7,125	-	-	-	-	-760	41	6,365	-	-760
Oil & Gas Inspection Activities	295	41,126	295	48,000	-	-	-	-	-	295	48,000	-	-
<i>Less: Offsetting Fees (Permit Processing and Inspection)</i>	-	-28,697	-	-	-	-	-	-	-48,000	-	-48,000	-	-48,000
Coal Management	71	9,595	71	10,868	+94	-	-	-	-	71	10,962	-	+94
Other Mineral Resources	81	10,586	81	11,879	+99	-	-	-	-1,000	81	10,978	-	-901
Renewable Energy	145	29,061	145	29,061	+128	-	-	-	-	145	29,189	-	+128
<b>Total, Energy &amp; Minerals Management</b>	<b>1,186</b>	<b>147,354</b>	<b>959</b>	<b>166,604</b>	<b>+610</b>	<b>-</b>	<b>+0</b>	<b>+25</b>	<b>-29,146</b>	<b>984</b>	<b>138,068</b>	<b>+25</b>	<b>-28,536</b>

Summary of Requirements (continued)  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	Transfers		2017 President's Budget Program Change		Requested Amount		Change from 2016	
	FTE	Amount	FTE	Amount		FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Realty &amp; Ownership Management</b>													
Alaska Conveyance	109	22,000	109	22,000	+107	-	-	-	-4,780	109	17,327	-	-4,673
Cadastral Survey	3	-	-	-	-	-	-	-	-	-	-	-	-
Land & Realty Management	8	-	-	-	-	-	-	-	-	-	-	-	-
Cadastral, Lands & Realty Mgmt	319	45,658	319	51,252	+228	-	-	-	-	319	51,480	-	+228
<b>Total, Realty &amp; Ownership Management</b>	<b>439</b>	<b>67,658</b>	<b>428</b>	<b>73,252</b>	<b>+335</b>	<b>-</b>	<b>+0</b>	<b>-</b>	<b>-4,780</b>	<b>428</b>	<b>68,807</b>	<b>+0</b>	<b>-4,445</b>
<b>Communication Site Management</b>	<b>17</b>	<b>2,000</b>	<b>17</b>	<b>2,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>+0</b>	<b>-</b>	<b>17</b>	<b>2,000</b>	<b>+0</b>	<b>-</b>
Offsetting Collections	-	-2,000	-	-2,000	-	-	-	-	-	-	-2,000	+0	-
<b>Resource Protection &amp; Maintenance</b>													
Resource Mgmt Planning, Assessment, & Monitoring	207	38,125	210	48,125	+162	-	-	+3	+16,916	213	65,203	+3	+17,078
Abandoned Mine Lands	75	16,987	75	19,946	+90	-	-	-	-	75	20,036	-	+90
Law Enforcement	124	25,325	124	25,495	+121	-	-	-	-	124	25,616	-	+121
Hazardous Materials Management	85	15,612	85	15,612	+102	-	-	-	(251)	85	15,463	-	-149
<b>Total, Resource Protection &amp; Maintenance</b>	<b>491</b>	<b>96,049</b>	<b>494</b>	<b>109,178</b>	<b>+475</b>	<b>-</b>	<b>+0</b>	<b>+3</b>	<b>+16,665</b>	<b>497</b>	<b>126,318</b>	<b>+3</b>	<b>+17,140</b>
<b>Transportation &amp; Facilities Maintenance</b>													
Annual Maint. & Ops	243	38,637	243	38,942	+183	-	-	-	-	243	39,125	-	+183
Def. Maint. & Cap. Improvements	49	26,995	49	31,387	+88	-	-	-	-2,274	49	29,201	-	-2,186
<b>Total, Trans &amp; Facilities Maint.</b>	<b>292</b>	<b>65,632</b>	<b>292</b>	<b>70,329</b>	<b>+271</b>	<b>-</b>	<b>+0</b>	<b>-</b>	<b>-2,274</b>	<b>292</b>	<b>68,326</b>	<b>+0</b>	<b>-2,003</b>
<b>Mining Law Administration</b>	<b>308</b>	<b>39,696</b>	<b>308</b>	<b>39,696</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>308</b>	<b>39,696</b>	<b>+0</b>	<b>-</b>
Offsetting Collections	-	-39,696	-	-39,696	-	-	-	-	-	-	-39,696	+0	-
<b>Workforce &amp; Organizational Support</b>													
Administrative Support	284	47,127	284	50,942	+197	-	-	-	-	284	51,139	-	+197
Bureauwide Fixed Costs	-	91,010	-	93,645	-996	-	-	-	-	-	92,649	-	-996
IT Management	109	25,696	109	25,958	+119	-	-	-	-	109	26,077	-	+119
<b>Total, Workforce &amp; Organizational Support</b>	<b>393</b>	<b>163,833</b>	<b>393</b>	<b>170,545</b>	<b>-680</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>+0</b>	<b>393</b>	<b>169,865</b>	<b>+0</b>	<b>-680</b>
<b>Challenge Cost Share</b>	<b>5</b>	<b>2,413</b>	<b>5</b>	<b>2,413</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-5</b>	<b>-2,413</b>	<b>-</b>	<b>-</b>	<b>-5</b>	<b>-2,413</b>
<b>National Monuments and National Conservation Areas</b>	<b>240</b>	<b>31,819</b>	<b>250</b>	<b>36,819</b>	<b>+175</b>	<b>-</b>	<b>-</b>	<b>+30</b>	<b>+13,651</b>	<b>280</b>	<b>50,645</b>	<b>+30</b>	<b>+13,826</b>
<b>Total, Management of Lands &amp; Resources</b>	<b>5,629</b>	<b>973,819</b>	<b>5,424</b>	<b>1,072,675</b>	<b>+2,888</b>	<b>-</b>	<b>-</b>	<b>+86</b>	<b>-18</b>	<b>5,510</b>	<b>1,075,545</b>	<b>+86</b>	<b>+2,870</b>

**Justification of Fixed Costs and Internal Realignments  
Management of Lands and Resources**

*(Dollars In Thousands)*

<b>Fixed Cost Changes and Projections</b>	<b>2016 Total or Change</b>	<b>2016 to 2017 Change</b>
<b>Change in Number of Paid Days</b> This column reflects changes in pay associated with the change in the number of paid days between the 2016 and 2017.	+2,079	-4,008
<b>Pay Raise</b> The change reflects the salary impact of the 1.6% programmed pay raise increases as provided in the June, 2015 Circular A-11.	+6,815	+7,893
<b>Departmental Working Capital Fund</b> The change reflects expected changes in the charges for centrally billed Department services and other services through the Working Capital Fund. These charges are detailed in the Budget Justification for Department Management.	+25,402	+1,662
<b>Worker's Compensation Payments</b> The amounts reflect projected changes in the costs of compensating injured employees and dependents of employees who suffer accidental deaths while on duty. Costs for the BY will reimburse the Department of Labor, Federal Employees Compensation Fund, pursuant to 5 U.S.C. 8147(b) as amended by Public Law 94-273.	+8,153	-62
<b>Unemployment Compensation Payments</b> The amounts reflect projected changes in the costs of unemployment compensation claims to be paid to the Department of Labor, Federal Employees Compensation Account, in the Unemployment Trust Fund, pursuant to Public Law 96-499.	+6,981	-930
<b>Rental Payments</b> The amounts reflect changes in the costs payable to General Services Administration (GSA) and others for office and non-office space as estimated by GSA, as well as the rental costs of other currently occupied space. These costs include building security; in the case of GSA space, these are paid to Department of Homeland Security (DHS). Costs of mandatory office relocations, i.e. relocations in cases where due to external events there is no alternative but to vacate the currently occupied space, are also included.	66,298	-1,667
<b>Baseline Adjustments for O&amp;M Increases</b> In accordance with space maximization efforts across the Federal Government, this adjustment captures the associated increase to baseline operations and maintenance requirements resulting from movement out of GSA or direct-leased (commercial) space and into Bureau-owned space. While the GSA portion of fixed costs will go down as a result of these moves, Bureaus often encounter an increase to baseline O&M costs not otherwise captured in fixed costs. This category of funding properly adjusts the baseline fixed cost amount to maintain steady-state funding for these requirements.	+0	+0

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# Land Resources



## Activity: Land Resources

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Soil, Water & Air Management	<i>\$000</i> <i>FTE</i>	43,239 218	43,609 218	+145	+0 +0	+1,624 +7	45,378 225	+1,769 +7
Rangeland Management	<i>\$000</i> <i>FTE</i>	79,000 634	79,000 634	+332	+0 +0	-16,500 -85	62,832 549	-16,168 -85
Grazing Administration Management	<i>\$000</i> <i>Offset</i> <i>FTE</i>	0 0 0	0 0 0	+0 +0 +0	+0 +0 +0	+16,500 -16,500 +85	16,500 -16,500 85	+16,500 -16,500 +85
Public Domain Forest Mgmt	<i>\$000</i> <i>FTE</i>	9,838 75	9,980 75	+96	+0 +0	+0 +0	10,076 75	+96 +0
Riparian Management	<i>\$000</i> <i>FTE</i>	21,321 146	21,321 146	+136	+0 +0	+1,463 +2	22,920 148	+1,599 +2
Cultural Resources Mgmt	<i>\$000</i> <i>FTE</i>	15,131 104	16,131 104	+122	+0 +0	+1,075 +0	17,328 104	+1,197 +0
Wild Horse & Burro Mgmt	<i>\$000</i> <i>FTE</i>	77,245 153	80,555 153	+125	+0 +0	-572 +0	80,108 153	-447 +0
<b>Total, Land Resources</b>	<i>\$000</i> <i>FTE</i>	<b>245,774</b> <b>1,330</b>	<b>250,596</b> <b>1,330</b>	<b>+956</b>	<b>+0</b> <b>+0</b>	<b>+3,590</b> <b>+9</b>	<b>255,142</b> <b>1,339</b>	<b>+4,546</b> <b>+9</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Land Resources activity is \$238,642,000 and 1,254 FTE. This reflects net program changes totaling -\$12,910,000 and -76 FTE from the 2016 enacted level. In terms of total program resources, including proposed grazing administration fees, the budget represents a program increase of +\$3,950,000 over the 2016 enacted level.

### Activity Description

This activity provides for integrated management of public land renewable and cultural resources. The BLM manages these resources on a landscape basis, with each program contributing to the overall health of the land. Conserving, restoring, and sustaining land health is the foundation for the BLM's renewable resources management and is key to the agency's long-term strategic vision. Livestock grazing, timber harvesting and other resource uses can be sustained over time only if the land is managed to restore or sustain a healthy condition.

The programs in this activity, in concert with other BLM programs, work together to support the BLM mission by providing renewable resources, commercial and recreational uses and aesthetic benefits through healthy forests, healthy rangeland ecosystems, functioning watersheds and properly functioning riparian habitat. The BLM provides forage for livestock, protects cultural values, and manages wild horse and burro herds.

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## Activity: Land Resources

### Subactivity: Soil, Water & Air Management

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Soil, Water & Air Management	<i>\$000</i> <i>FTE</i>	43,239 218	43,609 218	+145	+0 +0	+1,624 +7	45,378 225	+1,769 +7

Summary of 2017 Program Changes/Internal Transfers for Soil, Water & Air Management:	(\$000)	FTE
Enhance Core Capability	+983	+3
National Mitigation Team	+641	+4
<b>Total</b>	<b>+641</b>	<b>+7</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Soil, Water & Air Management Program is \$45,378,000 and 225 FTE, a program change of +\$1,624,000 and +7 FTE from the 2016 enacted level.

**Enhance Core Capability (+\$983,000/+3 FTE)** – To support monitoring and analysis of soil, water and air resources needed to implement a landscape management approach including 1) ecological site descriptions supporting land health treatments, 2) adaptation strategies in response to a changing climate, as well as, 3) sediment and salinity reductions within the Colorado River Basin.

**National Mitigation Team (+\$641,000/+4 FTE)** – Following guidance from the Council on Environmental Quality, the BLM has committed to analyze and implement mitigation actions to avoid, minimize and compensate for residual impacts to at-risk resources in the Western Solar Plan, the greater sage-grouse (GRSG) Conservation Strategy, and other permitted activities. The need to analyze and implement mitigation actions is also a requirement of the May 2013 Presidential Memorandum, “Modernizing Federal Infrastructure Review and Permitting Regulations, Policies, and Procedures”, Secretarial Order 3330, “Improving Mitigation Policies and Practices of the Department of the Interior”, and draft BLM regional mitigation policy.

The analysis and implementation of mitigation actions is new work for the BLM and will require resources that are beyond the Bureau’s current capacity. The \$641,000 increase would provide funds to establish a mitigation team. This team, which would be located in BLM State offices and at the Washington Office, will provide crucial expertise necessary to support field staff, work with Bureau partners to develop local and regional mitigation strategies, develop an all-lands program of work, oversee mitigation funds, interact with mitigation banks and exchanges, and integrate other restoration activities. Absent these funds, the BLM would likely have to curtail other important activities in order to fulfill the commitments made in the Western Solar Plan and the GRSG Conservation Strategy, and other permitted activities such as those recently authorized for the National Petroleum Reserve – Alaska.

## Program Overview

The Soil, Water & Air Management Program supports the full suite of BLM activities and use authorizations focused on the priority of compliance with existing laws and regulations. These actions and authorizations include energy development, endangered species recovery, grazing, recreation, and fire rehabilitation that rely on the appropriate management of soil, water and air resources. The Soil, Water & Air Management Program collects and analyzes the soil, water, and air resource data needed to manage these foundational resources effectively, as well as apply expertise to assess, sustain, protect, and improve the productivity and resiliency of public lands. This data is a key component of sustainable BLM decisions and can be used to implement a landscape management approach. The program relies heavily on collaborative public-private partnerships to address, improve and enhance watershed, landscape, and airshed conditions.

The Soil, Water & Air Management Program is responsible for:

- Compliance with anti-pollution laws such as the Clean Water Act and the Clean Air Act;
- Conducting cooperative soil surveys to understand soil distribution, properties and responses to various uses, as well as to understand important processes related to a changing climate such as terrestrial carbon capture and sequestration;
- Developing ecological site descriptions to understand the processes that influence the type, amount, and distribution of vegetation within defined landscapes as well as provide key information to land managers for climate adaptation strategies;
- Monitoring and managing soils to support current land-health standards, sustain plant and animal productivity, maintain associated water and air quality, as well as reduce threats to human health and safety;
- Monitoring water resource conditions and trends, protecting Federal water rights and, where appropriate, acquiring water rights to ensure adequate quantities of water for public land management purposes;
- Monitoring water quality as well as identifying, promoting and implementing best-management practices to maintain and improve functioning aquatic ecosystems;
- Reducing salt and sediment discharge to waters particularly in the Colorado River Basin in order to ensure usable water supplies for millions of downstream users;
- Monitoring, assessing and analyzing air quality, visibility and noise impacts of current and proposed BLM authorized uses ;
- Reporting greenhouse gas emissions as required under Executive Order 13514.

### Means and Strategies

- The Soil Water & Air Management Program will continue to promote local and landscape scale watershed function, soil stability and air quality compliance as the primary means to achieve BLM performance goals. Priority will be placed on providing land managers with access to the expertise needed to identify, assess and monitor the environmental effects of BLM actions, use authorizations and their associated decisions.

A five-year soil resource strategy was completed in 2015. The goals of this strategy include: (1) update soil resource policy guidance; (2) improve the availability of soil information used in planning and decisions; (3) support the landscape approach with soil resource guidance; (4) support the use of soil measurements and effect analysis; (5) limit the transport of soil into water and air; (6) improve relationships with other programs, agencies and stakeholders; and, (7)

enhance BLM's technical expertise relevant to understanding, assessing and managing soil resources.

A five-year water resource strategy was completed in 2015. The goals highlighted in this strategy include: (1) increase proactive measures taken to reduce traditional pollutants; (2) incorporate collaborative, regional assessments into BLM standard practices; (3) improve the breadth, depth and efficiency of water quality monitoring and analysis; (4) improve the availability of water quality monitoring data; (5) improve relationships with other agencies and stakeholders; and, (6) enhance and maintain BLM's expertise relevant to water resources. Drought conditions continue to affect the western U.S. and are exacerbating soil erosion, air quality issues and water availability. The Soil, Water & Air Program developed its water strategy with these threats at the forefront, and is working with other BLM programs and partners to develop approaches that assist in managing this valuable fundamental resource under a changing climate.

- The BLM issued a manual for water quality and drafted one for groundwater with plans to finalize it in 2016.
- The BLM issued guidance in 2015 which improves water quality analysis in the Colorado River Basin by reporting data and descriptions of actions across programs that assist in reducing sediments and controlling salinity.
- The BLM is drafting a comprehensive strategy to improve the implementation of salinity control and outreach efforts within the Colorado River Basin.

A five-year air resource strategy was completed in 2015. The goals of this strategy include: (1) reduce and mitigate emissions to promote environmental stewardship; (2) improve air quality analyses on a regional level in collaboration with stakeholders; (3) strengthen BLM's abilities to address emerging air quality issues; (4) build relationships with stakeholders to promote collaborative air quality efforts; (5) improve availability and access to air quality monitoring data; and, (6) enhance and maintain technical expertise relevant to air resources.

- An air resource handbook has been drafted and will be completed in 2016.

### **Critical Factors and Demands**

The BLM addresses a number of critical factors and demands in its Soil, Water and Air Program. These include the following:

- A changing climate and its potential to alter landscapes; the quantity, quality and distribution of water resources; soil quality; air quality; vegetative conditions and wildlife habitat; as well as associated socioeconomic values;
- Many uncertainties remain regarding groundwater flows, soil properties and air resource impacts that, in many areas, influence BLM decision-making;
- The establishment of significant renewable energy development opportunities on public lands is a BLM priority. Hydrologists, soil scientists and air resource specialists are needed to assess, analyze and manage the resource impacts associated with this development.
- Greater water demands for economic development and requirements for ecosystem function are increasing the need to perfect and protect water right interests on public lands.
- Stricter air quality standards, existing and emerging non-attainment areas, as well as more stringent visibility regulations are increasing the monitoring and analysis workload

as well as technical demands associated with ensuring that authorized uses that emit dust, ozone, smoke and other pollutants comply with the Clean Air Act.

- Increases in landscape disturbances magnify the challenges associated with meeting applicable water and air quality standards.

### 2017 Program Performance

The Soil, Water & Air Management Program will continue to make progress towards key performance goals in 2017. Primary focus areas will include:

**Water Quality** - Improving or maintaining water quality on public lands remains an important objective. Efforts will continue to focus on implementing and refining best management practices for new and existing land use authorizations and activities, changing current management practices where appropriate, and restoring degraded watershed function in conjunction with incorporating a landscape approach to implementing actions and assessing results. Increasing core capabilities will allow the program to support integrated watershed assessment and implementation pilot projects.

**Ecological Site Descriptions (ESD)** - ESDs are considered the best analytical approach for predicting how vegetation will respond to changes in management or climate conditions at the local and landscape scales. The Soil, Water & Air Management Program will fund multiple projects to aid in the development of ESDs needed for sage-grouse habitat management implementation actions as well as conventional and renewable energy development planning. The BLM will continue to collaborate with the Natural Resources Conservation Service and the U.S. Forest Service through an Interagency Workgroup to address ESD development and uses as they relate to soils, as well as developing interagency training opportunities. The Interagency Workgroup will remain active in 2017. Increasing core capabilities will allow BLM's full participation in the implementation of ESDs across the landscape at all levels of the Bureau and provide funding for completion of ESDs in critical planning areas as well as in support of climate change priorities.

**Water Rights** – Demands for processing reserved and appropriative water rights actions with related litigation activities are expected to remain high. The typical workload ranges from 3,000 to 5,000 actions per year nationwide.

**Colorado River Salinity Control** - Efforts to reduce the transport of sediment and salts in the Colorado River Basin will continue. The BLM performance goal associated with the Colorado River Salinity Control Program aims to reduce the transport of sediment and salts from public lands into the Colorado River system as well as support the improvement of land health within the basin.

**Air Resources** – The BLM expects to increase monitoring and assessment work in 2017 by approximately 20 percent above 2016 levels, with the focus on regional and landscape scale projects.

**Groundwater Resources** - Efforts to understand the impacts of hydraulic fracturing and energy developments on groundwater will continue in 2017.

## Activity: Land Resources

### Subactivity: Rangeland Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Rangeland Management	\$000	79,000	79,000	+332	+0	-16,500	62,832	-16,168
	FTE	634	634		+0	-85	549	-85
Grazing Administration Management	\$000	0	0	+0	+0	+16,500	16,500	+16,500
	Offset FTE	0	0		+0	+85	85	+85

*Notes: "The Range Improvements current mandatory appropriation is a collaborative activity of the Rangeland Management program. The 2015 and 2016 enacted amounts (post-sequester) for Range Improvements are \$9.27 million. The 2016 President's budget request for Range Improvements is \$10 million.*

*- The Resource Development Protection & Management permanent mandatory appropriation is a collaborative activity of the Rangeland Management program. The 2014 estimated new budget authority amount (post-sequester) for Resource Development Protection & Management is \$1.059 million. The 2015 estimated actual new budget authority amount for Resource Development Protection & Management is \$1.1415 million, and the 2016 and 2017 estimated amounts are \$2.2 million..*

*- More information on these collaborative activities is found at the end of this section in a table titled Other Resources Supporting Rangeland Management and in the Range Improvements and Miscellaneous Trust Funds chapters, respectively.*

### Justification of 2017 Program Changes

The 2017 budget request for the Rangeland Management Program is \$62,832,000 and 549 FTE, a program change of -\$16,500,000 and -85 FTE from the 2016 enacted level.

**Grazing Permit Issuance/Shift Cost to Fees (-\$16,500,000/-85 FTE)** – The budget proposes to shift a portion of the costs of issuing and managing grazing permits from appropriated funds to fees. (Reference the Legislative Changes section below for a detailed description of the proposed administrative fee).

### Legislative Changes

**Permit Administrative Processing Fee (+\$16,500,000)** – The 2017 budget includes appropriations language for a three-year pilot project to allow the BLM to recover some of the costs of issuing grazing permits/leases on BLM lands. The BLM would charge a permit administrative fee of \$2.50 per Animal Unit Month, which would be collected along with current grazing fees. The budget estimates the permit administrative fee will generate \$16.5 million in 2017 and that it will assist the BLM in processing pending applications for grazing permit renewals. During the period of the pilot, the BLM will promulgate regulations for the continuation of the administrative fee as a cost-recovery fee, to be in place once the pilot expires.

SEC. 417. In fiscal year 2017, beginning on March 1, 2017, and only to the extent and in the amount provided in advance in appropriations Acts, the Secretary of the Interior shall collect an administrative fee to offset the increased cost of administering the livestock grazing program on public lands managed by

the Bureau of Land Management by charging \$2.50 per Animal Unit Month, which shall be billed, collected, and subject to the penalties using the same process as the annual grazing fee in 43 C.F.R. 4130.8–1. Penalties assessed shall be deposited in the General Fund of the Treasury. Nothing in this provision affects the calculation, collection, distribution, or use of the grazing fee under 43 U.S.C. 315–315rr, 43 U.S.C. 1751(b), 43 U.S.C. 1905, Executive Order 12548, or administrative regulation.

## Program Overview

### Program Components

The Rangeland Management Program focuses on efforts to maintain or improve public land health through monitoring and land health evaluations; administration of grazing use through permit renewals (largely 10-year permits); development of grazing systems and range improvements; grazing permit compliance inspections; management of permittee, allotment and resource data; and management of invasive species and noxious weeds. Priorities are placed on processing the most environmentally sensitive permits first, in order to best manage livestock use and improve or maintain healthy land conditions.

The BLM manages approximately 17,750 livestock grazing permits and leases on the public lands. Livestock grazing is an integral part of the BLM multiple-use mission and is authorized by the Taylor Grazing Act (1934) as amended, the Federal Land Policy Management Act (1976) as amended, and the Public Rangeland Improvement Act (1978) as amended.

Livestock grazing serves as an important tool that provides environmental benefits such as preservation of open space, managing fuel loads to reduce wildfire risks and enhancing distribution of available water for wildlife. Ranchers often serve as the eyes and ears for public land managers and assist with public health and safety. They provide public lands information, report wildfires, assist in wildfire suppression when appropriate, restore land health, and assist in search and rescue operations.

The BLM also leverages grazing receipts with funds from local permittees/lessees to construct range improvement projects (reference the Range Improvement Account section for additional information). As described in the 2014 DOI Economic Report, the BLM's management of livestock grazing had a positive impact of \$1.38 billion on the economy and supported 16,008 jobs nationwide.

Noxious weed and invasive species management is a critical component of the Rangeland Management Program. Cooperative Weed Management Area partnerships and other cooperative efforts leverage funding to assist with weed inventory, land treatments, monitoring, and project work to improve land health. The BLM is also striving to create Coordinated Invasive Species Management partnerships to leverage partnerships that will target invasive species on the public lands.

### Critical Factors

Critical factors affecting the Rangeland Management Program include the following:

- Commitments to monitoring and managing sage-grouse habitat will require additional monitoring, coordination, and review of existing and potential range improvements needed

to meet habitat objectives

- A changing climatic regime, resulting in more frequent and severe floods and extended droughts, requires aggressive pursuit of adaptive management strategies.
- Frequent and severe wildfires have reduced the diversity of the western rangelands and have accelerated the spread of invasive species and noxious weeds.
- Changing and competing public demands require continuous assessment and modification of grazing practices and have made environmental reviews more complex.
- Development of public lands as part of the Secretary's Powering Our Future initiative for renewable and non-renewable energy and mineral resources may require mitigation efforts to offset loss of rangeland resources.
- Limited baseline data about soils, ecological sites, and factors associated with land health stressors, combined with limited monitoring data, have led to a large number of environmental lawsuits.
- Invasive and noxious weeds spreading over seventy-nine million acres of BLM-managed lands require greater efforts to control and manage.
- Commitments to improving sage-grouse habitat will require additional weed and invasive species inventory, treatments and coordination with other BLM resource programs.
- The complexity of permit processing has increased due to heightened National Environmental Policy Act complexity and legal challenges, mitigation and monitoring requirements, severe weather patterns, drought, catastrophic fire and other multiple-use public land challenges.
- Catastrophic outbreaks of grasshopper and Mormon cricket populations that impact vegetation require emergency responses by the BLM and other Federal agencies.

### Means and Strategies

The Rangeland Management Program coordinates with other BLM programs and partner organizations to achieve integrated vegetation management at the landscape level. In this coordinated effort, the Rangeland Management Program is addressing critical factors through multiple avenues, including:

- Using eco-regional assessments to identify conservation, development and restoration opportunities and strategies;
  - Monitoring the effectiveness of grazing management in achieving land use plan and activity plan objectives, and in meeting land health standards;
  - Collecting core indicator data in upland habitats and supporting landscape-level land health and condition monitoring;
  - Conducting interdisciplinary land health evaluations on a watershed or landscape scale to help ensure a balanced approach to livestock grazing;
  - Promoting adaptive management strategies;
  - Ensuring that land health considerations and resource conflicts are the primary factors used to prioritize allotments for processing livestock grazing permit renewals;
- 
- Using the permit issuance process, the Allotment Management Plans, and the Coordinated Resource Management Plans (RMP) to ensure scientifically-based livestock grazing management;
  - Tiering permit renewals to RMPs and larger-scale NEPA documents;
  - Tiering vegetation treatments to larger-scale NEPA and Section 7 consultation documents;

- Coordinating with other programs to work towards a national land treatment geospatial dataset that documents the location of treatments on the landscape and tracks their effectiveness;
- Educating youth about the importance and complexity of rangeland resources;
- Leveraging program funds with other Federal, State, and local agencies, permittees, and non-governmental organizations to implement on-the-ground Healthy Landscape and invasive species and noxious weed projects;
- Continuing research efforts in the use of livestock as a tool to decrease fuel loads, especially annual cheatgrass, to prevent catastrophic wildfire and restore desirable perennial grasses and forbs; and
- Launching an external web portal through the National Invasive Species Information Management System (NISIMS) to collect and share weed and invasive species inventory data to identify weed and invasive species infestation locations, with Federal, State, county partners. Issue pesticide use proposals (PUP's) and collect pesticide use data through NISIMS from partners and private contractors.

**Grazing Permit Renewal**

In 2017, the BLM will continue to focus on processing the most environmentally sensitive grazing permits, particularly those authorizing grazing in priority sage-grouse habitat. Focusing on the most environmentally sensitive allotments allows for increased land health assessment and quantitative data collection efforts; improves the usefulness of RMP/EIS and site-specific NEPA analyses; and results in grazing management decisions that guide land health solutions for the future. This strategy will assist in ensuring that the backlog of unprocessed permits consists of the least environmentally-sensitive allotments where management is more custodial in nature or allotments that are already meeting land health standards.

**Chart 1**



Chart 1 illustrates the status of processing grazing permits since 1999. Processing permits includes, at a minimum, NEPA and Endangered Species Act (ESA) compliance. Unprocessed permits are those issued in accordance with General Provision language in Appropriations Acts.

Chart 2

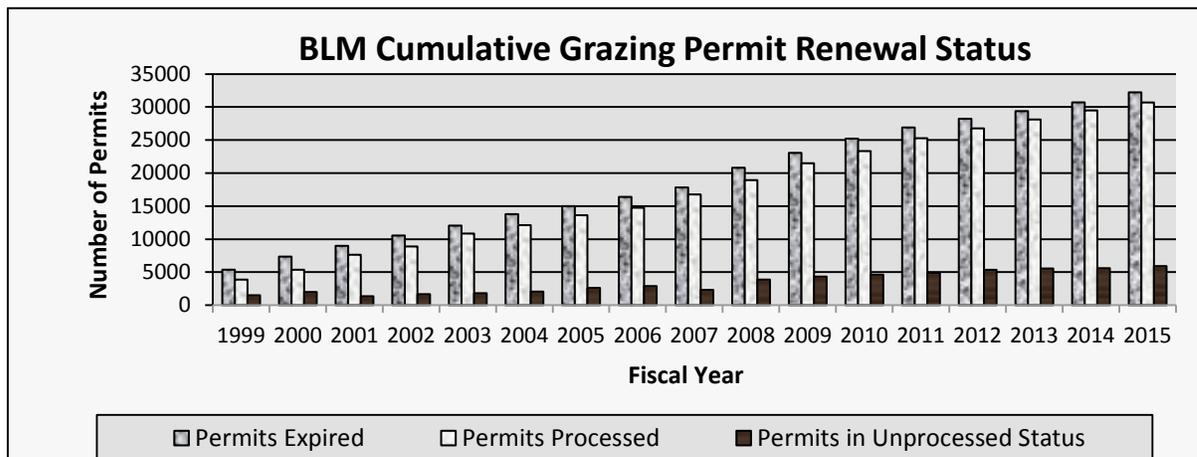


Chart 2 illustrates the cumulative number of permits processed since 1999. The number of permits processed per year is greater than the number of permits administered because some permits have expired more than once since 1999.

**Invasive Species and Weed Management**



Land areas that contain fire-adapted ecosystems and surface disturbance activities are most vulnerable to noxious weed and invasive species. The Noxious Weed and Invasive Species Management Program, within the BLM Rangeland Management Program, addresses these issues on BLM lands throughout the West. The BLM manages invasive species and weeds to improve habitat in the riparian areas that are critical to 60 percent of the wildlife species in semi-arid environments and to improve the terrestrial habitat areas that are critical for the Greater

Sage-Grouse. As part of the President’s Priority Agenda on “Enhancing the Climate Resilience of America’s Natural Resources”, the BLM will continue to prioritize its ongoing Early Detection and Rapid Response efforts and focus on areas where invasive species were previously unknown or limited in their expansion on public lands.

Internal and external partners are critical for the BLM to succeed in detecting, controlling and managing noxious weeds and invasive species. The Partners Against Weeds Action Plan, Pulling Together, National Strategy for Invasive Plant Management, and the National Invasive Species Management Plan assist in education, prevention, inventory, and monitoring efforts while using an Integrated Pest Management approach to control and restore areas impacted by weeds and invasive species. The 2016 Department of the Interior Invasive Species Strategy will provide Interior agencies further guidance for forming partnerships and leveraging resources across agencies to implement an Early Detection Rapid Response plan

Chart 3

BLM's Weed Inventory, Monitoring and Treatments of Weeds



Chart 3 illustrates the number of acres of invasive and noxious weeds inventoried, treated, and monitored by the Rangeland Management program since 2010.

Other Program Resources

Other Resources Supporting Rangeland Management:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
Resource Development Protection & Management	\$000	1,505	2,220	2,220	+0
	FTE	3	3	3	+0
Range Improvements	\$000	9,270	9,320	10,000	+0
	FTE	35	35	35	+0

Notes:

- Resource Development Protection & Management amounts are shown as new budget authority derived from non-federal sources (contributed funds); the Taylor Grazing Act of 1934, as amended (43 USC 315h, 315i) appropriates these funds on a permanent basis. More information on Resource Development Protection & Management is found in the Miscellaneous Trust Funds chapter
  - Range Improvements amounts are shown as new budget authority derived from 50 percent of the grazing fees collected on BLM-managed lands, with any difference appropriated from the General Fund; the annual Interior, Environment, and Related Agencies Appropriation Act appropriates these funds on a current basis. More information on Range Improvements budget request is found in the Range Improvements chapter
  - Actual and estimated obligations, by year, for Resource Development Protection & Management and Range Improvements are found in President's Budget Appendix under the BLM section
- \*Amounts for Rangeland Management in 2015 and 2016 are shown net of sequestration

## 2017 Program Performance

**Permit Renewal:** The BLM will continue to prioritize permit renewals based on environmental sensitivities and continue to review and use existing NEPA analyses as appropriate. When necessary, the BLM will supplement or tier to existing NEPA to address changes or analyze new information. When new NEPA is needed, BLM will analyze grazing use on an allotment or multiple allotment basis where appropriate. The BLM will continue to emphasize the collection of quantitative resource data for more defensible decisions, and will work closely with stakeholders, local governments, and the public during allotment plan development, evaluations and the NEPA process.

The BLM will use authorities provided in Federal Land Policy and Management Act, as amended by PL 113-291, to continue to process the most environmentally sensitive allotments in preparation for renewing grazing permits. Through a combination of appropriations and proposed grazing administration fee revenues, total program resources in 2017 will remain level with the 2016 enacted level. The BLM plans to use the \$16.5 million collected under the proposed permit administrative fee to process 235 of the 1500 grazing permits and leases, monitor 200 of the 1277 allotments, assess 1.5 of the planned 9.6 million acres of watersheds, and complete 185 of the 1180 planned land health evaluations.

The grazing permit/lease processing work is included within DOI Strategic Measure 'Percent of grazing permits and leases processed as planned consistent with applicable resource management plans. Barring a catastrophic fire season in 2017, BLM field offices would be able to utilize the monitoring and land health assessment data collected from the past few years to complete NEPA and other work related to grazing permits renewals.

**Noxious and Invasive Weeds and other invasive species:** The BLM will continue to inventory invasive and noxious weeds and other invasive species infestation on BLM lands. The BLM will identify and treat high-priority areas and monitor treated areas to determine the effectiveness of treatments. These efforts contribute to the DOI Strategic Measure 'Percent of baseline acres infested with invasive plant species that are controlled.'

**Land Health Assessment and Monitoring:** BLM-managed rangelands are assessed and monitored to direct management actions to areas not meeting desired conditions. Data collected during rangeland assessment and monitoring activities are used as one component in determining the DOI Strategic Measure 'Percent of DOI acres that have achieved desired conditions where condition is known and as specified in management plans.'

**Land Restoration:** Land treatments and project completion data will be used to determine the DOI Strategic Measure 'Number of DOI acres restored to the condition specified in management plans'.

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## Activity: Land Resources

### Subactivity: Public Domain Forest Management

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Public Domain Forest Management	\$000	9,838	9,980	+96	+0	+0	10,076	+96
	FTE	75	75		+0	+0	75	+0

Other Resources Supporting Public Domain Forest Mgmt:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
Forest Ecosystem Health & Recovery	\$000	12,018	14,633	7,942	-6,691
	FTE	48	48	48	+0
USFS Forest Pest Control	\$000	357,695	500,000	500,000	+0
	FTE	0	0	0	+0

**Notes:**

- Forest Ecosystem Health & Recovery amounts are shown as new budget authority derived from the federal share of receipts from all BLM timber salvage sales, and from BLM forest health restoration treatments funded by this account; 43 USC 1736a appropriates these funds on a permanent basis. Forest Ecosystem Health & Recovery is used on both Public Domain Forestry and Oregon and California Grant Lands. More information on Forest Ecosystem Health & Recovery is found in the Permanent Operating Funds chapter.

- Amount in for Forest Ecosystem Health & Recovery shown net of sequestration and funds previously not available due to sequestration (i.e. pop-ups).

- Actual and estimated obligations, by year for Forest Ecosystem Health & Recovery are found in President's Budget Appendix under the BLM section

- USFS Forest Pest Control amounts are shown as estimated transfers. More information on USFS Forest Pest Control is found in the U.S. Forest Service Budget Justifications. USFS Forest Pest Control is used on both Public Domain Forestry and Oregon and California Grant Lands

### Justification of 2017 Program Changes

The 2017 budget request for the Public Domain Forest Management Program is \$10,076,000 and 75 FTE.

### Program Overview

#### Program Components

The PD Forest Management Program manages and conserves 58 million acres of forests in 12 western States, including Alaska. The PD Forests have broad uses and serve the public, both directly and indirectly. Forests store and filter water for aquifers and reservoirs; offer opportunities for recreation; provide habitat for thousands of species; support timber and other jobs; provide millions of board feet of lumber and thousands of tons of biomass for alternative energy. Maintaining resilient forests and woodlands also plays an important role in carbon sequestration and providing clean air. According to the Department of the Interior's 2014 Economic Impact Report, timber harvested from PD forests supported \$142.6 million in economic activity, and biomass from BLM forests has become part of the feedstock that meets various State and Federal renewable energy portfolio standards.

In coordination with other vegetation management programs, the PD Forest Management Program seeks large landscape approaches to managing land resources. The program maintains and improves the resilience of forest and woodland ecosystems. Density

management through timber sales and stewardship contracts is essential to maintaining resilient forests. The program also administers various requirements of the Department of the Interior such as regulation, accounting and record keeping, volume estimation, appraisal, and permitting of vegetative materials under the Materials Act of 1947.

Healthy, resilient forests provide habitat for a variety of flora and fauna, including whitebark pine, an Endangered Species Act (ESA) candidate currently classified as “warranted, but precluded.” Maintaining healthy and productive forests requires active management. A century of wildfire suppression has left forests choked with fuels that contribute to costly, catastrophic fires, while changing climate and drought reduces the resiliency of the forests and leaves the trees vulnerable to damage from insects and disease.

The BLM leverages Forest Ecosystem Health and Recovery funding, USDA Forest Health Protection funding, and stewardship authority to maximize program accomplishments. The program also coordinates with the Wildland Fire Management Program to leverage funds for hazardous fuels reduction projects.

### Critical Factors

Critical factors affecting the Public Domain Forest Management program include:

- Approximately 14 million acres (or 24 percent) of PD forests are overstocked and at increased risk of insect and disease attacks and catastrophic wildfire. Prime among these risks are the mountain pine beetle and the spruce budworm, which are currently killing intermountain pine and fir on BLM forestlands. In addition, an invasive fungus, white pine blister rust, has infiltrated the colder altitudes where whitebark pine thrives. The U.S. Fish and Wildlife Service (FWS) judges that these factors, along with fire and warming climate, undermine species’ viability and may cause the whitebark pine to disappear within two to three generations. Other high elevation species such as limber pine and bristlecone pine are likely to face similar threats soon.
- The capacity of BLM foresters to plan and implement treatments on the ground to take advantage of the increase in demand for wood products as economic conditions are improving, sawmills are reopening, and bioenergy facilities are coming online is critical to increasing forest resilience. Since most forest health and restoration treatments are accomplished through the sale of timber and by-products resulting from the treatments, purchasers of forest product raw materials decrease the BLM’s cost of conducting treatments and restoration on a per acre basis.
- Maintaining support and supply to local industry infrastructure is critical to accomplishing necessary forest management treatments over the long term.
- Demand for firewood in rural areas continues, and in the past has led to illegal taking of woodland resources. For example, in Cuba, New Mexico, thousands of local individuals, including many Native Americans, use pinyon-juniper forests for cooking and heating their homes, cutting trees with a legal permit. Illegal woodcutting has occurred in areas

#### Drought, Wildfire, and Forests

Extreme drought and drought-fueled wildfires plagued much of the West over the past decade, impacting forest health and local economies. In 2015, fire impacted over 883,000 acres of BLM forest. Each year, fire can impact hundred of thousands of acres of forest managed by BLM. Over 1.7 million acres of forest mortality exists due to bark beetles and insect attack. Many of these acres are salvageable for timber,

popular for hiking and valued for scenic and resource values. BLM New Mexico foresters quickly moved to develop more legal firewood areas to meet local demand; inventory stolen trees for timber theft reports and citations; patrol both legal firewood areas as well as areas of illegal woodcutting; and conduct community outreach and educational meetings. As a result, Farmington and Rio Puerco Field Office Law Enforcement Rangers have seen a decline in illegal woodcutting.

- Collaborating with local communities and partners is critical to implementing successful forest conservation projects that support rural economies and provide outstanding customer service.
- Biomass from BLM forest and woodland projects has become part of the feedstock that energy companies are relying on to meet various State and Federal renewable energy portfolio standards.

### Means and Strategies

The BLM coordinates the strategies of PD Forest Management with other BLM programs and partner organizations to achieve integrated vegetation management at the landscape level using a corporate approach to managing ecosystem functions and services by emphasizing shared on-the-ground vegetation goals across programs, processes, and scales.

The BLM integrated the national-level coordination of vegetative management, including forestry, rangeland management, riparian management, plant conservation, invasive weeds, and fire rehabilitation into a cohesive team that leverages resources to make policy development more collaborative at a landscape scale. In this coordinated effort, the BLM is addressing forest management critical factors through multiple activities, including using results from the BLM's Rapid Ecoregional Assessment process to identify focal areas for forest management activities at the ecoregional scale.

The PD Forest Management Program achieves land use goals by:

- Implementing science-based forest restoration projects to improve forest health and resilience, which increases resistance to wildfires, disease, drought, invasive pests, and climate change at the landscape scale;
- Sustainably harvesting and regenerating forests and woodlands to produce a continuous supply of wood products and renewable energy feedstocks;
- Salvaging dead and dying timber to promote forest health and reduce hazardous fuels, in balance with the need for wildlife habitat, watershed function, and soil stability, while supporting local economies;
- Providing the public with commercial and personal use opportunities to harvest products such as firewood, Christmas trees, boughs, greenery, medicinal plants, fence posts, and pinyon pine nuts from forests and woodlands. In 2015, over 10,000 firewood permits, with a market value of over \$13.5 million, were sold that continue to provide a renewable energy source for heating thousands of households in rural communities;
- Inventorying 58 million acres of forest resources through a national database;
- Utilizing the Good Neighbor authority to achieve forest health treatments on a landscape level across BLM, State, and private lands to increase forest resiliency;
- Utilizing stewardship contracting authority, a vital tool for forest and woodland conservation. From 2008 - 2015, Stewardship contracting offered approximately 93 MMBF from Public Domain (PD) land, which is approximately 25 percent of the total volume offered in the PD over that period. Stewardship contracting is also an effective

tool for increasing biomass utilization. During the same period, the BLM offered 493,000 tons of biomass through Stewardship contracts. These volumes are essentially by-products of forest health treatments implemented through Stewardship contracts with acreage totaling over 86,000 acres.

- Collaborating with conservation districts to implement forest restoration, support rural economies, and meet multiple use objectives. For example, in Weaverville, California the BLM and Trinity County Conservation District are expanding a community forest. Through a stewardship agreement, the BLM works with the community to manage the forest, including reducing hazardous fuels, providing timber to meet local industry needs, preserving the scenic view from downtown Weaverville, maintaining and building recreational trails, using the forest as an outdoor classroom, and protecting cultural and historical resources.
- Engaging, employing, and educating youth, Native Americans, and veterans in forestry. BLM continues to engage students, interns, and volunteer youth in forestry project work. In 2015, BLM held a forester intern recruitment using the Pathways hiring authority at the Society of American Foresters national convention. Four college students were hired of which two were veterans of the US Military.
- Implementing stewardship agreements which exchange harvested forest products for the forest health treatments and use matching funds to treat greater acreage;
- Expediting NEPA processes to accelerate the removal of beetle-killed timber to reduce the risk of catastrophic fire and minimize risks to the recreating public. In 2015 two field offices in Colorado completed a pilot project to contract out the NEPA and cultural surveys . Field work on the project area began in FY 2015 and will continue into 2016.
- Investing in new technology to improve efficiencies. In 2016, the forestry program is continuing to consolidate national forestry applications into one system and is developing a national forest inventory platform. Also, in FY 2016, the forestry program is piloting a project to sell special forest products to the public on the web, to improve customer service.
- Working with NatureServe on a project to analyze how climate change is currently affecting pinyon and juniper ecosystems in an effort to identify and appropriately prioritize sustainable treatments;
- Supporting renewable energy goals by promoting the direct conversion and use of woody biomass for energy within BLM-owned facilities, as a part of an interagency bioenergy facility initiative;
- Requiring that all measurable biomass by-products from forest treatments such as timber sales, stewardship contracts, and hazardous fuels reduction are offered for utilization when ecologically appropriate and where biomass markets exist; and
- Implementing the Biomass Crop Assistance Program with the Farm Services Agency to allow for matching payments towards delivery of biomass to bioenergy facilities.

### **2017 Program Performance**

The BLM will accomplish program performance through sales and stewardship contracts to work toward achieving and maintaining desired future conditions on the 58 million acres of forests and woodlands in the public domain, offering economic benefits for the present and managing forest health for the future.

In 2017, the PD Forest Management program will address several DOI strategic and Bureau plan performance measures:

- Forest and woodland areas are assessed and monitored to direct management actions to areas not meeting desired conditions. Data collected during forest and woodland assessment and monitoring are used as one component in determining the Bureau plan measures “Percent of DOI acres that have achieved desired conditions where condition is known and as specified in management plans” and “Number of DOI acres restored to the condition specified in management plans.” Annual increases in forest and woodland acreages continue to contribute to achievement of these performance measures.
- The BLM will continue to use timber sales to achieve desired future conditions of forest stands to meet the Strategic Plan measure “Volume of Wood Products Offered.” Similarly, to the extent possible, the BLM will use forest product sales and permits to achieve desired future conditions of forest and woodland stands by offering wood products as biomass, a Bureau plan measure.

### Spokane District Project Improves Forest Health and Resiliency to Wildfire

The Huckleberry Stewardship project, which has completed 4800 acres of forest thinning as of FY 2015, was impacted by the Carpenter Road fire in August 2015. The fire burned 63,972 acres northwest of Spokane, Washington under extreme fire weather conditions was observed to have a reduced rate of spread and intensity as it burned into the thinned forest. The success of this project extends beyond the forest resilience benefit to economic benefits including timber for local mills and a net zero cost to the BLM due to the offset and integration of commercial sized timber into the fuels reduction. This project involved collaboration with a diverse group of stakeholders including the Spokane Tribe, Washington DNR, and adjacent land owners.



The foreground shows part of the thinned stand where the fire burned at low severity in the understory and resulted in high tree survival. The background is outside the Huckleberry project area where the unmanaged, dense forest experienced high severity fire.

## Activity: Land Resources

### Subactivity: Riparian Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Riparian Management	<i>\$000</i>	21,321	21,321	+136	+0	+1,463	22,920	+1,599
	<i>FTE</i>	146	146		+0	+2	148	+2

Summary of 2017 Program Changes/Internal Transfers for Riparian Management:	(\$000)	FTE
Enhance Core Capability	+1,463	+2
<b>Total</b>	<b>+1,463</b>	<b>+2</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Riparian Management Program is \$22,920,000 and 148 FTE, a program change of +\$1,463,000 and +2 FTE from the 2016 enacted level.

**Enhance Core Capability (+\$1,463,000/+2 FTE)** - Additional funds will be used to enhance core capacity and restore riparian miles not meeting land health standards in sage-grouse habitat. The Riparian Management program will fund 300 of the 650 miles of stream restoration expected to be completed by BLM in 2017. This is an increase of 50 miles over the 250 miles of restoration planned to be completed by the program in 2016. The BLM will continue to inventory 500,000 riparian acres especially those in priority sage-grouse habitats where grazing permits are expected to be renewed to ensure that conditions meet those specified in management plans.

### Program Overview

#### Program Components

Riparian-wetland areas are important components in every landscape type. In the arid West, these moist, green areas are especially critical to sustaining ecosystem functions and services, providing terrestrial and aquatic wildlife habitat, reducing erosion, improving water quality, and providing recreational opportunities. Although they are a small component of landscapes in the West, the diversity of uses and functions of riparian-wetland resources and their geographical position on the landscape make these areas indicators of overall ecosystem function.

Healthy riparian areas play a prominent role in the Bureau's ability to maintain working landscapes on public lands while managing for sage-grouse populations by providing shelter from predators and supplying the critical foods necessary for the species' survival, especially during the brood rearing life phase.

Highly functioning riparian areas can also help prevent the spread of wildfires. The BLM's Riparian Management Program provides the framework for managing over 150,000 miles of riparian areas and nearly 13 million acres of wetlands. In coordination with the other BLM

programs, the Riparian Management Program pursues a landscape approach to managing BLM vegetation resources.

### Critical Factors

A number of external factors impact the Riparian Management Program, including:

- Increasing urgency to restore and protect habitats as the number of sensitive and special status species grows. Many of these species, including sage-grouse, southwest willow flycatcher, cutthroat trout, bullhead trout, and numerous plant species have a critical nexus with riparian resources. There is a continued need to improve the condition of riparian streams that are not meeting the standards set forth in land health evaluations
- Increasing need to understand the location and condition of lentic resources on public lands and develop standard protocols to monitor their conditions.
- A changing climatic regime resulting in more frequent and severe floods and extended droughts, and requiring aggressive adaptive management strategies.
- Growing demands upon water resources and impacts from land-use changes, which increase monitoring workloads and necessitate adaptive management strategies.
- Development of public lands as part of the Powering Our Future initiative, requiring mitigation efforts to offset water discharge, water pollution, and water loss.
- Spread of invasive terrestrial and aquatic species, such as tamarisk and quagga mussel, requiring additional monitoring and treatment to prevent degradation of functioning ecosystems and native plant and animal communities.
- Urban growth and increasing public use of riparian-wetland areas, requiring additional monitoring to detect degradation from trails, transportation routes, and visitor use activities and to prioritize restoration activities.
- Catastrophic wildfires that negatively impact riparian resources, increasing the workload associated with stabilizing and rehabilitating burned areas and monitoring treatment success, land condition, and trends.

### Means and Strategies

To better achieve program goals and provide improved management of public lands, the BLM has adopted a corporate approach to managing ecosystem functions and services by emphasizing shared on-the-ground vegetation goals across programs, processes, and scales. In this coordinated effort, the Riparian Management Program is addressing critical factors through multiple activities, including:

- Incorporating Rapid Ecoregional Assessment information, where appropriate, into riparian-wetland planning and management activities;
- Implementing riparian restoration in high-priority focal areas especially for sage-grouse using step-down strategies developed from the BLM's Landscape Approach for Managing Public Lands and priorities set by the Fire and Invasive Species Assessment Tool (FIAT);
- Conducting qualitative Proper Functioning Condition Assessments and collecting quantitative core aquatic and terrestrial indicator data per the Assessment, Inventory and Monitoring (AIM) Strategy in coordination with land health assessments on a watershed or landscape-scale basis;

- Supplementing AIM data with critical program data through multiple indicator monitoring to begin devising a quantitative, statistically-robust methodology for landscape-scale riparian monitoring;
- Prioritizing riparian treatments to improve the condition of streams in areas functionally at-risk (especially those with high resource values), in order to protect sage-grouse and ecologically important plant and animal communities;
- Coordinating with the Fisheries Management and Soil, Water & Air Management Programs to devise cross-cutting, watershed-scale strategies and policies that will address water resource impacts from drought, development, and other stressors;
- Educating youth about the importance and complexity of riparian-wetland resources;
- Capturing legacy and new assessment and AIM monitoring data into a national geospatial dataset in order to more efficiently analyze and report on the conditions and trends of riparian resources;
- Using the interagency Creeks and Communities Strategy to cooperate with diverse stakeholders across jurisdictional boundaries and to provide training and coaching to the field; and
- Leveraging Riparian Management Program funds with funds from other Federal, State, and local agencies and NGOs to implement on-the-ground projects, especially in priority sage-grouse habitats.

### **2017 Program Performance**

In 2017, the Riparian Management Program will continue to improve land and water health through ongoing management of wetlands and riparian areas. Program activities will contribute to three DOI performance measures:

- On-the-ground restoration and management activities conducted by the program contribute directly to the improvement of degraded riparian areas. These actions are essential to meeting the Department's performance measure concerning the number of DOI riparian (stream/shoreline) miles restored to the condition specified in management plans. In 2017, the Program will restore approximately 300 miles of riparian area.
- Assessment and monitoring of riparian areas are crucial activities of the Program, directing management actions to those areas not meeting desired conditions as part of an adaptive management strategy. The DOI Strategic Plan measures the percentage of DOI riparian (stream/shoreline) miles that have achieved desired condition.
- Similar to riparian areas, wetland areas also are assessed and monitored in order to direct management actions to areas not meeting desired conditions. Data collected during wetland assessment and monitoring are used to measure the percentage of DOI acres that have achieved desired conditions where condition is known and as specified in management plans.

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**Activity: Land Resources**  
**Subactivity: Cultural Resources Management**

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Cultural Resources Management	\$000	15,131	16,131	+122	+0	+1,075	17,328	+1,197
	FTE	104	104		+0	+0	104	+0

Summary of 2017 Program Changes/Internal Transfers for Cultural Resources Management:	(\$000)	FTE
Safeguarding Our Irreplaceable Heritage	+1,075	+0
<b>Total</b>	<b>+1,075</b>	<b>+0</b>

**Justification of 2017 Program Changes**

The 2017 budget request for the Cultural Resources Management Program is \$17,328,000 and 104 FTE, a program change of +\$1,075,000 and a 0 FTE increase from the 2016 enacted level.

**Safeguarding Our Irreplaceable Heritage (+\$1,075,000/0 FTE)** – The 2017 budget request includes a program increase of \$1.075 million that will be focused on inventory strategies to collect baseline heritage resource data and enhance geospatial modeling efforts to support planning and resource management at a landscape scale. Ten percent of the public lands have been surveyed for heritage resources, largely conducted for land-use compliance, resulting in databases containing considerable information on high-development areas, and less information on other areas. To better understand the nature and extent of resources and inform predictive modeling, BLM will conduct baseline inventory in priority areas vulnerable to climate change, fire, looting, and vandalism. To further engage heritage resources in the landscape approach, BLM will synthesize and analyze available information at a broad scale to produce high-level, comprehensive, regional overviews and sensitivity maps critical for evaluating resources and planning at different scales.

**Program Overview**

The BLM is responsible for the largest, most diverse and scientifically important aggregation of cultural, historical, and paleontological resources on the public lands, as well as the museum collections and data associated with these heritage resources. These cultural resources represent all major periods, events, and communities in the broad sweep of human habitation in the West over a 10,000 year period.

These heritage resources are managed to ensure the cultural, educational, aesthetic, inspirational, and scientific values are preserved, and the recreational and economic benefits are realized for today’s communities

- The BLM’s heritage resources include:**
- 374,434 recorded cultural properties
  - 4,851 cultural properties protected
  - 133 historic properties listed on the National Register, 2,187 contributing properties, and 54,629 properties eligible for listing
  - 5,569 monitored archaeological sites
  - 429 maintained historic structures
  - 27,629 recorded paleontological localities
  - 10 million documented artifacts and specimens in 158 museums and universities.

as well as future generations in compliance with Federal laws and regulations.

The program also provides expertise and capabilities to facilitate compliance with Section 106 of the National Historic Preservation Act (NHPA) required for other BLM programs and land-use proponents to implement proposed actions on the public lands that will effect historic properties, such as energy development, recreation, grazing, and other planned activities. Up to 9,500 land-use proposals are reviewed annually for potential effects to historic properties. Compliance costs are to be funded by the benefitting subactivity program or the proponent. The tools and processes developed by the Cultural Resources Management Program streamline the compliance process, providing significant cost-savings and efficiencies.

### The Cultural Resource Management Program:

- Manages and protects archaeological sites and historic properties as directed by the Archaeological Resources Protection Act (ARPA) and NHPA, including inventorying the public lands for cultural resources, stabilizing and monitoring sites.
- Manages and protects paleontological localities and implements the Paleontological Resources Preservation subtitle of the Omnibus Public Lands Act of 2009 (PRPA), including inventorying the public lands for fossils, and stabilizing and monitoring localities.
- Curates the 10 million documented artifacts, specimens, and associated records in the BLM's three museum facilities and in coordination with the 155 State, tribal, and non-profit partner museums and universities.
- Facilitates Government-to-Government consultation with Indian Tribes and Alaska Native Governments concerning traditional tribal activities and places of special meaning on the public lands, such as sacred sites and places of religious significance.
- Complies with the Native American Graves Protection and Repatriation Act (NAGPRA) to inventory and repatriate Native American human remains and cultural items held in collections and respond to new discoveries of such on the public lands.
- Develops and implements educational and interpretative opportunities for the public to engage with cultural and paleontological resources.
- Facilitates academic and scientific research on cultural and paleontological resources to enhance scientific understanding and support decision-making.

#### NHPA Section 106 Casework

Section 106 of the NHPA requires the BLM to take into account the effects of its actions on historic properties and provides the Advisory Council on Historic Preservation (ACHP) with a reasonable opportunity to comment. Annually, the BLM reviews up to 9,500 land use proposals for their potential effect on properties listed on, or eligible for listing on, the National Register of Historic Places. The BLM's national Programmatic Agreement with the ACHP and National Conference of State Historic Preservation Officers is the primary mechanism for achieving cost efficiencies and flexibility in the NHPA Section 106 review process.

#### Regional Cultural Resource Overviews

The landscape approach and the large-scale projects planned on the public lands necessitates that the BLM maintains high-level, comprehensive, regional overviews that synthesize available information and analysis at a broad scale. The BLM has the tools and processes for meeting this need and will complete or update overviews in key areas. These inventory overviews help identify cultural resources on the ground, inform sampling strategies and predictive modeling, identify areas where cultural resource conflict may occur, and provide a framework for National Register evaluations. They are meant to significantly reduce the cost of subsequent projects or planning efforts.

## Critical Factors

The program faces a broad range of challenges and critical factors, including:

- Increased development of energy resources and transmission facilities, and opportunities for regional mitigation challenge the BLM to compile and synthesize data at a broad scale and provide efficient and effective NHPA Section 106 compliance.
- Theft, destruction, and vandalism of heritage resources as a result of increased accessibility of once-remote public lands, and urban and suburban encroachment.
- Enhanced protection of paleontological resources under the new statutory mandates for the management, preservation, and protection of fossils under PRPA.
- Inventorying Native American cultural items held in museum collections and consulting with Indian Tribes to determine disposition leading toward repatriation as highlighted by a 2010 audit of NAGPRA compliance by the Government Accountability Office.
- Identifying and curating artifacts and specimens recovered from the public lands, upgrading preservation and documentation for accountability, ensuring access and use for research and public benefit, and enhancing partnerships with repositories that curate BLM collections.



*Sloan Canyon Petroglyph Site, BLM Nevada*

## Means and Strategies

The program prioritizes proactive management and achieves efficiencies for NHPA Section 106 compliance by:

- Creating efficiencies in NHPA Section 106 compliance requirements by streamlining the review process for other BLM programs and land-use proponents.
- Enhancing tribal participation in decision-making processes through Government-to-Government consultation with Indian Tribes and Native Alaska villages and corporations, and drafting a new tribal consultation and coordination manual and handbook that addresses government-to-government tribal consultation across all BLM programs.
- Incorporating the BLM's landscape approach to public land management to address landscape-scale concerns associated with the inventory, assessment, mitigation and monitoring of heritage resources.
- Maintaining active working relationships with State Historic Preservation Offices as part of the BLM's Cultural Resources Data Sharing Partnership in order to share costs to automate and digitize site records, and to analyze this information for use in planning and expediting review of land use undertakings as part of NHPA Section 106 compliance at a significant cost savings for the bureau and proponents.
- Supporting Law Enforcement efforts to curb criminal acts prohibited by ARPA, NAGPRA, PRPA and other Federal statutes protecting cultural and paleontological resources.
- Partnering with universities, museums, and other scientific organizations to leverage public/private investments.
- Creating volunteer and youth experiences for community-based conservation and educational activities, and entry-to-journeyman-level opportunities, as seasonal hires, utilizing students and recent graduates.

**2017 Program Performance**

In 2017, the primary performance program goals for the condition of Archaeological Sites, Historic Structures, and Museum Collections will be to inventory, monitor, and stabilize heritage resources to improve their condition, focusing on the highest priority and most vulnerable resources. Efforts will focus on inventory strategies to conduct baseline inventory, synthesize available data to produce regional overviews, modeling, and sensitivity mapping tools for cultural and paleontological resources. Bureau-wide heritage resource monitoring techniques will be evaluated to develop tools for consistency in data collection and to inform prioritization of treatments and management decisions, ensuring stabilization and protection projects are focused on those resources at the greatest risk to improve resource conditions.

## Activity: Land Resources

### Subactivity: Wild Horses & Burro Management

	2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
			Fixed Costs	Transfers	Program Change	Requested Amount	
Wild Horse & Burro Management	\$000 77,245	80,555	+125	+0	-572	80,108	-447
	FTE 153	153		+0	+0	153	+0
Summary of 2017 Program Changes/Internal Transfers for Wild Horse & Burro Management:						(\$000)	FTE
General Program Decrease						-572	
Total						-572	+0

Other Resources Supporting Wild Horse & Burro Mgmt:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
USFS Wild Horses	\$000	1,386	1,000	1,000	+0
	FTE	0	0	0	+0
Adopt-A-Horse Program	\$000	405	400	400	+0
	FTE	0	0	0	+0

## Notes:

- USFS Wild Horses amounts are shown as estimated transfers reported by the U.S. Forest Service in its 2015 Budget Justification (March 2014); the annual Interior, Environment, and Related Agencies Appropriation Act appropriates these funds in the U.S. Forest Service National Forest System appropriation; Public Law 113-76 authorizes the transfer of these funds in 2014

- Adopt-A-Horse Program amounts are shown as new budget authority derived from a minimum \$125 per horse or burro fee under a competitive bidding process for adoption of animals gathered from the public lands, conducted under The Wild Free-Roaming Horse and Burro Act of 1971, as amended by the Public Rangelands Improvement Act of 1978 (16 USC 1331-1340); the annual Interior, Environment, and Related Agencies Appropriation Act appropriates these funds on a current basis. More information on Adopt-A-Horse Program is found in the Service Charges, Deposits, & Forfeitures chapter

- Actual and estimated obligations, by year for Adopt-A-Horse Program are found in President's Budget Appendix under the BLM section

### Justification of 2017 Program Changes

The 2017 budget request for the Wild Horse & Burro Management Program is \$80,108,000 and 153 FTE, a program change of -\$572,000 from the 2016 enacted level.

**General Program Decrease (-\$572,000)** – A reduction of \$572,000 in the Wild Horse and Burro Management program reflects the anticipated completion of short-term activities supported with the \$3.0 million increase provided in 2016. The BLM will continue to maintain core functions in the Wild Horse and Burro (WHB) program by focusing on the highest priority work and implementing program efficiencies where possible. The BLM will also continue expanding the use of contraceptives and the application of spay and neuter treatments to begin to reduce program costs and help address the unsustainable proliferation of wild horses and burros on public lands.

## Program Overview

### Program Components

The WHB Program is responsible for managing wild horses and burros in accordance with the *Wild Free-Roaming Horses and Burros Act of 1971*. The Act requires the protection, management, and control of wild free-roaming horses and burros in a manner designed to achieve and maintain a thriving natural ecological balance in combination with other public land uses. Traditional WHB Program activities include maintaining an accurate current population inventory; establishing appropriate management levels (AML) and when necessary, achieving or maintaining AML by removing animals from the range; and facilitating adoptions and other transfers. Over the past several years, BLM has conducted extensive scientific research to develop effective strategies for the management of wild horses and burros, and this work will help BLM as it takes more aggressive action in 2016 on various activities to better manage this program.

When the Act was passed, approximately 25,000 wild horses and burros existed on public lands managed by the BLM. Today, that population has more than doubled; there are now more than 58,000 wild horses and burros found on 26.9 million acres of public lands, which has led to overpopulation in many herds. Overpopulation on the range, in addition to prolonged drought conditions, has serious practical effects on effective land management, and can lead to the deterioration of the land and of the animals' health. Exacerbating the problems related to population growth, over the last 10 years, adoption rates for wild horses and burros have dropped nearly 70 percent – in the early 2000's, the BLM was able to adopt out nearly 8,000 horses each year; more recently, the annual adoption totals have been closer to 2,600 per year. As a result, the BLM now houses nearly 48,000 unadopted horses and burros in off-range pastures and corrals. As the total lifetime cost for caring for an unadopted animal is nearly \$50,000, this situation has created very serious challenges to effective cost management.

To reduce the need for off-range pastures and corrals, the BLM is broadening its efforts to increase adoptions, including seeking new authority to transfer animals to local, State, and other Federal agencies, as well as extending its use of contraceptives and spay and neuter treatments. Much of this direct action will begin in 2016, and will continue to be supported by on-going general research efforts. For example, the BLM will continue working with leading university and U.S. Geological Survey scientists to better refine its population growth suppression methods and overall herd management techniques. The BLM has also made significant progress in ensuring the humane treatment of wild horses and burros, including ongoing work to strengthen its comprehensive animal welfare program.

### Elements for Reforming and Managing the Wild Horse and Burro Program

Existing wild horse and burro populations on the range far exceed what the land can sustain. The activities described above will develop new tools for managing horses and burros on healthy rangelands, including safe and effective ways to slow the population growth rate of the animals and reduce the need to remove animals from the public lands. Doing so will reduce the number of animals in off-range corrals, and reduce program costs. Major proactive reforms in herd management both on and off the range are critical to meet program goals. The following actions and reforms will contribute to a more sustainable program, and are consistent with and complementary to the June 2013 National Academy of Science (NAS) report:

### Jump Starting Adoptions

- **Adoption Incentive Program:** The BLM will consider efforts to increase adoptions through cooperative agreements that will facilitate and increase adoptions of animals of specific disposition and explore other potential methods for encouraging adoptions.
- **Transfer of Animals to Other Agencies:** The budget includes a legislative proposal that provides authority for the immediate transfer of wild horses and burros to local, State and other Federal agencies that use them in their programs.
- **Reducing Holding Costs:** The BLM will continue efforts to acquire less expensive pasture holding facilities and partner with eco-sanctuaries to reduce holding costs for animals removed from public rangelands. The Bureau will also continue investing in partnerships that increase adoptions by training animals and placing them with new adopters.

### Controlling On-Range Populations

- **Reducing Population Growth (NAS Recommended):** The BLM will increase its use of available fertility control methods including contraceptive vaccines and spay and neuter techniques. The BLM has initiated pilot population growth suppression projects and will continue to prioritize aggressive application of current techniques, consistent with available budget and humane treatment.
- **Developing Herd Management Area (HMA) Sustainability Plans:** The BLM will continue to develop herd management area sustainability plans in the highest priority areas. Each sustainability plan will define a management prescription for appropriate population growth suppression methods and the maintenance of AML, including consideration of low-reproducing and non-reproducing herds.
- **Continuing Research (NAS Recommended):** In tandem with the proactive application of spay and neuter pilot treatments in 2016, the BLM will continue laboratory, pen and field studies to develop even more effective population growth suppression methods that better refine its contraception and spay and neuter methods; continue to assess public knowledge, attitudes, preferences and values of wild horse and burro populations and management; and evaluate demand for wild horses and burros by adoptees and long-term sanctuary providers.

### Other Program Components

- **Comprehensive Animal Welfare Program:** The BLM will continue appropriate policy administration and oversight to ensure humane animal care and handling practices. The BLM will continue to refine a Comprehensive Animal Welfare Program that established program-wide standard operating procedures; create universal training requirements; and institute a Care and Welfare Assessment Tool. This auditing system will help the BLM identify areas of emphasis for future training and ensure humane treatment of wild horses and burros.
- **Conducting Population Surveys (NAS Recommended):** The BLM will continue to conduct surveys utilizing the methods developed by U.S. Geological Survey (USGS) to acquire more accurate population estimates.
- **Promoting Volunteerism in the Management of Wild Horses and Burros:** The BLM will continue public engagement by enhancing outreach, recruiting local volunteers and organizations to assist in range and herd monitoring and management, and encouraging partnerships to increase ecotourism.

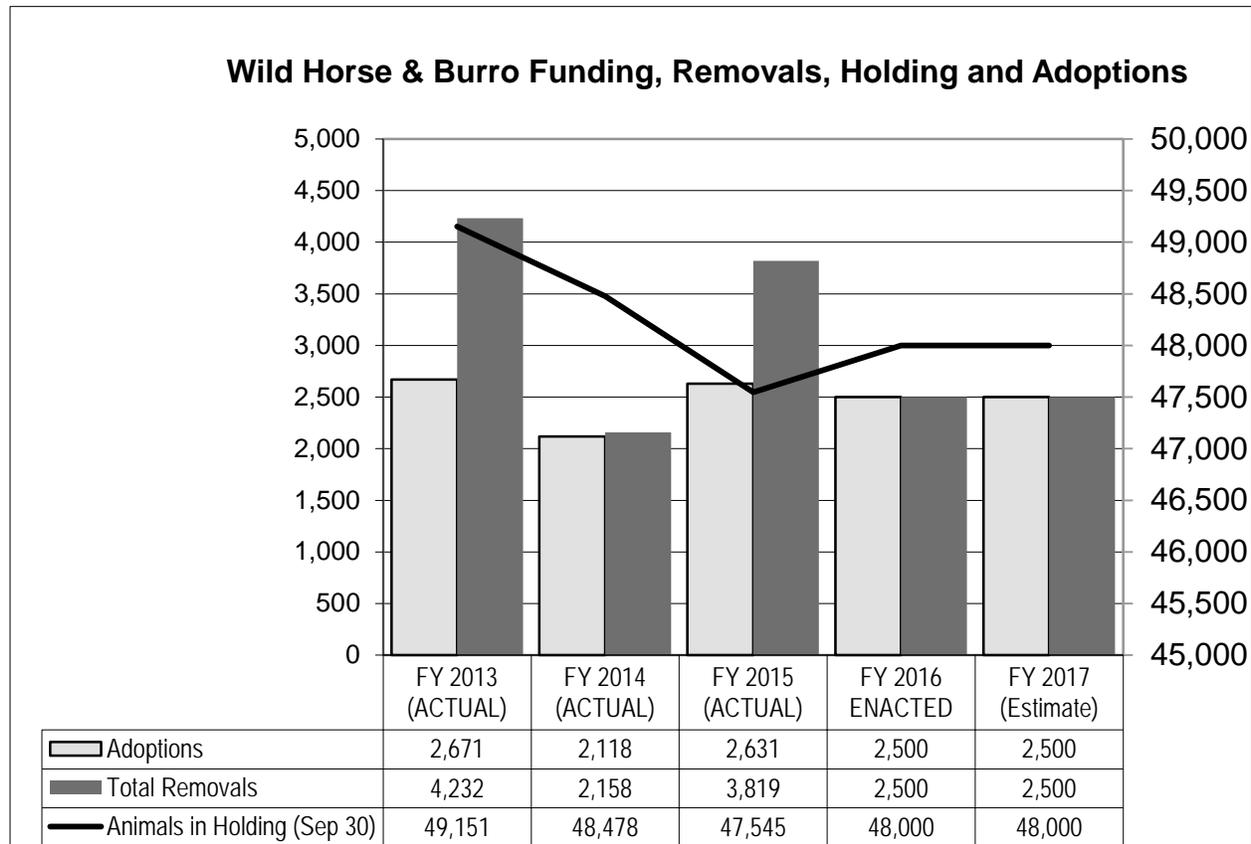
- **Continuing Transparency and Openness:** The BLM is committed to transparency in all facets of the WHB Program. This includes providing public viewing opportunities during gather operations and at holding facilities without compromising the safety of staff, members of the public, or the animals. The BLM is also committed to a proactive public information system that is both accurate and prompt.

### Critical Factors

Critical factors affecting the efficiency of the WHB Program include:

- Increased pasture costs will continue to affect holding costs;
- Wild horses and burros have few natural predators and herds increase at a rate of 15-20 percent each year and may double in size every four years;
- Current wild horse and burro populations exceed AML in nearly all HMAs (~93 percent). Prolonged overpopulation could result in wild horse and burro population die-offs as well as rangeland degradation that may require decades to restore.
- Existing contraceptive vaccines are only effective for one year, and varying terrain, wildness, and the size of herds and HMAs present logistical challenges associated with applying vaccines;
- Adoptions have steadily declined since the early 2000's which has increased the number of animals in off-range holding corrals;
- Lifetime (estimate of 25 years) care for un-adopted animals in off-range holding corrals is nearly \$50,000 per animal; and
- The BLM is experiencing increased litigation, correspondence, *Freedom of Information Act* requests and the need to provide additional personnel at gathers to host public and media visitation, all of which contribute to increased expenses.

In response to these critical factors, the BLM will increase the use of population growth methods including spay and neuter techniques, conduct removals at a substantially reduced level until holding costs can be reduced, and initiate actions to increase adoptions. Removals will be prioritized and will primarily occur in response to public health and safety (i.e., animals on the highway, in agricultural fields); private land encroachment; emergencies; Greater Sage-Grouse Focal Areas; research; and court orders.



**Note:** Future removal and holding numbers are estimated as of January 6, 2016.

### 2017 Program Performance

In 2017, the BLM estimates that it will remove fewer numbers of wild horses and burros from the range (about 2,500 to 3,000), thus exacerbating the existing overpopulation; this number is comparable to the annual mortality in facilities and the number that is adopted and sold each year. When animals are imperiled, resources may not be adequate to respond to all emergency removal needs. The BLM will continue planning and NEPA analysis to implement broad scale aggressive fertility control. The BLM will also conduct population surveys, continue to implement the comprehensive animal welfare program, and continue supporting partnerships that help increase adoptions and reduce short-term holding costs by establishing less expensive additional long-term holding contracts and eco-sanctuaries.

The BLM began implementation of the recommendations received from the NAS in 2014. Population growth suppression research trials initiated in fiscal year 2015 will continue through 2020 with varying completion dates. The BLM will continue refining its scientific foundation that serves as the basis for an ecologically and financially sustainable Wild Horse and Burro Program. The BLM will initiate aggressive application of the most effective available fertility control methods including multiple spay and neuter techniques and contraceptive vaccines. Methods used will vary and may change as research results provide information on effectiveness.

Additional planned performance for 2017 includes:

- Increase the application of the most effective available fertility control methods including contraceptive vaccines and spay and neuter.
- Reduce holding costs by transferring animals from corral facilities to newly acquired, less expensive eco-sanctuaries and private pasture holding contracts;
- Continue research to develop longer acting contraceptive vaccines and spay and neuter methods, including the effects of spay and neuter on herd genetics, animal behavior and rangeland use;
- Continue land use plan revisions, herd management area plan development, and NEPA analysis for HMA sustainability plans;
- Continue to conduct USGS recommended population surveys to obtain more accurate population estimates;
- Conduct removals, primarily limiting removals to those needed in response to public health and safety issues (i.e., animals on the highway, in agricultural fields); private land encroachment; emergencies; Greater sage-grouse Focal Areas; research; and court orders;
- Explore cooperative agreements to increase adoptions and implement as appropriate;
- Increase partnerships with non-governmental organizations, and correctional institutions to increase the number of trained animals for placement in private care;
- Continue herd management/rangeland health monitoring to support AML evaluation;
- Continue compliance inspections of previously adopted animals;
- Continue to develop and conduct comprehensive animal welfare program training and audits for gathers, transportation, corral and pasture holding facilities and adoption events; and
- Continue the maintenance of water developments on public lands.

# Wildlife and Fisheries Management



## Activity: Wildlife and Fisheries Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Wildlife Management	\$000	52,338	89,381	+160	+0	+19,150	108,691	+19,310
	FTE	237	257		+0	+21	278	21
Fisheries Management	\$000	12,530	12,530	+98	+0	+0	12,628	+98
	FTE	77	77		+0	+0	77	+0
Total, Wildlife & Fisheries	\$000	64,868	101,911	+258	+0	+19,150	121,319	+19,408
	FTE	314	334		+0	+21	355	+21

*Notes: The Miscellaneous Trust Funds, Wildlife & Fish Conservation and Rehabilitation (Sikes Act) current mandatory appropriation is a collaborative activity of the Wildlife program. The 2014 enacted amount (post-sequester) for Wildlife & Fish Conservation and Rehabilitation (Sikes Act) was \$0.347 million. The 20156 President's budget request for Wildlife & Fish Conservation and Rehabilitation (Sikes Act) is \$0.354 million.*

*More information on these collaborative activities is found in the Miscellaneous Trust Funds chapter.*

### Justification of 2017 Program Changes

The 2017 budget request for the Wildlife and Fisheries Management activity is \$121,319,000 and 355 FTE, a program change of +\$19,150,000 and +21 FTE above the 2016 enacted level.

### Activity Description

The Wildlife and Fisheries Management activity maintains and restores fish, wildlife, and their habitats by conserving and monitoring habitat conditions, conducting inventories of fish and wildlife resources, and developing cooperative management plans, while providing for environmentally responsible recreation and commercial uses. Funding for this program supports the staff that develops program policy and projects at all levels within the BLM. Management actions emphasize on-the-ground and in-the-water actions that measurably increase the health of fish and wildlife populations to sustain recreational and commercial uses that enhance or maintain many local economies in the West. In addition, these actions reduce the need to federally list species.

This activity supports Cooperative Landscape Conservation activities and the Healthy Landscapes Program by improving the health of watersheds and sustaining biological communities. The overall goal of Fisheries Management and Wildlife Management programs is to restore and maintain proper functioning conditions in aquatic, riparian, wetland and upland systems managed by the BLM, with the goal of providing suitable conditions for biological communities to flourish.

The lands that the BLM manages include numerous wildlife habitat types across a large proportion of America's western landscapes, including major portions of all American arid ecosystems, including the sagebrush biome, and portions of the Colorado Plateau. The BLM is also responsible for managing 15 million acres of short and mid-grass prairies and nearly 55 million acres of forest and woodland habitats. This habitat includes 43 million acres of elk habitat and 131 million acres of mule deer habitat. The BLM manages 23 million acres of

bighorn sheep habitat which include most of the desert bighorn sheep habitat. In addition, the BLM's diverse land base includes over 117,000 miles of fishable streams and rivers, over three million acres of lakes and reservoirs, and an abundance of wetlands. Because of their isolation, BLM lands include many of America's rarest habitats which support many rare plant and animal communities.

## Activity: Wildlife and Fisheries Management

### Subactivity: Wildlife Management

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Wildlife Management	\$000	52,338	89,381	+160	+0	+19,150	108,691	+19,310
	FTE	237	257		+0	+21	278	+21

Summary of 2017 Program Changes/Internal Transfers for Wildlife Management:	(\$000)	FTE
Sage-grouse Conservation	+14,150	+12
National Seed Strategy	+5,000	+9
<b>Total</b>	<b>+19,150</b>	<b>+21</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Wildlife Management Program is \$108,691,000 and 278 FTE, a program change of +\$19,150,000 and +21 FTE from the 2016 enacted level.

**Implement Sage-Grouse Conservation Plans (+\$14,150,000/+12 FTE)** – The Greater Sage-Grouse plans encompass approximately 60 million acres, nearly 25 percent of BLM-managed public lands, and require the active engagement and coordination of hundreds of employees across a myriad of disciplines. Plan implementation will be the single most complex land management effort undertaken by the Bureau in its history and will require a sustained commitment of resources over many years in order to be successful. Effective implementation will also have corollary benefits to rangeland health, supporting the productivity of lands for wildlife and ranching alike.

The Greater Sage-Grouse plans provide a landscape-scale approach to protecting and conserving the Greater Sage-Grouse and its habitat. The plans seek to limit or eliminate additional disturbance as well as target habitat improvements to the most important areas. In addition to establishing protective land use allocations, the plans implement a suite of management actions, such as the establishment of disturbance limits, Greater Sage-Grouse habitat objectives, mitigation requirements, monitoring protocols, and adaptive management triggers and responses, as well as other conservation measures on Greater Sage-Grouse habitat on BLM-managed lands.

The plans focus on avoiding, minimizing, and compensating for surface disturbance and provide for assessments on the threat of fire and invasive species (known as the FIAT assessments) to Greater Sage-Grouse habitats. The 2017 budget request includes additional funding to implement actions to reduce those threats in Greater Sage-Grouse habitats across 10 Western States. Projects and treatments associated with habitat restoration have a multi-year program of work to describe each step towards implementation, monitoring and reporting on the BLM's investment in Greater Sage-Grouse conservation. Increased funding will allow the program to implement on-the-ground projects and monitor habitat treatments at a greater pace.

Of the \$14.15 million increase requested:

- \$6.2 million would be directed to removal of encroaching conifers;
- \$1.4 million for eradication and control of invasive weeds;
- \$1.0 million for restoration of riparian habitats;
- \$2.3 million for reduction of fuel loads;
- \$850,000 to augment post-fire stabilization and rehabilitation efforts through the Sustainability in Prison program that would fund an additional 10 prisons in the Sage-Grouse focal areas habitats to grow 200,000 locally adapted sagebrush plugs for use in restoration of habitat after wildfires or other disturbances. In addition to establishing new prison programs, the funds would be used to maintain the existing ten prison programs that would provide another 320,000 sagebrush plugs annually; and,
- \$1.2 million to support 12 additional permanent FTE. Two FTE at the National Operations Center would assist in managing and training for data management, geospatial support and contracting and agreements, with the remaining ten positions being located in the State, district and/or field offices to implement the programs of work for habitat restoration.

The remaining \$1.2 million would be directed towards additional support for the implementation needs of the States along with additional support for training for field staff, in coordination with State and Federal partners, to help implement the new provisions for habitat conservation and to deploy new tools.

**National Seed Strategy (+\$5,000,000/+9 FTE)** – The requested increase will enable BLM to build upon actions started in 2016 and continue to aggressively implement the National Seed Strategy ([www.blm.gov/seedstrategy](http://www.blm.gov/seedstrategy)), which is critical to BLM's ability to respond with appropriate restoration resources to landscape-scale ecological changes, such as those due to drought, invasive species and catastrophic wildfires. The National Seed Strategy is integral to the success of the Administration's Sage Grouse protection efforts, its wildland fire rehabilitation efforts, and the Secretary's Integrated Rangeland Fire Management Strategy. The National Seed Strategy includes four overarching goals:

- Identify Seed Needs and Ensure the Reliable Availability of Genetically Appropriate Seed Reserves
- Identify Research Needs and Conduct Research to Provide Genetically Appropriate Seed and Improve Technology for Native Seed Production and Ecosystem Restoration
- Develop Tools that Enable Managers to Make Timely, Informed Seeding Decisions for Ecological Restoration
- Develop strategies for internal and external communication

Implementing the National Seed Strategy will result in much needed nationwide networks of native seed collectors, researchers developing wildland seed into commercial crops, farmers and growers increasing seed supplies, nurseries and storage facilities providing sufficient amounts of appropriate seed; and restoration ecologists identifying the appropriate timing and placement for seed and plant material to optimize treatment results. Successful implementation of the strategy will depend on close cooperation with partner federal agencies and the private sector entities under the Plant Conservation Alliance.

Within the amount requested, the BLM will increase the supply of native seed by expanding the native seed inventory by 1,500 seed collections; engage youth to become the next generation of

land stewards by training them to locate and harvest native seed; clean and store native seed in long-term conservation seed banks; identify areas for important native plants to ensure field reserves of these species; and engage federal procurement officers and native seed producers to analyze procurement procedures and facilitate improved federal access to native seed markets.

Implementing the National Seed Strategy will support a number of other major national initiatives, including:

- The President's Climate Action Plan (2013);
- Executive Order 13112 – Invasive Species;
- Department of the Interior Secretarial Order 3330 – Improving Mitigation Policies and Practices of the Department of the Interior;
- Department of the Interior Secretarial Order 3336 – Rangeland Fire Prevention, Management and Restoration;
- National Fish, Wildlife and Plants Climate Adaptation Strategy (NFWPCAP 2012); and
- Pollinator Health Task Force - National Strategy to Promote the Health of Honey Bees and Other Pollinators (2015).

## **Wildlife Management Program**

### **Program Components**

The BLM is responsible for managing more wildlife habitat than any other Federal or State agency. The BLM conducts activities to support healthy and diverse populations of wildlife species on behalf of the American people. Over 3,000 species of wildlife occur on BLM-managed lands, including big game, upland game birds, and waterfowl, as well as amphibians, reptiles, and other birds and mammals. Numerous species occur nowhere else in the country. For all of these species the BLM has important stewardship responsibilities.

The BLM Wildlife Management Program conserves and restores wildlife habitat as an integral part of the bureau's multiple use and sustained yield mission. Priority program activities include:

- Developing science-based strategies and conducting essential conservation actions to maintain sustainable populations of wildlife of local and regional economic importance and sensitive wildlife species;
- Restoring and maintaining habitats to maintain and enhance populations of native wildlife and plants;
- Collecting data to provide a solid foundation for land management planning; and
- Implementing on-the-ground conservation in priority areas which are identified as part of a larger, landscape-scale strategy in partnership with others.

The Wildlife Management Program supports the development and application of science-based management to reduce or minimize the adverse effects of climate change on wildlife and habitats. Working with DOI's network of Landscape Conservation Cooperatives (LCCs) and Climate Science Centers, the BLM will engage with other Federal and State agencies, tribal authorities, and nonprofit conservation organizations to:

- Optimize the quality and quantity of priority habitats to minimize negative effects on wildlife in the face of climate change,

- Expand the availability of climate-related resource management training for staff to identify appropriate impact thresholds on wildlife habitat in the face of permitted use and climate change.

### Critical Factors

The BLM addresses a number of critical factors and demands in its Wildlife Management Program. These include the following:

- Wildlife habitat loss and fragmentation continue to occur, resulting in significant declines for many wildlife species.
- Beyond reducing available surface water and forage for wildlife, drought can have a profound influence on wildfire cycles, which can alter habitat conditions over large areas for many years. According to the National Interagency Fire Center, over 4.26 million acres of sage-grouse habitat have burned since 2012 (according to BLM geospatial data from 2012-2015). Restoring sage-grouse habitat after fire is a complex and difficult undertaking.
- Authorization of land uses that impact wildlife habitat have significantly increased in conjunction with new energy initiatives.
- Other authorized uses such as grazing, logging, and recreation have not substantially changed due to the additional stresses of drought and other factors related to climate change.

### Means and Strategies

- The BLM is working to standardize and integrate data across landscapes and jurisdictions to gain a fuller understanding of changes to wildlife populations across geographic regions and better coordinate actions to mitigate species decline.
- The BLM is working to enhance fish, wildlife and plant conservation by engaging in multi-sector collaborations for data sharing to better understand the conservation needs and trends of fish, wildlife, and native plants.
- In keeping with Secretarial Order 3330, the BLM is developing the tools and directives needed to implement compensatory mitigation at broad landscape scales that will be designed to offset the residual impacts of public land use on wildlife species and their habitats.
- Most species and habitats present on BLM lands do not occur exclusively on lands administered by the BLM. Additionally, BLM land ownership is often not spatially contiguous, either at regional and site scales. Therefore, the BLM works closely with its partners across jurisdictional boundaries to ensure that wildlife conservation measures applied on BLM lands are effective. As a result, the BLM has:
  - Improved coordination and collaboration with important conservation partners, including Federal, State, tribal, academia and non-governmental organizations;
  - Supported development and implementation of standardized wildlife monitoring protocols to ascertain population trends across jurisdictional boundaries; and
  - Developed standardized regionally-specific habitat management guidelines for reptile and amphibian habitats that have been distributed to all BLM field offices;

- Consistent with BLM policy direction, the BLM works closely with State fish and wildlife agencies on natural resource issues, particularly in furtherance of State Wildlife Action Plans, which establish broad-scale wildlife priorities and identify the species of greatest conservation need as well as the habitats necessary for their protection.

### **2017 Program Performance**

In 2017, the BLM Wildlife Management Program will:

- Significantly expand its role in implementing the National Greater Sage-Grouse Conservation Strategy across 11 States;
- Conduct Greater Sage-grouse habitat restoration activities through implementation of the National Seed Strategy for Rehabilitation and Restoration
- Emphasize wildlife habitat improvements in order to reduce the number of species of concern (game and non-game) failing to meet objectives, while maintaining a sufficient level of monitoring to ensure the effectiveness of those improvements;
- Emphasize performance of actions under agency-endorsed plans for the purpose of conserving non-federally listed species to prevent the need for listing under the Endangered Species Act and to maintain the ecosystems they depend upon;
- Accomplish substantial habitat assessment and monitoring to provide an understanding of the range and distribution of priority species, to describe existing conditions, and to determine if management decisions have been implemented and objectives are being met; and
- Partner with FWS, States, and NGOs to accomplish substantial population monitoring to determine if habitat projects are achieving desired outcomes (maintenance and enhancement of priority species populations).
- Maintain and enhance partnerships with States, non-government agencies, and sister Federal agencies to continue to support rural community economies through game and non-game habitat management where the use and appreciation of these species is a high-value component of local economies.

### **Plant Conservation Program**

#### **Program Components**

Public lands contain a diversity of native plant communities that are the habitats for fish, plants, pollinators, and wildlife such as the sage-grouse and desert tortoise. These native plant communities make up over 50 ecoregions across the BLM and each ecoregion contains native plants that have adapted to those environments. The BLM Plant Conservation Program is responsible for protecting, maintaining, and restoring Western native plant communities and rare plants on public lands. The Program provides national leadership in seed collection, seed conservation, seed procurement and storage, and native plant materials development/use for restoration and rehabilitation of public land. This aspect of the program is part of the broader, interagency National Seed Strategy (see above). New funding to implement the National Seed Strategy will enhance and increase the current program of work. In addition, the Plant Conservation Program is responsible for rare plant work.

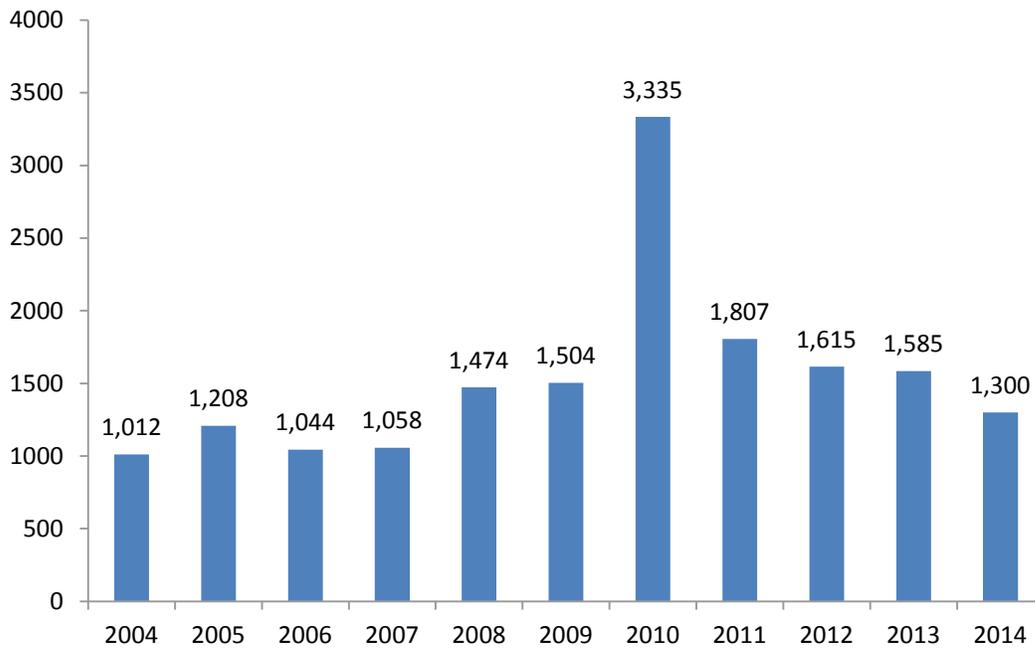
The Plant Conservation Program consists of the following elements:

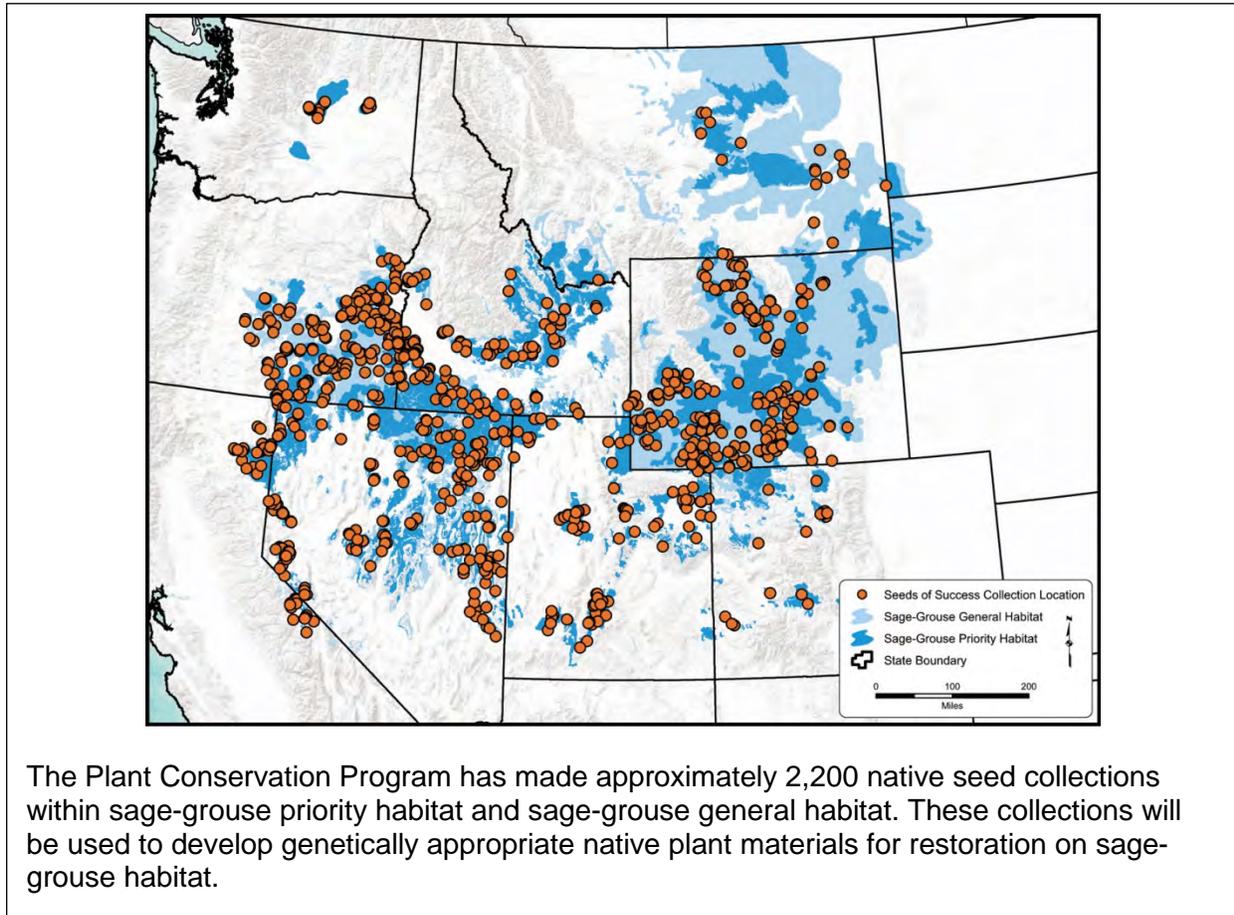
- Identifying, evaluating, and protecting rare plants on public lands, including National Conservation Lands units;
- Understanding the effects of climate change on native plant species and native plant communities on public land;
- Developing genetically appropriate native plant materials for restoring and maintaining habitat for sage-grouse and other animal and plant species;
- Providing leadership and infrastructure on native plant materials development by coordinating with all BLM programs and by establishing ecoregional native plant programs to ensure locally adapted native plant material needs are met;
- Providing national leadership for Seeds of Success;
- Developing seed transfer zones and guidelines;
- Coordinating a national network of seed storage warehouses with environmentally controlled conditions to protect our seed investment;
- Monitoring the effectiveness of native plant materials that have been developed;
- Implementing on-the-ground habitat conservation and restoration treatments on a landscape scale; and
- Enhancing partnerships and volunteer opportunities for plant conservation.

Seeds of Success is the national seed collection program and is the foundation of the native plant materials development process. Over 16,000 native seed collections have been made since 2001 when Congress directed the BLM to establish a Native Plant Materials Development Program. The number of seed collections has remained relatively stable (see graph below) except for an increase in 2010, due to additional funds provided through the American Recovery and Reinvestment Act.

For more information on BLM's Plant Conservation Program please see the following websites:  
[http://www.blm.gov/wo/st/en/prog/more/fish\\_wildlife\\_and/plants.html](http://www.blm.gov/wo/st/en/prog/more/fish_wildlife_and/plants.html)  
BLM Native Plant Materials Development:  
[http://www.blm.gov/wo/st/en/prog/more/fish\\_wildlife\\_and/plants/1.html](http://www.blm.gov/wo/st/en/prog/more/fish_wildlife_and/plants/1.html)  
Colorado Plateau Native Plant Program:  
<http://www.blm.gov/ut/st/en/prog/more/CPNPP.html>  
Great Basin Native Plant Program:  
<http://www.fs.fed.us/rm/boise/research/shrub/greatbasin.shtml>

### 10 Years of Seeds of Success Collections





### Critical Factors

- The effects of landscape health stressors such as drought, disease, catastrophic wildfire, and urban growth and development are altering native plant communities across the West. As rainfall and temperatures change, native plant species and communities may not adapt as fast as the environment changes, thus affecting sage-grouse and other species' ability to survive.
- Healthy, resilient, functioning native sagebrush communities play a significant role in the Bureau's ability to maintain sage-grouse populations in the West. The diversity of native forbs and grasses within the sagebrush communities is vital to the survival of sage-grouse. These native plants provide food and shelter for the sage-grouse, especially the young chicks.
- Healthy landscapes in the West today are at greater risk due to more intense and extended droughts, increasing wildfire frequency, and continuing migration of invasive species. Historically, resilient Western native plant communities burned on average once every 40 years; however, with monocultures of invasive plants and drought, fire frequency is closer to once every five to seven years. Because of these factors, more aggressive development of native plant materials are needed for rehabilitation after fire and restoration of habitats for fish, plants, pollinators, and wildlife.

- Native plant materials, like agronomic crops, take an average of 10 to 20 years to develop as consistent and reliable commercially available seed. Therefore, the BLM must plan ahead for native plant materials to be available for landscape level restoration.
- Development of public lands for renewable energy, non-renewable energy, and mineral resources requires mitigation efforts to offset loss and fragmentation of native plant communities.
- Spread of invasive terrestrial species requires additional monitoring and treatment to prevent degradation of functioning ecosystems and native plant and animal communities.

### Means and Strategies

The Plant Conservation Program coordinates with other BLM programs and partner organizations to conserve, protect, and restore native plant communities at the landscape level. To better achieve program goals and provide improved management of public lands, the Plant Conservation Program is working to implement the National Seed Strategy at a landscape scale. In this coordinated effort, the Plant Conservation Program is addressing critical factors through multiple activities, including:

- Supporting the Department's youth education investments and the America's Great Outdoors (AGO) Initiative by employing recent college graduates in the biological and environmental sciences, through the Conservation and Land Management Internship Program. Over 1,000 recent college graduates have gone through this program.
- Educating America's youth through the development of a high school curriculum on native plants. The BLM will use this model to develop elementary and middle school curricula for younger students.
- Supporting the renewable and conventional energy programs by encouraging use of local genotypes and developing native plant materials for use in reclamation projects. <http://www.blm.gov/wy/st/en/programs/pcp/mgmt.html>.
- Identifying national priority focal areas for native plant community conservation and restoration, as well as developing native plant materials for management activities at the eco-regional scale.
- Coordinating development of native plant materials for restoration with step-down strategies developed from the BLM's landscape approach and implementing restoration within Healthy Landscapes focal areas.
- Supporting ecoregional native plant materials development programs, such as the Colorado Plateau Native Plant Program, the Great Basin Native Plant Program, the Pacific Northwest Native Plant Program, and the Mojave Native Plant Program, to develop locally adapted seed for commercial availability.
- Leveraging Plant Conservation Program funds with other Federal, State, and local agencies and NGOs to implement on-the-ground projects and conduct research in native plant development and restoration techniques.

### 2017 Program Performance

In 2017, BLM will continue to lead the Interagency Native Plant Materials Development Program, including Seeds of Success, Plant Conservation Alliance Federal Committee and regional interagency native plant materials development programs in the Colorado Plateau, Great Basin, Pacific Northwest, Wyoming Basin and Mojave Desert. These programs will work with partners to focus research on native plant materials development and to get more diversity

of native plant materials to the growers in the various ecoregions. In 2017, BLM will expand its ecoregional native seed efforts by developing a Sonoran Desert Native Plant Program

The BLM will implement the National Seed Strategy, developed in 2015, which will assess BLM seed use, stabilize BLM seed requests, integrate native seed collection across the Bureau, and address seed procurement and storage to ensure the highest quality seed for restoration and rehabilitation.

The BLM Plant Conservation Program worked with The Institute for Applied Ecology to develop a protocol for working with State prisons to grow locally sourced sagebrush plants to support restoration of GSG habitat. A pilot project to produce 20,000 sagebrush plants was established in 2014 at the Snake River Correctional Facility in eastern Oregon. The plants grown at this facility were planted into a site damaged by wildfire on nearby BLM lands. In 2015 and 2016, the Plant Conservation Program used the protocol and pilot project to address the lack of locally adapted sagebrush seedlings for restoration and expanded the program to a total of ten prisons within the sagebrush steppe. This program will continue in 2017.

## Activity: Wildlife and Fisheries Management

### Subactivity: Fisheries Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Fisheries Management	\$000	12,530	12,530	+98	+0	+0	12,628	+98
	FTE	77	77		+0	+0	77	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Fisheries Management Program is \$12,628,000 and 77 FTE.

### Program Overview

#### Program Components

The BLM manages the Nation's most ecologically diverse range of aquatic habitat, totaling more than 132,000 miles of fish bearing streams and rivers, over three million acres of lake and reservoir habitat, over 150,000 miles of riparian areas and nearly 13 million acres of wetlands. From isolated desert springs to Alaska's North Slope tributaries, BLM aquatic resources support public recreation and subsistence fisheries that sustain Native American cultural heritages and are critical for sustaining the Nation's native aquatic biodiversity and sport fishing heritages.

The fisheries program, in close partnership with other federal, state, and non-governmental organizations, is responsible for protecting and restoring BLM managed aquatic habitat for aquatic vertebrate and invertebrate organisms.

The BLM Fisheries Program:

- Designs and implements lake, wetland, stream, and riparian treatments to restore and reconnect native, resident game, and nongame aquatic species habitat on public and private lands;
- Assists in special status aquatic species and habitat improvement to prevent the need for federal threatened or endangered listing;
- Assists and contributes to other BLM program areas to ensure fish, other aquatic species, and their habitats receive full consideration;
- Conducts aquatic resource research, inventory, and monitoring to support BLM management decisions and assess effectiveness of management actions;
- Leads and participates in efforts to prevent and limit the spread of Aquatic Invasive Species, including developing materials for education and outreach;

- Enhances anadromous fisheries by increasing habitat integrity and productivity in coastal drainages of the states of Alaska, California, Idaho, Oregon, and Washington.
- Maintains and restores unobstructed routes of movement and passage for all species of native vertebrate and invertebrate aquatic organisms;
- Enhances the quality and quantity of recreational fishing opportunities on BLM managed lands by increasing public access, quality of experience and productivity.
- Works with partners including state agencies, universities, non-governmental organizations such as Trout Unlimited, National Fish and Wildlife Foundation, Wildlife Forever and National Fish Habitat Partnerships;
- Leads and provides support for youth employment opportunities activities and promotes and enhances BLM aquatic recreation, education and rehabilitation experiences for veterans and their families; and
- Creates and establishes Bureau-wide policy, guidance and directives for BLM's aquatic resources.

### Critical Factors

Challenges affecting aquatic resources on BLM lands:

- **Climate Change and Other Stressors:** Aquatic and wetland ecosystems are among the most imperiled on earth. Landscape alterations due to climate change pose serious risks, management challenges, and changes for BLM managed inland freshwater ecosystems (lakes, streams, rivers, wetlands) and coastal wetlands as predicted changes to temperature regimes, precipitation, and flow patterns occur across the United States. The success of fish and other aquatic species will depend largely on the ability to move across landscapes and the availability of connecting dispersal corridors. In addition, new combinations of native and non-native species will interact in new ways which may compromise the reliability with which ecosystem goods and services are provided by BLM managed aquatic and wetland ecosystems. A greater focus on proactive conservation of these habitats will be essential for their long term persistence. The Fisheries program has defined and established management priorities for implementing actions for climate change resiliency for aquatic species and habitats on BLM administered lands. These are to: 1) provide aquatic organism passage and stream network connectivity; 2) ensure adequate water quality and quantity at appropriate times; 3) reduce nutrient loads; and 4) limit the introduction and spread of invasive/exotic aquatic species.
- **Renewable Energy Development:** The priority for developing renewable energy (hydropower, wind, solar, and geothermal) as part of the Powering Our Future initiative places increasing demands on fisheries and aquatics personnel. The program is working to ensure sites of high potential for energy development, and the transmission corridors linking these sites to the energy grid, are developed in a responsible manner consistent with the short and long-term conservation needs of aquatic resources.

- **FERC Relicensing:** The licensing and relicensing of hydropower projects creates a significant opportunity to direct the development of license conditions to conserve fisheries resources so that Federal trust responsibilities are met for the next 30-50 years. It is imperative that the bureau is engaged during these licensing processes.
- **Aquatic Organism Passage (AOP):** The program continues to focus on fish-passable culvert and bridge replacements. Culvert upgrades or removals reconnect high quality habitat for numerous aquatic species. AOP projects have the ability to immediately restore natural stream process and return fish to mature, functioning riparian and in-stream habitats.
- **Legacy Roads:** Road treatments are addressed to stabilize and reduce catastrophic sediment input from historic, poorly planned or failing roads made of soft fill material, which cannot adequately pass downstream water or deposit sediment laden runoff directly into fish bearing streams. Ponding and failure occurs as the standing water upstream overtops or erodes the road, resulting in severe erosion that inundates and smothers downstream fish habitat with sediment.
- **Aquatic Invasive Species:** The Fisheries program is responsible for working with State and other Federal agency partners to develop strategies and programs to combat the ecological and economic threats caused by aquatic nuisance species nationwide. The Fisheries program role is to minimize the threats from aquatic invasive species, such as the quagga and zebra mussel, New Zealand mudsnail, and multiple other non-native plants, vertebrates, and invertebrates. Aquatic invasive species pose a serious threat to our Nation's economy as well as the viability of native fish communities.



### Means and Strategies

BLM Fisheries is meeting these challenges by:

- Managing for the natural chemical, physical, and biological integrity and function of aquatic ecosystems to which species, populations, and communities are adapted;
- Restoring and reconnecting the natural diversity of aquatic biota and watershed features (flow amount and timing, substrate recruitment and transport, and bank and channel configuration);
- Managing habitat for native resident and migratory species and game species that are of high ecosystem, social, economic, or scientific value;
- Expanding and balancing recreational and native fish conservation by strengthening partnerships, developing fishing opportunities and responding to attitudes, values, and desires of the public;

- Implementing activities to promote awareness of and prevent the spread of invasive aquatic species;
- Completing aquatic habitat research, inventory and monitoring for planning, prioritization of conservation activities, and evaluation of restoration projects;
- Educating youth about the importance and complexity of fisheries and fisheries habitat; and
- Working with partners including state agencies, universities, and non-governmental organizations.

### 2017 Program Performance

The BLM Fisheries program will continue to support the bureau's mission-critical goals of maintaining and restoring aquatic ecosystems and related species and their habitats and play a significant role in the identification and implementation of these actions. This includes a special emphasis on salmon and steelhead fisheries resources, Colorado River desert fishes, cutthroat trout conservation, prairie fishes, Alaska stream resources, and riparian areas.

The Fisheries program will continue to work closely with the Aquatic Nuisance Species Task Force, including its Western Regional Panel, the Association of Fish and Wildlife Agencies, the Western Association of Fish and Wildlife Agencies, Trout Unlimited, the National Fish and Wildlife Foundation and the American Fisheries Society.

Numerous active fish habitat restoration activities will benefit native fish, including placer mining reclamation demonstration projects in Alaska; the Escalante, San Rafael River watershed restorations in Utah; Overflow Wetland Pecos pupfish and least chub conservation agreement restoration, San Juan River Basin Recovery Implementation Program; and road decommissioning and instream habitat restoration in Oregon and California. Additional fisheries inventory and monitoring work will take place and inform management decisions via the Gulkana River subsistence monitoring project in Alaska, and Coho salmon monitoring in the Mattole River, California.

Aquatic invasive species work will continue such as through the Lake Havasu Fisheries Habitat improvement program's zebra/quagga mussel outreach program in Arizona, *Didemnum vexillum* tunicate eradication in Alaska, Paynes Creek Wetlands in California and bullfrog eradication in Montana and Arizona. Nationally, the BLM plans to continue its Aquatic Invasive Species outreach work with Wildlife Forever. The program's invasive species prevention messages reach four million people annually through a successful advertising campaign in Western fishing and hunting regulation books.

The program continues to work with irrigators and farmers in Utah, Wyoming, and Idaho on one of the most successful fish passage programs in the country. It is one of the largest scale Trout Unlimited-BLM projects (600 mile river crossing three states). Over the last nine years, the BLM has reconnected 151 miles of critical migration corridors, linking tributary and main stem habitats by removing fish passage barriers, installed over 35 fish passage structures to restore upstream access to critical spawning and rearing habitats in headwater tributaries, and reintroduced cutthroat trout throughout their range.

During 2017, in addition to fish and amphibian eDNA applications in Alaska and Nevada, the program will continue riparian and wetland restoration efforts, such as the ongoing 22-year old Maggie Creek Watershed Restoration effort near Elko, Nevada. Chosen as national model for watershed restoration efforts everywhere under the National Fish Habitat Initiative, the project so far has restored 82 miles of stream, 2,000 acres of riparian habitat, and 40,000 acres of upland watershed in the Maggie Creek basin. The most important fishery result has been the return of Lahontan cutthroat trout to 23 miles of stream where they were formerly extirpated.

Community service and outreach activities will be accomplished through partners including FishingCommunity.Org and Project Healing Waters Veterans activities in Arizona, Alaska, Florida, Virginia, Maryland, Oregon, West Virginia, and Washington DC; family fishing day events throughout BLM field offices; and Cosumnes River Preserve and Redding Environmental education and outreach efforts in California. Finally, program efforts in 2017 will expand and build upon the successful 24-year cooperative conservation partnership with Trout Unlimited to reconnect, restore and sustain critical fisheries habitat and populations throughout the West.

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# Threatened and Endangered Species



## Activity: Threatened and Endangered Species Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Threatened & Endangered Species	\$000	21,458	21,567	+131	+0	+0	21,698	+131
	FTE	131	131		+0	+0	131	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Threatened & Endangered Species Management activity is \$21,698,000 and 131 FTE.

### Program Overview

The primary goal of the Threatened and Endangered (T&E) Species Program is to recover Federally-listed species and preclude the need to list candidate species. The program also provides support for conservation of non-listed, rare plant species. The long-term program vision is to achieve species recovery so that protection under the Endangered Species Act (ESA) is no longer required and to implement conservation programs for Bureau sensitive plants and Federal candidate species so that listing under the ESA is unnecessary.

### Program Components

Over 420 species listed under the ESA occur on BLM-managed lands. Furthermore, over 110 candidate species warranting Federal protection are found on BLM lands. BLM-managed lands are recognized as prime habitat for over 1,000 rare plant species and provide the only known habitat for more than 450 species of rare or listed plants and animals.

The BLM's successful conservation of these species requires implementation of the following tasks:

- Cooperative planning with other stakeholders in the preparation of recovery plans and development of conservation strategies for targeted species;
- Implementing actions identified in species conservation and recovery plans;
- Conducting inventories for newly listed, proposed and candidate species;
- Monitoring species populations to determine if objectives identified in species conservation and recovery plans are being met; and,
- Ensuring and documenting that T&E species and their habitat are conserved and enhanced within a larger landscape context through conservation of ecosystems and watershed health.

## **Critical Factors**

The number of Federally listed species is steadily growing due to increasing conflicts with anthropogenic impacts to the landscape such as urban development, energy development, mineral extraction, grazing and recreational overutilization. Each of these impacts are compounded by the effects of fire, drought, and climate change. The BLM is committed to prevent extirpation of these species on BLM-administered lands and to further recovery and conservation of Federally-listed and candidate species. This is manifested through support and leadership from the T&E program, and the commitment across all BLM programs to balance use with the obligation to conserve and recover imperiled species.

## **Means and Strategies**

The BLM Threatened and Endangered Species Recovery Fund has awarded approximately \$1.0 million annually, on a competitive basis, to recovery actions that culminate in a delisting or down-listing of a Threatened or Endangered species or precluding the need to list a candidate species. This Recovery Fund has supported significant species recovery efforts in the field, but BLM's recovery successes extend well beyond the funding associated with this initiative. Through the tireless efforts of BLM biologists, the invaluable partnerships that they cultivate, and the leveraging of funds from many different sources, the program has achieved a number of successes in species conservation. As the largest land management agency in the country, the BLM's potential to turn the tide of imperiled species is enormous. The BLM is now beginning to get a glimpse of the major contribution that it can offer to recovering species across this nation's landscape. Since the inception of the BLM Recovery Fund in 2010, our agency has shared in the conservation successes of 20 federally listed and candidate species. The BLM's record of accomplishment is building and its successes are accelerating. To continue this momentum requires a strong and durable financial commitment to conduct recovery tasks, data collection and analysis, and provide the capacity necessary to integrate interagency and interdisciplinary efforts in recovery implementation.

## **Youth in the Great Outdoors Initiative**

The T&E Program implements on-the-ground projects that either have an educational or outreach component to engage local youth or employ youth in conservation activities. The T&E Program will continue to hire recent college graduates in the biological sciences as part of the Chicago Botanic Garden's Conservation and Land Management Internship Program.

## **National Conservation Lands**

The T&E Program offers key criteria in selecting projects within the America's Great Outdoors initiative. The National Conservation Lands is an integral network of biologically diverse, wide ranging landscapes and ecosystems. Of the Federally protected species and rare plants that occur on BLM lands, 155 species occur only within designated units of the National Conservation Lands. An additional 114 species have at least 50 percent of their populations represented on National Conservation Lands. The National Conservation Lands are integral to threatened and endangered species conservation and recovery. The T&E Program will continue to partner with our National Monument and National Conservation Area program units to prioritize management actions within the National Conservation Lands that benefit listed species or their habitat.

## Program Collaboration and Partnerships

The range of most of the listed species found on BLM lands includes lands and waters not administered by the agency. The recovery of listed species requires management at the population or metapopulation scale, regardless of jurisdiction lines. Extensive collaboration and cooperation with a number of partners, including other agencies and organizations, is therefore an integral element of the T&E Program. Conservation collaborations typically begin with the development of recovery plans, written under the leadership of the U.S. Fish and Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS). Implementation of recovery actions identified in these plans typically involves collaboration with such partners as State fish and wildlife agencies, other Federal agencies, and non-governmental organizations (NGOs).

An example of this collaboration is the BLM's participation in the Black-Footed Ferret Recovery Implementation Team Executive Committee. Members include: the FWS, the U.S. Geological Survey, the National Park Service, the U.S. Forest Service, The Wildlife Society, The Nature Conservancy and several other NGOs and Federal and State Agencies. Efforts include the development of a sylvatic oral plague vaccine to protect ferrets and their prey, the prairie dog, against plague infection. The BLM continues to offer assistance in providing locations to implement the safety and efficacy trials for the vaccine's use in the field. The BLM also continues to increase its involvement in identifying appropriate areas where prairie dog expansion or re-colonization can take place and identifying potential sites for black-footed ferret reintroduction.



Other examples of regional multi-agency conservation efforts where the BLM is a significant cooperator include the California Condor and Desert Tortoise Recovery Programs.



## Compliance and Consultation

In addition to recovery planning and implementation, consultation under Section 7 of the ESA is a significant BLM endangered species management responsibility. Under the ESA, the BLM must consult with the FWS or the NMFS whenever it determines that an action it authorizes, funds, or carries out may affect a listed species. The BLM completes approximately 600 formal and informal consultations annually under Section 7 of the ESA. The monitoring, inventory, and recovery of Federally-listed species, supported by the T&E program, offer many benefits to

other BLM priority portfolio programs such as energy development, mineral extraction, range management, horse and burro, forestry, and recreation. The inventory and monitoring information collected informs the consultation process, and the recovery efforts for Federally-listed and candidate species bolsters the resiliency of the species on the ground, which may accommodate more opportunities for multiple use.

### **2017 Program Performance**

In 2017, the BLM T&E Program will continue to:

- Emphasize the completion of recovery tasks as identified in species recovery plans;
- Focus on the program's primary goal of completing actions that lead to species recovery with support from the Threatened & Endangered Species Recovery Fund;
- Document the program's accomplishments and efforts towards species recovery through the Special Status Species Tracking System, a reporting system developed by BLM's National Operation Center;
- Inventory and monitor habitat on the millions of BLM acres where Federally-listed species are known or suspected to occur; and
- Leverage additional dollars, equipment, and labor from Federal and non-Federal partners with shared T&E species recovery objectives.

# Recreation Management



## Activity: Recreation Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Wilderness Management	\$000	18,264	18,264	+128	+0	+0	18,392	+128
	FTE	134	134		+0	+0	134	0
Recreation Management	\$000	48,697	51,197	+229	+0	+2,039	53,465	+2,268
	FTE	349	349		+0	+3	352	3
Total, Recreation Management	\$000	66,961	69,461	+357	+0	+2,039	71,857	+2,396
	FTE	483	483		+0	+3	486	3

### Justification of 2017 Program Change

The 2017 budget request for the Recreation Management Activity is \$71,857,000 and 486 FTE, a program change of +\$2,039,000 and +3 FTE from the 2016 enacted level.

### Activity Description

The Recreation Management Activity supports efforts to:

- Provide resource-related recreational opportunities for a wide range of activities;
- Furnish quality visitor services;
- Provide a diversity of recreation facilities, visitor centers, and competitive activities;
- Identify and protect wilderness values;
- Assure that the public receives fair market value for any commercial ventures conducted on public lands; and
- Collect recreation use and entrance fees in the best interest of the general public.

These responsibilities are encompassed by the Bureau's strategic goal to provide opportunities for environmentally responsible recreation.

The Recreation Management Activity provides:

- Recreation planning and visitor use monitoring;
- Trails, access, and rivers management including off-highway vehicle, public access, and comprehensive travel and transportation management;
- Visitor services, information, interpretation and stewardship education;
- Visitor health, safety, and accessibility for persons with disabilities;
- Recreation facility design, operation, and maintenance including visitor centers;
- Recreation and community support partnerships including tourism and marketing;
- Wilderness management in the National Conservation Lands; and
- Support to partnerships, volunteers, and youth programs.

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## Activity: Recreation Management

### Subactivity: Wilderness Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Wilderness Management	\$000	18,264	18,264	+128	+0	+0	18,392	+128
	FTE	134	134		+0	+0	134	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Wilderness Management Program is \$18,392,000 and 134 FTE.

### Program Overview

The Wilderness Management Program is a part of the BLM National Conservation Lands. The BLM's 15-year National Conservation Lands strategy supports the Bureau's multiple-use and sustained yield mission by ensuring that management efforts are focused on conservation, while allowing for compatible uses, consistent with the designating legislation for wilderness areas. In addition to conservation, the strategy emphasizes continued collaboration, public involvement, and youth engagement. Engaging local communities to help them foster a sense of shared stewardship and pride in their local wilderness is a key part of the Wilderness Management Program. The program also contributes to the Department of the Interior's Engaging the Next Generation initiative by providing abundant opportunities for recreation, education, volunteerism, and work experience.

For more information on the National Conservation Lands Strategy, visit the BLM website at: [http://www.blm.gov/wo/st/en/info/newsroom/2011/september/NR\\_09\\_30\\_2011.html](http://www.blm.gov/wo/st/en/info/newsroom/2011/september/NR_09_30_2011.html)

Wilderness Areas are undeveloped Federal lands designated by law to be managed to protect their wilderness character as defined by the Wilderness Act of 1964. These designated areas are generally large, natural, and undeveloped landscapes that offer outstanding opportunities for solitude or primitive and unconfined types of recreation. The BLM is required to meet legal requirements for administering the Wilderness Management Program while also conserving, protecting, and restoring National Conservation Lands values in the 223 Wilderness Areas with over 8.7 million acres in 10 Western States (3 percent of BLM's total acreage in the coterminous United States).

The BLM also continues to conserve, protect, and restore as about 517 Wilderness Study Areas (12.6 million acres) under BLM management as defined below:

- Wilderness Study Areas (WSAs) are roadless areas that contain wilderness characteristics and are protected to maintain those characteristics until Congress designates them as Wilderness Areas or releases them for other uses.

The Wilderness Management Program focuses on the protection and conservation of wilderness and National Conservation Lands values with the following activities:

- Inventorying, monitoring, and preserving wilderness character;
- Managing use and encouraging appropriate wilderness uses;
- Inventorying, monitoring, and managing for noxious weed infestations, trespass activities, and recreation; and
- Restoring impacted areas such as trampled vegetation and eroded soil caused by unauthorized off-highway vehicles (OHV) travelling cross-country.

The National Wilderness Preservation System includes all Wilderness Areas managed by the U.S. Forest Service (USFS), the BLM, the National Park Service (NPS) and the U.S. Fish and Wildlife Service (FWS). It does not include BLM's WSAs. The BLM is unique in that the vast majority of its Wilderness Areas and WSAs are located in delicate desert environments; this adds an important ecosystem component to the National Wilderness Preservation System. Millions of people visit these areas annually either on their own or through the hundreds of permitted commercial outfitters that assist the public in enjoying these unique lands. This use provides significant economic impact to local communities and helps to sustain the natural heritage of their wilderness landscapes.

The Wilderness Management Program frequently addresses challenges associated with unauthorized use such as illegal OHV use, which result in the degradation of wilderness character. Managing the wilderness resource requires collaboratively managing these assets as part of the larger landscape. After a Wilderness Area is designated by Congress, the BLM typically spends the first three years marking and mapping the legal boundary, and providing visitor services such as maps and other public information. Subsequent management includes acquiring in-holdings from willing sellers, restoring wilderness character where needed, engaging in land use planning and monitoring, implementation of wilderness management plans, and providing visitor services. Additionally, BLM staff engages in land use planning to prepare management plans for Wilderness Areas to guide long-term management and protection of wilderness character. These plans raise the public awareness and understanding of the National Conservation Lands, promote stewardship of BLM-managed land, and provide for the use and enjoyment of these lands by present and future generations.

### **Program Emphasis Areas**

#### **Preserving Wilderness Character**

Preserving wilderness character is at the heart of the BLM's responsibility to protect its Wilderness Areas for future generations. An interagency strategy for monitoring trends in wilderness character across the National Wilderness Preservation System outlines a unified approach for collecting data and will allow the identification of trends in wilderness character quality across all wilderness-managing agencies. The protocol developed to monitor and describe trends in the quality of wilderness character will eventually enable the BLM to establish a meaningful measure with verified baseline data, which will ensure that the BLM preserves wilderness character as required by the Wilderness Act.

During 2017, the BLM expects to continue gathering baseline data for each of its 223 Wilderness Areas. The BLM will then use this information to make meaningful, efficient management decisions to maintain or improve wilderness character.

**Enhancing Scientific Knowledge**

BLM Wilderness Areas play a critical role in increasing scientific knowledge about a wide array of management challenges. The needs for scientific research and information continues to grow as new issues are identified, including the effects of drought, climate change, and other landscape stressors on species habitat and migration corridors. In addition, improved, higher-resolution satellite imagery and aerial photography aid wilderness managers with the monitoring of Wilderness Areas and WSAs. The BLM is also strengthening the role of science partnerships in wilderness management and collaborating with partners to help manage its Wilderness Areas and WSAs as a part of larger landscapes.

**Developing Partnerships and Engaging People and Communities**

Development and management of partnerships in wilderness stewardship is an important aspect of managing Wilderness Areas and WSAs and allows the BLM to leverage limited resources to achieve management goals. The Wilderness Management Program benefits greatly from a large volunteer workforce that provides thousands of hours of resource monitoring in addition to materials and transportation to manage wilderness projects. The BLM has established nearly 100 formal and informal partnerships to facilitate wilderness stewardship activities. Typical examples of work performed by partners in Wilderness Areas and WSAs include building and maintaining trails, eradicating and monitoring of invasive species, wilderness character monitoring, and reclamation and restoration of degraded areas to create more-natural environments. The BLM has developed a Memorandum of Understanding with the National Wilderness Stewardship Alliance, a national organization that is coordinating the establishment of partners and friends groups to support wilderness stewardship in the National Wilderness Preservation System. Many of these wilderness organizations have strong ties to local communities and can help foster a sense of shared stewardship and pride in wilderness stewardship.

**Connecting Landscapes by Working Collaboratively**

The Wilderness Management Program benefits greatly by working collaboratively with several crosscutting BLM programs and in partnership with other federal land management agencies to achieve larger landscape-scale goals. Programs that manage wildlife, fire, weeds, and rangeland resources routinely benefit wilderness resources and assist the BLM in meeting its legal requirements to protect wilderness character. By establishing connections across boundaries with other Federal, State, local agencies; and private conservation lands, the BLM complements and supplements the management of Wilderness Areas and WSAs as a part of a larger landscapes by strengthening the resilience of all areas.

**2017 Program Performance**

In 2017, the BLM plans to monitor 223 Wilderness Areas and 517 WSAs to ensure that the BLM is protecting wilderness character. Due to competing priorities the BLM did not complete baseline wilderness character data for all of its Wilderness Areas in FY 2015. Baseline inventories of Wilderness Areas are essential to implement the interagency strategy for monitoring trends in wilderness character. In 2016, the BLM will develop an interim performance measure that will assess the percentage of BLM Wilderness Areas that have completed baseline data. A completed baseline will allow the BLM to begin to identify trends in wilderness character using a methodology utilized by federal land management agencies responsible for wilderness stewardship on public lands.

In addition, a priority workload in 2017 will be to continue to update wilderness characteristics inventories. As the BLM begins to finalize many Resource Management Plans (RMP) or other land use plans in 2017 and beyond, it will be necessary to have up-to-date and completed inventories of lands with wilderness characteristics to ensure these plans are completed in a timely manner. Training for BLM staff and contractors responsible for conducting inventories of lands with wilderness characteristics will be planned in FY 2017 and incorporated into the land use planning process. The trainings will be directed by the WO staff and conform to BLM Manual 6310—Conducting Wilderness Characteristics Inventory on BLM Lands, and BLM Manual 6320—Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process.

## Activity: Recreation Management

### Subactivity: Recreation Resources Management

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Recreation Management	\$000	48,697	51,197	+229	+0	+2,039	53,465	+2,268
	FTE	349	349		+0	+3	352	+3

Summary of 2017 Program Changes/Internal Transfers for Recreation Management:	(\$000)	FTE
Improve Accessibility	+2,039	+3
<b>Total</b>	<b>+2,039</b>	<b>+3</b>

Other Resources Supporting Recreation Resources Management:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
Recreation Fees	\$000	21,842	18,683	19,000	+317
	FTE	107	121	121	+0
California Off-Highway Vehicle	\$000	3,999	4,173	4,173	+0
	FTE	22	29	29	+0
Recreation Cost Recovery	\$000	3,353	3,690	3,690	+0
	FTE	7	7	7	+0

**Notes:**

- Recreation Fees amounts are shown as new budget authority derived from recreation fee revenues (nearly all recreation fees are kept at the site where they are collected); the Federal Lands Recreation Enhancement Act (Title VIII of Public Law 108-477) appropriates these funds on a permanent basis. More information on Recreation Fees is found in the Permanent Operating Funds chapter.

- California Off-Highway Vehicle amounts are shown as new budget authority derived from a written commitment by a State government to provide an identified amount of money in support of a project on a reimbursable basis; the Department of Interior, Environment, and Related Agencies Appropriations Act appropriates these funds on a current basis. More information on California Off-Highway Vehicle is found in the Miscellaneous Trust Funds chapter.

- Recreation Cost Recovery amounts are shown as new budget authority derived from revenue from Special Recreation Permits to authorize group activities or recreation events; the annual Interior, Environment, and Related Agencies Appropriation Act appropriates these funds on a current basis.

- Amount in 2014 and 2015 for Recreation Fees and California Off-Highway Vehicle shown net of sequestration.

- Actual and estimated obligations, by year for Recreation Cost Recovery are found in President's Budget Appendix under the BLM

### Justification of 2017 Program Changes

The 2017 budget request for the Recreation Resources Management Program is \$53,465,000 and 352 FTE, a program change of +\$2,039,000 and +3 FTE from the 2016 enacted level.

**Improve Accessibility (+\$2,039,000/+3 FTE)** – The 2017 request includes an increase of \$2.039 million to implement the National Recreation Strategy and the widely shared goals of improving recreation access – including access to information, engaging youth, promoting healthy lifestyles, increasing tourism, improving the economies of our rural communities, and providing for better planning across landscapes and jurisdictions. The BLM recreation program

will expand a multi-year, integrated effort to considerably expand its geospatial data collection, validation, and sharing capabilities – both internally and externally. Expansion of the Bureau's partnership capacity, to leverage staffing so that we can move into the future of data collection, validation and management, and increase the ability to share information, is critical.

The proposed funding increase would expedite implementation of ongoing efforts to showcase recreational opportunities on BLM, gathered in coordination with partners, and utilizing crowd-sourced data. Increased engagement with Bureau partners and community networks of service providers – the locally-based agencies, businesses, and non-profit organizations that rely on the character of public lands – is central to these efforts.

### Program Overview

Public lands managed by the BLM provide some of the most diverse outdoor recreation opportunities on Federal lands in the western U.S. The Bureau's Recreation and Visitor Services Program oversees a broad and complex set of recreation related and social management activities and programs.

The Recreation Management program is responsible for the following components:

- **Recreation Planning** – Evaluating and assessing a wide range of social, economic, and recreational uses of public lands through the land use planning (LUP) process. Recreation Area Management Plans are prepared to implement LUP decisions in designated recreation management areas.
- **Travel and Transportation Management** – Determining public and resource use access needs through the LUP process. The BLM travel and transportation management planning process establishes designations and restrictions for all modes of transportation including motorized and non-motorized uses.
- **Visitor Safety** – Providing opportunities for safe recreational activities for the public, as well as, to educate and encourage safe behavior.
- **Facility Management and Accessibility** – Providing daily operation and routine maintenance of over 3,650 recreation sites and 380 Special Recreation Management Areas, including campgrounds, picnic and day use areas, visitor centers, waysides and kiosks, watchable wildlife sites, historic buildings and lighthouses, trailhead access points, and thousands of miles of rivers and trails. As communities near public lands grow in the West, visitation and demands for new trails and visitor service facilities increase each year. In addition to operating facilities, the BLM is responsible for ensuring facilities and programs meet accessibility standards for persons with disabilities.
- **River Management** – Managing over 500 segments and about 9,000 miles of floatable/boatable rivers and lakes along with associated issues related to water quality, permitting, education and interpretation, visitor safety, enforcement patrols, and resource management. Of these floatable/boatable rivers and lakes, 320 segments and 6,600 miles have significant recreational value. A portion of the funds for river management also serves the needs of Wild and Scenic Rivers, managed by the National Conservation Lands (for more specific WSR information please refer to NCL Crosscut Justification, Chapter IV).
- **National Scenic & Historic Trails** – Monitoring over 4,500 miles of 10 National Historic Trails and is responsible for over 600 miles of three National Scenic Trails. (For more information, reference the National Conservation Lands activity).
- **Hunting, Fishing, and Shooting Sports** – Implementing important provisions of Executive Order 13443, Facilitation of Hunting Heritage and Wildlife Conservation, which directs

agencies to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat.

- **Youth** – Overseeing components of the Bureau’s Engaging the Next Generation initiative, a significant component of the President’s America’s Great Outdoors initiative. The Recreation program also oversees the BLM’s Take It Outside program to promote outdoor activities for kids. The BLM will continue to promote healthy and active lifestyles and better engage the next generation as public land stewards for natural resource conservation.
- **Visual Resources** – Analyzing, managing, and ensuring protection of visual resources to maintain valued landscape aesthetic character.
- **Recreation Permits, Fees, and Commercial Leases** – Reviewing, implementing, and monitoring over 3,200 special commercial and competitive recreation permits and over 800,000 individual use authorizations for special areas each year. The BLM also provides oversight and accountability for the recreation permit, fee, and commercial lease program.
- **Public Outreach, Stewardship and Partnerships** – Promoting and supporting partnerships, volunteerism and stewardship to enhance recreational and educational experiences for visitors and public land users. The BLM is working with community leaders and networks of service providers to manage recreation opportunities that the public wants and that will bring economic benefits to local communities. The Bureau is also partnering with veterans and disabled sportsmen’s groups to ensure access to recreational opportunities.
- **Visitor Information** – Providing visitor information and services including maps, websites, interpretation and environmental education. Enhancing the quality and consistency of baseline visitor and resource data by conducting inventories and implementing visitor use monitoring systems to improve understanding of the full range of social, economic and community resource values and enhance decision making capabilities.
- **Cave Management** – Overseeing cave and karst (an irregular limestone region with sinkholes, underground streams, and caverns) resource management policies and program.
- **Customer/Visitor Service Satisfaction Surveys** – Measuring success in providing quality visitor services through an annual survey. The BLM continues to maintain scores of above the 90 percent range in customer satisfaction in providing recreation program visitor services and facilities to its customers.



### Critical Factors

The primary critical factors impacting the Recreation Program are:

- **Urban Growth:** As communities near public lands grow in the West, visitation and demands for new trails and visitor service facilities have increased each year. There are over 132 million acres of BLM-managed land in the western U.S. within 50 miles of an urban area with a population of 50,000 or greater.
- **Public Demand:** Visitation to public lands has increased from 51 million visitors in 2001 to nearly 62 million in 2015.
- **Public Access Conflict:** Off-highway vehicle (OHV) use on public lands continues to increase. The BLM addresses travel and transportation planning as well as OHV

management and restoration needs through Travel Management Plans and the Resource Management Planning process. In response to the increased OHV use, the BLM is implementing a comprehensive and interdisciplinary approach in developing travel management plans and implementing actions to address the demand for public services, ensure public health and safety, protect natural and cultural resources, and reduce use conflicts.

- **Public Safety and Resource Protection:** Increasing urbanization and motorized activities have resulted in law enforcement personnel spending significant resources on OHV, urban interface and border-related enforcement activities.

### Means and Strategies

The primary means and strategies utilized in the Recreation Program are:

- **Visitor Data:** Improving baseline visitor and resource data by conducting inventories and implementing visitor use monitoring systems.
- **Travel and Public Access Management:** Balancing off-highway vehicle access and use with resource protection and public access needs by updating and implementing comprehensive travel management plans;
- **Visitor Information and Education:** Expanding visitor information delivery and quality by improving signing and websites, and developing travel maps.
- **Visitor health, safety and accessibility:** Ensuring and enhancing visitor health and safety and improving access for the disabled by conducting recreation facility condition assessments and fixing problems or hazards.
- **Permits and Use Authorizations:** Regulating uses by issuing and monitoring recreation use permits and allocating use for commercial, competitive, organized, and individual uses within specially designated areas.
- **Accountability and transparency:** Improving accountability and effectiveness by issuing recreation special permits, conducting fee program and fee site business practices assessments, and conducting audits and program evaluations.
- **Visitor Use Monitoring:** Protecting resources, improving services, and enhancing the quality of recreational experiences by monitoring visitor use and satisfaction, as well as monitoring vehicular use and their impacts on resources.
- **Partnerships and Public Service:** Reducing operational costs by emphasizing the use of volunteers and providing extensive public service opportunities. The recreation program has been particularly successful in engaging volunteers, accounting for almost half of the entire Bureau's volunteer hours and nearly doubling the seasonal recreation workforce to serve visitors, maintain facilities and restore resources.

### 2017 Program Performance

The public lands attract millions of visitors each year that are economic engines for local communities across the West. In 2014, over 62 million recreational visits to Federal public lands and waters generated over \$5.5 billion in economic outputs, and supported over 42,000 jobs. In 2016 and 2017, the BLM will invest in the programs that support recreational visits, build strong partnerships, and create the maximum potential for recreation benefits to local communities.

Additional funding requested in 2017 would allow the BLM to implement the National Recreation Strategy with the following priority areas:

- ***Backyard to Backcountry:*** More than 120 urban centers in the western United States and thousands of rural towns are located within 25 miles of BLM lands, according to data from the 2010 census. Although many in the past have viewed this intermingling of public lands with State, county, and private lands as a weakness, this ready accessibility to public lands creates a unique recreation-tourism product, a distinctive niche in the Federal recreation marketplace that offers a competitive advantage.

Typically, the BLM has engaged with recreation partners when opportunities have presented themselves for specific activities. The National Recreation Strategy would move the Bureau away from a reactive approach to these partnerships and would devote the necessary resources to making sustained efforts to identify and develop outcome-focused partnerships with community networks of service providers as a matter of good business. Partnership in community networks will also help the BLM focus on its recreation brand and develop systematic plans that maximize the most significant shared benefits, without trying to be “all things to all people.”

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# Energy and Minerals Mangement



## Activity: Energy and Minerals Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Oil & Gas Management <sup>(1)</sup>	\$000	53,183	59,671	+289	+0	+20,614	80,574	+20,903
	FTE	326	326		+0	+25	351	+25
Oil & Gas Permit Processing from Fee Collections	\$000	32,500	7,125	+0	+0	-760	6,365	-760
	FTE	268	41		+0	+0	41	+0
Onshore Oil & Gas Inspection Activities <sup>(2)</sup>	\$000	41,126	48,000	+0	+0	+0	48,000	+0
	FTE	295	295		+0	+0	295	+0
Less Offsetting Fees	\$000	-28,697	0	0	+0	-48,000	-48,000	-48,000
(Permit Processing and Inspection)	FTE	0	0	+0	+0	+0	0	+0
Net Appropriations for Oil and Gas Management	\$000	98,112	114,796	+289	+0	-28,146	86,939	-27,857
	FTE	889	662	+0	+0	+25	687	+25
Coal Management	\$000	9,595	10,868	+94	+0	+0	10,962	+94
	FTE	71	71		+0	+0	71	+0
Other Mineral Resources	\$000	10,586	11,879	+99	+0	-1,000	10,978	-901
	FTE	81	81		+0	+0	81	+0
Renewable Energy	\$000	29,061	29,061	+128	+0	+0	29,189	+128
	FTE	145	145		+0	+0	145	+0
<b>Total, Energy &amp; Minerals Management</b>	<b>\$000</b>	<b>147,354</b>	<b>166,604</b>	<b>+610</b>	<b>+0</b>	<b>-29,146</b>	<b>138,068</b>	<b>-28,536</b>
	<b>FTE</b>	<b>1,186</b>	<b>959</b>		<b>+0</b>	<b>+25</b>	<b>984</b>	<b>+25</b>

(1): The 2017 budget proposes to shift the cost of inspections to inspection fees, which are estimated to generate \$48.0 million.

### Justification of 2017 Program Changes

The 2017 budget request for current appropriations for the Energy and Minerals Management activity is \$138,068,000 and 984 FTE, a program change of -\$29,146,000 and +25 FTE from the 2016 enacted level. This reduction in requested appropriations is more than offset by an estimated \$48,000,000 in fee collections that would be available to support inspection activities under new inspection fee authority proposed in the budget. In addition to the requested current appropriations and offsetting collections, permanent funds are also available to support the Oil and Gas Management program as authorized by the National Defense Authorization Act for 2015. These are shown and discussed in the Permanent Operating Funds chapter, as well as in the Oil and Gas Management subactivity. All told, total funding resources available to the Oil and Gas Program in 2017 through current appropriations, offsetting collections, and permanent appropriations are estimated to be \$186.6 million, an increase of \$27.6 million over the 2016 estimate (the actual increase would be affected by any sequestration to permanent funds that may occur in 2017).

## Activity Description

Energy and mineral resources generate the highest revenue values of any uses of the public lands from royalties, rents, bonuses, sales, and fees. In 2015, onshore Federal lands produced approximately 44 percent of the Nation's coal, 40 percent of the Nation's geothermal capacity, eight percent of domestic natural gas, and five percent of domestically-produced oil.

The goal of the Oil and Gas Program is to provide access to oil and gas where appropriate, and to manage exploration and development activities in an environmentally sound way.

Coal is used to generate approximately 44percent of the Nation's electricity. The electric power sector (electric utilities and independent power producers) accounts for about 87 percent of all coal consumed in the U.S. and is the driving force for the Nation's coal consumption.

The BLM provides other minerals needed to support local infrastructure and economic development. Demand is increasing globally for non-energy solid minerals such as potassium, phosphate, sodium, and potash. Other important mineral resources produced from public lands include uranium, gold, silver, gypsum, sodium, building stone, sand, and gravel. The BLM processes sales and issues permits for mineral materials such as sand, gravel, stone, and clays, which are essential to maintenance and construction of roads and buildings, including those used by the BLM to fulfill its land management objectives.

The Renewable Energy Management Program is responsible for processing right-of-way applications for wind and solar energy, overseeing geothermal energy leasing and development, and prioritizing transmission development associated with renewable energy production.

Geothermal energy development was historically managed as part of the Oil and Gas Management Program. Funding for geothermal leasing and development was transferred from the Oil and Gas Management Program to the Renewable Energy Program in 2013 as management oversight of renewable energy development was consolidated into a single program. The BLM has the delegated authority for leasing 249 million acres of Federal land (including just over 100 million acres of National Forest land) with geothermal potential.

<b>Activity: Energy and Minerals Management</b> <b>Subactivity: Oil and Gas Management</b>
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		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Oil & Gas Management								
	<i>\$000</i>	53,183	59,671	+289	+0	+20,614	80,574	+20,903
	<i>FTE</i>	326	326		+0	+25	351	+25
Oil & Gas Permit Processing from Fee Collections								
	<i>\$000</i>	32,500	7,125	+0	+0	-760	6,365	-760
	<i>FTE</i>	268	41		+0	+0	41	+0
Oil & Gas Inspection Activities								
	<i>\$000</i>	41,126	48,000	+0	+0	+0	48,000	+0
	<i>FTE</i>	295	295		+0	+0	295	+0
Subtotal, Discretionary Program Funding		126,809	114,796	+289	-	+19,854	134,939	20,143
Less Offsetting Fees (Permit Processing and Inspection)								
	<i>\$000</i>	-28,697	0	0	0	-48,000	-48,000	-48,000
	<i>FTE</i>	0	0	+0	+0	+0	0	+0
Total, Oil & Gas Mgmt (net appropriation)								
	<i>\$000</i>	98,112	114,796	+289	+0	-28,146	86,939	-27,857
	<i>FTE</i>	889	662	+0	+0	+25	687	+25

Summary of 2017 Program Changes/Internal Transfers for Oil & Gas Management:	(\$000)	FTE
Strengthening Oil and Gas Oversight and Systems (AFMSS II)	+15,227	+25
Oil & Gas Special Pay	+2,576	+0
Alaska Legacy Wells	+2,811	+0
Shift Cost to Inspection Fees	-48,000	+0
<b>Total</b>	<b>-27,386</b>	<b>+25</b>

Summary of 2017 Program Changes/Internal Transfers for Oil & Gas Permit Processing from Fee Collections	(\$000)	FTE
Updated Estimate for 15 Percent of APD Fees Subject to Appropriation by NDAA	-760	+0
<b>Total</b>	<b>-760</b>	<b>+0</b>

Other Resources Supporting Oil & Gas Management:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
Energy Act Permit Processing Fund	\$000	11,799	44,192	51,667	+7,475
	FTE	76	430	430	+0
Energy and Minerals Cost Recovery	\$000	2,653	5,160	5,160	+0
	FTE	22	22	22	+0
Abandoned Wells Remediation Fund	\$000	33,372	0	0	+0
	FTE	0	0	0	+0
Subtotal, Oil & Gas Discretionary Funding	\$000	126,809	114,796	134,939	+20,143
Total, Oil & Gas Resources	\$000	174,633	164,148	191,766	+27,618

## Notes:

- BLM mandatory amounts for Permit Processing Improvement Fund in 2015 and 2016 reflect the impact of both previously unavailable authority and sequestration, while the 2017 amount only reflects the impact of previously unavailable authority

- Energy Act Permit Processing Fund amounts are shown as new budget authority derived from 50 percent of rents from onshore mineral leases for oil and gas, coal, and oil shale on Federal lands; Section 365 of the Energy Policy Act of 2005 (Public Law 109-58) appropriates these funds on a permanent basis. Beginning in 2016, PPIS also includes APD fees authorized by the National Defense Authorization Act. More information on Energy Act Permit Processing Fund is found in the Permanent Operating Funds chapter

- Energy and Minerals Cost Recovery amounts are shown as new budget authority derived from fees that include costs of actions such as environmental studies performed by the BLM, lease applications, and other processing related costs; Independent Offices Appropriations Act (IOAA), as amended (31 USC 9701), Section 304(a) of the Federal Land Policy and Management Act of 1976, as amended (43 USC 1734) appropriates these funds on a current basis. More information on Energy and Minerals Cost Recovery is found in the Service Charges, Deposits, & Forfeitures chapter

- Abandoned Wells Remediation Fund amounts are shown as new budget authority derived from General Fund; Section 349 of the Energy Policy Act of 2005 (Public Law 109-58), as amended by Public Law 113-40, the Helium Stewardship Act of 2013 (42 USC 15907) appropriates these funds on a permanent basis. More information on Abandoned Wells Remediation Fund is found in the Abandoned Wells Remediation Fund chapter

- The 2015 amount for Abandoned Wells Remediation Fund reflects a sequestration of 6.8%

- Actual and estimated obligations, by year for Abandoned Wells Remediation Fund are found in President's Budget Appendix under the BLM section

- The 2016 and 2017 amounts for the Permit Processing Fund in this table are updated from the estimates in the Appendix, Budget of the United States Government, Fiscal Year 2017. Specifically, the 2016 and 2017 estimates have been adjusted in this table to correctly include both estimated APD fees and 50 percent of rent revenues from onshore leases.

## Justification of 2017 Program Changes

The 2017 budget request for discretionary appropriations for the oil and gas program is \$134.9 million, which represents a program increase of \$19.9 million above the 2016 enacted level. Of that amount, the request for the traditional Oil and Gas Management subactivity is \$80,574,000, and 351 FTE, a program change of +\$20,614,000 and +25 FTE from the 2016 enacted level. The request also includes \$6,365,000 (and 41 FTE) for permit processing activities, representing 15 percent of fees projected to be collected in FY 2017 from applications for permits to drill (APD), as authorized by the *National Defense Authorization Act of 2015 (NDAA)*, which the NDAA makes subject to future appropriation. The 2017 projection represents a \$760,000 reduction from the 2016 estimate. The budget also proposes \$48.0 million for oil and gas inspection activities, which would be offset by \$48.0 million in inspection fees, resulting in a net total of \$86,939,000 in discretionary appropriations for oil and gas management.

In addition, the oil and gas program is supported by mandatory funding that is deposited in the Oil and Gas Permit Processing Improvement Fund (PPIF) account in BLM's Permanent Operating Funds account. This includes 50 percent of rents from onshore mineral leases, pursuant to Section 365 of the Energy Policy Act of 2005, as amended by Section 3021 of the NDAA. It also includes the mandatory portion of APD fees, which under the NDAA is set at 85 percent of APD fees collected. In 2017, these combined mandatory funds are estimated to be \$51.7 million compared to an estimated \$44.2 million in 2016 (note: the 2016 estimate reflects the impact of sequestration). The significant changes occurring in the oil and gas markets make it difficult to accurately project the number of APDs likely to be submitted and the associated fee collections. The mandatory funds are shown in the Permanent Operating Funds section of the budget.

The following are the individual program change descriptions.

**Strengthening Oil and Gas Oversight and Systems AFMSS II (+\$15,227,000/+25 FTE) –**

The 2017 budget request includes an increase of \$15.2 million to improve the agency's capacity to provide effective oversight of onshore oil and gas operations, including implementation of new rules and regulations, better implementation of existing rules, and continued development of the new automated information technology system that is increasing the efficiency and transparency of processing drilling permits, inspection reports and other post lease actions. Both the regulatory and oversight reforms and the automated system (AFMSS II) will address recent Government Accountability Office (GAO) and Office of Inspector General (OIG) audit recommendations to improve program oversight, better account for revenues, increase efficiency and protect natural resources.

Additional Funds for Implementation of the Oil and Gas Rules/Regulations (+\$13,100,000/+25 FTE) – The BLM anticipates publishing several final rules in the near future. One set of final regulations will address site security of oil and gas facilities and the measurement of oil and gas production. These new oil and gas measurement regulations set appropriate standards, based upon current technology, to ensure that operators accurately measure and properly report and account for production. These standards will be used by the Office of Natural Resources Revenue (ONRR) to ensure collection of appropriate royalties, directly responding to the GAO and OIG audit recommendations. A portion of these funds will be used to provide an additional 25 FTE to field offices in order to process and verify 125,000 additional site diagrams, 220,000 new Facility Measurement Points, and additional operational elements of the regulations. These additional staff will support production accountability activities to ensure accurate reporting of production data and a fair return to the taxpayers. Funds will also be used to support implementation of other regulations critical to the protection of the environment, such as the hydraulic fracturing regulation and the requirements of the proposed venting and flaring regulation.

Continuation of the Automated Tracking System for Oil and Gas Operations Development Project in FY 2017 (+\$2,127,000/0 FTE) - The Automated Fluid Minerals Support System (AFMSS) is used to track oil and gas information on public and Indian land. It contains data concerning lease and agreement ownership, well identification, location and history, including casing information, geologic formations, resource protection, production, and operator compliance. The system has an electronic commerce module (WIS) to interface with the oil and gas industry. AFMSS tracks oil and gas well operations from over 23,500 producing leases.

Recent audit findings indicated that upgrades to the system are necessary in order to appropriately document, report on, and manage oil and gas activities. Phase I of the AFMSS II development provided a number of program improvements and efficiencies over the legacy system, including: ensuring consistent data quality in permit applications and providing transparency and accountability for industry on approval processes, in part through the use of a dashboard feature, where applicants can check the status of their permits throughout the approval process. It is anticipated that industry will see a significant reduction in oil and gas permit processing times with the full implementation of the new system. Once fully functional, the BLM anticipates a significant reduction in the time required for permit decisions.

The BLM is requesting \$2.1 million to allow completion of the additional modules associated with Phase II of the AFMSS II database. AFMSS II will standardize permit processing and facilitates sharing of technical resources across office boundaries to more effectively manage workload. Other agencies -- such as the Bureau of Indian Affairs (BIA), U.S. Forest Service (USFS), and ONRR -- rely on BLM's well and production data for necessary revenue verification. Additionally, AFMSS II will consolidate the functionality of several other systems into a single system, including the oil and gas industry electronic commerce portal and the geothermal database, for wells associated with geothermal resources on public land. AFMSS II allows data sharing between other modernized BLM national applications such as those used for maintaining land records and land use planning, thereby reducing duplication. By accounting for new Facility Measurement Points and additional site diagrams, Phase II functionality will support implementation of the rules currently being developed and expected to be finalized in 2016, including the oil and gas measurement regulations and the venting and flaring regulations. These rules are fundamental for carrying out the BLM's oil and gas mission, including ensuring proper payment of royalties and maximizing the conservation of oil and gas resources and reducing waste. An adequate IT support system to manage the associated record keeping, workload and oversight is critical to implementation of the regulations. The requested funding support in 2017 will be crucial to achieving future milestones, providing necessary program improvements and assuring project success for both the DOI and industry users of the system.

**Oil & Gas Special Pay (+\$2,576,000)** – The BLM continues to face challenges from staffing shortages. The BLM is experiencing a higher than average attrition rate in certain occupational groups due to retirements, as is the government as a whole. In addition to these losses, over the past several years the oil and gas industry experienced a boom and many of the BLM's seasoned permitting and inspection staff left public service to go into private industry for higher pay. The BLM has spent considerable time and resources training these staff and they are not readily replaceable. Typically it takes three to six months to complete recruitment for oil and gas specialists. On average, it requires a minimum of 18 months to train and certify a Petroleum Engineering Technician to be an inspector with proficiency in the regulations and processes for all phases of well operation. Because this certification is not available outside the BLM, most training takes place on the job. Due to the substantial investment BLM makes in its oil and gas employees, retaining staff is essential to the agency meeting its mission critical goals. In keeping with the BLM's commitment to support the oil and gas operations on public lands, several steps have been taken to recruit and retain oil and gas staff, including group recruitment and retention incentives, student loan repayment, and special pay rates. In 2015, the Office of Personnel Management (OPM) approved the Department's request to establish special pay rate tables for specific occupational series and locations engaged in oil and gas activities. The 2017 budget request will provide up to a 35 percent pay increase for certain technically specialized employees that are funded through the Oil and Gas program and described below.

Additional funding is needed to support increased pay for certain oil and gas-related occupations in some field locations that typically see more permitting and drilling activity. These five occupations are Environmental Protection Specialists, Natural Resource Specialists, Civil Engineers, Hydrologists, and Geologists. These positions are critical to the operations of all aspects of oil and gas development, including permitting, drilling, plugging, surface and environmental protection, site security, and measurement. This special incentive pay is in addition to the increased pay already provided to petroleum engineers and petroleum engineer technicians, discussed below. The Department is working with the OPM to establish and implement appropriate pay schedules for these occupations in order to attract and retain highly skilled, qualified employees for these mission critical positions. Pending final approval by OPM, the requested increase supports revised pay rates, which will enable the BLM to provide pay increases of up to 35 percent above base pay rates for these specific occupational series.

**Alaska Legacy Well Remediation (+\$2,811,000/0 FTE)** – The 2017 budget requests an increase of \$2.8 million to allow the BLM to continue to remediate legacy wells within the National Petroleum Reserve in Alaska (NPR-A). Legacy wells were drilled within and adjacent to the NPR-A between 1944 and 1981, many of them prior to the transfer of the reserve to the Department of the Interior in 1976. A total of 136 test holes were drilled to gather geologic data or identify petroleum reserves present in the NPR-A. No wells produced oil or gas. These drill holes are categorized as exploratory oil wells, core tests, or temperature monitoring wells. As part of its continuing commitment to protect public safety and Alaska's environment, the BLM, in its strategic plan entitled *2013 Legacy Wells Strategic Plan*, has outlined priorities and actions it is taking in the near-term to close and clean up these wells in the National Petroleum Reserve in Alaska (NPR-A). This funding will augment the permanent funding authorized by the Helium Stewardship Act of 2013 for remediation of these wells.

**Oil and Gas Permit Processing from Fee Collections (-\$760,000/0 FTE)** – The 2017 request reflects a projected decrease in APD fees collected in 2017. The National Defense Authorization Act of 2015 amended the Mineral Leasing Act to authorize APD fees in 2016 through 2026, and to permanently appropriate the majority of these fees. For fiscal years 2016 through 2019, the NDAA permanently appropriates only 85 percent of the fee revenues, leaving the other 15 percent of fee revenues subject to appropriation. The proposed reduction of \$760,000 represents 15 percent of the projected reduction in total APD fees collected in 2017.

**Oil and Gas Inspection Activities(-\$48,000,000/0FTE)** – The 2017 budget proposes to institute new onshore oil and gas inspection fees to cover the costs of BLM's inspection activities and reduce the net cost to taxpayers of operating BLM's oil and gas inspection program. The fees are similar to those already in place for offshore operations. Such authority will reduce the net costs to taxpayers of operating BLM's oil and gas program and allow BLM to be more responsive to industry demand and increased inspection workload in the future while reducing the need for current appropriations that could be directed toward other priority programs. Proposed appropriations language to implement the fees is included in the proposed General Provisions for the Department of the Interior, and is also shown in the General Statement chapter of this Budget Justification.

## Program Overview

The BLM's Oil and Gas Management Program is responsible for providing access to onshore energy resources in an environmentally responsible manner. The BLM manages approximately 44,000 Federal onshore leases across 32 States. These leases have generated in excess of

\$2.0 billion annually in recent years. In addition, BLM manages operations on roughly 4,500 oil and gas leases on behalf of Tribes and individual Indian mineral owners.

During FY 2015 and 2016, the BLM placed emphasis on conducting inspections of high-priority wells and on addressing the recommendations of the Government Accountability Office (GAO) and DOI's Office of the Inspector General (OIG) for program improvements. Through these two focal areas, BLM seeks to ensure that the public's oil and gas resources are properly developed in a manner that maximizes recovery while minimizing waste and provides a fair return for the taxpayer through accurate revenue collection.

### Program Components

The primary components of the oil and gas program are leasing, well permitting, and administration of operations including inspections and oversight of ongoing operations as well as reclamation and abandonment activities. Another important function is the BLM's Fiduciary Trust Responsibility to Indian Tribes.

Specific activities include:

#### Leasing

- Conducting oil and gas lease sales, primarily across the West and in Alaska, consistent with statutory requirements, land use plans and requirements for public participation;
- Collecting, processing and tracking lease protest information, addressing program inconsistencies and public transparency. The National Fluid Lease Sale System (NFLSS) was approved as a BLM IT investment in December 2014. The BLM also received permanent authority to conduct online lease sales in the *2015 National Defense Authorization Act* (enacted in December 2014). This system is a DOI and BLM priority and is needed to implement the program improvement recommendations of the GAO; and
- Administering existing oil and gas leases and processing post-lease actions such as assignments, operating rights, mergers, bonds, unit and communitization agreements, and terminations of leases.

#### Permitting

- Processing oil and gas Applications for Permits to Drill (APDs) and subsequent modifications of the permits, by evaluating and prescribing conditions for both the subsurface and surface operations.
- Maintaining an inventory of about 7,000 valid APDs, which have been approved and are ready for industry to drill.

#### Inspection Activities

- The BLM uses a risk-based inspection strategy and is focused on inspecting 100 percent of the wells designated as high priority by BLM's National Oil and Gas I&E Strategy.
- Inspecting about 29,000 existing oil and gas authorizations; determining the adequacy of operators' financial bonding, with a review of risk factors to weigh potential liability; and evaluating well inventories in the field to address inactive wells.

#### Fiduciary Tribal Trust Responsibilities

- Carrying out trust responsibilities by managing operational activities (including permits to drill, inspections and enforcement, and unit and communitization agreements) on approximately 4,500 oil and gas leases for Indian Tribes and individual Indian allottees.
- Providing technical advice on leasing and operational matters to the Bureau of Indian Affairs, Indian Tribes, and individual Indian mineral owners.
- Validating that Indian leases are being diligently developed.

### Special Areas of Emphasis for Current Year Funding Requests

#### Addressing GAO's High Risk Program Designation and Other Program Recommendations

In its February 2011 High Risk Report, the Government Accountability Office (GAO) determined that certain aspects of the Federal oil and gas leasing program, including production verification and revenue collection, was at high risk because the Department of the Interior did not have reasonable assurance that it was collecting a fair share of the revenue from oil and gas produced on Federal lands. In its High Risk Report, the GAO also pointed to continued problems in hiring, training, and retaining sufficient staff to provide oversight and management of oil and gas operations on lands and waters.

The BLM has adjusted its workload priorities to place an emphasis on the recommendations of the GAO and the Department's Office of the Inspector General (OIG). Accordingly, the BLM has taken a number of steps to improve program effectiveness in these areas. The BLM is implementing recommendations of the GAO to correct and improve the inspection and enforcement program and provide oversight and guidance to coordinate activities consistently across office boundaries. An internal control review conducted by the BLM is assisting in determining the effectiveness of program changes. The objective is to evaluate the accuracy and completeness of data in the records and to confirm that the data is sufficient to ensure orderly development and accounting of the Nation's finite energy mineral resources.

#### Inspection Activities

The BLM seeks to better ensure that oil and gas operations on Federal and Indian lands are conducted in a manner that provides for personnel and environmental safety along with proper accountability for taxpayer resources extracted from public lands. It is the BLM's responsibility to prioritize the oil and gas inspections to be conducted, track accomplishments, and document results. The BLM seeks to better ensure oil and gas production from Federal and Indian lands is properly handled, measured accurately, and reported correctly. To that end, as discussed above, the BLM is in the process of completing the final regulations that will govern venting and flaring of natural gas, improve site security, and update oil and gas measurement on Federal and Indian lands.

In FY 2011, the BLM initiated a risk-based strategy, the National Oil and Gas I&E Strategy, to provide consistent nationwide oil and gas inspection accomplishment goals to the field offices. Just as important, the Strategy is a tool for managers and staff to determine how many and what type of oil and gas inspections can be accomplished with available resources, prioritize operational sites to be inspected, identify funding needs to succeed in accomplishing nationwide goals, and monitor oil and gas inspection progress.

The risk-based strategy helps the BLM maximize the impact of a limited inspection staff. The BLM will continue to recruit and train new inspectors in order to be able to meet its minimum inspection requirements going forward and more effectively target inspection resources to meet other inspection goals established by BLM policy. The BLM also will continue to use qualified natural resource specialists to conduct environmental inspections and improve reclamation practices that minimize disruptions and impacts to habitat and to enable the certified petroleum engineering technicians to concentrate on production verification inspections.

The BLM performs several types of oil and gas inspections, which are detailed below, in an effort to ensure that the American people receive the fair value from the development of oil and gas resources on their lands, and to ensure that those resources are managed responsibly. With the higher funding levels provided in 2015, the BLM focused on completing the high priority production inspections identified by the National Oil and Gas I&E Strategy, and as many of the lower priority inspections as the residual funding would allow. These high-priority cases account for about 13 percent of the total wells, but more than 60 percent of the oil and gas produced on Federal and Indian mineral estates. As the number of active wells has increased in recent years, the BLM's inspection workload has risen.

#### Production Inspections

The BLM conducts inspections on production facilities to ensure that equipment, practices and procedures are in accordance with the regulations, orders, and any applicable approval documents, and that the taxpayer is receiving a fair return for these resources. The *Federal Oil and Gas Royalty Management Act* (FOGRMA) requires the BLM to perform at least one inspection annually at each lease site producing or expected to produce significant quantities of oil or gas in any year. In addition, BLM now applies its risk-based strategy to ensure that any other high risk operations are high priority inspections.

In FY 2015, the BLM conducted 2,008 high-priority production inspections, which included 100 percent of the identified risk-based inspections. Similarly, for FY 2016, the BLM developed and is now carrying out risk-based inspection. The BLM's goal is to again achieve 100% of all high-priority production inspections, as well as other high priority idle well, drilling, abandonment, workover and environmental inspections.

#### Drilling Inspections

The BLM conducts time-sensitive inspections on wells at key points during the well drilling, with an emphasis on witnessing high priority drilling cases first. These inspections ensure, among other things, that wellbores are properly drilled and cemented to protect useable water. These inspections play a critical role in protecting the environment and public health and safety.

#### Abandonment Inspections

The BLM conducts abandonment inspections to witness the plugging of oil and gas wells to ensure wellbore integrity and zonal isolation of underground formations, with an emphasis on high priority abandonment cases. These inspections are time sensitive and include depleted producing wells or newly drilled dry holes.

#### Workover Inspections

The BLM inspects workover operations on existing wells that are producing, or nearly depleted and service wells. The goal of the inspections is to ensure that equipment, practices, and procedures are in accordance with the workover permit's conditions of approval. In order to protect the environment and responsibly develop the energy resources on public lands it is

imperative that the BLM ensure compliance with lease stipulations and the conditions of approval issued with drilling permits.

#### Environmental Inspections

Natural Resource Specialists, Environmental Protection Specialists, and other resource program specialists (wildlife biologists, archaeologists, etc.) typically perform BLM environmental inspections. Environmental inspections include inspection of reclamation efforts, erosion control measures, topsoil stockpiling, well location, access road location, pit construction and use, spills, water disposal methods, containment systems for production tanks, and surface hazards. Environmental inspections also include inspections to ensure that abandoned locations are properly reclaimed. Post-approval inspections look specifically at surface environmental impacts.

#### Records Verification Inspections

The BLM uses records verification inspections to review production records and compare them to production reports sent to ONRR. These inspections may require additional review, including onsite visits. The BLM uses production accountability through records verification inspections to determine whether appropriate royalties have been paid and to correct errors in reporting.

#### Undesirable Event Inspections

The BLM conducts undesirable event inspections when spills or accidents associated with an oil and gas lease occur. These inspections provide a means to determine the extent of environmental impacts and monitor remediation of the spill or accident site to ensure appropriate reclamation occurs.

#### Alleged Theft Inspections

When an alleged theft of production is reported to a BLM Field Office by an operator or the public, the BLM conducts an alleged theft inspection. These inspections document the circumstances surrounding alleged theft of production and assist law enforcement investigations.

#### Idle Well Inspections

The BLM conducts idle well inspections of wells that have had zero production reported for the previous 7 years. These inspections may result in orders to the operator to perform specific actions. Due to age or neglect, and often to a combination of both, it is probable that some idle wells have deteriorated well casings and tubulars. These wells can be a threat to the environment. BLM ensures that idle oil and gas wells do not act as conduits for wellbore fluids to migrate and endanger valuable surface or groundwater resources. The BLM's policy is to reduce the number of idle wells on Federal lands to those that truly have a future beneficial use, reducing potential liability for the Federal government to plug and abandon wells on BLM-managed lands. These inspections encourage operators to return wells to production and to properly plug uneconomic wells.

The table below shows a breakout of inspections completed in 2012-2015, and those estimated to be completed for 2016 and 2017. The number of total inspections in 2015 decreased compared to previous years, although BLM added some new inspectors in 2015. The net gain in inspectors was only about half as much as expected because of losses due to retirements. Additionally, the beneficial impact of additional inspection capacity is delayed initially due to training requirements, which, on average, require a minimum of 18 months to complete. The inspection accomplishments are expected to increase in 2016 and 2017 as more new

inspectors are added and those hired in 2015 complete their training. Drilling and production inspections are expected to remain essentially flat through 2016 and 2017 as the oil and gas industry continues to contract due to low commodity prices.

### Inspections Completed and Estimated

	<i>FY 2012 Completed</i>	<i>FY 2013 Completed</i>	<i>FY 2014 Completed</i>	<i>FY2015 Completed</i>	<i>FY2016 Estimated</i>	<i>FY2017 Estimated</i>
<b>Production Inspections</b>						
1. High-Risk Cases <sup>1</sup>	2,148	2,083	2,483	2,008	1,958	2,000
2. Other Production	5,126	3,330	3,749	4,237	6,829	6,900
<b>Total Production Inspections</b>	<b>7,274</b>	<b>5,413</b>	<b>6,232</b>	<b>6,245</b>	<b>8,787</b>	<b>8,900</b>
1. Drilling Inspections	1,951	1,396	1,456	873	1,000	1,000
2. Abandonment Inspections	1,268	1,325	997	1,106	1,000	1,000
3. Workover Inspections	417	337	272	252	300	400
4. Environmental Inspections	20,171	19,691	17,690	16,000	17,000	17,000
5. Record Verification Inspections	3,023	3,451	3,379	3,145	3150	3150
6. Undesirable Event Inspections <sup>2</sup>	467	385	605	518	400	400
7. Alleged Theft Inspections <sup>2</sup>	0	0	0	0	0	0
8. Idle Well Inspections	N/A	1,257	1,171	1,187	820	800
<b>Total Other Inspections</b>	<b>27,297</b>	<b>27,842</b>	<b>25,570</b>	<b>23,081</b>	<b>23,670</b>	<b>24,550</b>
<b>Total Inspections<sup>3</sup></b>	<b>34,571</b>	<b>33,255</b>	<b>31,802</b>	<b>29,326</b>	<b>32,457</b>	<b>33,450</b>

<sup>1</sup>In 2011, the BLM instituted a risk-based strategy for production inspections. This category consists of wells and leases that meet BLM's high-risk criteria. Based on this strategy, each year's list of required high-risk cases is determined based on the previous year's history. For this reason, the actual quantity of required high-risk inspections cannot be determined until the previous year is complete. The FY 2016 and FY 2017 estimated numbers are based on assuming the BLM completes 100% of required high-risk inspections

<sup>2</sup>These inspections are conducted on an as-needed basis.

<sup>3</sup>This table combines inspections on cases and inspections on individual wells.

Note: FY2014 saw a Federal shutdown loss of available time impacting nearly 3 weeks of operation (over 1500 inspections lost).

### Processing of Applications for Permit to Drill

The complexity and unit cost of processing APDs has grown in recent years, with more analysis of both down-hole engineering and potential surface impacts. The BLM received 4,475 APDs in 2015. BLM approval times have remained relatively constant due to the increased complexity of resource issues analyzed, in addition to industry turnover of permitting specialists. The BLM has worked with operators to improve the quality and completeness of submitted drilling permit applications. The new automated system (AFMSS II) module should facilitate submittal of more

complete APDs, and aid improving the BLM review process. A reduction in processing time of 100 days is expected after the new module is fully implemented.

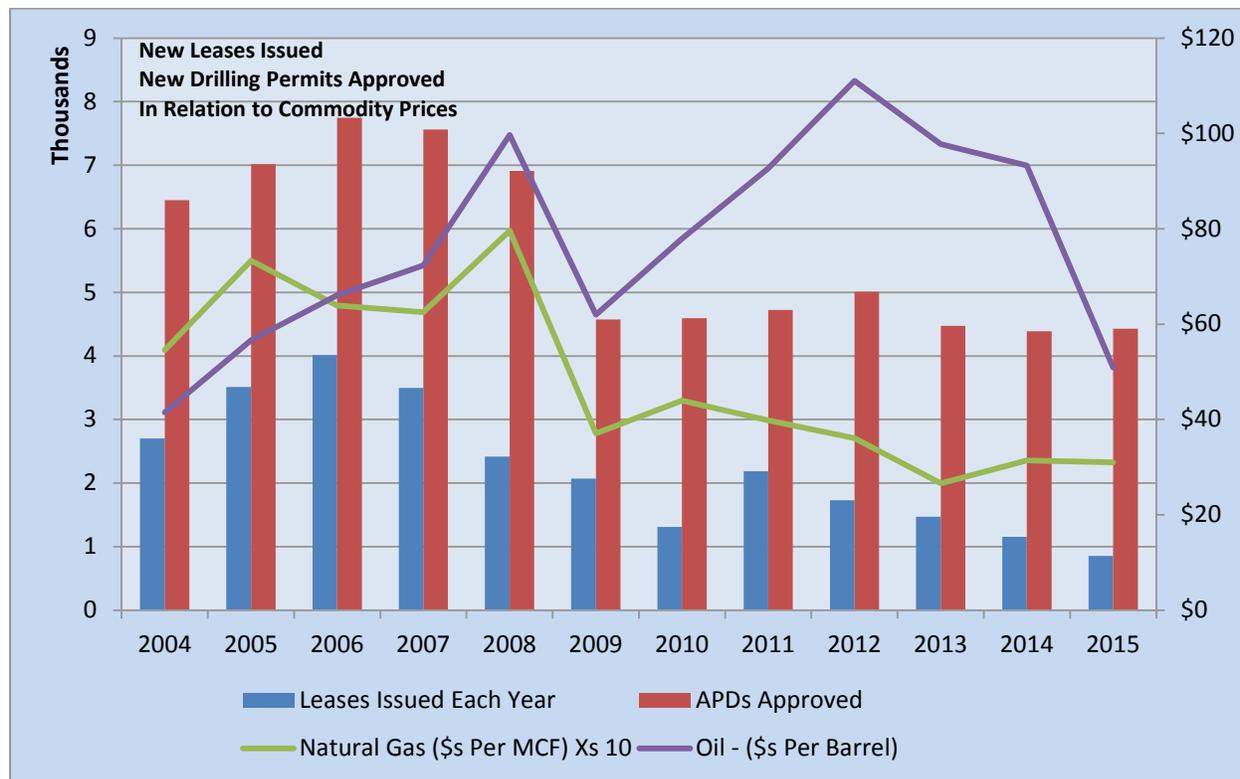
As shown in the table below, the number of approved APDs currently available for industry to drill, but which have not been utilized, has increased to over 7,000. Despite the availability of approved permits, companies have been drilling less as a result of falling commodity prices. Oil prices, at the time of this publication, are now below \$30 per barrel. The current year (2016) and budget year (2017) estimates for APDs received in the following table are more tentative than usual. The significant changes occurring in the oil and gas markets make it difficult to accurately project the number of APDs likely to be submitted and the associated fee collections.

**APDs: Pending, Received, Approved, Processed and Available to Drill**

	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Estimated	2017 Estimated
Total APDs pending at start of year	4,108	3,683	3,546	4,120	3,785	3,385
New APDs received	5,240	4,757	5,316	4,475	4,100	4,467
APDs approved	5,009	4,472	4,389	4,228	4,000	4,000
Total APDs processed	5,861	4,892	4,924	4,913	4,500	4,500
APDs pending at year end	3,683	3,546	4,121	3,785	3,385	3,352
APDs approved, waiting to be drilled	6,960	6,711	5,919	7,532	7,000	7,000

APDs pending at the end of the year are a snapshot at that point in time and do not account for permits that remain in process at the end of the fiscal year.

The chart below illustrates the relationship between prices for oil and gas and leasing and permitting activity from 2004-2015. Leasing and permitting demand is significantly influenced by oil and gas prices.



EIA Data Source For Oil and Gas Spot Prices  
 1. Oil - Cushing, OK WTI Spot Price FOB (Dollars per Barrel)  
 2. U.S. Natural Gas Wellhead Price (Dollars per Thousand Cubic Feet)

### Master Leasing Plans

Onshore fossil fuels will continue to make an important contribution in fulfilling the Nation's energy needs, but development of these resources needs to be conducted responsibly. In May 2010, the BLM finalized several reforms to its oil and gas program to improve environmental protection of important natural resources on public lands while aiding in orderly leasing with measured and balanced development of these resources. These reforms include developing Master Leasing Plans (MLPs), through which the BLM engages the public and stakeholders prior to leasing in certain areas with important environmental resource values and where new oil and gas development is anticipated. The intent is to consider fully other important environmental resource values before making a decision on leasing and development in an area.

In June 2014, the BLM issued its first MLP, the Beaver Rim MLP, as part of the revision of the Lander Resource Management Plan. In FY 2015, six additional MLPs were completed. These MLPs balance development of oil and gas minerals with protection of important natural and cultural resources, such as habitat for elk and mule deer, and important archaeological sites. Several more BLM field offices are developing MLPs as part of current RMP efforts.

In FY 2016, the BLM received \$5.8 million to fund the development of oil and gas master leasing plans (MLPs) that are currently in process or are scheduled to begin in 2016. The MLPs build upon Resource Management Plan decisions by providing a more focused and detailed

analysis, including an analysis of optimal lease parcel configurations and potential development scenarios; identifying and addressing resource conflicts and associated environmental impacts; and identifying mitigation strategies and constraints. Through the MLP process, the BLM analyzes and resolves these issues prior to conducting lease sales; therefore, the MLPs will provide oil and gas operators increased development certainty when obtaining and developing lease parcels. The funding provided in FY 2016 will be used to complete the Moab MLP in Utah; and begin or continue MLPs for certain BLM lands in Utah, New Mexico, Colorado, and Wyoming. MLPs are typically a multi-year effort, averaging three years to complete. The work on MLPs in 2016 will continue in the four states listed above in 2017 with this funding with hopes that in 2018 the BLM can complete 3-4 of these MLPs.

### **Primary Factors Affecting Program Management**

The primary factors impacting the management of the program are:

- As production activity has increased in recent years, the BLM must increase the number of oil and gas inspections and increase efforts to ensure appropriate accountability of production volumes across the over 23,500 producing leases.
- An expanded well inventory and more complex operations require additional monitoring and inspections to ensure safety and protection of the environment, including protection of important species and habitat conservation.
- The BLM faces challenges with recruitment, training, and retention of technical staff.
- Automation of activities in the AFMSS II and NFLSS systems will increase the productivity of BLM staff. In addition, providing modern tools and capabilities will support recruitment and retention.
- The BLM reviews and analyzes increasingly complex environmental issues and sophisticated field operations, including environmental impacts, mitigation plans, lease sales, APDs, and subsequent production operations.

### **Performance Measures**

The BLM consistently tracks the number of inspections completed to ensure that oil and gas production on public land is carried out in an environmentally responsible manner while generating a fair return for the American people.

The BLM uses a Strategic Plan measure that tracks the percent of leases from which production verification has occurred. This new measure will compare the total number of cases, which refers to a BLM record in the LR 2000 database, against the number of production and records verification inspections completed on those cases annually. Prior to the establishment of this measure, the BLM tracked the number of inspections completed on both wells and cases using the total number of required inspections as a baseline.

The older measure was ineffective in two ways. First, a single case may have multiple wells associated with it, especially where the case record is for a unitization agreement with dozens of wells. When measurement of inspections projected versus inspections completed conflated wells and cases, it increased the potential for erroneous reporting. Second, the metrics used to measure performance resulted in multiple years in which more than 100 percent performance was reported, creating a lack of clarity in the actual performance measured.

## 2017 Program Performance

As noted earlier, in FY 2015, the BLM completed 100 percent of its high-priority production inspections. In FY2016, and into the future, the BLM plans to accomplish 100 percent of all high-priority inspections, regardless of type. The percentage of leases with approved APDs is expected to increase slightly due to an overall decrease in the number of active leases. The percentage of APDs processed is expected to increase from previous levels based on current estimates.

<b>Activity: Energy and Minerals Management</b> <b>Subactivity: Coal Management</b>
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		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Coal Management	<i>\$000</i>	9,595	10,868	+94	+0	+0	10,962	+94
	<i>FTE</i>	71	71		+0	+0	71	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Coal Management activity is \$10,962,000 and 71 FTE, no program change from the 2016 enacted level.

### Program Overview

#### Program Components

The BLM is responsible for leasing the Federal mineral estate on approximately 700 million acres. While producible coal resources are found on only a small fraction of these acres, Federal coal leases contribute a large share of total domestic coal production and consumption. In 2014, coal resources accounted for nearly 40 percent of the Nation's electricity generation, and Federal lands currently supply roughly 40 percent of all U.S. coal production.

The BLM's coal program consists of approximately 310 Federal coal leases and 475,692 acres under lease. During the last decade:

- Over 4.36 billion tons of coal were produced from Federal leases with a total value of \$61.4 billion;
- Over \$3.85 billion in bonus payments and over \$6.6 billion in royalties, rents, and other revenues were collected on BLM administered coal leases; and
- The BLM held 39 successful coal lease sales, accepted bonus bids of over \$3.6 billion (deferred bonus bid payments occur over five years) for over 74,362 acres containing 4.2 billion tons of mineable coal.

Through its leasing program, BLM facilitates private sector development of Federal coal resources and supports the production of this reliable domestic energy resource.

BLM has a responsibility to all Americans to ensure that the coal resources it manages are administered in a responsible way to help meet our energy needs while ensuring that taxpayers receive a fair return for the sale of these public resources. A range of concerns have been raised about the program in the last few years by Government Accountability Office, the Department's Inspector General, Members of Congress and other stakeholders. In March 2015, Secretary of the Interior Sally Jewell called for an "open and honest conversation about modernizing the federal coal program," and launched a series of listening sessions across the country to hear from the public on a number of complex questions.

In 2015, the BLM held 5 listening sessions (Washington, DC; Billings, MT; Gillette, WY; Denver CO; and Farmington, NM) to provide the public an opportunity to comment on the coal program and provide recommendations for enhancement of the program. As a result of comments expressed during the listening sessions and recommendations from OIG/GAO audits, in January 2016, the Secretary issued a Secretarial Order that places a pause on new leasing under the program (with certain limited exceptions) until the BLM completes a full programmatic review of the program.

A programmatic review of the coal leasing program has not been undertaken in more than 30 years. This review will take a careful look at issues related to the Bureau of Land Management's (BLM) administration of the federal coal program, primarily:

- The appropriate leasing mechanisms to determine how, when and where to lease;
- How to account for the environmental and public health impacts of the coal program; and
- How to ensure the sale of these public resources results in a fair return to the American taxpayers, including whether current royalty rates should be adjusted.

The review will also explore whether U.S. coal exports should factor into leasing or other program decisions; how the management, availability and pricing of federal coal impacts domestic and foreign markets and energy portfolios; and the role of federal coal in fulfilling the energy needs of the United States.

The review will include extensive opportunities for public participation. The PEIS will kick off with public sessions in early 2016 to help determine the precise scope of the review. The Interior Department will release an interim report by the end of 2016 with conclusions from the scoping process about alternatives that will be evaluated and, as appropriate, any initial analytical results. It is expected that the review will take approximately three years to complete.

### **Initial Program Improvements**

While a more comprehensive review of the leasing program is being conducted, BLM has taken a number of steps over the last two years to address issues that have been raised in external reviews. In 2014 and 2015, the BLM completed a number of actions to strengthen the overall management of its coal program, while at the same time responding to recommendations from three key sources: the June 2013 audit by the Department of the Interior Office of Inspector General; a February 2014 Government Accountability Office report; and the Royalty Policy Committee Report *Mineral Revenue Collection from Federal and Indian Lands and the Outer Continental Shelf*, which provided several recommendations on improving production accountability.

Since 2014 and 2015 the BLM has completed the 21 initiatives responding to the Office of Inspector General and Government Accountability Office audits. The initiatives consisted of the development of 2 manuals and 2 handbooks, 8 instruction memoranda, and coordination with the Solicitor to analyze the existing and potential statutory enforcement authorities, and new use authorization terms and conditions. These documents addressed concerns regarding lease sales, exports, inspection, enforcement, royalty rate reduction, and transparency.

The BLM recently completed a major update of policies regarding production accountability, verification, and inspection through the release of a new Inspection, Enforcement and Production Verification manual and an Inspection and Enforcement handbook. This manual and

handbook provide policy and guidance regarding safety, inspections, and production verification. The guidance is being used to help promote responsible development of coal resources on the Nation's public lands, and includes requirements for improved documentation for coal operation inspections on coal exploration licenses, licenses to mine, leases, and logical mining units. It also includes requirements for increased training for the BLM Mineral Mine Inspectors and requirements for certification of the inspectors. The BLM has begun working on the Mineral Tracking System (MTS) for the coal program; this program will further enhance the inspection program, and the full implementation of that system will enable further progress in this area.

The BLM also updated the Coal Evaluation manual and handbook, which can be used to help ensure a consistent and efficient coal lease sale process, increase clarity in determining fair market value and provide guidance on the independent review of appraisal reports. This guidance will enable the Bureau to account for export potential through analysis of comparable sales and income. In developing this guidance, the BLM worked closely with the Department's Office of Appraisal Services, Division of Mineral Evaluations, and that office is serving as the independent reviewer of BLM determinations of the pre-sale estimate of the value of the coal.

Taken together, these updated and revised policies on inspections, enforcement, production verification and fair market value are significantly strengthening the Bureau's coal program and enhancing the skills, knowledge and abilities of its employees as they carry out their responsibilities to ensure the public receives fair market value for leases, to ensure maximum economic development of the recoverable reserves, and to ensure that the coal resources are developed in an environmentally sound and sustainable manner.

The BLM is responsible for the following activities in the Coal Management program:

- Conducting competitive coal lease sales and ensuring the public receives fair market value for the coal;
- Determining the pre-sale estimate of the value of the coal by considering both domestic and export markets, among other factors, and obtaining an independent review of the value;
- Approving modifications to existing coal leases and ensuring the public receives fair market value for the coal;
- Administering existing coal leases and providing additional approvals to ensure the lessee's compliance with the terms and conditions of the lease;
- Processing and approving coal exploration licenses and monitoring operations for compliance with the terms of the exploration licenses;
- Processing and approving Federal coal resource recovery and protection plans and modifications to protect the public's resources from waste and to ensure maximum economic recovery;
- Processing and approving Indian coal use authorization mining plans and modifications to protect the resources from waste and to ensure the greatest ultimate recovery;
- Inspecting operations at Federal and Indian coal use authorizations to ensure compliance with the authorization's terms and conditions;
- Independently verifying the coal production reported by lessees from Federal and Indian coal leases;
- Taking appropriate action when Federal coal has been mined without approval (coal trespass actions);

- Taking enforcement actions to ensure compliance with terms and conditions of licenses, leases, and other BLM coal authorizations; and
- Providing pre-lease evaluations of mineral tracts when requested by the Bureau of Indian Affairs for Indian Tribes and Indian mineral owners.

### **Critical Factors**

The January 2016 Secretarial Order places a pause on new leasing until a Programmatic Environmental Impact Statement (PEIS) is completed. Prior to considering additional lease requests, the BLM will launch the multi-year PEIS development to review and evaluate potential environmental impacts and reforms to the federal coal program in order to ensure that it is properly structured to provide a fair return to taxpayers.

Much of the federally owned coal reserves in the Western U.S. are overlain by private surface ownership. Before the BLM can hold a new lease sale for federally owned coal, the potential lessees must obtain the consent of the surface owners.

The BLM continues to work with the U.S. Forest Service, the Office of Surface Mining Reclamation and Enforcement, and other Federal and State agencies to streamline multiple agency processes to minimize the time necessary to process applications to explore for and produce Federal coal resources. Federal surface management agencies are required to provide the BLM their decision whether to lease Federal coal or not.

The BLM and the Mine Safety and Health Administration are collaborating to provide a safer workplace for developing Federal and Indian coal. Both agencies have developed a Memorandum of Understanding to delineate procedures for reporting unsafe conditions.

The BLM is facing the loss of institutional knowledge needed to manage the Coal Program as many of its engineers, geologists, and land law adjudicators are retiring or become eligible for retirement. Recruitment activities are ongoing to fill vacancies. Further, the BLM works to prepare new employees to accomplish coal workloads successfully by ensuring that mining engineers and geologists complete the new mine employee's safety training, attend certification courses and new coal evaluation courses, and are provided with adequate on the job training.

Ensuring environmental protection and maximum recovery of coal resources continues to be a priority for the BLM.

### **Other Funding Sources**

Coal program operations are primarily funded through this subactivity. Another funding source is the service charges the BLM collects from applicants to process coal lease applications, lease modification requests, royalty rate reduction requests, and logical mining unit applications. Broader planning efforts are frequently supported by other BLM programs, including the Resource Management Planning program and, when appropriate, other affected Federal agencies may contribute funds.

The BLM has been implementing cost recovery for these applications filed with the BLM since a final cost recovery regulation became effective on November 7, 2005. Amounts that the BLM collects each year vary as the workload varies between applications filed prior to or after the

cost recovery regulation became effective. The BLM will continue to charge users all appropriate cost recovery fees according to regulations.

Coal Management Cost Recovery (\$000)	2013	2014	2015	2016 Estimated	2017 Estimated
	381	229	239	235	235

### 2017 Program Performance

The BLM anticipates completing processing of approximately 10 percent of the pending coal lease applications, called "Lease by Applications" (LBA) during 2017. This estimate takes into consideration the pending applications that will be allowed to continue to be processed under the Secretarial Order that places a pause on most new leasing. In 2014, applicants requested that the BLM delay processing of several LBA actions due to recent reductions in market demand for coal resources; the future market demand for BLM to process additional LBAs is unclear at this time.

To process LBAs, the BLM often uses a single environmental analysis to determine cumulative impacts for multiple LBAs and other use authorizations received in a relatively close geographic area. This allows for the more efficient use of BLM coal specialists, as they are needed to complete environmental, geological and engineering analyses, coal evaluations, hold lease sales, and process coal lease applications. LBAs that are excluded from the Secretarial pause will continue to be processed in this manner. LBAs that are subject to the moratorium will have the option to continue their NEPA work during the pause but will not receive final approval until after the pause is lifted. These applications will be subject to any requirements or stipulations that may have been developed as a result of the completed Programmatic EIS for coal. The BLM completed processing for five percent of coal LBAs in 2009 and 2010, seven percent in 2011, 18 percent in 2012, 15 percent in 2013, 10 percent in 2014, and 23 percent in 2015. There are several grouped environmental analyses in progress that will yield multiple lease application process completions in 2016 and 2017.

The BLM completes approximately 2,400 coal inspection, enforcement, and production verification actions each year. Inspections are performed to ensure compliance with the lease terms and conditions and mining plan approvals. Enforcement actions are necessary where the lessee fails to conform to the lease requirements. During the inspection process, the BLM inspector will collect production data to independently determine if the coal production being reported by the lessee is reasonable. The BLM completes approximately 300 post lease administrative actions annually while managing leases. These post lease actions vary from lease readjustments and lease modifications, to approvals of resource recovery and protection plans. Normally, the number of coal inspection, enforcement, and production verification and post lease actions are market dependent.

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<b>Activity: Energy and Minerals Management</b> <b>Subactivity: Other Mineral Resources</b>
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		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Other Mineral Resources	\$000	10,586	11,879	+99	+0	-1,000	10,978	-901
	FTE	81	81		+0	+0	81	+0

Summary of 2017 Program Changes/Internal Transfers for Other Mineral Resources:	(\$000)	FTE
Anticipated Completion of MTS	-1,000	+0
Total	-1,000	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Other Mineral Resources activity is \$10,978,000 and 81 FTE, a program change of -\$1,000,000 and 0 FTE from the 2016 enacted level.

**Mineral Tracking System (-\$1,000,000/+0 FTE)** – The 2016 appropriation included increased funding in the Other Minerals Resources Management program and in the Coal Management program to develop the Mineral Tracking System (MTS). The BLM anticipates making substantial progress in the development of the MTS in FY 2016. The 2017 budget request eliminates this increase to focus on the program's primary objectives.

In 2016, funding for the MTS was used to support the automation and tracking of licenses, leases and permitting as well as inspection activities, including production verification, associated with coal and other solid mineral commodities (e.g. phosphate, sodium, potassium, etc.). Similar to the BLM's modernization of its Automated Fluid Minerals Support System (AFMSS), the MTS is intended to enhance the overall management of very complex solid mineral commodity permitting and leasing regimes.

### Program Overview

The public lands are an important source of non-energy solid leasable mineral resources and mineral materials for the Nation. These minerals are vital components of basic industry and quality of life in the United States. The goal of the Other Mineral Resources Program is to provide the minerals needed to support local infrastructure and economic development. Demand is increasing worldwide for some products generated from non-energy solid leasable minerals, such as gilsonite, which is used in drilling fluids for energy exploration.. The BLM processes sales and permits for mineral materials, such as sand, gravel, stone, and ordinary clays, which are essential for maintenance and construction of the access that is needed to provide basic land management and for building and maintaining energy development and production infrastructure and facilities.

## Program Components

The Other Mineral Resources Subactivity funds two distinct programs:

- Through the Non-Energy Solid Leasable Minerals Program, the BLM manages the production of potash, phosphate, sodium, and gilsonite. This program also includes metallic minerals on acquired lands (lead, zinc, copper, etc.). These minerals are used for fertilizers, glass and papermaking, flue-gas desulfurization, lead-acid batteries, oil well drilling, water treatment, detergents, and many chemicals.
- Through the Mineral Materials Program, the BLM leases and sells mineral materials such as ordinary clay, sand, gravel, and building stone. These materials are used for construction of roads, foundations, and buildings.

The Non-Energy Solid Leasable Minerals Program is responsible for:

- Processing permit, license and lease applications;
- Administering existing permits, licenses and leases;
- Approving exploration and mining plans;
- Conducting *National Environmental Policy Act (NEPA)* analyses;
- Inspecting and monitoring existing authorizations;
- Inspecting producing operations to ensure proper reporting of production;
- Taking enforcement actions to ensure compliance with terms and conditions of permits, licenses and leases; and
- Administering trust responsibilities by managing post-leasing and production activities for Indian Tribes and individual Indian mineral owners.

The Mineral Materials program is responsible for:

- Performing *NEPA* analyses of disposal applications;
- Performing appraisals to determine the value of disposals;
- Conducting sales;
- Administering existing contracts and collecting revenue;
- Processing free use permits for State and local governments and non-profit organizations;
- Processing exploration permits and mining authorizations;
- Inspecting existing mineral materials authorizations;
- Inspecting sites to ensure proper reporting of and payment for production;
- Taking enforcement actions to ensure compliance with terms and conditions of contracts and authorizations; and
- Investigating and taking enforcement actions on unauthorized removal of mineral materials from Federal mineral estate.

## Critical Factors

Several factors impact the Other Mineral Resources Program. Most demand for mineral materials comes from sales directly to the local public and industry for construction and development of businesses and housing in urban and rural areas, and for the infrastructure for renewable and conventional energy and mineral projects. The level of public demand tends to mirror the state of the economy. Demand for non-energy solid leasable minerals also fluctuates with the economy, but production from public lands supplies regional and international markets, particularly for fertilizer minerals.

State and local governments and nonprofit organizations are provided free use of sand, gravel, and other mineral materials used in the development and maintenance of infrastructure for communities. The BLM processes these applications at no cost to those entities which involves increased workload for the BLM.

There has been an increase in unauthorized operations, particularly on split-estates, due to many factors, such as an increase in urban development and zoning restrictions reducing private sources of mineral materials. The BLM will continue to conduct inspections to determine if there are unauthorized operations on public lands.

The cost of processing authorizations and leases for mineral materials and non-energy minerals varies for each authorization or lease due to the size and complexity of the each, but in general has risen due to the increasing level of complexity in environmental impacts and the need to design enhanced mitigation.

### **Other Funding Sources**

The Other Mineral Resources Program is primarily funded through appropriations in this subactivity. Other funding sources include cost recovery fees, averaging \$284,000 per year, for processing mineral disposal actions such as mineral material competitive sales. There are also cost recovery fees for processing new applications for non-energy leases, licenses and permits. The BLM will continue to charge users appropriate cost recovery fees according to regulation.

The BLM also receives reimbursement for the costs of material sales for the pipeline system in Alaska as required under Public Law 93-153, Section 101, which amended Section 28 of the *Mineral Leasing Act of 1920*. Funds are also collected from trespass recovery settlements and are used for rehabilitation of damaged property at the trespass site and other sites damaged by past mineral materials operations pursuant to Public Law 94-579, as amended, and Public Law 93-153. Fees are also collected for development, operation and reclamation of mineral materials community pits and common use areas.

## **2017 Program Performance**

Demand for non-energy solid leasable minerals, especially potash, phosphate and hardrock minerals (copper, nickel, etc.) on acquired lands increased substantially in past years, but has been recently affected by the overall downturn in the commodity markets. These markets are very cyclical, and demand is expected to increase in the future. Some authorizations for non-energy minerals are expected to be issued as long-term NEPA analyses are completed, and some applications are expected to be withdrawn due to market conditions and development restrictions.

The percentage of pending cases of permits and lease and contract applications processed is expected to remain the same for non-energy leasing and for mineral materials contracts as in 2016, but the number of authorizations may decline due to environmental constraints such as sage grouse restrictions.

The BLM also will continue to issue updated guidance and instructions addressing the valuation of other mineral resources in 2017. BLM will work with the DOI Office of Valuation Services to rewrite handbooks and issue other guidance to strengthen the valuation process, increase consistency of procedures among offices, correct deficiencies, and improve performance.

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## Activity: Energy and Minerals Management

### Subactivity: Renewable Energy Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Renewable Energy	\$000	29,061	29,061	+128	+0	+0	29,189	+128
	FTE	145	145		+0	+0	145	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Renewable Energy Management Program is \$29,189,000 and 145 FTE, no program change from the 2016 enacted level.

### Program Overview

The Renewable Energy Management Program is responsible for processing right-of-way applications for wind energy, solar energy, geothermal energy projects and transmission lines connecting to renewable energy-related projects. The BLM conducts full environmental reviews under the National Environmental Policy Act (NEPA) on all renewable energy projects proposed on BLM-administered public lands. The environmental review process includes the same opportunities for public involvement as other BLM land-use decisions.

The President has established an aggressive goal to increase permitting of new renewable electricity generation on public lands to 20,000 megawatts (MWs) by 2020. The BLM is committed to contributing to this goal by permitting environmentally responsible renewable energy projects on public lands. State renewable energy portfolios, investment tax credits for projects, fluctuating fossil fuel prices, and international concern about climate change have all contributed toward public and industry interest in utility-scale solar and wind energy development.

The BLM and the Department continue to place a high priority on the processing of renewable energy projects on the public lands. Secretarial Order 3285, issued on March 11, 2009, established the development of environmentally responsible renewable energy as a priority for the Department. Increased production of renewable energy will create jobs, provide clean energy, and enhance U.S. energy security by adding to the domestic energy supply. As part of the priority goal for renewable energy, the Department and the BLM established an aggressive goal of approving 10,000 megawatts (MW) of permitted capacity by the end of 2012. The BLM exceeded this goal by approving a total of 12,862 MWs of renewable energy projects (including connected-action projects) before the end of 2012. The BLM will continue to prioritize permitting of renewable energy development on the public lands in a “smart-from-the-start” manner to meet its future permitting goals.

The Renewable Energy Management Program oversees development of three main renewable energy sources:

- Solar Energy
- Wind Energy
- Geothermal Energy

Each of these types of energy are described in more detail below, along with the BLM's efforts to approve transmission projects that will allow renewable energy developers to bring their energy to markets. Projects related to wood biomass and bioenergy are overseen by the BLM's Forest and Woodlands Division.

### **Solar Energy**

Solar radiation levels in the Southwest are some of the best in the world. The BLM manages more than 20 million acres of public lands with excellent solar potential in six States: California, Nevada, Arizona, New Mexico, Colorado and Utah. On October 12, 2012, the Department of the Interior and the Department of Energy, as co-lead agencies, published the Record of Decision (ROD) on the Programmatic Environmental Impact Statement (PEIS) for Solar Energy Development in Six Southwestern States. The Solar PEIS established, for the first time, a solid foundation for long-term, landscape-level planning to help facilitate improved siting of utility-scale solar projects that avoids or minimizes conflicts with important wildlife and cultural and historic resources. The ROD on the Solar PEIS responded to extensive comments on the Supplemental Draft PEIS and includes incentives for solar developers who site projects in solar energy zones, offering reduced permitting times within zones and a sufficiently flexible variance process to allow development of well-sited projects outside of zones. The ROD also makes clear that the Solar Energy Program will continue to incorporate other parallel planning efforts, including State level efforts, to establish additional solar energy zones to meet market demand. The ROD includes 17 solar energy zones, totaling about 285,000 acres potentially available for solar energy development. The BLM has since added two additional solar energy zones through land use planning efforts for the Arizona Restoration Design Project and the West Chocolate Mountains Renewable Energy Evaluation Area in California. More are anticipated with future land use planning efforts.

To date, the BLM has approved 34 solar projects, including both generation projects on public lands and access and transmission projects that are essential to facilitate solar generation projects on private land. The projects include a variety of solar technologies and range in size from a 45-megawatt photovoltaic system on 422 acres to a 750-megawatt parabolic trough system on 7,700 acres. These 34 projects have the potential to generate 9,761 megawatts of clean, renewable solar energy—enough energy to power over 2.8 million homes.

### **Wind Energy**

The BLM manages 20.6 million acres of public lands with wind potential and to date has approved 40 wind energy projects, including connected action projects that include electric transmission support authorizations. These projects are capable of producing 5,608 megawatts of clean, renewable energy. Eleven of these wind energy projects have been approved since 2009. The total approved capacity includes both wind energy production facilities on public lands and a number of access and transmission projects on public lands essential to facilitate wind energy production projects on private land.

The BLM completed a PEIS relating to the authorization of wind energy projects in June 2005. This PEIS provides an analysis of the possible development of wind energy projects in the West. In conjunction with the publication of this PEIS, the BLM amended 52 land use plans to allow for the use of appropriate lands for wind energy development. BLM offices are able to use this PEIS as an aid in analyzing impacts for specific applications for the use of public lands for wind energy use. In addition to the PEIS, the BLM issued a wind energy policy in December 2008 to provide guidance on best management practices; suggestions for measures to mitigate potential impacts on birds, wildlife habitat, and other resource values; and guidance on administering wind energy authorizations.

The BLM continues to conduct studies necessary to evaluate and process applications for rights-of-way for the siting of wind energy projects and applications for rights-of-way for electric transmission lines from these projects. There are currently a total of 40 approved wind energy and transmission connected-action projects on the public lands with a total approved capacity of over 5,608 megawatts. The BLM also continues to improve “Wind Mapping” tools that will be available in 2016 for agency and industry users to better identify the public lands with the best wind energy development potential.

### **Geothermal Energy**

The BLM has the delegated authority for leasing on more than 245 million acres of public lands (including 104 million acres of National Forest managed by the U.S. Forest Service) with geothermal potential in 11 western States and Alaska. The BLM currently manages more than 800 geothermal leases, with over 70 leases in producing status generating over 2,000 megawatts of installed geothermal energy on public lands. This amounts to over 40 percent of the total U.S. geothermal energy capacity. In May 2007, the Department of the Interior published final regulations on geothermal energy production on public lands requiring more competitive leasing and offering simplified royalty calculations.

A PEIS to assess geothermal leasing on the public lands was completed in October 2008. The subsequent ROD amended 114 BLM resource management plans and allocated about 111 million acres of Bureau-managed public lands as open for leasing. An additional 79 million acres of National Forest System lands are also open for leasing. Currently, the BLM has authorized a total of 48 geothermal projects (72 producing geothermal leases) with a total approved capacity of 2,142 MWs.

### **Competitive Leasing Process**

In 2014, the BLM published a proposed rule for competitive leasing in the Federal Register. The BLM has evaluated the public comments on that proposed rule, and anticipates issuing a final rule in 2016. The proposed rule articulates an innovative strategy to promote renewable energy development at appropriate sites in areas that have been determined in advance to be optimal for wind and solar energy production. Under the proposed rule, the BLM would offer these specific parcels to potential applicants through a competitive process and would approve right-of-way applications in an expedited fashion due to the upfront environmental analysis that will be conducted as part of the leasing process. Offering lands through a competitive leasing process would allow BLM to target future development toward lower conflict lands that are closer to existing or planned transmission lines.

## Performance Goals

The President's and the Secretary's goals to increase smart renewable energy development on public lands, as well as State renewable energy portfolio standards that require utility companies to increase renewable energy supplies as part of their electricity capacity, have dramatically increased the renewable energy right-of-way processing workload for the BLM. Interior's current Renewable Energy Priority Performance Goal is to increase, by September 30, 2017, approved capacity authorized for renewable (solar, wind, and geothermal) energy resources affecting Department of the Interior managed lands, while ensuring full environmental review, by at least 16,600 megawatts since 2009. Though the specifics of any priority goals beyond fiscal year 2016 will be developed as part of the 2018 budget process, the BLM will continue processing renewable energy applications in 2017 to stay on a path toward meeting the President's goal of permitting 20,000 MW of renewable energy capacity by 2020.

The Department will successfully meet these goals if a majority of the energy projects that were designated as priority projects for 2016 and beyond are approved. The primary factors that will influence renewable energy growth going forward are the status of tax credits and incentives; Renewable Portfolio Standards developed by State governments; the capacity of the transmission system to bring renewable energy to markets; as well as the Nation's investment in infrastructure and technological improvements in the method and efficiencies of generation of renewable energy.

## Project Status

For Fiscal Years 2016 and beyond, the BLM has identified a number of priority projects representing about 1,600 megawatts. This list is used to focus bureau efforts on the projects that will help the bureau meet Department of the Interior and the President's renewable energy goals. The projects list continues to evolve as market conditions change and individual developers finalize plans for projects. As of the time of publication four of these projects, representing about 495 megawatts, are anticipated to be approved in 2016. The BLM anticipates that it will approve a number of other projects in 2017 and beyond. The BLM develops the priority project list in collaboration with the Bureau of Indian Affairs, the U.S. Fish and Wildlife Service, the National Park Service and the Department of Defense.

A number of factors influence the design, approval and construction of renewable energy development projects. These factors include uncertainty during 2015 of the status of the production tax credit and incentive; the ability of project developers to acquire Power Purchase Agreements; the preference by some developers for smaller-scale renewable energy projects due to constraints in nearby transmission capacity; and the difficulties of some developers to finance projects due to current market conditions. However, the BLM anticipates improvements in the future demand for projects on the public lands due to the incentives under the Clean Power Plan; the recent extension of tax credits; and the increase of the Renewable Portfolio Standard (RPS) in California to 50% by 2030, which will further stimulate the renewable energy market in California and associated transmission line projects. Project applications received today typically require two to three years of analysis before the BLM and other State and Federal agencies issue final decisions.

The BLM approved three projects in 2015 located within the Dry Lake Solar Energy Zone (SEZ). The BLM held a combined sealed- and oral-bid auction in June 2014, to allow interested parties to submit right-of-way applications and plans of development for utility-scale solar energy

projects on six parcels across 3,083 acres of public lands in Clark County, Nevada. In this SEZ, the BLM subsequently received applications for each of the six parcels and the auction generated \$5,835,000 in high bids. The BLM anticipates increased competitive leasing for future project development in this SEZ and other SEZs across the West.

The BIA is processing applications for transmission lines to connect to two solar energy projects (“connected-action” projects) in Nevada. Both projects would potentially involve authorization of transmission lines across BLM-managed public lands. Connected-action projects are projects located on BLM-managed lands, such as transmission lines or roads, that connect to renewable energy projects on tribal lands or private lands. These renewable energy projects on tribal or private lands would not be feasible without the transmission and road access on adjacent public lands.

### **2017 Program Performance**

In 2017, the BLM will continue to implement the strategy to:

- Emphasize development of smart renewable energy development on public lands, which includes development of regional mitigation strategies and corresponding implementation plans to mitigate for project development impacts;
- Support Interior’s Renewable Energy Priority Performance Goal; and
- Implement actions to identify additional leasing and development opportunities for solar energy projects in designated solar energy zones. Making these lands available for leasing proposals will provide for the best siting locations for environmentally sound solar energy development projects. The BLM will implement the rule for a competitive leasing program to accelerate the process of offering public lands for solar and wind energy development.

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# Realty and Ownership Management



## Activity: Realty and Ownership Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Alaska Conveyance	\$000	22,000	22,000	+107	+0	-4,780	17,327	-4,673
	FTE	109	109		+0	+0	109	+0
Cadastral, Lands & Realty Mgmt	\$000	45,658	51,252	+228	+0	+0	51,480	+228
	FTE	319	319		+0	+0	319	+0
Total, Realty & Ownership Management	\$000	67,658	73,252	+335	+0	-4,780	68,807	-4,445
	FTE	428	428		+0	+0	428	+0

The 2017 budget request for the Realty and Ownership Management activity is \$68,807,000 and 428 FTE. The total reflects a program change of -\$4,780,000 from the 2016 enacted level.

### Activity Description

The Realty and Ownership Management activity has two programs that are focused on the use of lands and transfer of BLM-managed lands.

- The Alaska Conveyance Program transfers land title from the Federal Government to individual Alaska Natives, Alaska Native Corporations, and the State of Alaska pursuant to the 1906 Native Allotment Act, the Alaska Native Veterans Allotment Act of 1998, the Alaska Native Claims Settlement Act of 1971 (ANCSA) and the Alaska Statehood Act of 1959 (Statehood Act). Conveyance work has been ongoing since the 1960s. In 2004, the Alaska Land Transfer Acceleration Act (Acceleration Act) resolved conflicts between these laws and established deadlines for Alaska Native corporations and the State of Alaska to file final selection priorities.
- The Cadastral, Lands, and Realty Program provides cadastral survey services that are an important component to managing both Federal and private lands and manages authorized uses of the land for rights-of-way for pipelines, transmission lines for electricity and renewable energy, and other uses. This program also authorizes uses of the public lands for commercial filming and other purposes, and implements changes to land ownership by exchanging and purchasing lands, and by selling lands no longer needed for Federal purposes.

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## Activity: Realty and Ownership Management

### Subactivity: Alaska Conveyance and Lands

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Alaska Conveyance	\$000	22,000	22,000	+107	+0	-4,780	17,327	-4,673
	FTE	109	109		+0	+0	109	+0

Summary of 2017 Program Changes/Internal Transfers for Alaska Conveyance:	(\$000)	FTE
Streamline Conveyance Process	-4,780	
<b>Total</b>	<b>-4,780</b>	<b>+0</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Alaska Conveyance and Lands Management subactivity is \$17,327,000 and 109 FTE, a program reduction of -\$4,780,000 from the 2016 enacted level.

**Streamline Conveyance Process (-\$4,780,000/+0 FTE)** – The Alaska State Land Transfer Program is the largest remaining workload in the BLM’s cadastral survey program. The BLM has identified a faster, more accurate, and more cost-effective method that would provide a higher quality survey record than is currently available and would allow the BLM to more efficiently complete the survey and conveyance work for all remaining State land selections. This innovation provides a unique opportunity to save time and money for both the Federal government and the State of Alaska, while supporting economic development within the State. The BLM intends to implement this new survey method as quickly as possible in the coming months.

### Program Overview

The Alaska Conveyance and Lands Program transfers land title from the Federal government to individual Alaska Natives, Alaska Native Corporations, and the State of Alaska pursuant to the *1906 Native Allotment Act*, the *Alaska Native Veterans Allotment Act of 1998*, the *Alaska Native Claims Settlement Act of 1971* (ANCSA) and the *Alaska Statehood Act of 1959* (Statehood Act). Conveyance work has been ongoing since the 1960s. In 2004, the *Alaska Land Transfer Acceleration Act* (Acceleration Act) resolved conflicts between these laws and established deadlines for Alaska Native corporations and the State of Alaska to file final selection priorities.

The Alaska Conveyance and Lands Program performs adjudication, cadastral survey, easement identification, land examination, land record review to complete the land patent process, and Standards for Boundary Evidence assessments for Federal land, Indian land, and Native Corporation land managers. These processes are detailed below.

**Adjudication:** Adjudication is used to determine the legal sufficiency of a land title application for the purpose of passing right, title and interest of the Federal government of public lands.

The BLM provides extensive outreach to Native corporations, including face-to-face meetings with corporate boards in local communities and to the State of Alaska to obtain final conveyance priorities.

**Cadastral Survey:** The cadastral survey component of the Alaska Conveyance and Lands Program provides the cadastral services necessary to issue patents. These services include:

- Preparing supplemental plats from existing survey plats and other information when possible,
- Making administrative title navigability determinations to facilitate conveyance,
- Making administrative determinations of emerged island title claims,
- Issuing recordable 'Disclaimers of Interest of Title' for the beds of navigable rivers and other waterways,
- Performing responsibilities as trustee for Alaska Native townsites created under the *Alaska Native Townsite Act*,
- Providing assistance in determining maps of boundaries and performing surveys for Village corporation reconveyances required under Section 14(c) of the ANCSA,
- Collecting Public Land Survey System data to distribute through the web-based Spatial Data Management System (SDMS),
- Issuing 'Standards for Boundary Evidence Certificates' prior to transactions and projects to assist the authorized officer assess the risk caused by errors and misrepresentations in the public record and by antiquated surveys, and
- Maintaining up-to-date digital copies of all survey records to distribute through the SDMS.

**Easement Identification:** Easement identification must be completed pursuant to Section 17(b) of the ANCSA for Native corporation selections that have not been transferred. This process involves participation by the public, the State of Alaska and the corporations themselves.

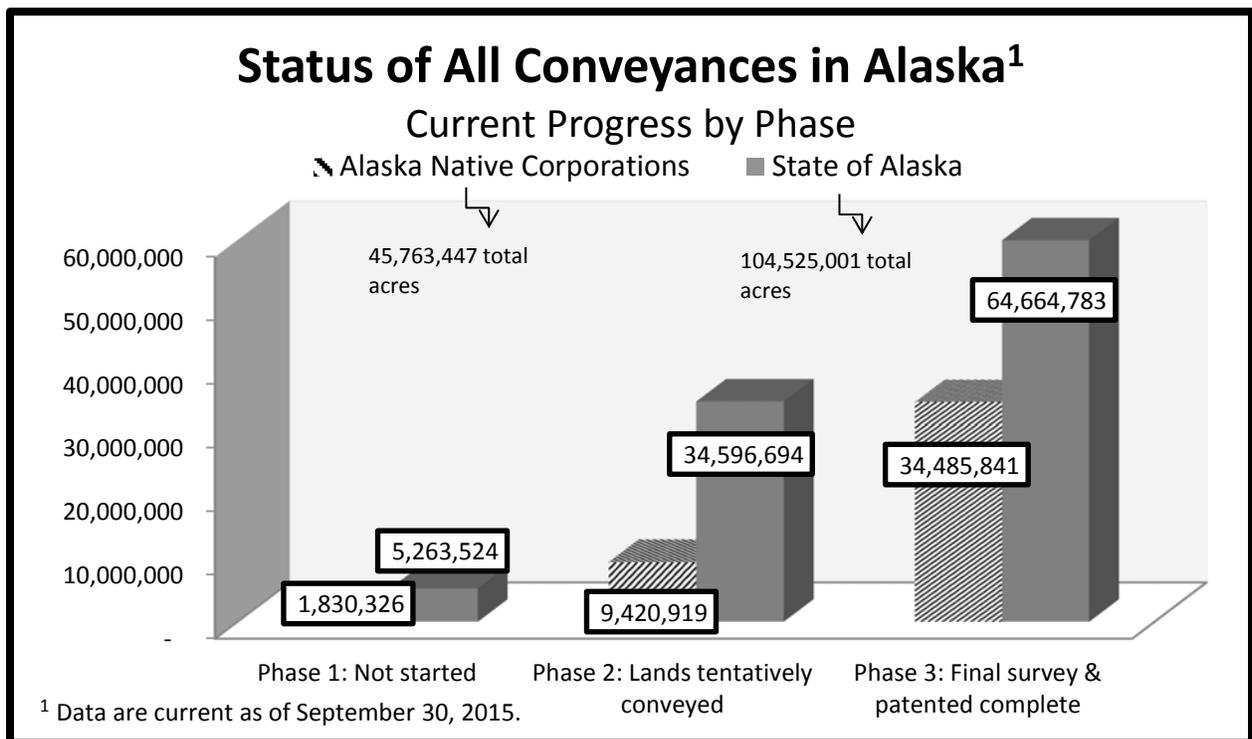
**Land Examination:** On the ground land examinations are conducted to resolve conflicts between Native allotment claims and to settle use and occupancy matters, including trespass and the presence of hazardous materials.

**Land Record Review:** In 2004, the Acceleration Act established deadlines for ANCSA corporations and the State to file priorities. Throughout Alaska, millions of the same acres were applied for by village corporations, regional corporations and the State. As part of the conveyance process, the BLM reviews selections to identify conflicts and ensure correct depiction in land records.

Provisions in ANCSA and the Statehood Act allow transfers of equitable title to unsurveyed lands through 'Interim Conveyance' for Native corporation selections and 'Tentative Approval' for State selections. Both types transfer right, title and interest of the Federal government, but final patents (legal title) cannot be issued until cadastral survey of the final boundaries has been completed. Land patents are required by Federal law for completion of transfers and are required for almost all types of State and private development, financing, leasing, and disposing of property. Patent issuance is dependent upon survey plats and the patenting process follows approximately 18 months after field survey operations have been completed (i.e. field survey work completed in FY 2017 may have final title issued in early FY 2019).

In 2014, BLM began a new and innovative process that will fulfill the BLM’s commitment to the State of Alaska years ahead of previously projected schedules, and at reduced costs. This process allows for a reallocation of resources to address subsequent land tenure adjustments. This approach fully complies with the Statehood Act, is fiscally responsible, and maximizes use of modern technology. With this method, there are fewer days in the field, less exposure to risks and hazards encountered in the field, including encounters with bears and performing helicopter landings on unimproved landing areas. The new survey products will allow the State and its stakeholders to locate final patent corners on-the-ground using the Global Navigation Satellite System, with Online Positioning User Service on the National Spatial Reference System.

By the end of 2015, the BLM surveyed and patented 99.2 million acres, or 66 percent of the original 150 million acres (Phase 3, below). Approximately 44 million acres, or 29 percent, are under some form of ‘Tentative Conveyance’ but have not been surveyed (Phase 2, below). Additionally, about seven million acres or five percent, of the lands need to be both surveyed and conveyed. The chart below displays the status of all conveyances, as of the end of 2015.



In 2016, the BLM plans to complete 2,500 miles of new field survey (Phase 1, above) and approve 6,300 miles of prior cadastral field survey (Phase 2, above.). The BLM will also process 30 Native allotment claim applications. Approximately 1,300,000 acres of Native corporation entitlements and 800,000 acres of the State of Alaska entitlement will be patented.

The current phase of Native Corporation and State adjudication requires meetings to resolve conflicts between corporation and State selections so the BLM can write field survey instructions with sufficient detail to allow BLM to develop a legally acceptable final patent description. In addition, meetings between the corporations and the State will be coordinated by BLM personnel to resolve easement conflicts so the easements on unsurveyed land can be matched with easements on land that has already been patented.

The Acceleration Act provides authority to resolve conflicts between various land claimants by allowing the BLM to round up acreages, settle final selection entitlement matters, and determine land selections where lands had been previously withdrawn, segregated or relinquished. Since 2003, the BLM has conducted face-to-face meetings with Alaska Natives in hundreds of remote locations to obtain or clarify evidence on Native allotment claims, and with Native corporation representatives to discuss selection and title matters. Because it is not appropriate to use 'Interim Conveyance' and 'Tentative Approval' where unresolved issues remain, title conveyances are increasingly dependent upon field survey and survey plats for issuance of patents.

### 2017 Program Performance

In 2017, the BLM anticipates approving 500 miles of prior cadastral field survey and complete 500 miles of new field survey. The BLM also anticipates processing 20 Native allotment claim applications, and patent acreage surveyed and platted in previous years. Approximately 600,000 acres of Native corporation entitlements and 600,000 acres of the State of Alaska entitlements will be patented. Transfer of title through 'Interim Conveyance' or 'Tentative Approval' will continue to be completed, as necessary, for Native corporations and the State of Alaska.

#### Status

A combined total of 19,231 parcel applications were filed under the *1906 Native Allotment Act* and the *Alaska Native Veteran Allotment Act of 1998*. Over 18,910 of these claims have been closed through patent or rejection, leaving 321 applications pending. Although the *1906 Native Allotment Act* was repealed by ANCSA, claims pending with the Department up to the time of repeal still must be addressed by the BLM.

A total of 45.8 million acres of Native corporation entitlements have been identified; survey has been completed and patents have been issued for 34.5 million acres (76 percent), leaving 11.3 million acres (25 percent) that still require survey and patent. The State of Alaska entitlement is 104.5 million acres; survey has been completed and patents have been issued for 64.7 million acres (62 percent), leaving 39.9 million acres (38 percent) that still require survey and patent. The majority of the land not surveyed and patented has been tentatively conveyed.

## Activity: Realty and Ownership Management

### Subactivity: Cadastral, Lands and Realty Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Cadastral, Lands & Realty Management	\$000	45,658	51,252	+228	+0	+0	51,480	+228
	FTE	319	319		+0	+0	319	+0

Other Resources Supporting Oil & Gas Management:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
Energy Act Permit Processing Fund	\$000	11,799	44,192	51,667	+7,475
	FTE	76	430	430	+0
Energy and Minerals Cost Recovery	\$000	2,653	5,160	5,160	+0
	FTE	22	22	22	+0
Abandoned Wells Remediation Fund	\$000	36,000	0	0	+0
	FTE	0	0	0	+0

## Notes:

- BLM mandatory amounts for Permit Processing Improvement Fund in 2015 and 2016 reflect the impact of both previously unavailable authority and sequestration, while the 2017 amount only reflects the impact of previously unavailable authority

- Energy Act Permit Processing Fund amounts are shown as new budget authority derived from 50 percent of rents from onshore mineral leases for oil and gas, coal, and oil shale on Federal lands; Section 365 of the Energy Policy Act of 2005 (Public Law 109-58) appropriates these funds on a permanent basis. More information on Energy Act Permit Processing Fund is found in the Permanent Operating Funds chapter

- Energy and Minerals Cost Recovery amounts are shown as new budget authority derived from fees that include costs of actions such as environmental studies performed by the BLM, lease applications, and other processing related costs; Independent Offices Appropriations Act (IOAA), as amended (31 USC 9701), Section 304(a) of the Federal Land Policy and Management Act of 1976, as amended (43 USC 1734) appropriates these funds on a current basis. More information on Energy and Minerals Cost Recovery is found in the Service Charges, Deposits, & Forfeitures chapter

- Abandoned Wells Remediation Fund amounts are shown as new budget authority derived from General Fund; Section 349 of the Energy Policy Act of 2005 (Public Law 109-58), as amended by Public Law 113-40, the Helium Stewardship Act of 2013 (42 USC 15907) appropriates these funds on a permanent basis. More information on Abandoned Wells Remediation Fund is found in the Abandoned Wells Remediation Fund chapter

- The 2015 amount for Abandoned Wells Remediation Fund reflects a sequestration of 6.8%

- Actual and estimated obligations, by year for Abandoned Wells Remediation Fund are found in President's Budget Appendix under the BLM section

- The 2016 and 2017 amounts for the Permit Processing Fund in this table are updated from the estimates in the Appendix, Budget of the United States Government, Fiscal Year 2017. Specifically, the 2016 and 2017 estimates have been adjusted in this table to correctly include both estimated APD fees and 50 percent of rent revenues from onshore leases.

### Justification of 2017 Program Changes

The 2017 budget request for the Cadastral, Lands, and Realty Management Program is \$51,480,000 and 319 FTE, no program change from the 2016 enacted level.

## Program Overview

### Transmission

Facilitating efficient, responsible energy development and transmission facilities is a critical component of the BLM multiple use and sustained yield mission as stated in the Federal Land Policy and Management Act. As the largest Federal land manager in the West, the BLM plays a leadership role in planning for conventional and renewable energy development and corridors as well as siting transmission facilities. The BLM is working to enhance its environmental review and permitting procedures as well as improve the designation of existing and future energy corridors in land use plans.

In FY 2016, the BLM was appropriated \$5.0 million to review the west-wide energy corridors for high-voltage transmission lines and energy pipelines. The outcome of the reviews will result in more efficient and effective use of the energy corridors for siting transmission lines and energy pipelines in an environmentally responsible manner. The energy corridor reviews will better position the BLM to strategically plan for long term infrastructure needs and increased demand for improved capacity and reliability of the electrical grid throughout the West.

The BLM anticipates that the industry will continue to pursue new multi-jurisdictional projects across the West for distributed generation and transmission line upgrades and expansions, among other uses. To address these demands, and to strengthen the environmental review and permitting process, in accordance with Secretarial Order Number 3330 entitled "Improving Mitigation Policies and Practices of the Department of the Interior," issued by Secretary of the Interior Sally Jewell in October 2013, the BLM will employ a "smart from the start" approach over the next decade. This approach will identify areas of conflict and opportunity during early planning and follow up by selecting the most appropriate areas for siting transmission facilities. The BLM will establish high standards for collaboration with industry, States and local governments, Tribes, Federal agencies and other stakeholders and build strong functional partnerships among all entities engaged in permitting these transmission lines and pipelines. Better planning and permitting to maximize the use of corridors will help reduce the proliferation of separate ROW across the landscape and will be key to protecting resources and minimizing environmental impacts. The BLM will look for innovation, research and technology to assist in meeting these goals. Continuing to develop and maintain an expert workforce of project managers, resource specialists, and managers with knowledge of electric transmission planning and operations, permitting construction, reclamation and mitigation techniques will be key to success of this effort.

Over the past several years, the BLM has made great strides in a variety of areas related to transmission permitting and energy corridors. Since 2010, the BLM has authorized over 20 major pipeline projects for oil, water, and natural gas totaling 2,950 miles with nearly 6002,350 miles on BLM lands in California, Utah, Colorado, Nevada, New Mexico, North Dakota, Montana, and Wyoming.

Since 2011, the BLM has participated as a member of the Rapid Response Team for Transmission with the goal of improving coordination, expediting permitting and identifying lessons learned on seven priority pilot projects identified by the President. The BLM is lead or co-lead agency on four of the pilot projects. The President's Executive Order No. 13604 on infrastructure further increased the emphasis on interagency collaboration in the siting and permitting of high voltage transmission projects. The BLM is actively coordinating with the U.S.

Department of Energy and USFS to review existing corridors designated pursuant to Section 368 of the Energy Policy Act of 2005. The BLM and USFS have designated priority regions in the western U.S. to focus on reviews to determine needed corridor revisions, additions and deletions. The BLM is also working with stakeholders to review and update interagency operating procedures that are required when siting projects within energy corridors designated pursuant to Section 368 of the Energy Policy Act of 2005. The BLM is finalizing a policy this fiscal year for major transmission lines which will provide guidance for the NEPA process.

In June 2013, the BLM deployed an eight person National Transmission Support Team dedicated full-time to high voltage transmission and related infrastructure projects. The BLM plans to integrate these staff with the National Project Managers to more closely align workloads, and is also working to update core training courses with an increased emphasis on distance learning options. The BLM has taken steps to align and coordinate the activities of staff working on transmission line projects with staff in our Renewable Energy Coordination Offices through joint meetings, calls and training efforts.

### **Rights-of-Way**

The BLM grants land use authorizations for a wide variety of commercial and noncommercial purposes as allowed by law. Many companies, non-profit organizations, and State and local governments apply to the BLM each year to obtain ROW grants to use the public lands for roads, pipelines, transmission lines and communication sites. Energy-related ROWs play an essential part in the transportation of energy sources. Cadastral surveys and other boundary services are provided to facilitate these actions and help reduce boundary disputes, trespass and litigation.

### **Cadastral & Lands**

Through the Cadastral Survey Program, the BLM conducts the official Federal Authority Surveys that are the foundation for all land title records in large sectors of the United States and provides Federal and tribal land managers, and their adjoining non-Federal landowners, with information necessary for land management. Several statutes and delegations vest authority in the BLM to provide cadastral services for itself and the other Federal land management agencies, including the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Reclamation, the USFS, and other Federal and tribal entities.

Conducting Federal Authority Surveys requires the determination of boundaries, the marking of corner positions with brass cap markers, posting and marking the boundary lines, and the filing of associated approved records in the Official United States Records System. Additional support services provided by the Cadastral Survey Program include accurately positioning legal descriptions for timber sales, rights-of way, protection of special areas, oil and gas leases, and mineral leases; providing standards for boundary evidence assessments and management of land boundary plans to reduce risks including unauthorized use; providing cadastral services and Public Land Survey System (PLSS) Data Set services to support development of renewable energy projects; and updating and modernizing riparian boundaries where resources and land values are at a premium.

Companies, non-profit organizations, and State and local governments use the land records to apply to obtain ROW grants to use the public lands. The BLM uses these records to process ROWs for roads, pipelines, transmission lines and communication sites. ROWs based on

accurate land records play an essential role in the cost-effective development and transportation of energy sources by providing the certainty necessary for infrastructure building. Similarly, accurate land and survey records are essential for the development and construction of communication sites that provide equipment necessary for the transmission of television broadcasts and the cellular phone network, which among other important benefits, enhance emergency services and decrease impacts to human health and safety on sensitive public lands.

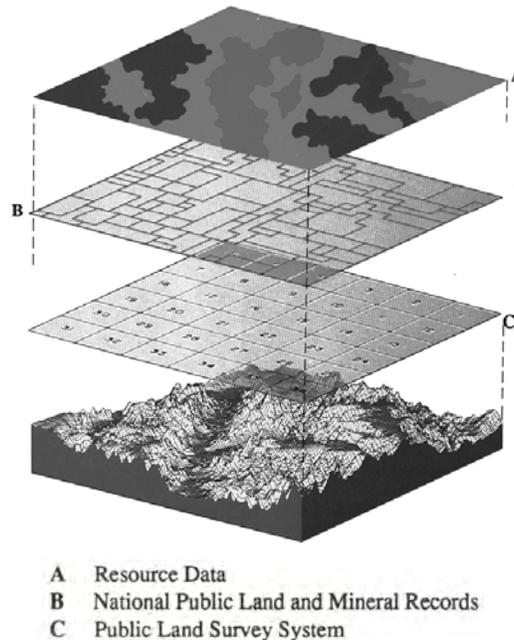
The BLM also prepares the documents required to conduct land sales, exchanges and withdrawals to ensure efficient and effective management of the public lands. Each record is stored and tracked for every authorization, review, and land withdrawal to ensure the most appropriate uses. The BLM works closely with the Department of Defense (DOD) to coordinate the documentation of withdrawals for military purposes and coordinate records management of adjacent military and public lands. The BLM also manages the documents of grants of lands to State, local governments and non-profit organizations for recreation and public purposes.

The BLM generates the PLSS Data Set to represent land ownership boundaries in a coordinated, standardized digital fashion. GIS layers depend on the PLSS Data Set as the base layer for many BLM processes including surface management agency, withdrawals, leasing, rights-of-way, sales, exchanges and stipulations.

In addition, the BLM is the custodial agency for land tenure records that date back to the 1800s. The BLM currently manages over nine million title documents as well as cadastral survey records from across the Nation. The General Land Office Automated Records System (GLO Records) is responsible for making land tenure records available on the Internet via the GLO Records website (<http://www.glorerecords.blm.gov>).

The image below illustrates the complexities of the BLM's Land Information System.

### BLM's Land Information System



Cadastral Survey provides accurate location of the Public Land Survey System which in turn supports the BLM multiple use mandate while protecting the BLM's land and resources from unauthorized use.

### Realty Management

The BLM manages the grant documents system for ROW and other use authorizations for public lands. ROWs are granted for many purposes, including electricity transmission, roads, and water pipelines. The program also prepares land tenure documents for realty activities including land sales, land exchanges, and withdrawals.

ROWs assist in providing for basic access, power, and communication infrastructure needs of cities, towns, and rural communities. The BLM manages these governing ROW and land tenure documents, including the tracking of new and amended ROW authorizations.

Land sales, exchanges and withdrawals are also conducted to ensure efficient and effective management of the public lands. Land exchanges and withdrawals are useful land management tools to meet the multiple use mission of the BLM. The BLM authorizes, reviews, and revokes land withdrawals to ensure the most appropriate uses and works closely with the DOD to coordinate withdrawals for military purposes, resolve issues with over-flights, and coordinate management of adjacent military and public lands. The BLM also administers grants of lands to State, local governments and non-profit organizations for recreation and public purposes at reduced cost using its authority under the Recreation and Public Purposes Act.

## Other Funding Sources

- Benefitting Programs & Agencies: Approximately 45 percent of all work completed by the Cadastral Survey Program is funded by other benefitting BLM subactivities and other benefitting agencies.
- The Federal Land Transaction Facilitation Act (FLTFA) is proposed for reauthorization in 2017 to allow lands identified as suitable for disposal in recent land use plans to be sold using the FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally sensitive lands and the administrative costs associated with conducting sales. FLTFA was first enacted in July 2000. It provided for the use of a percentage of revenues from the sale or exchange of public lands identified for disposal under land use plans in effect as of the date of enactment in order to acquire inholdings within certain federally designated areas, or lands adjacent to those areas, which contain exceptional resources, and to administer the lands sale program. Of the funds used for acquisition, 80 percent were to have been expended in the same State in which the funds were generated, but 20 percent could have been expended for acquisition in any of the 11 other western states. Up to 20 percent of revenues from disposals may have been used for administration costs and other expenses. FLTFA expired in July 2010, but was subsequently reauthorized for one year, expiring in July 2011. The 2017 budget proposes to reauthorize FLTFA and allow lands identified as suitable for disposal in recent land use plans to be sold using the FLTFA authority. The FLTFA sales revenues would continue to fund the acquisition of environmentally sensitive lands and to cover the administrative costs associated with conducting sales.
- The Southern Nevada Public Land Management Act of 1998 (SNPLMA) became law in October 1998. It allows the BLM to sell public lands within a specific boundary around Las Vegas, NV. The revenue derived from these land sales is split between the State of Nevada General Education Fund (five percent), the Southern Nevada Water Authority (10 percent), and a special account (85 percent) available to the Secretaries of the Interior and Agriculture for use throughout Nevada for parks, trails and natural areas; capital improvements; conservation initiatives; multi-species habitat conservation plans; environmentally sensitive land acquisition; and Lake Tahoe restoration projects. Other provisions in SNPLMA direct certain land sale and acquisition procedures and provide for the sale of land for affordable housing.
- Cost Recovery: The BLM recovers costs for processing applications and monitoring ROW grants on public lands. Although the BLM is authorized to collect cost recovery in certain circumstances, some customers, such as State and local governments are not subject to cost recovery. Cost recovery for cadastral services is also collected as appropriate.

Please see the Permanent Operation Funds Chapter for more information on FLTFA, SMPLMA, and other land sales accounts. For more information on cost recovery efforts, please see the Service Charges, Deposits, and Forfeitures Chapter.

## Critical Factors

Urban growth near BLM lands is creating costly management problems, such as encroachment, trespass, and unauthorized recreational activities on public lands. Proactive utilization of cadastral surveys along the urban interface provides valuable information about boundary locations to alleviate this emerging issue and reduce the number of lawsuits and recover revenues associated with lost resources and uncollected rents.

The demand for cadastral services to support energy development activities is increasing. Review of survey plats is a necessary step in processing Applications for Permits to Drill. Program staff review the plats to ensure that the construction of access roads, well pads, and well bottom drilling targets do not infringe on other property or mineral rights. Chain of survey and legal description reviews also help to determine whether land ownership and boundary locations are legally defensible prior to development. There is greater demand for GCDB data to provide accurate digital graphic portrayal of the Public Land Survey System. The energy programs use this digital version of the PLSS Data Set to display all stipulations and current leases in an automated format. This facilitates more efficient energy development and enables public land managers to make more informed decisions.

With the President's and the Secretary's goals to increase renewable energy development on the public lands and with many States enacting renewable energy portfolio standards that require utility companies to increase renewable energy supplies as part of their electricity capacity, renewable energy right-of-way processing workload for the BLM has increased dramatically. Much of this work is customer and market driven which makes it difficult to predict the number of applications that will be filed for the various authorizations with a high level of certainty.

## 2017 Program Performance

The BLM plans to leverage technology in land tenure management to become more efficient in land use decisions and resource planning. BLM's land record system was developed in the 1980s and last was updated to account for the year 2000 issues. In 2015, the BLM began seeking solutions to modernize and consolidate these existing systems. The goal is to develop a comprehensive system to collect, maintain and publish the official Federal land status records, including accurate and consistent land acreage and other statistical data used by the public and Federal land management agencies. Improvements would include using authenticated data sources, consolidating data, and using spatial and survey data. The system will link this data to all relevant land records and information on land title, use, restrictions and resources. The system will support legal, policy and regulatory requirements and efficiently deliver key business products (Public Land Statistics, Master Title Plats, Historical Indices, Reports, geospatial maps and orthophotographs, etc.).

Also, in 2016 and 2017, the bureau will implement a new geospatial publication web service to replace its outdated internal and external sites. The web service will provide search, retrieve, display and delivery functionality for authenticated BLM mineral, land status and resource data.

The BLM will continue to improve the quality of LR2000 data. This effort involves guidance and direction to ensure the information entered into the LR2000 system is of the highest level of accuracy possible and ensures that the database accurately reflects the actual case files.

In 2017, the BLM will continue to perform the core functions of directing and approving surveys, addressing public inquires on Federal land status, consulting with staff members from other programs to advise on boundary, title, and geospatial issues, providing direction and control for field surveys paid for by other entities, and managing the geographic coordinates of PLSS data. In addition, the BLM completed all nine recommendations from an Office of the Inspector General (OIG) audit report on management of land boundaries. This report states “proper survey and management of high-risk lands with antiquated surveys has the potential to generate hundreds of millions of dollars in revenue from lands with valuable surface and subsurface resources.” In response, the BLM will continue issuing guidance to BLM State Offices through BLM Handbook guidance directing them to identify lands with revenues lost or at risk due to antiquated boundary evidence and propose a plan for resolution.

In a separate response to the OIG report, the BLM has developed and implemented new policies to ensure that cadastral surveyors review the adequacy of boundary evidence prior to approval of significant land transactions and commercial projects. These policies will ensure the proper collection of rents and protection of public lands and resources from unauthorized uses.

In 2017, the BLM will continue to focus on responsible energy development and associated transmission lines. Specifically the BLM will have a continued emphasis on completing timely environmental reviews and permitting for the four transmission Pilot Projects identified as a priority by the President in October 2011. Similarly, the BLM will focus resources on environmental reviews and permitting of transmission lines that serve BLM’s 2016 Priority Renewable Energy Projects. Collectively, these priority transmission projects will replace aging infrastructure, enhance grid reliability, and facilitate renewable energy development while serving the needs of communities across the western U.S.

The BLM will continue to conduct public land sales, revoke land withdrawals, and facilitate military base closures. The bureau will focus on revoking withdrawals that are no longer needed for their intended purposes.

# Communications Site Management



## Activity: Communication Site Management

### Subactivity: Communication Site Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Communication Site Management	\$000	2,000	2,000	+0	+0	+0	2,000	+0
	Offset	-2,000	-2,000	+0	+0	+0	(2,000)	+0
	FTE	17	17		+0	+0	17	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Communication Site Management Program is \$2,000,000 and 17 FTE. Beginning with FY 1996 and annually since, when rental receipts were approximately \$2,000,000, Congress appropriated up to \$2,000,000 of communications site rental received to be returned to the BLM for the administration and management of communication uses on public lands.

### Program Overview

The BLM grants and administers authorizations for communications sites, while working to protect the natural resources associated with both public and adjacent land owners. The BLM works to prevent unnecessary or undue degradation to public lands by promoting collocation on the communication site rights-of-way considering engineering and technological compatibility, national security and land use plans. The BLM also coordinates to the fullest extent possible, all actions under the program with State and local governments, interested individuals, and appropriate quasi-public entities.

### ***Demands and Trends***

Prior to 1996, each user was required to have a separate authorization, even when users shared a site. In response to the *Telecommunications Act of 1996*, the BLM implemented new regulations and policies that greatly simplified and streamlined the authorization and administration of these sites. The BLM now requires only the owners of the towers or facilities to have a right-of-way authorization, while other users of the sites can collocate in these facilities, as tenants or customers, without further BLM approval. However, each of these tenants or customers must pay rent to the United States.

In 1996, there were 3,313 authorized communications facilities on BLM-administered land. The BLM currently has over 3,800 sites authorized for separate communication use rights-of-way located on approximately 1,500 mountain tops. In 2015, the BLM performed 17 communication site audits which encompassed approximately 85 facilities. The BLM identified \$127,000 of unreported rent, 15 unauthorized trespass facilities, and finalized approximately 17 communication site management plans. The BLM has increased the collection of rental fees from \$2.0 million in 1996, to \$8.5 million in 2015 and will collect an estimated \$9.0 million in 2016.

A significant challenge facing the BLM is ensuring that holders of communication site rights-of-way authorizations report accurate inventories of communications uses within their facilities to allow the Bureau to assess and collect the appropriate rent. Based on recent compliance inspections by program administrators, it is estimated that for every ten dollars of rent collected, at least one dollar is not collected. In order to better manage the development and use of communications sites and to mitigate the impacts on surrounding public lands, the BLM develops communication site management plans, which guide users and analyze the impacts of the structures on the sites and the surrounding lands. These plans allow the BLM to better manage sites and often result in the collection of additional rent revenues. The BLM's goal is to develop site management plans for all facilities with communication sites located on the public lands it manages.

In recent years, the BLM has focused on strengthening partnerships and improving its suite of BLM, interagency and industry sponsored right-of-way management courses, including the Communication Site Management Course, the National Lands Training for Line Officers, the Beginning Lands and Realty Training, and two industry training meetings scheduled in Nevada.

### **2017 Program Performance**

In 2017, the BLM will continue toward the goals of Executive Order 13616 on Accelerating Broadband on Federal Property, including developing processes to reduce the time needed for issuing communication use rights-of-way authorizations. Additionally, the BLM will continue to process applications for communications site rights-of-way, as well as applications for assignments, amendments, and renewals. The Bureau will also continue to emphasize site administration and management. The BLM expects to complete approximately 30 final communication site management plans (each State is expected to complete 3 plans), process 170 actions for lease or grant issuances, rejections, amendments, and renewals; process 50 actions for assignments, cancellations, relinquishments, and other administrative work; and complete 15 actions for trespass. In 2015 the BLM completed the centralized billing effort for communication sites. Going forward, the BLM will consider expanding the centralized billing effort to other types of right-of-way rentals. The BLM will train over 60 agency and industry personnel on the siting and administration of communication uses on public land, plus train 75 line managers on their roles and responsibilities in the Communication Site Management Program.

In addition, the BLM will review the current communications use rental schedule as recommended by the Office of Inspector General in Report in its review of the Rights-of-Way program. In 2016, the BLM will publish an advanced Notice of Proposed Rulemaking in the Federal Register to determine if the rental schedule should be updated; the results of that review will determine the work to be performed in 2017.

# Resources Protection and Maintenance



## Activity: Resource Protection and Maintenance

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Resource Mgmt Planning, Assessment & Monitoring	\$000	38,125	48,125	+162	+0	+16,916	65,203	+17,078
	FTE	207	210		+0	+3	213	+3
Law Enforcement	\$000	25,325	25,495	+121	+0	+0	25,616	+121
	FTE	124	124		+0	+0	124	+0
Abandoned Mine Lands	\$000	16,987	19,946	+90	+0	+0	20,036	+90
	FTE	75	75		+0	+0	75	+0
Hazardous Materials Management	\$000	15,612	15,612	+102	+0	-251	15,463	-149
	FTE	85	85		+0	+0	85	+0
Total, Resource Protection & Maintenance	\$000	96,049	109,178	+475	+0	+16,665	126,318	+17,140
	FTE	491	494		+0	+3	497	+3

### Justification of 2017 Program Changes

The 2017 budget request for the Resource Protection and Maintenance activity is \$126,318,000 and 497 FTE, a program increase of +\$16,665,000 and +3 FTE over the 2016 enacted level.

### Activity Description

The functions within the Resource Protection and Maintenance activity contribute to the protection and safety of public land users and environmentally sensitive resources.

- Resource Management Planning – The land use planning function is based on collaboration with local communities and State and tribal governments, as well as on science-based analysis.
- Resource Protection and Law Enforcement – The Resource Protection and Law Enforcement subactivity provides for the protection from criminal and other unlawful activities on public lands.
- Abandoned Mine Lands – The remediation of abandoned mine lands supports core programs by restoring degraded water quality, cleaning up mine waste that has been contaminated by acid mine drainage and heavy metals (such as zinc, lead, arsenic, mercury and cadmium), remediating other environmental impacts on or affecting public lands, and mitigating physical safety issues.
- Hazardous Materials Management – The Hazardous Materials Management Program provides for the prevention, mitigation, and remediation of the effects of hazardous material releases and other dangers on the public lands.

The Resource Protection and Maintenance activity funds land use planning and compliance processes, which are required by the *National Environmental Policy Act (NEPA)* and the *Federal Land Policy and Management Act (FLPMA)*.

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## Activity: Resource Protection and Maintenance

### Subactivity: Resource Management Planning, Assessment & Monitoring

	2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
			Fixed Costs	Transfers	Program Change	Requested Amount	
Resource Mgmt, Planning, Assessment & Monitoring	38,125	48,125	+162	+0	+16,916	65,203	+17,078
	<i>FTE</i> 207	210		+0	+3	213	+3

Summary of 2017 Program Changes/Internal Transfers for Resource Management, Planning, Assessment & Monitoring:

	(\$000)	FTE
Assessment, Inventory, & Monitoring	+4,300	+3
Enterprise Geospatial System	+6,916	+0
High Priority Planning Efforts	+5,700	+0
<b>Total</b>	<b>+16,916</b>	<b>+3</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Resource Management Planning, Assessment & Monitoring Program is \$65,203,000 and 213 FTE, a program change of +\$16,916,000 and +3 FTE from the 2016 enacted level.

**Assessment, Inventory, & Monitoring (+\$4,300,000/+0 FTE)** – The 2017 budget request includes an increase of \$4.3 million to develop assessment and monitoring protocols using core indicators, standardized field methods, remote sensing, and a statistically valid study design to provide nationally consistent and scientifically defensible information. These protocols will be used to meet the monitoring commitments made during the Greater Sage-Grouse Conservation effort. These commitments include gathering information on terrestrial and aquatic site condition, ecological sites, special status species, vegetation treatments, disturbance of the public lands, fire, and land uses.

**Enterprise GIS (+\$6,916,000/+0 FTE)** – The budget request includes a \$6.9 million increase to support the deployment of the Enterprise Geographic Information System (EGIS), which is critical to helping the BLM make a generational leap forward in its geospatial capabilities. The EGIS will support the adoption and implementation of core indicators, standardization of data and collection methods, and the digitization of legacy data for inclusion in decision-making analyses. It will allow employees to seamlessly access and use data from every level of the organization and across units, both from their office as well as in the field using mobile devices. The EGIS is key in providing data management and analytical support to managing public lands across various priority landscape-scale initiatives, including the Assessment, Inventory and Monitoring Strategy, Greater Sage-Grouse Plan Implementation and Monitoring, Renewable and Conventional Energy Development, Rapid Eco-regional Assessments, Climate Change Adaptation, Planning 2.0 Initiative, Regional Mitigation, and other multiple scale resource management activities. The BLM will continue to work collaboratively with other Federal

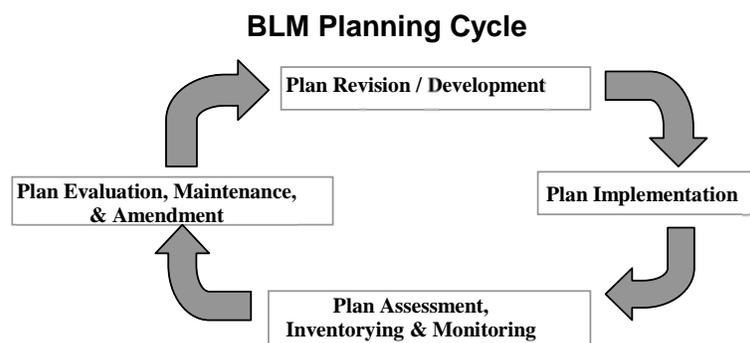
partners to develop common data standards and manage geospatial datasets used for public land management decisions. The BLM geospatial proposal is integrated within Interior's growing enterprise GIS capabilities and serves as a critical component of the Department's corporate geospatial strategy. The Bureau's ability to provide vast quantities of quality data easily will have profound organizational, cultural, and social benefits. The EGIS will provide the capability to overlay internal and external resource datasets (e.g., vegetation, hydrology, and ecological sites) with data on natural and human-induced stressors (e.g., wildfire, invasive species, climate change, and development), yielding robust and complex analyses of resource use and effects across multiple scales. The EGIS will allow the BLM to continue to develop and implement core data and technology standards to support large-scale, science-based decision-making, while at the same time delivering critical information to the public for its use and enjoyment of the public lands.

**High Priority Planning Efforts (+\$5,700,000/+0 FTE)** – The budget request includes an increase of \$5.7 million to support high-priority planning efforts that could include the initiation of new plan revisions in 2017, as well as plan evaluations and implementation strategies. Resource management plans provide the basis for every BLM management action. BLM places a high priority on keeping plans current in an era of rapidly changing resource use and demands, including ongoing energy development activities (both fossil and renewable), changing ecological conditions, continued population growth, and increasing recreation use on the public lands.

### Program Overview

Resource Management Plans (RMPs) are the foundation of public land management. Planning and plan implementation decisions describe desired resource conditions on the ground and methods to achieve desired conditions across the more than 247 million acres of BLM-managed public lands. Through its plan assessment, inventory and monitoring efforts, the Bureau collects data, which is stored in geospatially enabled databases, to determine whether the BLM is meeting its goals for desired condition. Plan evaluations allow the BLM to determine which decisions need to be revised or amended for the BLM to continue effectively managing the public lands. The land use planning process encourages collaboration and partnerships, which help the BLM determine how to manage public lands and associated resources to balance the needs of adjacent communities with the needs of the Nation.

The Resource Management Planning, Assessment, and Monitoring Program uses interdisciplinary processes to complete the management and decision-making cycle shown and described further below.



Land Use Plan Revision and Development – Completion of ongoing RMP revisions and plan developments is the highest priority of the program. Planning areas without updated RMPs present numerous challenges to the BLM. Updated plans:

- Incorporate the best, most current science;
- Contain sustainable decisions that are less vulnerable to legal challenge;
- Are responsive to changes in climate and conditions on the ground;
- Include desired conditions that are relevant or desired by the public, other governmental entities, or industrial users; and
- Advance priorities such as energy development and transmission corridors and provide economic opportunities for the public.

Delayed completion of planning efforts postpones critical resource management decisions and increases potential for litigation in planning areas. The program initiates new RMP revisions or amendments in areas where monitoring and evaluation indicates that changing resource conditions or changing demands on public land resources have been identified that require reconsideration of RMP decisions.

Sustainable Planning through the National Environmental Policy Act (NEPA) – This dynamic approach to land use planning cycles through implementation, effectiveness monitoring, and assessment of emerging issues such as rapid population growth and changing resource conditions. The planning cycle allows plans to remain relevant and adaptive to changing conditions by addressing emerging challenges and changing resource issues as they arise, which ensures plan durability and reduces the frequency of costly revisions. The BLM uses the NEPA review and analysis process to inform its land use planning and project-level implementation decisions throughout the planning cycle. NEPA activities currently funded by BLM range from highly site-specific land use decisions to regional planning efforts to broad-scale analyses of specific authorized activities with a national scope (e.g., the programmatic environmental impact statement on coal leasing). Through the NEPA process, the BLM assesses the potential environmental impacts of a proposed action through a range of alternatives, seeks input from stakeholders and the public, and collaborates with partners in Federal, State, local, and tribal government to inform its decisions.

Land Use Plan Amendments – Amendments enable the program to address significant new information, respond to changing land uses, consider proposals that deviate from the plan, and implement new policies that change land use plan decisions. Plan amendments are an economical means to support adaptive approaches to resource management and reduce the frequency of costly revisions, and they often support priority projects, such as those related to renewable energy and national energy infrastructure.

Monitoring for Adaptive Management: Informed decision making and adaptive management require current data about the status and trends of terrestrial and aquatic systems, about the location and extent of natural and human-caused disturbances, and about the location and effectiveness of land treatments. The BLM's AIM Strategy is the framework for this data collection. This strategy outlines a process for using core indicators, standardized field methods, remote sensing, and a statistically valid study design to provide nationally consistent and scientifically defensible information to determine the status of the public lands and track changes to natural resources on the public lands over time. This strategy supports the Solar Programmatic EIS, the Greater Sage-Grouse Conservation Initiative, as well as other landscape level decisions.

## Critical Factors

The BLM addresses a number of critical factors that drive land use planning and decision-making processes. These include the following:

Land Health Stressors – Land health stressors such as invasive plant and insect infestations, drought, and catastrophic wildfires contribute to the loss of native animal and plant communities and habitat for threatened and endangered species, including greater sage-grouse. Changing conditions necessitate the reevaluation of plans on a regular cycle. Eco-regional assessments and adaptation strategies for mitigating impacts of land health stressors indicate on a regional basis whether land use decisions remain valid or require amendment.

Energy Demands – Increased demands for renewable and conventional energy and associated infrastructure affect the balance with competing uses such as recreation use, off-highway vehicle use, and conserving a broad range of wildlife habitat for future generations.

Expanding Populations & Community Growth – These factors challenge wildland fire suppression efforts in the wildland-urban interface, contribute to increased conflicts between recreational uses, and increase demands for surface-disturbing uses such as roads, utility distribution lines, communication sites, sand, gravel, mineral materials sites, and public facilities. Understanding the complex socioeconomic issues in communities adjacent to BLM-administered lands is imperative to effective land management.

Protests/Appeals/Litigation – Public land management conflicts heighten BLM's attention to risk management in response to challenges over land use decisions. Litigation not directly associated with land use planning often affects land use planning decisions, given the broad scope of resource issues considered.

## Means and Strategies

The BLM uses a number of means and strategies to support land use planning and decision-making processes. The means and strategies highlighted below support not only land use planning, but also provide critical information, resources, and data infrastructure used Bureau-wide, and often outside the BLM by Federal, State, tribal and local partners. This information is necessary and valued by resource managers and specialists as they prepare project analyses for all types of activities. These efforts include the following:

ePlanning – The ePlanning web-based application integrates document preparation, review, commenting, comment analysis and response, and archiving of land use planning and NEPA processes. It provides a centralized, national BLM database for public access to BLM NEPA documents. ePlanning is currently used for RMP revisions and as a repository for all new NEPA analyses on the BLM National NEPA Register. A comprehensive deployment strategy is underway which is providing on-demand, web-based training, as well as on-site instructor led training with the goal of implementing exclusive use of ePlanning for all BLM NEPA by the end of 2017.

Geospatial Services – The Bureau is transitioning to a landscape approach to managing public lands. To support that approach, the Geospatial Services program is creating an environment where data is managed in an integrated corporate data framework to support multiple program activities at multiple scales. Continued implementation of the BLM's Enterprise Geospatial

Strategy, with leadership provided by the Geospatial Steering Committee (GSC), supports this transition as well as various high priority efforts such as the implementation and monitoring of the Greater Sage-Grouse planning effort, the Planning 2.0 initiative, regional mitigation activities, and renewable energy projects, while using GIS software that is consistent and integrated with the Department and other DOI Bureaus. This transformation will also improve the management of the BLM's geospatial data resources, and will enhance partnering with other Federal agencies, including the U.S. Geological Survey (for science) and the U.S. Fish and Wildlife Service (for consultation), while supporting communication and collaboration with State and tribal governments, as well as the public at large. By providing the infrastructure to manage and analyze data at multiple scales, the Geospatial Services program provides the BLM with the information and tools necessary to better understand the impacts of its decisions and support informed decision-making at all levels of the organization.

Socioeconomics – BLM's Socioeconomics program identifies the human context and consequences of the bureau's proposed plans, policies, and authorized uses. This helps resource managers weigh competing interests concerning access to and use of public lands and resources. The need to maximize the BLM's return on investment is essential to achieving its mission, and thus measuring that return through the application of socioeconomic methods provides information essential for effective resource management. To provide a more complete picture of the benefits and costs of the BLM's resource management decisions, the Socioeconomics program is developing guidance on a number of topics critical to improved decision making. These include environmental justice, ecosystem services, and the assessment of social values and tradeoffs in plans and projects. The Socioeconomics program is also providing technical expertise in support of other BLM programs and efforts, including the management of Wild Horses and Burros, Greater Sage-Grouse conservation, and oil and gas development.

Collaborative Action and Dispute Resolution – The Collaborative Action and Dispute Resolution (BLM-CADR) program provides services to support BLM's engagement with other Federal agencies, tribal, State, and local governments, stakeholders, and the public. Collaborative approaches can be applied internally and externally throughout decision-making and when addressing subsequent management challenges. Generally speaking, collaboration refers to processes and arrangements that facilitate two or more individuals working together to solve a set of resource issues. Collaborative approaches ultimately enhance relationships and successful on-the-ground project implementation through shared commitment and resources. The CADR program optimizes planning investments and provides tools and skills for future BLM leaders.

NEPA – The BLM's NEPA program coordinates with the Council on Environmental Quality (CEQ), the Interior Office of Environmental Policy and Compliance, and other Federal entities on NEPA policy issues across the Federal government and within the Department. The BLM NEPA program also develops Bureau-wide NEPA policy and guidance, coordinates with other BLM national programs to develop program-specific guidance, and works with the BLM National Training Center to identify and meet NEPA training needs. In addition, the program coordinates with BLM State Offices to provide advice and support for NEPA compliance in the field. The BLM NEPA program in conjunction with BLM's Division of Environmental Quality & Protection is enhancing an internal, web-based BLM Greenhouse Gas & Climate Change NEPA Toolkit for use in preparing NEPA documents. The program also evaluates NEPA compliance within BLM States. These activities contribute to sound, well-supported Bureau planning and project

decisions, and provide ongoing opportunities to strengthen working relationships with the public, stakeholder organizations, and partners in Federal, State, local, and tribal government.

Assessment and Monitoring - The AIM Strategy is being implemented through five sets of interrelated projects. The first three are designed to implement West-wide monitoring that is coordinated, and where possible, integrated with the monitoring activities of other Federal, State and non-governmental partners. The West-wide projects include the BLM Rangeland Assessment, the BLM Western Rivers and Streams Assessment, and the BLM Grass-Shrub Fractional Mapping Project. Some of the Federal partners included in these efforts are the Natural Resource Conservation Service, Environmental Protection Agency, United States Geological Survey, and United States Forest Service. The two remaining projects are designed to help support immediate multi-State and field office priorities. These projects include efforts to monitor the effectiveness of BLM land use plans and to determine the effectiveness of BLM treatments and actions.

Public Involvement and Cooperating Agencies – The BLM involves interested members of the public and other governmental agencies—various Federal, State, local, county, and tribal entities—to share technical expertise, fulfill requirements for cooperation under various laws, and ensure consistent management where BLM-managed lands are adjacent to those of other government agencies or affect the resource management of other government agencies. The BLM also participates in cooperating agency and coordination training workshops with local government organizations to promote understanding of opportunities for local government participation in BLM land use planning and NEPA processes.

## 2017 Program Performance

Planning 2.0 – “Improving Land Use Planning” – In 2017, the BLM will roll out the Planning 2.0 initiative, which is focused on designing a more proactive and flexible approach to planning across landscapes at multiple scales. As part of Planning 2.0, the BLM will complete targeted changes to the planning regulations (43 CFR 1601 and 1610) and issue a revised Land Use Planning Handbook (H-1601-1). The planning process will focus on more up-front collaboration with partners to produce durable decisions that readily address the rapidly changing environment and conditions posed by climate change, rapid growth in the urban interface with public lands, expanding resource development, and other stressors. Finally, the BLM will review, and where necessary, revise its policy and procedures for monitoring the effectiveness of land use plan decisions as part of the 2.0 initiative.

Land Use Plan Revisions – In 2017, the Resource Management Planning program will continue work on the 30 plans that are in process. This estimate takes into consideration plans that will be completed and initiated in the interim. Active plan revisions are evaluated annually to determine progress and estimated costs for completion. Approvals to extend project schedules are coordinated through the Assistant Director for Renewable Resources and Planning.

In 2017, the BLM plans to initiate three new RMP revisions. The remaining Western Oregon RMP revisions will be funded by the O&C Resource Management Planning program. Since 2001, the BLM has completed 87 plan revisions to improve the quality and effectiveness of its resource management. Another 66 planning projects are currently in progress and 29 plans are in need of revision or amendment to meet changing resource demands and conditions.

Land Use Plan Amendments – Newly revised plans are maintained through amendments funded by benefitting programs. Targeted amendments address emerging challenges and changing resource issues, extend the useful life of a plan, and reduce the potential for litigation. In 2017, the Resource Management Planning program will continue to support high priority amendments, including those associated with renewable energy and transmission line projects.

NEPA – The NEPA program will coordinate with the Department to provide and implement BLM national guidance on considering climate change through the NEPA and land use planning processes. The NEPA program will also continue to support high priority activities with national scope, such as development of the programmatic environmental impact statement on coal leasing and BLM and Department policy development in other priority areas such as mitigation. In addition, the NEPA program will work with BLM's National Training Center to evaluate NEPA training needs throughout the BLM and to develop new training as needed.

Assessment and Monitoring - The Rangeland Assessment, the Western Rivers and Streams Assessment, and the Grass-Shrub Fractional Mapping Project, efforts to monitor the effectiveness of BLM land use plans, and efforts to determine the effectiveness of BLM treatments and actions will be implemented. Additionally, the monitoring and assessment protocols and core indicators developed as part of the AIM strategy will be used to gather information on terrestrial and aquatic site condition, ecological sites, special status species, treatments, disturbance of the public lands, fire, and land uses within sage-grouse habitat.

Collaborative Action and Dispute Resolution – The CADR program is implementing a new Strategic Plan designed to:

- Build awareness and understanding of collaboration and collaborative action both within and outside the BLM;
- Provide a framework for achieving consistency in collaborative efforts within BLM and with partners and stakeholders; and
- Focus on the practical application of collaborative principles and practices to meet the needs of the field.

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## Activity: Resource Protection and Maintenance

### Subactivity: Abandoned Mine Lands

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Abandoned Mine Lands	\$000	16,987	19,946	+90	+0	+0	20,036	+90
	FTE	75	75		+0	+0	75	+0

*Notes: The Central Hazardous Materials Fund from the Department of the Interior, Office of the Secretary, is a collaborative source of funding to address the goals of both the Abandoned Mine Lands and the Hazardous Materials Management programs. The 2015 estimated funding from the Central Hazardous Materials Fund is approximately \$3.5 million. More information on the Central Hazardous Materials Fund is found in the Department of the Interior, Office of the Secretary, Department-wide Program Budget Justifications.*

### Justification of 2017 Program Changes

The 2017 budget request for the Abandoned Mine Lands Program is \$20,036,000 and 75 FTE, no change from the 2016 enacted level.

### Program Overview

The Abandoned Mine Lands (AML) program's primary objective is to eliminate or minimize the environmental impacts and the physical safety hazards associated with historic hardrock mining activity within the National System of Public Lands (NSPL). The AML program addresses mine sites that were abandoned prior to January 1, 1981, the effective date of the BLM's surface management regulations (43 CFR Subpart 3809).

The program's objectives are:

- Protecting public health and safety as well as reducing inherent liabilities by mitigating physical safety hazards and/or minimizing environmental impacts on the NSPL;
- Restoring the Nation's watersheds impacted by abandoned mines on public lands;
- Educating the public about the potential dangers posed by abandoned mines as well as the actions the BLM takes to address those dangers;
- Implementing a risk-based, watershed approach that embraces partnerships to effectively leverage funding and facilitate timely AML project completion;
- Conducting inventories of yet undiscovered abandoned mine features and sites as well as performing the validation, recordation, and evaluations of those characteristics;
- Asserting the BLM's lead role in the evaluation and remediation of AML sites located on and affecting the NSPL;
- Implementing cost avoidance/cost recovery strategies pursuant to CERCLA;
- Restoring abandoned mine lands to productive uses including, but not limited to recreation, fish and wildlife habitat, renewable energy, and the preservation of historical/cultural resources;
- Integrating AML goals and priorities into the BLM land-use planning efforts as well as other BLM functions and programs;

- Performing post-completion project monitoring to ensure the effective short and long term remediation of abandoned mine land sites.

### ***Abandoned Mine Land Inventory***

The AML program utilizes a database to record and track the thousands of AML sites and features within the NSPL. The Abandoned Mine Site Cleanup Module (AMSCM) currently contains over 94,000 features, such as physical hazards and environmental impacts, associated with 50,500 AML sites.

### ***Risk-based Prioritization***

In addressing the environmental and physical safety hazards on the NSPL, the BLM places the greatest priority on completing on-the-ground remediation at high-priority inventoried and characterized sites as well as newly discovered sites that pose higher risks due to population proximity, expansion and recreational activities in remote locations. The prioritization process ranks sites based on environmental and physical safety hazards and takes into account factors including water quality impairments and violations, watershed and other environmental impacts, threats to public health or safety, existence of partnerships, cost avoidance/cost recovery, continuing/expediting existing on-the-ground projects, location, and cost efficiency.

### ***Environmental Response and Remediation***

The BLM's environmental cleanup and remediation activities are guided by public laws such as CERCLA, the Clean Water Act, and the Federal Land Policy and Management Act. The BLM uses its CERCLA authority to remediate environmental contamination on public land, prepare and implement emergency response contingency plans for oil and chemical spills, and recover costs from Potentially Responsible Parties.

### ***Alaska Red Devil Mine Remediation***

The Red Devil Mine (RDM), located on the Kuskokwim River in Southwestern Alaska, is an abandoned cinnabar mine which produced mercury from 1939 thru 1971. In 2009, the BLM initiated a Remedial Investigation/Feasibility Study (RI/FS) of the Red Devil Mine site under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Over the last 8 years the BLM and the Department's Central Hazardous Materials Fund have shared in funding the RDM project. In FY 2017 the RDM will need \$3.5 million for remedial design to include repository construction and surface water management. This request is included in the Department's Central Hazardous Materials Fund (CHF).

### ***Colorado Upper Animas River Remediation***

The Upper Animas Watershed, located in Southwest Colorado, is a 146 square mile watershed that has had extensive mining for over 100 years and its impacts have been noted for many decades. The BLM has implemented eight removal actions under our Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) authority, however a significant amount of additional work is necessary, particularly to effectively address the multitude of mixed-ownership AML sites. Since 2010 and working collaboratively with the EPA, the BLM has initiated risk assessments and Remedial Investigations (RI) of the Upper Animas to better define the contamination problems and potential responsible parties. For FY 2017 additional source characterization and modeling; groundwater and surface water monitoring; finalization of the Baseline Ecological Risk Assessment; CERCLA enforcement efforts for cost avoidance and cost recovery; and community relations are planned. Significant AML funding needs are projected in FY 2017 as well as future years to address this very high priority CERCLA project.

**Physical Safety Hazards**

The majority of sites recorded in the AMSCM database contain physical safety hazards such as open mine shafts, adits, unstable mine facilities and pit highwalls. These physical safety hazards pose safety threats to humans and wildlife and are a high priority for the AML program. Temporary mitigation, such as fencing and signage, biological and archeological clearances, permanent closure, and installation of controlled access barriers are the most common remediation activities.

**Federal Multi-Agency Collaboration**

The BLM is working with other federal agencies to better address the legacy of abandoned hardrock mining sites on both a national and a landscape scale. The BLM is actively working with the Department of Energy (DOE) and the Environmental Protection Agency (EPA) to share resources to address defense related abandoned uranium mines located on public lands administered by the BLM. The BLM is also working with the U.S. Forest Service (USFS), the National Park Service (NPS), and EPA to more clearly identify and prioritize the known inventory of AML sites on a state and nationwide basis.

**Partnerships**

Partnerships with other Federal, State, local, and tribal agencies are a vital component of the AML program. Activities include the development of agreements with States for abandoned mine closures, cleanup coordination, and development of joint policies and procedures. The BLM also enters into assistance agreements with non-governmental organizations, for example, with Bat Conservation International (BCI). The BCI assists the BLM in identifying abandoned mines that provide valuable bat habitat and helps to preserve it with bat-friendly closures.

**Other Funding Sources**

In addition to the AML program funding, the BLM utilizes, in the appropriate circumstances, funding from the Department's Central Hazardous Materials Fund (CHF) and the Department's Natural Resource Damage Assessment (NRDA) Restoration Fund. The CHF was established by Congress to be used for necessary expenses incurred for response actions conducted pursuant to the CERCLA, as amended as well as the regulatory requirements codified in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The CHF is a competitive process among Department Bureaus and functions as a source of no-year funding for CERCLA cleanup projects and as a repository for funds recovered from potentially responsible parties (PRP) pursuant to sections 107 or 113 of CERCLA, 42 U.S.C. § § 9607, 9613.

The purpose of the NRDA process is to restore public natural resources injured or destroyed by releases of hazardous substances or oil spills, and to compensate the public, through the natural resource damage trustee, for losses of the natural resources that resulted from the releases or spills. The costs of the restoration are borne by the parties who are responsible for the release or spill. Response actions (CERCLA) and NRDA enforcement may be integrated to maximize efficiency in restoring the health, diversity and productivity of BLM-managed land.

**Critical Factors**

Critical factors that impact the effectiveness of the AML Program include the following:

- The need to support maintenance and monitoring activities at previously remediated sites grows as new cleanup efforts are undertaken and completed. The BLM must

return to these sites to inspect the short and long term efficacy of the reclamation/restoration.

- The development of urban areas and related visitation has brought about growth in the public's access to BLM-managed lands that were once considered remote. This increased ease of access by the public has resulted in an increase of exposure to the physical and environmental hazards associated with AML sites.
- AML restoration projects can be highly complex in environmental scope and impact. Environmental analyses and studies are conducted to determine the extent of contamination and to identify restoration and remediation strategies. Typically, a multiple-year, phased approach is required to complete restoration/remediation activities due to funding limitations and study times.

### **2017 Program Performance**

In 2017, the AML Program anticipates completing the following elements:

- Water quality: Remediating approximately 1,700 acres to improve water quality;
- Physical Safety Hazards: Closing 900 physical safety hazards on AML;
- Inventory: Adding 5,500 new AML sites to AMSCM;
- Monitoring and maintenance: Returning to 1,000 remediated sites to check on the efficacy of physical safety closures and/or environmental remediation; and
- Complex Contaminated Site Cleanups—Leveraging funding with other Federal programs to address cleanups at large, complex sites that pose an imminent risk to the public.

## Activity: Resource Protection and Maintenance

### Subactivity: Resource Protection and Law Enforcement

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Law Enforcement	\$000	25,325	25,495	+121	+0	+0	25,616	+121
	FTE	124	124		+0	+0	124	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Resource Protection and Law Enforcement Program is \$25,616,000 and 124 FTE, no change from the 2016 enacted level.

### Program Overview

#### Program Components

The Resource Protection and Law Enforcement Program supports the Bureau's mission through the enforcement of Federal laws and regulations related to the use, management, and development of public lands and resources. The objectives of the program are to:

- Provide a safe environment for public land users and employees;
- Deter, detect, and investigate illegal activities, and resolve or refer such matters to appropriate officials; and
- Ensure revenues owed to the government for authorized or unauthorized uses are paid.

Resource Protection and Law Enforcement Program resources:

- Manage the law enforcement presence at special events and high-use recreation areas in order to support law enforcement needs exceeding the capacity of local field offices;
- Establish interagency agreements, partnerships, and service contracts with numerous state and local law enforcement agencies to secure supplemental support in the form of dispatch services, patrols of high use recreation areas, and assistance in the eradication of marijuana grown on public lands; and
- Utilize science-based methods and technology to expand capabilities to identify and monitor locations of illegal activity.

#### Critical Factors

Critical factors affecting the Resource Protection and Law Enforcement Program on public lands include:

- Large-scale marijuana cultivation threatens public and employee safety; while the associated diversion of natural water sources, the use of fertilizers, herbicides, and

pesticides, the illegal taking of wildlife, and the dumping of waste damages the ecosystems being exploited for illegal cultivation activities.

- The smuggling of humans and controlled substances on public lands near the Southwest Border destroys the natural and cultural resources on these public lands and threatens public and employee safety.
- Population increases in urban areas located near public lands have led to corresponding increases in off-highway vehicle use, illegal dumping of waste, theft of mineral materials and native plants for private landscaping, and the ignition of wildland fires.
- Emergencies and similar unexpected developments frequently require law enforcement responses that cannot be planned for or anticipated.
- Partner law enforcement agencies continue to request funding assistance through service contracts and support agreements, particularly in counties where public lands are heavily impacted by both legal and illegal activities.

### **Demands, Trends and Resources**

In 2015, the BLM saw a 42 percent increase in the number of marijuana plants seized on public lands. This increase occurred primarily in California. Due to the scope of the marijuana cultivation problem on public lands and the large number of Federal, state, and local agencies involved in combatting the issue, it is difficult to establish a direct cause for the fluctuations seen in marijuana plant seizure statistics. However, several factors are believed to affect large scale marijuana cultivation on public lands, including:

- Increasingly effective utilization of multi-agency investigation and eradication efforts targeting illegal activities at all levels of drug trafficking organizations.
- Prosecution of individuals at all levels of multi-state drug trafficking organizations is disrupting organizational structures and reducing cultivation and distribution capabilities.
- Shifting weather patterns are altering the length of the growing season and the availability of natural water sources.
- Several states permit the lawful cultivation of marijuana on private lands for medicinal use.



**A marijuana field on public lands**

Quantities of this lawfully cultivated marijuana are known to be sold outside the legal medicinal market. This unlawful sale of legally cultivated marijuana may be altering levels of market supply and demand, thereby prompting fluctuations in the quantity of marijuana being cultivated on public lands. Similarly, an increase in the number of states that permit recreational use of marijuana may be creating a larger market and higher profit margins for marijuana cultivated at relatively low cost on public lands.

**2017 Program Performance**

Marijuana Cultivation on Public Lands –

The BLM plans to continue drug enforcement activities to include assigning special agents to investigate large scale marijuana cultivation on a full time basis in California and on a part time basis in other states to combat the expansion of marijuana cultivation activities; utilizing BLM rangers to conduct high profile patrol to detect and deter cultivation activities, eradicate marijuana cultivation sites, and provide security for personnel performing cultivation site rehabilitation efforts; and working with the Public Lands Drug Coordination Committee, under the Office of National Drug Control Policy, to identify and address the environmental impacts of marijuana cultivation on public lands.

Marijuana Plants Seized by BLM on Public Lands			
FY 2012	FY 2013	FY 2014	FY 2015
156,014	195,417	225,291	319,511

Southwest Borderlands – The BLM will continue to patrol and conduct law enforcement activities on public lands situated within 100 miles of the Southwest Border in response to the heavy resource impacts and public safety concerns associated with illegal human and drug smuggling activities. The BLM continues to invest heavily in its Reclaim Our Arizona Monuments (ROAM) operation. Developed in response to the severe impacts occurring on the Bureau’s Ironwood Forest and Sonoran Desert National Monuments, Operation ROAM combines the skills of BLM law enforcement officers with those of BLM resource specialists in order to improve public safety and remedy the resource damage caused by human and drug smuggling. This pairing of skill-sets serves to disrupt and deter smuggling operations and repair smuggling-related environmental damage caused by unauthorized roads and trails, large accumulations of trash, and concentrations of human waste.



Personnel removing trash fields created by smuggling activity in the Sonoran Desert National Monument

Archaeological Resource Protection Act (ARPA) Enforcement in the Four Corners Region – The BLM will continue to patrol and conduct investigations in the Four Corners region of the Southwest to deter and detect incidents of theft and vandalism of cultural, historical, and paleontological resources. The BLM will prosecute suspects and provide for the proper curation, storage, and disposition of recovered artifacts. The BLM continues to support the process of repatriating hundreds of thousands of archaeological and Native American artifacts recovered through the “Cerberus Action”; a highly successful multi-year investigation that targeted individuals suspected of looting archaeological sites and Native American graves in violation of ARPA and the *Native American Graves Protection and Repatriation Act*.

Off-Highway Vehicle (OHV) Recreation – The BLM will continue to dedicate law enforcement

resources to the patrol of high-use OHV areas in order to protect sensitive resources and ensure the public is provided safe recreational opportunities on public lands.

Off-Highway Vehicle Activity on Public Lands				
OHV Incidents	FY 2012	FY2013	FY2014	FY2015
	4,067	5,164	4,662	4,413

National Conservation Lands – The BLM will continue to patrol and conduct law enforcement activities within the National Conservation Lands in order to protect nationally significant resources and provide the public the opportunity to safely enjoy their public lands.

Wild Horses and Burros – The BLM will continue to enforce laws and investigate violations related to the harassment, unlawful removal, inhumane treatment, unauthorized destruction or sale of wild horses and burros.

Resource Damage, Loss and Theft – The BLM will continue to emphasize patrol, enforcement, and investigation actions to reduce the theft of public land resources, including mineral materials, timber and forest products, as well as improve production accountability and reduce theft of oil and gas resources. The BLM will investigate wildland fires to determine the origin and cause, identify responsible parties, and seek civil enforcement or criminal prosecution in cases involving negligence or arson.

<b>Total Number of Incidents Reported</b>				
<b>FY 2012</b>	<b>FY2013</b>	<b>FY2014</b>	<b>FY2015</b>	
23,544	47,644	56,901	55,674	
<b>Theft, Vandalism, and Misuse of Resources Incidents Reported</b>				
	<b>FY 2012</b>	<b>FY2013</b>	<b>FY2014</b>	<b>FY2015</b>
<b>Cultural, Paleontological &amp; Historical Resources</b>	140	153	184	149
<b>Minerals</b>	21	16	19	8
<b>Natural Features &amp; Other Wildland Resources</b>	106	177	539	500
<b>Timber, Forest Products, &amp; Native Plants</b>	279	456	634	477
<b>Wild Horses and Burros</b>	118	246	188	60
<b>Wildland Fire Incidents Reported on Public Lands</b>				
<b>No. of Fire Related Incidents</b>	<b>FY 2012</b>	<b>FY2013</b>	<b>FY2014</b>	<b>FY2015</b>
	1,053	1,341	1,691	1,246

## Activity: Resource Protection and Maintenance Subactivity: Hazardous Materials Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Hazardous Materials Management	\$000	15,612	15,612	+102	+0	-251	15,463	-149
	FTE	85	85		+0	+0	85	+0

*Notes: The Central Hazardous Materials Fund from the Department of the Interior, Office of the Secretary, is a collaborative source of funding to address the goals of both the Abandoned Mine Lands and the Hazardous Materials Management programs. The 2015 estimated funding from the Central Hazardous Materials Fund is approximately \$3.5 million. More information on the Central Hazardous Materials Fund is found in the Department of the Interior, Office of the Secretary, Department-wide Program Budget Justifications.*

Summary of 2017 Program Changes/Internal Transfers for Hazardous Materials Management:	(\$000)	FTE
General Program Decrease	-251	+0
<b>Total</b>	<b>-251</b>	<b>+0</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Hazardous Materials Management Program is \$15,463,000 and 85 FTE, a program change of -\$251,000 from the 2016 enacted level.

**General Program Decrease (-\$251,000)** – A reduction of \$251,000 in lower priority activities is proposed. The BLM will continue to maintain core functions in the Hazardous Materials Management Program by focusing on the highest priority work and implementing program efficiencies where possible.

### Program Overview

The Hazardous Materials Management Program ensures BLM compliance with Federal and State environmental regulations. The program also exercises the legal authorities granted to the BLM to protect human health and the environment by identifying, characterizing and cleaning up hazardous waste sites. Additionally, the program implements Federal initiatives directed at improving environmental management and sustainability. Program activities include:

- Minimizing and remediating environmental contamination on public lands;
- Reducing health and safety risks associated with environmental hazards;
- Restoring natural and cultural resources adversely impacted by oil discharges and hazardous substance releases;
- Correcting environmental compliance issues;
- Utilizing environmental management systems to identify, manage, and accomplish agency operation sustainability objectives and targets, as well as other significant aspects of BLM operations that impact environmental performance;
- Reducing the generation of wastes or contaminants at the source, thereby reducing the level of hazards to public health or the environment;

- Partnering with the BLM Law Enforcement Program to remove illegally dumped material such as trash, hazardous materials, and abandoned vehicles.

The Hazardous Materials Management Program complements the Abandoned Mine Lands (AML) Program. While the AML Program focuses on physical and environmental hazards associated specifically with hardrock mines abandoned prior to 1981, the Hazardous Materials Management Program has a broader focus of environmental hazards on all public lands associated with all uses. Additionally, while the AML Program addresses both physical and environmental safety hazards at AML sites, the Hazardous Materials Management Program may support addressing environmental hazards at high-priority AML sites as well.

### **Critical Factors**

Critical factors that impact the effectiveness of the program include:

- The need to execute maintenance and monitoring activities at previously remediated sites increases overall program costs as new cleanup efforts are undertaken, completed and move into the operation and maintenance phase (O&M);
- There are currently 189 sites on the DOI Environmental Disposal Liability list which require some degree of remediation;
- Urban growth and development is resulting in increased public access to BLM-managed lands. This trend has not only increased the number of illegal dumps on public lands, but has also heightened the need to address contaminated sites rapidly in order to reduce public health and safety hazards. Increased real-estate related actions and property transfer activities also require environmental site assessments and a cadre of trained and certified BLM environmental professionals;
- Illegal immigration and smuggling activities along the Arizona, New Mexico and California borders with Mexico cause damage to public lands, including national monuments and designated wilderness areas. Such damage includes unauthorized roads and trails; severed fences; damaged vegetation; contaminated water resources; and significant accumulations of solid and hazardous waste.

### **Means and Strategies**

The BLM uses the following strategies to operate the program:

- Developing, implementing, and maintaining emergency response contingency plans (i.e., oil and chemical spill);
- The BLM will seek efficiencies to environmental risk management to allow for maximum protection, health and safety of public land users and environmentally sensitive resources.
- Leveraging funding with partners to respond to community needs and concerns;
- Assessing and maintaining BLM facilities to ensure compliance with environmental laws and regulations;
- Searching for parties responsible for contamination on public lands in order to seek their participation in remediating the site and/or recover costs;
- Partnering with other environmental protection-related agencies such as the U.S. Fish and Wildlife Service, the Environmental Protection Agency, the U.S. Army Corps of Engineers, and the U.S. Forest Service, as well as with other BLM programs, including the AML, Law Enforcement, and Recreation Programs;

- Partnering with State, law enforcement, and volunteer groups to deter and mitigate damage to public lands including along the Southwest border related to illegal immigration and smuggling activities;
- Populate and use the Abandoned Mine Site and Cleanup Module database to track and prioritize sites based on the level of risk to human health and the environment;
- Address the removal and remediation of larger, high-risk hazardous material sites with hazardous substances (solid waste, hazardous waste and hazardous substances) with additional funds when available.

### Other Funding Sources

In addition to program funding, the BLM utilizes, in the appropriate circumstances, funding from the Department's Natural Resource Damage Assessment Restoration Fund (NRDAR), and the Department's Central Hazardous Materials Fund (CHF).

The BLM uses the NRDAR Fund to identify damage to natural resources; work with the public and the polluters to plan restoration efforts; seek payment from the polluters for resource restoration costs; and restore or replace resources to pre-contamination conditions. Project scoping and start-up funds may come from the Department. Assessment funds are provided through the Department or negotiated with polluters. Restoration funds come from settlements with polluters, either through negotiations or legal action. Funds from these settlements are then used to restore the damaged resources at no expense to the taxpayer. Settlements often include the recovery of costs incurred in assessing the damages.

The CHF includes appropriated and recovered funds, and supports response actions, remedial investigations, feasibility studies, and cleanup at sites contaminated by hazardous substances. These sites are prioritized based on human health and ecological risk, regulatory factors, and the level of Potentially Responsible Party involvement. Proposals are reviewed and prioritized first by BLM State Offices through a yearly nomination process, and then by Departmental representatives. The BLM currently manages 26 CHF sites. In 2015, the CHF plans to allocate \$3.4 million for BLM sites.

### 2017 Program Performance

The program will continue to perform the following activities in fiscal year 2017:

- Complex Contaminated Site Cleanups – Leverage funding with other Federal programs to address cleanups at hazardous waste sites that pose imminent risk to the public;
- Environmental Compliance – Support, with the Engineering and Safety Programs, the performance of Compliance Assessment – Safety, Health, and the Environment (CASHE) audits. In 2017, CASHE audits will be performed at thirty-one organizational units;
- Illegal Dumping Prevention - Continue prevention efforts by targeting cleanups, outreach, public participation and monitoring to promote safety and mitigate environmental damage;
- Emergency Response - Respond to and clean up oil spills and hazardous materials releases where they occur;
- Munitions and Explosives of Concern - Continue collaboration with other Department of the Interior Bureaus, as well as the Department of Defense, in the development of a database that displays areas of munitions and explosives of concern, to ensure visitor

and employee safety and to ensure the cleanup of military training sites including Formally Used Defense Sites. The BLM is currently working with the Department to finalize the geo-spatial tools needed to augment the relational database. The program will also support the Lands, Realty, and Cadastral Survey Division in documentation of military sites in LR2000 and Case Files;

- Special Cleanup - Remove or remediate specific hazardous materials sites on public lands where funds are available.
- Environmental Management System - Continue implementation of the EMS in all States and Centers. Provide for 3<sup>rd</sup> party audits to ensure compliance with Department standards. The Washington Office has implemented an EMS to improve the Bureau's sustainability performance as tracked on the Office of Management and Budget scorecard;
- Sustainability - Continue participation in the Department Technical Working Group in order to meet Department-wide sustainability goals. Also continue participation in the Bureau-wide Technical Working Group to complete the annual Green House Gas (GHG) Inventory. In addition, develop operational controls to enhance environmental performance, including reducing GHG emissions, energy use, and potable water use. Support State BLM projects initiated to meet sustainability targets set for their State operations; and
- Southwest Border Cleanup – Continue to leverage funds and resources with partners to conduct remediation and restoration activities along the U.S. Southwest border.

# Transportation and Facilities Maintenance



## Activity: Transportation and Facilities Maintenance

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Annual Maint. & Ops	\$000	38,637	38,942	+183	+0	+0	39,125	+183
	FTE	243	243		+0	+0	243	+0
Def. Maint. & Cap. Improvements	\$000	26,995	31,387	+88	+0	-2,274	29,201	-2,186
	FTE	49	49		+0	+0	49	+0
Total, Transportation & Facilities	\$000	65,632	70,329	+271	+0	-2,274	68,326	-2,003
	FTE	292	292		+0	+0	292	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Transportation and Facilities Maintenance activity is \$68,326,000 and 292 FTE, a program decrease of -\$2,274,000 and 0 FTE below the 2016 enacted level.

### Activity Description

The goals of the Transportation and Facilities Maintenance Programs are to protect employee and visitor safety, resource values, and public investments, as well as to provide facilities management and public lands stewardship. To accomplish this, the BLM focuses on:

- Operating clean, safe, and fully functional facilities at recreation sites;
- Performing annual maintenance on all facilities;
- Conducting comprehensive assessments on the physical condition and regulatory compliance for all facilities;
- Implementing the Five-Year Deferred Maintenance and Capital Improvement Plans;
- Improving capabilities to manage facilities maintenance through development of an automated facility asset management system; and
- Implementing property and asset management planning to accurately inventory and describe assets, establish appropriate levels of investment, and adopt public or commercial benchmarks and best practices.

Within the Transportation and Facilities Maintenance Activity, two subactivities contribute to the stewardship of the BLM facilities:

- Deferred Maintenance and Capital Improvements
- Annual Maintenance and Operational Costs

### Critical Factors

In the contiguous United States, two-thirds of BLM-managed lands are within a one-hour drive of urban areas. As population grows, public use places increasing demands on facilities and resources. Additionally, BLM-managed roads now experience much higher usage rates than when those roads were built, increasing the cost of maintaining them in a safe condition.

## Means and Strategies

In conducting program work, the BLM adheres to the requirements of Executive Order 13327, "Federal Real Property Asset Management." This includes:

- Using public and commercial benchmarks and best practices;
- Employing life-cycle cost-benefit analysis;
- Providing appropriate levels of investment;
- Accurately inventorying and describing all assets; and
- Providing safe, secure, and productive workplaces.

The BLM uses two industry standard performance measures, the Asset Priority Index and the Facilities Condition Index (FCI), for identifying the condition of constructed assets and targeting assets that can be disposed of or require additional annual maintenance or supplemental funding from deferred maintenance. These measures help identify the condition of constructed assets and determine whether the asset requires additional annual maintenance, funding from deferred maintenance, or if the asset should be disposed. Additional criteria used to prioritize projects are the Scope of Benefits, Investment Strategy, and Consequences of Failure to Act. The 4 criteria put emphasis on projects that:

- Repair the highest priority projects that are in the poorest condition;
- Are clearly aligned with DOI, and bureau initiatives and strategic goals;
- Have a positive return on investment that leverages outside interest and/or reduces operation and maintenance liabilities;
- Have unacceptable risk levels if the project is not completed.

### Assessment Process

The BLM conducts baseline condition assessments of recreation sites and administrative sites, including on-site buildings and structures; Maintenance Level 3, 4, and 5 roads, bridges, dams, and major trails. The condition assessment process identifies deferred maintenance needs and determines the current replacement value of constructed assets. Knowing the estimated cost of deferred maintenance and the replacement value of recreation and administrative sites allows the BLM to use the industry standard FCI as a method of measuring the condition and change of condition of facilities.

The FCI is the ratio of accumulated deferred maintenance to the current replacement value (FCI = Deferred Maintenance/Current Replacement Value). It is an indicator of the overall condition of capital assets. The general guideline is that FCI should be below 0.15 for a facility to be considered in acceptable condition. The Facility Asset Management System documents the FCI, and it is a major tool used for management decisions on the disposal of assets.

## Activity: Transportation and Facilities Maintenance

### Subactivity: Deferred Maintenance and Capital Improvements

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Def. Maint. & Cap. Improvements	\$000	26,995	31,387	+88	+0	-2,274	29,201	-2,186
	FTE	49	49		+0	+0	49	+0

Summary of 2017 Program Changes/Internal Transfers for Deferred Maintenance & Capital Improvements:

	(\$000)	FTE
General Program Decrease	-4,049	+0
DOI Southwest Border Radio Initiative	+1,775	+0
<b>Total</b>	<b>-2,274</b>	<b>+0</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Deferred Maintenance and Capital Improvements Program is \$29,201,000 and 47 FTE, a program change of -\$2.274 million from the 2016 enacted level.

**General Program Decrease (-\$4,049,000/+0 FTE)** – The BLM will ensure that key projects necessary to ensure employee and visitor safety remain targeted for completion at the proposed funding level. Deferred Maintenance projects are included in the 5-Year Deferred Maintenance and Capital Improvement Plan, which focuses on projects that stabilize, restore, or replace constructed assets that are mission critical or mission dependent and are in poor condition. The Deferred Maintenance program consists of repairs, renovations, replacements, and other maintenance of buildings, recreation sites, administrative sites, roads, and other constructed assets. Additional related efforts in the Deferred Maintenance program include professional engineering services, program oversight, database management, management of environmental and structural risks of facilities, and dam and bridge inspections.

The BLM will continue to make progress on many of its Deferred Maintenance projects, with a focus on those with human health and safety risk, and will look to the support received from the Department of Transportation's Federal Roads program to ensure that critical infrastructure improvements are achieved along with the physical assets that are targeted for repair.

**DOI Southwest Border Radio Initiative (+\$1,775,000/+0 FTE)** – The 2017 budget request includes an increase of \$1.775 million to implement the Department's Southwest Border Radio Demonstration Project. The Southwest Border Radio Demonstration Project was developed in cooperation with the BLM, the National Park Service, the U.S. Fish and Wildlife Service, and the U.S. Forest Service (USFS) in the border region of New Mexico and Arizona. The Inspector General identified material deficiencies in management of the land mobile radio program and infrastructure. The DOI Bureaus have been working to address these issues and formed the

DOI Radio Executive Steering Committee. An assessment of land mobile radio infrastructure and operations is underway and these funds would be used to implement priority actions. Project work will lead to integration of infrastructure, eliminate duplicative or obsolete infrastructure, and result in future cost avoidance for maintenance. Safety and effectiveness will also be enhanced with upgraded replacement communication hardware. Upgrading facilities and removal of duplicative or obsolete sites will be accomplished in coordination with DOI Bureaus and the USFS.

Funds will be administered by the BLM Arizona State Office. A Southwest Border Regional Demonstration Project team (comprised of regional representatives from each Bureau and a USFS representative) has been formed which will recommend priority actions to the headquarters-based Radio Executive Steering Committee (comprised of executive level representatives from each Bureau). The Radio Executive Steering Committee will review and approve the proposals, in coordination with the Deputy Assistant Secretary for Public Safety, Resource Protection, and Emergency Services. Both bodies have governing charters developed to implement the Department's demonstration project.

## Program Overview

### Program Components

The program:

- Improves the overall condition of BLM facilities;
- Renews aging infrastructure;
- Provides professional engineering services;
- Manages environmental and structural risks of facilities;
- Manages corrective actions identified through Compliance Assessment Safety, Health and the Environment Audits;
- Manages corrective actions identified for accessibility provisions;
- Manages corrective actions for improvement of energy savings; and
- Constructs facilities for visitors and employees that comply with Federal requirements.

The program prioritizes health and safety work and mission critical assets, followed by resource protection, energy and sustainability, and code compliance. This includes replacing and reconstructing existing roads, trails, bridges, recreation and administrative facilities, and buildings.

Energy conservation and sustainability are primary considerations for all new projects. Projects incorporate the Federal Five Guiding Principles and follow the BLM's Sustainable Buildings Implementation Plan to reduce operational costs, improve energy efficiency, and conserve water consistent with Executive Order 13693. Funding is specifically targeted to assess a building's sustainability performance and to make improvements on the identified deficiencies. The BLM priority is to make every building as sustainable and energy efficient as possible. The planning of all the BLM's Deferred Maintenance projects includes consideration of the possible effects climate change may have on the future operations of its facilities. The sites are assessed to determine if design or site adjustments need to be incorporated to account for possible climate change effects.

The BLM Asset Management Plan prioritizes funding to the highest priority assets and plans the disposal of unneeded assets to attain a portfolio of constructed assets in good physical and functional condition, aligned with current and projected requirements.

In an effort to control costs and save future operational maintenance funding, every project is assessed to determine if space can be economized and unneeded facilities can be disposed. The BLM is targeting three percent of its total budget to dispose of unneeded assets and to align to a more efficient portfolio. Every new building project considers alternatives to consolidate current operations and space to gain the best efficiencies and monetary savings.

The BLM categorizes deferred maintenance needs identified through condition assessments and other inspections into specific projects which are proposed in the Five-Year Deferred Maintenance and Capital Improvement Plan. To manage these projects, the BLM observes the following guidelines:

- For projects with estimated costs of \$10 million or more, the program schedules one year for project planning, one year for design, and no more than two years for construction.
- For projects with estimated costs between \$2 million and \$10 million, the program schedules one year for project planning and design, and no more than two years for construction.
- For projects with estimated costs below \$2 million, the program schedules one year for planning and design and one year for construction.

The Five Year Deferred Maintenance and Capital Improvement Plan is updated annually using the Department of Interior's planning guidance through the budget document Attachment G. Attachment G uses 4 categories in assessing a projects funding priority. Ultimately, Attachment G prioritizes a project using its condition and mission priority, those highest priority buildings in the worst condition are the highest priority for funding. In recent years, the BLM expanded planning for each new project to include the impacts of expected life cycle costs on BLM's total budget. Project submissions include the estimated operation expenses, energy cost saving and sustainability actions, and the improvement in facility condition as a result of the project.

### **2017 Program Performance**

In 2017, the planned accomplishments in the Deferred Maintenance and Capital Improvements Program include 65 deferred maintenance projects and six disposal projects. The deferred maintenance projects include corrective actions, sustainability improvements and accessibility projects. The planned projects in 2017 will continue to target mission critical assets in dire need of repair and improve the condition of a number of bridges, recreation sites, and administrative sites.

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**Activity: Transportation and Facilities  
Maintenance**  
**Subactivity: Annual Maintenance and  
Operational Costs**

	2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016	
			Fixed Costs	Transfers	Program Change	Requested Amount		
Annual Maint. & Ops	\$000	38,637	38,942	+183	+0	+0	39,125	+183
	FTE	243	243	+0	+0	+0	243	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Annual Maintenance and Operational Costs Program is \$39,125,000 and 243 FTE, no program change from the 2016 enacted level.

### Program Overview

#### Program Components

The Annual Maintenance Program provides for visitor and employee safety and ensures proper facilities management. Funding provides for emergency, preventive, and cyclical maintenance, and baseline facility condition assessments. The program manages operations, facility services and landscape upkeep in order to maintain BLM facilities in good condition and minimize new deferred maintenance needs.

### 2017 Program Performance

Currently, the BLM reports 4,751 structures and 772 buildings in the Federal Real Property Profile. These structures consist of dams, bridges, electrical and communication systems, trails, and roads. In 2017, this appropriation would allow the BLM to maintain 89 to 90 percent of facilities at an acceptable level.

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# National Conservation Lands



**Activity: National Conservation Lands**  
**Subactivity: National Monuments & National Conservation Areas**

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
NMs & NCAs	\$000	31,819	36,819	+175	+0	+13,651	50,645	+13,826
	FTE	240	250		+0	+30	280	+30

Summary of 2017 Program Changes/Internal Transfers for NMs & NCAs:	(\$000)	FTE
New Designations and Enhanced Operations	+13,651	+30
<b>Total</b>	<b>+13,651</b>	<b>+30</b>

**Justification of 2017 Program Changes**

The 2017 budget request for the National Monuments & National Conservation Areas Program is \$50,645,000 and 280 FTE, a program change of +\$13,651,000 and +30 FTE from the 2016 enacted level.

**New Designations and Enhanced Operations: (+\$13,651,000/+30 FTE) –**

The National Conservation Lands comprise 30 million acres of the most ecologically rich and culturally significant lands managed by the Bureau of Land Management. Our Nation’s newest conservation systems, the National Conservation Lands, are a cherished part of the BLM’s multiple use and sustained yield mission. They are the mountains, valleys, islands, and forests where Americans hunt and fish, hike, paddle, and ski.



*Grand Staircase Escalante NM, Utah*

American history is preserved within the National Conservation Lands through their unique cultural, ecological and scientific values. These special places are engines for economic growth, attracting visitors and new residents to some of the fastest growing corners of the West. The proposed increase represents an investment in the communities that benefit from these areas and an opportunity to grow the outdoor economy of the West.

The 2017 budget request includes an increase of \$13.7 million to support critical resource protection and maintenance work on the National Conservation Lands. This investment addresses some of the system’s most basic infrastructure and maintenance needs, including signs and kiosks, campground benches, larger trash dumpsters, bathroom facilities, and new access-point facilities needed to ensure the public health and safety of visitor centers. Funding for the visitor centers will accommodate public demand for increased hours of operation, program offerings and greater accessibility to National Conservation Lands. Additional priority

efforts include eradicating invasive plants that jeopardize native species and contribute to unnatural and increasingly difficult-to-manage fire regimes; protecting equipment investments from weather; conducting inventories of the world-class and often endemic resources, objects, and values for which each unit was designated; and implementing the provisions of the resource, science and travel management plans that the agency develops in cooperation with States, Tribes, local governments, partners and the public.

The increase also supports critical staff positions, including dedicated unit managers, essential resources specialists, outdoor recreation planners, partnership/volunteer/youth coordinators, law enforcement, and seasonal park and river rangers needed to staff visitor centers and manage the multiple uses and unique conservation values of the units. Funds will allow the program to support the Secretary's youth initiative and implement priority restoration work.

### Program Overview

This program encompasses the BLM's 23 NMs, 16 NCAs, three Outstanding Natural Areas, one Cooperative Management and Protection Area, and one Forest Reserve. These units of the National Conservation Lands are managed to conserve, protect, restore, and enhance America's national and cultural heritage, while providing outstanding recreational opportunities and public access for hunting, fishing, and other uses. National Conservation Lands represent about 12.5% of the BLM-managed public lands, but attract over 25% of our visitors.

These special places span the breadth of BLM-managed public lands and include such diverse lands as the 1.2 million-acre Steese NCA, which protects two of Alaska's most important caribou herds; King Range National Conservation Area, America's first NCA, designated in 1970 along California's Lost Coast; Jupiter Inlet Lighthouse Outstanding Natural Area on the Atlantic coast of Florida; and Colorado's Canyons of the Ancients NM which protects the greatest known density of



*Grand Gulch Wilderness Study Area, Utah*

First American archeological sites in the United States, including cliff dwellings, villages, kivas, shrines, agricultural fields, and rock art, some of which are over 10,000 years old. Traditional activities such as hunting, rock hounding, managed off-highway vehicle use, livestock grazing and Native American cultural and religious uses continue throughout many of these landscapes.

### Connecting People to the Land

More than 64 million people live within 100 miles of BLM-managed lands in the West. The elevated profile of National Monuments and National Conservation Areas attract regional, national, and international visitors. More people recreate on public lands than ever, and this growing level of visitation presents the BLM with the challenge of providing more responsive recreation management, higher levels of visitor services, and additional law enforcement to ensure visitor safety.

## Engaging the Next Generation

The Department of the Interior is engaging the next generation of public land stewards through the Secretary's Youth Initiative, encouraging young people to Play, Learn, Serve, and Work on their public lands.

For example, at the Grand Staircase-Escalante NM in southern Utah, a native plant restoration project is an innovative and highly regarded partnership that effectively connects youth to the great outdoors through habitat restoration. The BLM worked with the monument's friends group to engage over 100 students from the nearby Kanab High School in seed collection and propagation, invasive plant species removal, and planting the drought-tolerant native plant seedlings they had grown to restore wildlife habitat. This partnership offers hands-on experiences in the natural sciences to students. The BLM engages in over 50 similar partnerships that work to support the NMs and NCAs.

## Advancing Scientific Knowledge

The NMs and NCAs serve as long-term reserves within an ecological landscape for vulnerable native plant and animal populations. Scientific data on the conditions, trends, and relationships of these resources are critical for managers when determining how to successfully adapt management to address land health stressors, such as climate change, changing fire regimes, the spread of invasive and exotic species, and human population growth.

## Creating Economic Opportunities

Communities surrounding the units of the National Conservation Lands derive significant economic benefits through tourism. The BLM, in cooperation with local communities, traditionally supports the creation of recreation and visitor facilities in nearby gateway communities rather than building extensive facilities within the National Conservation Lands.

For example, two independent studies conducted by BBC Research & Consulting in 2012 found that local economic impacts associated with designation of national monuments in New Mexico would be expected to increase:



*Organ Mountains-Desert Peaks NM, New Mexico*

- from \$10.2 million to as high as \$17.6 million, which represents an increase of approximately \$7.4 million in regional economic activity in and around Las Cruces, New Mexico due to designation of Organ Mountains-Desert Peaks National Monument.
- by about 279 jobs, from about 312 jobs per year in Rio Arriba and Taos Counties, New Mexico, to about 591, due to designation of Rio Grande del Norte National Monument.

<b>National Monuments &amp; National Conservation Areas Funding By BLM State Office</b>			
<b>BLM State Office</b>	<b>2015 Actual</b>	<b>2016 Enacted</b>	<b>2017 Request</b>
Alaska	443	633	1,213
Arizona	6,328	7,063	9,463
California	4,656	4,656	6,516
Colorado	3,157	3,627	4,428
Eastern States	150	225	725
Idaho	2,346	2,623	3,443
Montana/Dakotas	1,528	1,655	2,055
Nevada	1,184	1,644	3,594
New Mexico	1,039	2,484	4,284
Oregon/Washington	1,377	1,782	2,732
Utah	<u>5,725</u>	<u>6,460</u>	<u>8,760</u>
<i>Subtotal, State Allocations</i>	27,933	33,562	47,213
National Level Program Support†	1,529	3,257	3,257
Fixed Cost Changes (to be allocated)			175
<b>Total</b>	<b>31,819</b>	<b>36,819</b>	<b>50,645</b>
<i>†Includes funds supporting Washington Office, National Operations Center, National Training Center, and Bureau-Wide Administrative Support</i>			
<i>NOTE: The 2017 State Office Request is an estimate shown for illustrative purposes. Actual State Office requests are subject to change based on State Office priority project submissions and conditions on the ground requiring adjustment during Planning Target Allocations.</i>			

### 2017 Program Performance

In 2017, the program will expand on its successes and focus on managing NMs and NCAs as an integral part of the BLM's multiple-use and sustained-yield mission, including by showcasing the accomplishments of BLM programs in conservation, cultural preservation, and recreation. Key accomplishments planned in 2016 include:

- Addressing critical facilities and equipment maintenance needs to ensure public safety and enjoyment, and the protection of resources.
- Providing resource protection and public safety, especially in challenging high use areas and near international borders.
- Engaging communities to provide sustainable recreational experiences to local residents and visitors, which benefits families and local economies.
- Fostering and supporting partnerships, including with Friends groups, to conserve, protect, restore, and provide for responsible access and use of these special places.

- Expanding volunteer opportunities, especially to veterans and youth, so that more volunteers can have enriching experiences and make important contributions.
- Providing highly regarded education and interpretation to the public.
- Incorporating the newest additions to the NMs and NCAs program into the National Conservation Lands system by hiring critical managers and staff and assigning organizational codes to each unit for more transparent, efficient, productive use of funding.
- Implementing completed land use plans developed in cooperation with States, Tribes, local governments, partners, and the public and developing step-down plans to provide detailed standards for managing specific uses through cooperative and public processes.
- Assessing, inventorying, and monitoring the unique resources, objects, and values for which NMs and NCAs were designated, including rare, world-class, irreplaceable cultural and heritage resources, to ensure appropriate stewardship and protection.
- Developing science plans for NMs and NCAs to provide a solid foundation for decision-making and address major landscape-level challenges, from the effects of climate change to science-based mitigation.
- Eradicating and controlling invasive plants, conducting vegetation treatments, reclaiming surface disturbance, restoring healthy ecosystem function, and promoting habitat connectivity and landscape-scale ecological sustainability.
- Engaging and employing youth in all aspects of Play, Learn, Serve, and Work.

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# Challenge Cost Share



## Activity: Challenge Cost Share

	2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016	
			Fixed Costs	Transfers	Program Change	Requested Amount		
Challenge Cost Share	\$000	2,413	2,413	+0	+0	-2,413	0	-2,413
	FTE	5	5	+0	+0	-5	0	-5

Summary of 2017 Program Changes/Internal Transfers for Challenge Cost Share:		(\$000)	FTE
Program Elimination		-2,413	-5
<b>Total</b>		<b>-2,413</b>	<b>-5</b>

### Justification of 2017 Program Changes

The 2017 budget request for the Challenge Cost Share Program is \$0 and 0 FTE, a program change of -\$2,413,000 and -5 FTE from the 2016 enacted level, which eliminates the program.

**Program Elimination (-\$2,413,000/-5 FTE)** – The 2017 budget request eliminates funding for the Challenge Cost Share program to focus on other higher-priority programs and initiatives.

### Program Overview

#### Program Components

The Challenge Cost Share (CCS) Program allows the BLM to partner with local organizations to conduct on-the-ground habitat, recreation and cultural resource work. The BLM leverages CCS funds with partners' monies or other in-kind contributions, at a minimum 1:1 rate. When appropriate, CCS funds are focused in high priority areas and aligned with other BLM funding. Some very successful projects have recently combined upwards of \$6.00 in partner contributions for every \$1.00 of CCS funds.

BLM partners represent a broad spectrum of organizations that work to conserve public lands, enrich the public's outdoor experience, and invite rural and urban residents to explore America's Great Outdoors. These organizations care about the health of local communities, recreation and tourism, cultural heritage, forestry, oil and gas drilling, minerals and mining, livestock grazing, scientific research, wildlife, interpretation and environmental education. BLM partners include:

- Federal, State and municipal agencies;
- Recreation and social groups;
- Non-profit organizations;
- School districts, colleges, and universities;
- Special interest groups;
- National advocacy groups;
- Industry, private corporations and local businesses; and
- The Girl Scouts of the USA and the Boy Scouts of America.

### Critical Factors

Partnerships, through programs such as CCS, are vital to the Bureau's success. The BLM's commitment to and involvement with local communities is the key to reach stakeholders and youth. In turn, these successful relationships are an effective way to complete the following strategic work:

- Survey, monitor and inventory resources;
- Restore public land health;
- Support threatened and endangered species management;
- Enhance recreational experiences;
- Manage off-highway-vehicle use;
- Provide visitor services and facilities;
- Conduct public outreach and education projects;
- Support emerging partnership development; and
- Increase the capacity of partners to secure more resources and accomplish more on-the-ground work.

### Means and Strategies

Individual CCS projects are prioritized and selected at the local and State level by an interdisciplinary team of BLM State and field office personnel. That prioritized list is then forwarded to the National CCS Team. The National CCS Team evaluates the merit of projects and approves them, in coordination with BLM State office program leads. Project selection criteria include the project's ability to:

- Focus funding in priority areas such as units of the National Conservation Lands and Healthy Landscape focal areas;
- Provide multiple program benefits;
- Restore or sustain BLM land health by accomplishing on-the-ground work that focuses on important habitats;
- Protect cultural and heritage resources and meet public demand for diverse recreational opportunities; and
- Sustain multiple valued and beneficial partnerships.

### 2017 Program Performance

In 2017, the program will be eliminated.

# Workforce and Organizational Support



## Activity: Workforce and Organizational Support

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Administrative Support	\$000	47,127	50,942	+197	+0	+0	51,139	+197
	FTE	284	284		+0	+0	284	+0
Bureauwide Fixed Costs	\$000	91,010	93,645	-996	+0	+0	92,649	-996
	FTE	0	0		+0	+0	0	+0
IT Management	\$000	25,696	25,958	+119	+0	+0	26,077	+119
	FTE	109	109		+0	+0	109	+0
Total, Workforce & Organizational Support	\$000	163,833	170,545	-680	+0	+0	169,865	-680
	FTE	393	393		+0	+0	393	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Land Resources activity is \$169,865,000 and 393 FTE, no program change from the 2016 enacted level.

### Activity Description

Workforce and Organizational Support funds services related to general-use automated systems and specified business practices not directly tied to a specific program output, such as human resources management, equal employment opportunity, financial management, property and acquisition management, and information technology management.

**Estimated Workforce and Organizational Support Costs** – Section 403 of Division F of the 2016 Consolidated Appropriations Act (P.L. 114-113) requires that the “amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities, and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations” be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate.

<b>Administrative Costs (Section 403)†</b>				
<b>\$000</b>	<b>2015 Actual</b>	<b>2016 Enacted</b>	<b>Requeste d Amount</b>	<b>Change from 2016</b>
Administrative Support	47,127	50,942	51,139	+197
Bureauwide Fixed Costs	91,010	93,645	92,649	-996
IT Management	25,696	25,958	26,077	+119
<b>Subtotal, Direct Appropriations</b>	<b>163,833</b>	<b>170,545</b>	<b>169,865</b>	<b>-680</b>
<b>National Assessments</b>	38,866	38,371	40,431	+2,060
<b>State/Regional Assessments</b>	114,549	116,267	118,011	+1,744
<b>Subtotal, Assessments</b>	<b>153,415</b>	<b>154,638</b>	<b>158,442</b>	<b>+3,804</b>
<b>Total, Administrative Costs (Sec. 403)</b>	<b>317,248</b>	<b>325,183</b>	<b>328,307</b>	<b>+3,124</b>

† Shown as estimated amounts for fiscal years 2016 and 2017

The BLM funds the costs described in Section 403 through a combination of direct appropriations in this activity (Workforce and Organizational Support) and program assessments. For 2017, the BLM estimates these requirements will be approximately \$328.3 million, a \$3.1 million increase from the estimate for 2016, as shown in the table above.

Direct Appropriations – In 2017, the BLM requests \$169.9 in direct appropriations for activities described in Section 403 in three subactivities: Administrative Support, Bureauwide Fixed Costs and Information Technology Management. This provides approximately 52 percent of the funding necessary to maintain these functions.

Program Assessments – In addition to direct appropriations, and in order to provide the level of funding needed to support operations, the BLM assesses its programs at both the national and State-office levels. These assessments provide about 48 percent of the BLM's total Section 403 costs. The estimated program assessments in 2017 are \$158.4 million. These program assessments are conducted with the oversight and administrative management of the BLM Director, Executive Leadership Team, and Information Technology Investment Board.

- *National Assessments* pay for administrative support, Bureauwide program activities, and information technology programs, many of which are mandated and/or fixed costs assessed by the Department through the DOI Working Capital Fund. These initiatives benefit all programs or all employees, and cannot be identified as benefiting any one program. National program assessments are prorated to program areas based upon funding levels and include approximately \$1.0 million for the Bureau's Priority Fund, which is used to assist field offices and programs with high-priority, unplanned or unfunded needs which arise during the fiscal year.
- *State (Regional) Assessments* pay costs at the State level that are not identifiable to a specific program output. In this way, for example, all programs within a State fund support services staff salaries. These costs are prorated to program areas based upon funding levels, historical costs and FTE usage.

**DOI Working Capital Fund** – The Department of the Interior (DOI) manages a Departmental Working Capital Fund (WCF) to provide services to the BLM and other DOI bureaus and offices. The BLM pays for these services with a combination of direct appropriations and program assessments. Program assessments are typically used for services that benefit the entire organization and support the DOI Strategic Plan, BLM focus areas, and DOI requirements. Many of these services are standard and reoccur on an annual basis, but some are fee-for-service based. The DOI and BLM have reimbursable service agreements for these services. The detailed tables that follow show the BLM’s portion of Departmental WCF fees for services, both centrally billed and direct billed, for 2015 through 2017.

**WORKING CAPITAL FUND REVENUE - Centralized Billing**  
**FY 2017 President's Budget**  
**BUREAU OF LAND MANAGEMENT**  
(\$ in thousands)

Activity/Office	2015 Revised	2016 Pres Budget	2016 Revised	2017 Estimate
FBMS Infrastructure Hosting & Support	2,203.2	2,181.0	2,181.0	2,214.4
FBMS Master Data Management	180.0	0.0	0.0	0.0
<b>FBMS Business Integration Office</b>	<b>2,383.2</b>	<b>2,181.0</b>	<b>2,181.0</b>	<b>2,214.4</b>
Aviation Management	2,879.8	3,470.9	3,470.9	3,786.4
Office of Aviation Services	2,879.8	3,470.9	3,470.9	3,786.4
Mail and Messenger Services	54.9	53.3	53.3	53.7
Safety, Environmental, and Health Services	29.2	28.3	28.3	28.5
Shipping/Receiving & Moving Services	17.3	17.6	17.6	17.7
Vehicle Fleet	2.1	2.6	2.6	2.6
Personal Property Accountability Services (formally Property	24.3	21.8	21.8	21.9
Interior Complex Management & Svcs	26.0	19.9	19.9	20.0
Departmental Library	211.6	184.9	184.9	266.1
Mail Policy	44.2	38.6	38.6	38.2
Conference and Special Events Services (formally Audio Visual	41.0	40.5	40.5	40.8
Space Management Services	14.2	12.6	12.6	12.7
<b>Office of Facilities &amp; Admin Services</b>	<b>464.8</b>	<b>420.1</b>	<b>420.1</b>	<b>502.3</b>
Valuation Services	62.6	82.1	82.1	81.9
Office of Valuation Services	62.6	82.1	82.1	81.9
<b>Subtotal OS Shared Services</b>	<b>5,790.3</b>	<b>6,154.2</b>	<b>6,154.2</b>	<b>6,585.0</b>
Indian Water Rights Office	86.8	69.4	69.5	69.5
Alaska Affairs Office	227.5	230.2	230.2	230.2
Alaska Resources Library & Info Services	538.4	538.6	538.4	538.4
Departmental Museum	139.2	167.9	167.9	166.1
<b>Secretary's Immediate Office</b>	<b>992.0</b>	<b>1,006.1</b>	<b>1,006.0</b>	<b>1,004.2</b>
Document Management Unit	213.3	63.8	63.8	90.6
FOIA Tracking & Reporting System	275.6	261.0	261.0	247.3
Executive Secretariat	488.9	324.8	324.8	337.8
Departmental News and Information	129.0	176.6	176.6	174.7
Office of Communications	129.0	176.6	176.6	174.7
Asbestos-Related Cleanup Cost Liabilities	3.0	3.0	3.0	3.0
FedCenter	1.9	1.9	1.9	1.9
Compliance support ESF-11/ESF-11 Website	16.4	16.4	16.4	16.4
<b>Office of Environmental Policy and Compliance</b>	<b>21.3</b>	<b>21.3</b>	<b>21.3</b>	<b>21.3</b>

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**BUREAU OF LAND MANAGEMENT**  
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Activity/Office	2015 Revised	2016 Pres Budget	2016 Revised	2017 Estimate
Invasive Species Council	214.4	216.4	216.4	216.4
Land and Water Settlements	101.4	102.3	102.3	102.3
Invasive Species DOI Coordinator	38.8	39.2	39.2	39.2
Office of Policy Analysis	354.6	357.9	357.8	357.8
Passport and Visa Services	21.3	22.4	22.4	20.4
International Affairs	21.3	22.4	22.4	20.4
CPIC	37.8	34.5	34.5	34.7
Office of Budget	37.8	34.5	34.5	34.7
Financial Internal Controls & Performance Reporting	70.8	95.7	95.7	94.7
Travel Management Center	33.3	30.0	30.0	34.0
e-Travel (formerly e-Gov Travel)	192.4	163.8	163.8	180.8
Partnerships	0.0		43.5	43.0
Office of Financial Management	296.6	289.5	333.0	352.5
Interior Collections Management System (ICMS)	47.2	47.2	47.2	47.4
Space Management Initiative	50.5	51.3	51.3	50.8
Renewable Energy Certif. & NREL Project Coordination	7.6	42.1	42.1	43.0
Facility Maintenance Management System	51.3	51.8	51.8	51.2
DOT Relocation Technical Assistance (Uniform Act)	7.1	7.1	7.1	7.1
Interior Asset Disposal System O&M	5.1	5.1	5.1	5.1
Office of Property and Acquisition Management	168.8	204.5	204.5	204.4
Planning and Performance Management	167.5	171.3	171.3	169.4
Office of Planning and Performance Management	167.5	171.3	171.3	169.4
Conservation and Educational Partnerships	43.1	43.5	0.0	0.0
Firefighter and Law Enforcement Retirement Team (FLERT)	81.0	76.5	76.5	83.0
Department-wide OWCP Coordination	82.3	80.0	80.0	80.0
OPM Federal Employment Services	53.1	53.6	53.6	53.0
Accessibility and Special Hiring Programs (Formerly ATC)	87.9	88.4	88.4	87.4
Accountability Team	93.2	94.6	94.6	93.6
Employee and Labor Relations Tracking System	4.7	4.7	4.7	4.7
Consolidated Employee Assistance Program	109.9	105.2	105.2	104.0
Office of Human Resources	555.2	546.5	503.0	505.7
EEO Complaints Tracking System	5.3	5.1	5.1	3.7
Special Emphasis Program	5.7	5.7	5.7	5.7

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Activity/Office	2015 Revised	2016 Pres Budget	2016 Revised	2017 Estimate
Office of Civil Rights	11.1	10.8	10.8	9.4
Occupational Safety and Health	215.8	218.7	218.7	216.2
Safety Management Information System (SMIS)	173.1	175.1	175.1	173.1
Office of Occupational Safety and Health	388.9	393.8	393.8	389.4
Leadership Development Programs (DOI Executive Forums)	133.2	137.0	137.0	135.5
Dept-Wide Training Prgms (excluding Learn)	146.1	318.1	144.7	135.6
Learning and Performance Centers Management	123.8	124.1	124.1	110.0
DOIU Management	93.9	95.2	95.2	94.2
Learn	173.4		173.4	162.5
DOI University	670.4	674.3	674.3	637.8
Security (Classified Information Facility)	69.4	74.6	74.6	73.7
Law Enforcement Coordination	98.2	100.1	100.1	99.0
Security (MIB/SIB Complex)	207.5	216.7	216.7	218.2
Victim Witness Coordinator	26.4	26.9	27.0	26.7
OLES Detailees - Training and Compliance	107.2	107.2	107.2	113.7
Office of Law Enforcement and Security	508.6	525.6	525.6	531.3
Interior Operations Center	311.3	316.9	316.9	313.4
Emergency Preparedness	133.5	135.3	135.3	133.8
Emergency Response	168.5	171.4	171.4	197.0
MIB Emergency Health and Safety	4.8	5.1	5.1	5.1
Federal Executive Board	37.5	39.6	39.6	39.1
Office of Emergency Management	655.6	668.2	668.2	688.4
Alternative Dispute Resolution Training	7.1	7.1	7.1	7.1
Collaborative Action and Dispute Resolution	7.1	7.1	7.1	7.1
Cooperative Ecosystem Study Units (CESU)	48.4	48.5	48.5	47.8
CFO Financial Statement Audit	731.8	665.0	665.0	909.8
Department-wide Activities	780.2	713.5	713.5	957.6
Ethics	74.9	75.6	75.6	74.8
FOIA Appeals	98.4	98.8	98.8	99.8
Office of the Solicitor	173.3	174.4	174.4	174.6
<b>Subtotal OS Activities</b>	<b>6,428.1</b>	<b>6,323.1</b>	<b>6,322.9</b>	<b>6,578.4</b>
IT Transformation (ITT)	717.0	600.5	600.5	726.5
Office of the Chief Information Officer	717.0	600.5	600.5	726.5

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**BUREAU OF LAND MANAGEMENT**  
**(\$ in thousands)**

Activity/Office	2015 Revised	2016 Pres Budget	2016 Revised	2017 Estimate
Enterprise Directory Services	272.8	488.2	488.2	494.9
IT Desktop Software Administration	104.7	120.7	120.7	123.2
IOS Collaboration	133.6	165.2	165.2	166.3
Unified Messaging	115.9	160.5	160.5	185.8
<b>Office of IT Service Delivery - End User Services</b>	<b>626.9</b>	<b>934.6</b>	<b>934.6</b>	<b>970.2</b>
Privacy and Civil Liberties	90.4	90.8	90.8	110.9
Identity Credential Access Mgmt	175.2	175.1	175.1	151.5
Threat Management	483.2	841.7	841.7	1,031.5
Information Systems Security Operations (ISSO)	444.0	17.7	17.7	29.3
ITD PPCD Privacy Records	59.0	0.0	0.0	0.0
Office of Information Assurance (OIA)	75.3	55.8	55.8	114.6
Assessment & Authorization Services	25.7	20.8	20.8	26.5
IT Security	34.6	28.4	28.4	127.8
Enterprise Continuous Diagnostics and Monitoring	164.8	150.3	150.3	153.3
Enterprise Security Incident and Event Management Solution	356.6	325.1	325.1	326.7
<b>Office of Information Assurance</b>	<b>1,908.7</b>	<b>1,705.6</b>	<b>1,705.6</b>	<b>2,072.2</b>
Hosting Services	53.7	106.9	106.9	59.0
<b>Office of IT Service Delivery - Hosting Services</b>	<b>53.7</b>	<b>106.9</b>	<b>106.9</b>	<b>59.0</b>
Electronic Records Management	278.2	392.5	392.5	415.6
Solutions, Design and Innovation (SDI) (formerly Web &	58.8	160.2	160.2	152.4
Geospatial Services	0.0	34.4	34.4	34.7
E-Forms	0.0		0.0	266.7
<b>Office of Information and Technology Management</b>	<b>337.0</b>	<b>587.2</b>	<b>587.2</b>	<b>869.4</b>
Enterprise Services Network (ESN)	1,000.7	1,021.7	1,021.7	581.1
Frequency Management Support	147.7	128.1	128.1	121.8
NTIA Spectrum Management	257.6	214.7	214.7	209.9
Radio Program Management Office (NRSPMO)	154.6	140.7	140.7	141.5
Federal Relay Service	8.4	35.7	35.7	35.3
MIB Data Networking	8.2	17.2	17.2	17.5
Telecommunication Services	18.8	43.9	43.9	44.9
ITD Integrated Digital Voice Communications System (IDVC)	33.8	36.5	36.5	36.8
<b>Enterprise Services Network - Central Bill Passthrough</b>	<b>1,487.8</b>	<b>1,987.5</b>	<b>1,987.5</b>	<b>2,464.2</b>
<b>Office of IT Service Delivery - Telecommunications Services</b>	<b>3,117.6</b>	<b>3,626.1</b>	<b>3,626.1</b>	<b>3,653.0</b>

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**BUREAU OF LAND MANAGEMENT**  
(\$ in thousands)

Activity/Office	2015 Revised	2016 Pres Budget	2016 Revised	2017 Estimate
Enterprise Service Desk	0.0	119.9	119.9	0.0
Office of IT Service Delivery - Customer Support Services	0.0	119.9	119.9	0.0
Enterprise Resource Management	244.4	0.0	0.0	0.0
Office of Business Operations	244.4	0.0	0.0	0.0
Architecture & IT Portfolio Performance Management	389.1	349.0	349.0	375.3
Compliance and Audit Management	232.1	237.1	237.1	252.2
IT Budget Formulation & Portfolio Development	290.6	216.4	216.4	302.5
Office of Planning and Performance Management	911.7	802.6	802.6	929.9
Recreation One-Stop	50.5	25.0	25.0	25.0
e-Government Initiatives (WCF Contributions Only)	537.4	441.9	441.9	446.6
Volunteer.gov	15.1	15.1	0.0	0.0
Office of Planning and Performance Management	603.0	482.0	466.9	471.6
<b>Subtotal IT Shared Services</b>	<b>8,520.2</b>	<b>8,965.3</b>	<b>8,950.2</b>	<b>9,751.8</b>
Drug Testing	139.1	143.8	143.8	159.8
Employee Express (Passthrough)	0.0		79.4	109.1
HRSIF - Non-IT Costs	0.0		79.3	82.1
HRLOB - HRSIF	31.5		29.9	33.1
IBC Human Resources Directorate	170.6	143.8	332.3	384.1
FPPS - Non IT	2,593.5	2,657.7	1,950.6	1,923.4
HR LOB - FPPS	29.5		463.6	477.3
IBC Human Resources Directorate	2,623.0	2,657.7	2,414.2	2,400.7
Transportation Services (Household Goods)	2.5	2.5	2.5	2.5
Quarters Program Administration	8.2	16.8	11.0	11.1
Quarters - iQMIS	4.3		5.8	5.8
IBC Financial Management Directorate	15.0	19.3	19.3	19.4
Boise Acquisition Office	1,069.7	1,138.5	1,138.5	1,329.4
IBC Acquisitions Services Directorate	1,069.7	1,138.5	1,138.5	1,329.4
<b>Subtotal Interior Business Center</b>	<b>3,878.3</b>	<b>3,959.3</b>	<b>3,904.3</b>	<b>4,133.7</b>
<b>TOTAL</b>	<b>24,617.0</b>	<b>25,401.8</b>	<b>25,331.6</b>	<b>27,048.8</b>

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**WORKING CAPITAL FUND REVENUE - Direct Billing**  
**FY 2017 President's Budget**  
**BUREAU OF LAND MANAGEMENT**  
(\$ in thousands)

Activity/Office	2015 Actual	2016 Pres Budget	2016 Estimate	2017 Estimate
Reimbursable Mail Services	93.9	78.6	102.5	103.2
Creative Communications	4.2	14.2	11.6	11.7
Office of Facilities & Admin Services	98.2	92.8	114.1	114.9
Valuation Services	0.0	813.6	813.6	806.7
Office of Valuation Services	0.0	813.6	813.6	806.7
Aviation Management	720.9		0.0	0.0
Office of Aviation Services	720.9		0.0	0.0
<b>Subtotal OS Shared Services</b>	<b>819.1</b>	<b>906.3</b>	<b>927.6</b>	<b>921.5</b>
Secretary's Indian Water Rights Office (SIWRO)	0.0	67.0	67.0	67.0
Secretary's Immediate Office	0.0	67.0	67.0	67.0
Office of Environmental Policy and Compliance				
Ocean Coastal Great Lakes Activities	20.2	20.0	20.0	20.2
Office of Policy Analysis	20.2	20.0	20.0	20.2
Office of Budget				
Single Audit Clearinghouse	1.6	1.2	1.2	1.2
Office of Financial Management	1.6	1.2	1.2	1.2
e-OPF	180.6	189.0	189.0	189.0
Office of Human Resources	180.6	189.0	189.0	189.0
EEO Investigations	0.0	15.6	15.6	15.6
Office of Civil Rights	0.0	15.6	15.6	15.6
EEO Training	24.2	24.2	24.4	24.4
Office of Civil Rights	24.2	24.2	24.4	24.4
Online Learning	0.0	61.4	61.4	61.4
DOIU Consolidated Learning Centers	60.3	60.3	60.9	61.5
SESCDP	0.0		18.2	0.0
DOI University (DOIU)	60.3	121.7	140.4	122.9
Office of Law Enforcement, Security, and Emergency Management				
Reimbursable Security Services				
Incident Management Analysis and Reporting System (IMARS)	149.2	149.2	149.2	194.0
Office of Law Enforcement	149.2	149.2	149.2	194.0
Federal Flexible Savings Account (FSA) Program	10.8	42.6	42.7	42.7
Department-wide Activities	10.8	42.6	42.7	42.7

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**WORKING CAPITAL FUND REVENUE - Direct Billing**  
**FY 2017 President's Budget**  
**BUREAU OF LAND MANAGEMENT**  
(\$ in thousands)

Activity/Office	2015 Actual	2016 Pres Budget	2016 Estimate	2017 Estimate
<b>Subtotal OS Activities</b>	446.8	630.4	649.5	677.0
<b>Office of Information Assurance</b>				
Unified Messaging	898.0	1,244.8	1,244.8	1,168.7
ITD Desktop Services	159.6	0.0	0.0	0.0
<b>Office of IT Service Delivery - End User Services</b>	1,057.5	1,244.8	1,244.8	1,168.7
Anti-Virus Software Licenses	209.4	231.9	231.9	231.9
Identity Credential Access Management (ICAM)	1,101.4	1,359.1	1,359.1	1,359.1
Data-at-Rest Initiative	14.7	15.3	15.3	15.8
End Point Manager Licenses	0.0		0.0	329.6
<b>Office of Information Assurance</b>	1,325.5	1,606.3	1,606.3	1,936.4
<b>Data Center Consolidation and Cloud Planning, Analysis and</b>		90.7	90.7	91.8
<b>Office of IT Service Delivery - Hosting Services</b>		90.7	90.7	91.8
ESRI Enterprise Licenses	2,271.7	1,850.3	1,850.3	1,900.9
Electronic Records Management	545.7	594.6	594.6	558.2
Imagery for the Nation	0.0	403.0	403.0	403.0
<b>Office of Information and Technology Management</b>	2,817.4	2,847.9	2,847.9	2,862.1
<b>Enterprise Services Network - Direct Bill Pass Throughs</b>	4,798.8	3,136.3	3,136.3	3,136.3
EID Rack Space	4.2	12.8	12.8	13.5
ISSO ITD Telecommunications	3.9	6.9	6.9	6.9
<b>Office of IT Service Delivery - Telecommunications Services</b>	4,807.0	3,156.1	3,156.1	3,156.6
<b>Office of IT Service Delivery - Customer Support Services</b>				
Architecture & IT Portfolio Performance Management	389.2		0.0	0.0
Office of Planning and Performance Management	389.2		0.0	0.0
Office of Planning and Performance Management				
<b>Subtotal IT Shared Services</b>	10,396.6	8,945.7	8,945.7	9,215.6
<b>IBC Office of the Director</b>				
<b>IBC Human Resources Directorate</b>				
Payroll & HR Systems ex. IT	1,425.3	1,498.0	1,043.8	1,065.2
Payroll & HR Systems Passthrough	0.0		356.8	367.9
HRLOB - Direct Bill	118.4		75.6	76.6
<b>IBC Human Resources Directorate</b>	1,543.7	1,498.0	1,476.2	1,509.7

01/14/2016

**WORKING CAPITAL FUND REVENUE - Direct Billing**  
**FY 2017 President's Budget**  
**BUREAU OF LAND MANAGEMENT**  
(\$ in thousands)

Activity/Office	2015 Actual	2016 Pres Budget	2016 Estimate	2017 Estimate
Indirect Cost Negotiations - DOI Internal SAC DM	46.0	40.7	40.9	59.6
IBC Financial Management Directorate	46.0	40.7	40.9	59.6
Acquisition Services	16.6	0.0		
IBC Acquisitions Services Directorate	16.6	0.0		
<b>Subtotal Interior Business Center</b>	<b>1,606.3</b>	<b>1,538.7</b>	<b>1,517.2</b>	<b>1,569.3</b>
<b>TOTAL</b>	<b>13,268.8</b>	<b>12,021.1</b>	<b>12,040.0</b>	<b>12,383.4</b>

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## Activity: Workforce and Organizational Support

### Subactivity: Administrative Support

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Administrative Support	\$000	47,127	50,942	+197	+0	+0	51,139	+197
	FTE	284	284		+0	+0	+284	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Administrative Support Program is \$51,139,000 and 284 FTE, no program change from the 2016 enacted level.

### Program Overview

The Administrative Support Program funds the following functions:

- Executive and Management Decisions
- Legislative, Public and Regulatory Affairs and Correspondence
- Budget Formulation and Execution
- Financial Management
- Property and Acquisition Management
- Management Systems
- Human Resources
- Program and Management Evaluations
- Service First
- Equal Employment Opportunity
- Privacy
- Safety

### Means and Strategies

The Administrative Support Program funds services related to management and administrative support that cannot be directly tied to a specific program output. The successful management of these services is vital to the effective use of human and capital resources within the BLM. The Administrative Support Program uses a combination of business process engineering and workforce planning strategies as the means to improve and accomplish customer service and effectiveness across the BLM. Each year, the BLM conducts management and program evaluations to identify and acknowledge best practices, procedures and processes. The BLM also measures the satisfaction of external customers, partners, stakeholders, and employees to adhere to the requirements of Executive Order 12862 and the Government Performance and Results Act, and regularly evaluates performance measurements and analysis to ensure these measurements are in alignment with DOI's strategic plan.

## Other Funding Sources

Many of the programs funded by the Administrative Support Program contribute to multiple BLM activities (i.e., Equal Employment Opportunity and Service First) and are also financially supported by many Department and Bureau-wide subactivities that benefit from this work.

## 2017 Program Performance

In 2017, the BLM will emphasize and assure:

- Adequate internal controls on BLM financial systems;
- Compliance with accounting standards;
- Accountability for undelivered order funds;
- Compliance with fiscal laws and regulations;
- Proper accounting, management, and maintenance of capital assets;
- Complete quarterly financial statements, including intra-governmental eliminations;
- Improved electronic data processing; and
- Financial accountability at all levels of the organization.

The Administrative Support Program will focus on the following operations of the Bureau:

Financial Management – The BLM will continue to operate the National Operation Center to offer support services to a variety of critical programs that include fire support, uniforms, property, accounting, contracting, acquisition, space leasing, treasury investments, and the development and operation of financial, procurement, and property systems.

Improved Financial Performance – The BLM will continue to maintain an unqualified (clean) financial audit opinion, and make available to all employees timely and accurate financial information through the Financial and Business Management System (FBMS). The ability to link budget and performance through cost management, as well as access to financial data in real time, has fostered a Bureau-wide ethic of fiscal accountability.

Performance Improvement – The BLM will continue to use the cost management information systems along with other management information tools to evaluate program effectiveness and help allocate budgetary resources across the organization to maximize performance and cost effectiveness.

Disposal of Personal Property – The BLM will continue to dispose of excess personal property to other Federal and State agencies, to donate computers and other electronics to local schools when possible, and to sell working capital fund vehicles and heavy equipment at auction. These activities have reduced overhead costs, increased visibility, improved revenue, and created fast sales and the transfer of monies to the BLM. Proceeds from the sale of vehicles are returned to the working capital fund to help fund replacement vehicles.

Workforce Planning – In 2017, the BLM will continue to refine its workforce planning process to ensure the agency has employees with appropriate skills in the right places at the right times. As a result of workforce planning, the BLM has placed, and will continue to place, more emphasis on entry-level recruiting, career development, and diversification. For example, the Bureau is using the Presidential Management Fellows Program, the Pathways program for students and recent graduates, and other human capital management programs as viable tools

for recruiting and filling entry-level positions and for meeting its future skill requirements. In addition, the BLM will continue to place greater emphasis on hiring veterans and veterans with disabilities through the following special hiring authorities and appointments: Veterans Recruitment Appointment, Veterans Employment Opportunity Act of 1998, 30 Percent or More Disabled Veteran, Disabled Veterans Enrolled in a VA Training Program, Schedule A Appointing Authority, and Veterans Preference.

Service First – The BLM will use the permanent Service First authority across the entire Department of the Interior and U.S. Forest Service in 2017. The Bureau will work to improve customer service and seek additional cost savings and productivity improvements. The BLM currently shares 61 sites with other agencies and will continue to expand on these. For more information on Service First, please see the Crosscutting Programs chapter.

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## Activity: Workforce and Organizational Support

### Subactivity: Bureauwide Fixed Costs

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Bureauwide Fixed Costs	\$000	91,010	93,645	-996	+0	+0	92,649	-996
	FTE	0	0		+0	+0	0	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Bureauwide Fixed Costs Program is \$92,649,000 and 0 FTE, no program change from the 2016 enacted level.

### Program Overview

Bureauwide Fixed Costs funds the following:

- The Departmental Working Capital Fund (WCF) – These fixed costs are billed by the Department of Interior's (DOI) Office of the Secretary and the DOI's National Business Center, and categorized as two separate bills:
  1. *Central Bill* – Mandatory services provided by the DOI Office of the Secretary and the DOI National Business Center.
  2. *Direct Bill* – Primarily a fee for service bill. These are services provided under reimbursable agreements between the BLM and DOI.
- The Space Management program portion of the Bureauwide Fixed Costs focuses primarily on general purpose and warehouse space acquired through direct lease and General Services Administration (GSA)-provided space in federally owned or leased buildings.
- The Land Mobile Radio (LMR) program provides two-way radio voice services for the BLM. The primary customers are wildland fire, law enforcement, and resources staff. The radio systems are used jointly with other Federal, State, and local agencies in support of wildland fire and law enforcement operations. The LMR program is working to join the radio network nationally among partners, cooperators, and other stakeholders to build a homogenous and holistic architecture.
- The Telecommunications program manages communication services critical to the day to day operations of the BLM. The program manages fixed-line office phones and fax, mobile voice and data devices and service contracts, video conferencing, and internal and external data networks service contracts, including network security. The program's management of the radio network supports public safety, connecting firefighters and law enforcement through agency and inter-agency managed microwave radio links, base stations, and radios, including contracts for satellite radios service. Communications (fax, print, voice, and data) during Continuity of Operations relies on the established efforts of the Telecommunications program. Costs for these services are funded from individual State/National Centers and the DOI Working Capital Fund.

- The Federal Personnel Payroll System (FPPS) monitors the costs of using and maintaining BLM's personnel management systems.
- The Mail and Postal Costs component of this program assesses and monitors BLM's mail and postal service utilization, which includes base metered postage machines, next day postage, and other express mail services.
- The Unemployment Insurance Costs are based upon historical data, paid through the Department's Federal Employees Compensation Account of the Unemployment Trust Fund to the Department of Labor, pursuant to the *Omnibus Budget Reconciliation Act of 1980*.
- The Workers Compensation amount requested for 2017 covers costs for a 12-month period and is paid to the Department of Labor through the Department's Employee Compensation Fund, pursuant to 5 U.S.C. 8147(b) as amended by Public Law 94-273.

<b>Bureauwide Fixed Costs†</b>			
<b>\$000</b>	<b>2015 Actual</b>	<b>2016 Enacted</b>	<b>2017 Request</b>
Space Rental - GSA	20,422	26,497	30,015
Space Rental - Non-GSA	33,828	31,614	30,968
<b>Subtotal, Rental</b>	<b>54,250</b>	<b>58,111</b>	<b>60,983</b>
BLM Radio Support	585	519	519
Workers' Compensation	8,406	8,153	8,091
Unemployment Compensation	7,370	6,981	6,051
DOI Working Capital Fund Centralized Bill	24,617	25,331	27,048
DOI Working Capital Fund Direct Bill	13,269	12,040	12,383
Other Fixed Costs	4,362	8,428	3,537
<b>Total</b>	<b>112,859</b>	<b>119,563</b>	<b>118,612</b>
Fixed Costs Funded Through Program Assessments	-21,849	-25,918	-25,963
<b>Total, Bureauwide Fixed Costs</b>	<b>91,010</b>	<b>93,645</b>	<b>92,649</b>

†Shown as estimated amounts for fiscal years 2016 and 2017

### Critical Factors

The critical factors in the Bureauwide Fixed Costs program:

- The Space Management program promotes and encourages sustainability. All new BLM facilities comply with BLM Sustainable Building Implementation Plans, while addressing current and emerging needs.
- Presidential Memorandum – Disposing of Unneeded Federal Real Estate dated June 10, 2010, emphasized the need to:
  - Improve utilization of facilities through innovative space management, such as alternative work arrangements and telework agreements.
  - Eliminate lease arrangements that are not cost effective.
  - Pursue consolidation opportunities with other agencies in common asset types, such as data centers, office space, and warehouses.

- Department of the Interior Memorandum – Space and Facilities Management dated August 2, 2011, emphasized that real property (owned and leased) is a key aspect of the overall cost cutting campaign. The utilization standard for general purpose office space has now been set to 180 square feet per person. Opportunities for teleworking in order to reduce overall real property costs are encouraged.

### **2017 Program Performance**

In 2017, the BLM will continue to manage the LMR Program, telecommunications, the FPPS, unemployment costs, mail and postal costs, the Employee Compensation Fund, and office space leasing, which is the largest of BLM's fixed costs.

The BLM established the following long term goals for Space Management:

- Reduce space usage whenever a reduction can be accomplished economically;
- Evaluate offices for consolidation;
- Maximize the use of existing, owned buildings and warehouses whenever possible;
- Extend existing leases, when appropriate, to allow time to prioritize long-term leasing actions;
- Whenever beneficial, reduce the size and change the layout of leased warehouses;
- Implement the use of high-density, storage systems for office and warehouse areas; and
- Promote telework wherever a corresponding reduction in leased office space would occur.

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## Activity: Workforce and Organizational Support

### Subactivity: Information Technology Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
IT Management	\$000	25,696	25,958	+119	+0	+0	26,077	+119
	FTE	109	109		+0	+0	109	+0

#### Justification of 2017 Program Changes

The 2017 budget request for the Information Technology Management Program is \$26,077,000 and 109 FTE, no program change from the 2016 enacted level.

#### Program Overview

The Information Technology Management Program is responsible for managing all aspects of information technology (IT) throughout the BLM. These responsibilities include:

- *Bureauwide Policy* – Planning, directing, coordinating, and evaluating IT programs, policies and procedures and providing guidance for the effective use of IT resources in support of BLM programs and services in accordance with the Clinger-Cohen Act of 1996 and the Government Performance and Results Act of 1993;
- *Capital Planning and Investment Control (CPIC)* – The Clinger-Cohen Act of 1996 and the E-Government Act of 2002 sought to improve mission performance by requiring agencies to use a disciplined CPIC process to acquire, use, maintain and dispose of the BLM's IT portfolio. CPIC is a dynamic process in which IT investments are selected and then continually monitored and evaluated to ensure each chosen investment is well managed, cost effective, and supports the mission and strategic goals of the BLM. CPIC ensures that all IT investments align with BLM's mission and support business needs while minimizing risks and maximizing returns throughout the investment's life cycle.
- *Information Resources Management* – Providing management and oversight over implementation of the Freedom of Information Act, Open Government Initiative, Section 508 of the American Disabilities Act, IT Configuration Management, Indian Trust and the Records Act; ensuring that manual and electronic records are accessible, properly maintained, documented, scheduled and disposed of; and, ensuring that automated systems are documented and scheduled and that records preservation orders are tracked and monitored so that records are properly secured, accessible and retrievable to respond to court orders and requesters;
- *IT Transformation Implementation* – The BLM continues to pursue streamlining efforts to improve IT service delivery and reduce the overall costs for IT support across the BLM. In 2017, the BLM will have its IT support and services delivered in a consistent manner with a focus on customer needs.

- *Data Management and Administration* – Ensuring that the information the BLM uses in decision making is accurate, timely, useful, and free of bias;
- *National Applications* – Managing national applications and systems throughout their life cycles of investment and ensuring successful service delivery through all phases—concept, design, construction, data management, operation, support and maintenance—in order to meet business needs while ensuring system data integrity;
- *Infrastructure* – Providing compliant and effective technology platforms and environments; and
- *Security* – Developing security-related policies, procedures, and guidance; providing technical assistance for securing major applications and general support systems; overseeing security compliance efforts; maintaining an inventory of systems and their security Assessment and Authorization status; coordinating IT Security Education and Awareness efforts; and developing IT security performance measures and reports.

### Other Funding Sources

Every BLM program contributes some funding for IT activities. Major investments in the BLM IT portfolio are funded by the programs supported by those investments. IT infrastructure investments are funded proportionately by all programs.

### 2017 Program Performance

There are no specific performance goals for this subactivity; however, the BLM has achieved success in lowering the overall costs of IT by implementing dynamic approaches to respond to national priorities. Because the scope of the information needed to support the BLM's mission is vast, the IT systems required to manage this information have grown increasingly complex. Information systems are used throughout the BLM to collect data on land health, water quality, restored ecosystems, hazardous fuels reduction, land contamination, habitat protection, cultural and natural heritage resources, oil and gas leases and permits, lease applications, minerals and grazing permits, timber sales, recreation, and financial transactions. Managing our data as a corporate asset will ensure the BLM has greater consistency and integration while reducing redundancies.

Additionally, BLM's IT Transformation initiative will continue to achieve savings through labor reductions, consolidation of infrastructure staff, servers and data centers closures, contract consolidations and the promotion of mobility which will allow us to reduce our overall footprint. IT contracts will be reevaluated through the IT Spend Plan process, resulting in maximization of bulk purchases to achieve additional savings and standardization. The BLM will continue its commitment to ensuring that information technology efforts align with Departmental initiatives focused on consolidation, shared services, and improving IT cost efficiency. The Bureau will continue to seek further centralization efforts internally, while expanding consolidation efforts by working with other Bureaus to share services in areas the of Data Center Consolidation, Geospatial, IT Acquisitions, and Application Consolidation to achieve greater cost efficiency.

# Mining Law Administration



## Activity: Mining Law Administration

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Mining Law	\$000	39,696	39,696	+0	+0	+0	39,696	+0
Administration	Offset	-39,696	-39,696	+0	+0	+0	(39,696)	+0
	FTE	308	308		+0	+0	308	+0

*Notes: The actual receipt estimates for 2016 is \$54,981,000 and for 2017 is \$55,117,000*

### Justification of 2017 Program Changes

The 2017 budget request for Mining Law Administration is \$39,696,000 and 308 FTE. The budget assumes the program's operating cost will be fully offset by revenue from mining claim maintenance and location fees.

### Program Overview

#### Program Components

The BLM Mining Law Administration Program is responsible for providing access to locatable mineral resources in an environmentally responsible manner. Locatable minerals are those governed by the General Mining Law of 1872, and include gold, silver, lead, zinc, copper, uranium, and molybdenum. To provide access to these mineral resources, the BLM administers mining claims, manages on the ground activities, and collects location and annual maintenance fees. The BLM also processes notices for exploration and plans of operations for exploration and production of these minerals. Reclamation plans are evaluated and financial guarantees are required to ensure adequate reclamation that meets the requirements of Federal law. The BLM inspects operations governed by notices and plans of operation to ensure compliance with all applicable laws and regulations. The BLM takes enforcement actions when the terms and conditions of an operation have been violated. Finally, the BLM is responsible for conducting mineral examinations to determine valid existing rights under the mining laws.

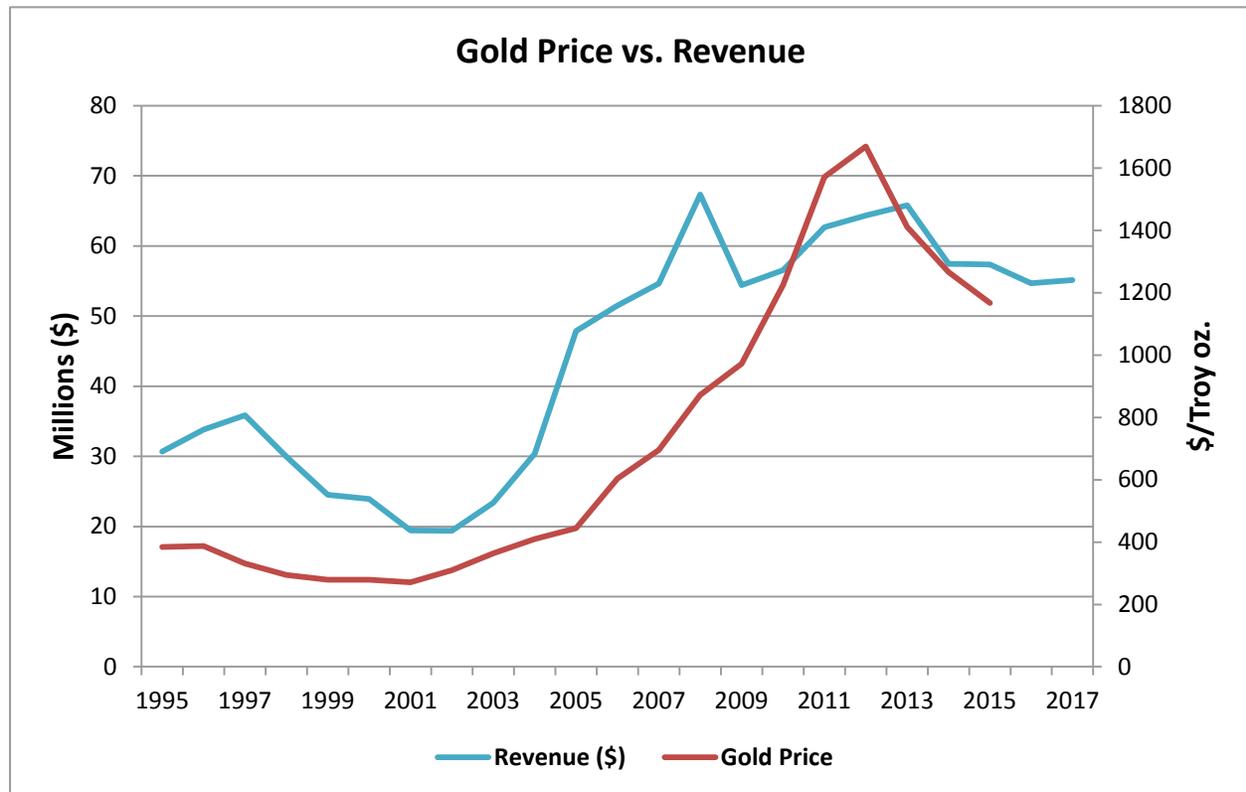
#### The General Mining Law of 1872

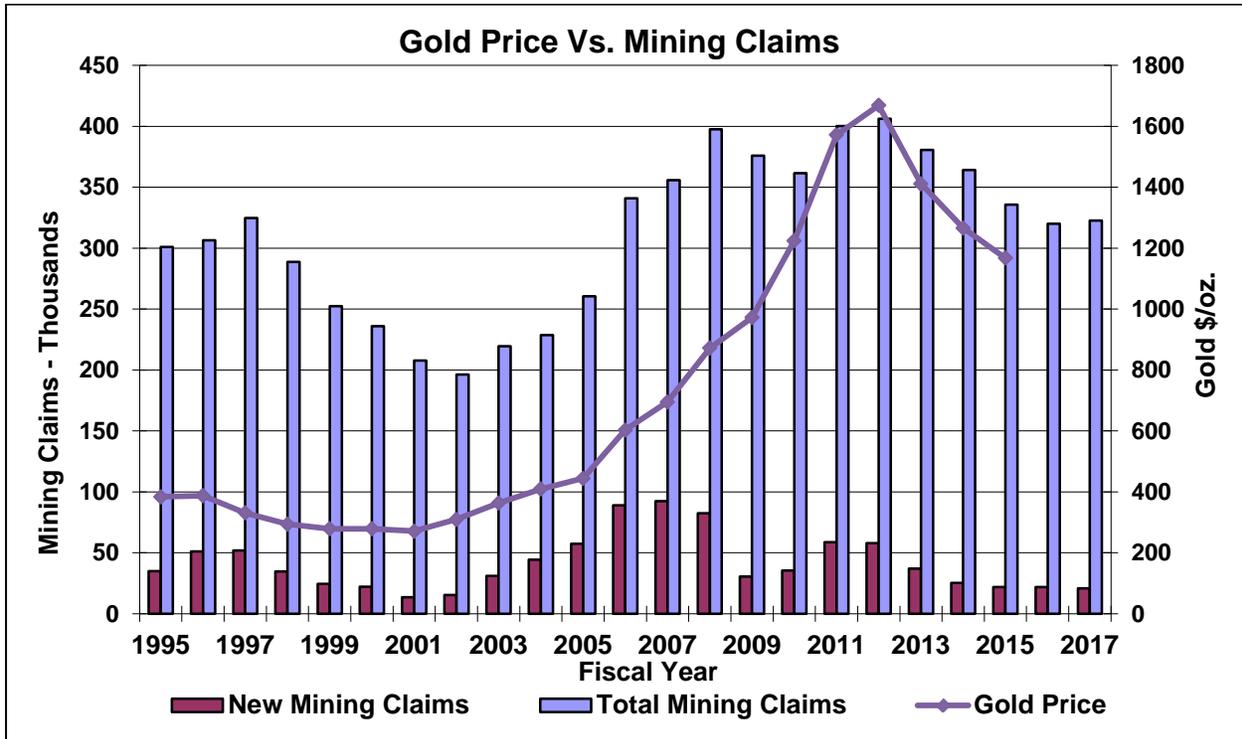
The BLM, through the Mining Law Administration program, is responsible for managing exploration and development of locatable minerals available on public lands under the General Mining Law of 1872, and the Federal Land Policy and Management Act of 1976. Since 1993, claimants have been required to pay an annual maintenance fee for each mining claim and site in lieu of performing assessment work as previously required under the General Mining Law of 1872. The BLM is required by statute to adjust these fees every five years, or more frequently if determined reasonable, to reflect changes in the Consumer Price Index published by the Bureau of Labor Statistics. Maintenance and location fees were most recently increased at the beginning of the 2015 assessment year. Maintenance fees were increased from \$140 to \$155, and location fees, required for all new claims in addition to the maintenance fee, were increased from \$34 to \$37 per claim, and they currently remain at these levels. Prior to the 2015 adjustment, the fees were last adjusted in 2009.

In 2014, the BLM implemented the Mining Claim Maintenance Fee Payment Portal so that mining claimants could begin paying their annual maintenance fee online starting with the 2015 assessment year. Based on the initial filings, the portal has provided claimants an efficient and secure means of paying their maintenance fee online. The BLM has also realized benefits by having claim data interface with and update the lands record system (LR2000), which eliminates the need to manually process the payments and manually update the LR2000 system. The BLM is considering ways to expand use of the payment portal and realize increased efficiencies in other programs.

**Critical Factors**

Filing of new mining claims in the Mining Law Administration Program is commodity price-dependent. Prices for all of the major commodities have been declining since their peak in 2011. For example, gold reached a high of \$1,875 per ounce in September 2011 and averaged \$1,159 per ounce during the month of October 2015, a decline of 38 percent. Similar declines have occurred for other major commodities for which mining claims are located, including silver, platinum, and copper. These commodity price declines have impacted mining claim location activity on public lands. As of January 7, 2016, the number of mining claims recorded for the 2015 assessment year declined 7 percent since 2014 and 12 percent from 2012. The revenue from mining claim maintenance and location fees has declined 0.2 percent from 2014. As gold is the top commodity explored for and produced on public lands, mining claim trends regarding quantity and revenue roughly correlate to gold commodity prices as demonstrated by the two charts below.





\*The chart is based upon the most recent data. The new and total mining claims illustrate the numbers reported in the Public Land Statistics (PLS) for the indicated fiscal years. The 2015 claim data was derived from preliminary PLS data and is subject to change. Data for 2016 and 2017 are projections.

The mining industry's domestic activity levels are dependent upon commodity prices. Many companies engaged in exploration are known in the industry as junior mining companies and frequently rely significantly on venture capital and other forms of investor financing. These companies typically do not own mines and have no regular revenue streams. When commodity prices are in decline, investor financing typically is harder to secure, and these junior mining companies begin to cut costs, usually leading to a reduction in the number of mining claims they hold. This sector of the industry is the most sensitive to commodity pricing and is likely responsible for the decline in the number of active mining claims seen beginning in 2012. If the industry activity decreases or remains flat, further decline in mining claim numbers and associated revenue should be expected.

Mining claims found to have no mineral values or interest on the part of the mining claimants typically lapse due to nonpayment of maintenance fees by the claimant. Lapsed claims hold no rights and the associated tracts may be relocated by another claimant. Mining claims found to be of interest will continue to see on-the-ground activity by the claimants and or operators as they seek to confirm the presence of a mineral deposit. During a market downturn, mining claimants will likely evaluate and release any unfavorable holdings and limit new mining claim locations. The degree to which mining claim revenue will be impacted will depend on the length and the severity of the declining markets. Mining claim location and maintenance trends will likely continue to follow market trends.

Mining claim location for metals used in tech industries remain stable despite declines in other commodities. Although no current “rush” exists, the BLM is experiencing continued interest from the mining industry to locate and discover domestic supplies of these minerals. Such minerals form the building blocks of technology-dependent industries, such as electronics, automotive and energy. These minerals include but are not limited to, rare earths, lithium, indium, germanium, vanadium, graphite and cobalt.

While new mining claims have decreased, the BLM continues to experience a consistent workload for processing plans of operations for new, large scale mines. The inspection workload for existing operations also continues and the funding provided through this program is important to allow the BLM to maintain capability and capacity to ensure activities are done in an environmentally sound and sustainable manner.

### Other Funding Sources

The Mining Law Administration program is primarily funded through this subactivity, in which the appropriation is offset by maintenance and location fees. Since 1994, Congress, through its appropriations acts, has tied Mining Law Administration funding to revenue collected by the program. The funds made available by Congress are reduced by amounts collected by the Bureau and credited to this appropriation.

In addition, under the authorities of 43 U.S.C. 1474 and 1734(a), the BLM retains the collected processing fees from mining claim recordation actions and mineral patent adjudication to recover the full cost of processing these documents. A revised fee schedule was promulgated in November 2005. The Mining Claims Revenue chart shows the recent history of mining claims and mining claim revenue. The processing fees charged for recording a new mining claim, annual filings, transfers of interest, amendments to previously recorded documents, deferments of assessment, and protests increased in June of 2009 and again at the end of 2014. In addition, the BLM charges a processing fee, on a case by case basis, for proposed mining plans of operations requiring an environmental impact statement. A processing fee is also applicable to validity examinations or common variety examinations and associated reports performed in connection with a patent application, 43 CFR 3809.100 (withdrawn lands) or 43 CFR 3809.101 (common variety determinations) on a case-by case basis.

### 2017 Program Performance

In 2017, the BLM will:

- Provide access to locatable mineral resources while ensuring that mining operations follow BLM’s regulations and cause no unnecessary and undue degradation;
- Conduct inspection and enforcement activities to ensure compliance with all applicable Federal regulations for all mining and exploration activities authorized by the mining laws on public lands;
- Record and adjudicate existing mining claims and new mining claim locations; and
- Continue working with State agencies to streamline multiple agency processes and minimize the time necessary to authorize exploration and development activities.

The BLM expects the inspection workload to remain steady in 2016 with output measures for 2016 and 2017 expected to rebound. The focus of the inspection program is on exploration and mining sites with on-going operations; sites where reclamation earthwork has been completed

and the BLM and the operator are waiting for re-vegetation success are a lower priority for inspection.

The processing time for Plans of Operations averaged 26 months in 2013, 17 months in 2014, and 23 months in 2015. The rolling 3-year average for average processing time is 22 months. The BLM will continue to work with industry and internally to explore opportunities to find efficiencies that reduce the average processing times of Plans of Operations.

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# Budget Schedules



## Budget Schedules

Account Symbol and Title 14X1109 Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Land resources	0011	257	260	250
Wildlife and fisheries	0012	67	95	110
Threatened and endangered species	0013	22	24	24
Recreation management	0014	68	70	70
Energy and minerals	0015	144	150	112
Realty and ownership management	0016	69	70	72
Resource protection	0017	101	105	119
Transportation and facilities maintenance	0018	75	78	80
Workforce and organizational support	0020	164	170	170
Challenge Cost Share	0026	3	3	1
National Monuments & NCA	0030	33	34	43
Total direct obligations	0799	1,003	1,059	1,051
Management of Lands and Resources (Reimbursable)	0801	25	36	28
Communication site rental fees	0802	2	2	2
Mining law administration	0803	41	40	40
APD fees	0804	29	0	0
Cadastral reimbursable program	0805	9	12	9
Inspection fees	0806	0	0	40
Grazing fees	0807	0	0	7
Total reimbursable obligations	0899	106	90	126
Total new obligations	0900	1,109	1,149	1,177
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	145	137	186
Recoveries of prior year unpaid obligations	1021	37	45	40
Unobligated balance (total)	1050	182	182	226
Budget authority:				
Appropriations, discretionary:				
Appropriation	1100	974	1,073	1,076
Appropriation, discretionary (total)	1160	974	1,073	1,076
Appropriation, discretionary - Computed Totals	1160-20	974	1,073	1,076
Appropriation [Regular]	1160-40	955	1,055	1,057
Baseline Civilian Pay	1160-50		590	613
Baseline Non-Pay	1160-50		465	473
Policy Outlays:				
New Authority	1160-61	704	818	819
Balances (excl of EOY PY Bal)	1160-62	256	0	195

Account Symbol and Title 14X1109				
Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
End of PY Balances	1160-63		168	3
Subtotal, outlays	1160-64	960	986	1,017
Baseline Outlays:				
New Authority	1160-81		818	842
Balances (excl of EOY PY Bal)	1160-82		0	195
End of PY Balances	1160-83		168	3
Subtotal, outlays	1160-84		986	1,040
Appropriation [Protected:Conserving Fish and Wildlife - Climate Change]				
Baseline Civilian Pay	1160-40	16	15	16
Baseline Non-Pay	1160-50		0	0
Baseline Non-Pay	1160-50		15	15
Policy Outlays:				
New Authority	1160-61	0	12	12
Balances (excl of EOY PY Bal)	1160-62	0	0	3
End of PY Balances	1160-63		2	3
Subtotal, outlays	1160-64	0	14	18
Baseline Outlays:				
New Authority	1160-81		12	12
Balances (excl of EOY PY Bal)	1160-82		0	3
End of PY Balances	1160-83		2	3
Subtotal, outlays	1160-84		14	18
Appropriation [WHB Sterilization R&D]				
Baseline Civilian Pay	1160-40	2	2	2
Baseline Civilian Pay	1160-50		2	2
Policy Outlays:				
New Authority	1160-61	0	2	2
Balances (excl of EOY PY Bal)	1160-62	0	0	0
End of PY Balances	1160-63		0	0
Subtotal, outlays	1160-64	0	2	2
Baseline Outlays:				
New Authority	1160-81		2	2
Balances (excl of EOY PY Bal)	1160-82		0	0
End of PY Balances	1160-83		0	0
Subtotal, outlays	1160-84		2	2
Appropriation [Homeland Security]				
Baseline Civilian Pay	1160-40	1	1	1
Baseline Civilian Pay	1160-50		1	1
Baseline Non-Pay	1160-50		0	0
Policy Outlays:				
New Authority	1160-61	0	1	1
Balances (excl of EOY PY Bal)	1160-62	0	0	0
End of PY Balances	1160-63		0	0
Subtotal, outlays	1160-64	0	1	1
Baseline Outlays:				
New Authority	1160-81		1	1
Balances (excl of EOY PY Bal)	1160-82		0	0
End of PY Balances	1160-83		0	0
Subtotal, outlays	1160-84		1	1

Account Symbol and Title 14X1109				
Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
Spending authority from offsetting collections, discretionary:				
Offsetting collections (Mining law and Comm Sites)	1700	42	42	42
Offsetting collections (Economy Act)	1700	24	38	38
Offsetting collections (APD fees)	1700	29	0	0
Offsetting collections (Inspection fees)	1700	0	0	48
Offsetting Collections (Other)	1700	9	0	17
Change in uncollected payments, Federal sources	1701	-14	0	-36
Spending auth from offsetting collections, disc (total)	1750	90	80	109
Spending auth from offsetting collections, disc - Computed Totals	1750-20	90	80	109
Spending authority from offsetting collections [Mining Law and Telecomm Fees, and Permits to Drill]	1750-40	71	42	42
Baseline Program [Mining Law and Telecomm Fees, and Permits to Drill]	1750-50		42	43
Policy Outlays:				
New Authority	1750-61	63	42	42
Balances (excl of EOY PY Bal)	1750-62	11	0	0
End of PY Balances	1750-63		0	0
Subtotal, outlays	1750-64	74	42	42
Baseline Outlays:				
New Authority	1750-81		42	43
Balances (excl of EOY PY Bal)	1750-82		0	0
End of PY Balances	1750-83		0	0
Subtotal, outlays	1750-84		42	43
Spending authority from offsetting collections [Economy Act]	1750-40	19	38	38
Baseline Program [Economy Act]	1750-50		38	39
Policy Outlays:				
New Authority	1750-61	1	19	19
Balances (excl of EOY PY Bal)	1750-62	29	0	19
End of PY Balances	1750-63		21	2
Subtotal, outlays	1750-64	30	40	40
Baseline Outlays:				
New Authority	1750-81		19	20
Balances (excl of EOY PY Bal)	1750-82		0	19
End of PY Balances	1750-83		21	2
Subtotal, outlays	1750-84		40	41
Spending authority from offsetting collections [User Fee: Inspection fees]	1750-40	0	0	48
Baseline Program [User Fee: Inspection fees]	1750-50		0	0
Policy Outlays:				
New Authority	1750-61	0	0	48
Balances (excl of EOY PY Bal)	1750-62	0	0	0
End of PY Balances	1750-63		0	0

Account Symbol and Title 14X1109				
Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
Subtotal, outlays	1750-64	0	0	48
Baseline Outlays:				
New Authority	1750-81		0	0
Balances (excl of EOY PY Bal)	1750-82		0	0
End of PY Balances	1750-83		0	0
Subtotal, outlays	1750-84		0	0
Spending authority from offsetting collections				
[Grazing Fees]	1750-40	0	0	17
Spending authority from offsetting collections				
[Grazing Fees]	1750-50		0	0
Policy Outlays:				
New Authority	1750-61	0	0	17
Balances (excl of EOY PY Bal)	1750-62	0	0	0
End of PY Balances	1750-63		0	1
Subtotal, outlays	1750-64	0	0	18
Baseline Outlays:				
New Authority	1750-81		0	0
Balances (excl of EOY PY Bal)	1750-82		0	0
End of PY Balances	1750-83		0	1
Subtotal, outlays	1750-84		0	1
Spending authority from offsetting collections				
[other]	1750-40	0	0	-36
Spending authority from offsetting collections				
[other]	1750-50		0	0
Policy Outlays:				
New Authority	1750-61	0	0	-36
Balances (excl of EOY PY Bal)	1750-62	0	0	0
End of PY Balances	1750-63		0	0
Subtotal, outlays	1750-64	0	0	-36
Baseline Outlays:				
New Authority	1750-81		0	0
Balances (excl of EOY PY Bal)	1750-82		0	0
End of PY Balances	1750-83		0	0
Subtotal, outlays	1750-84		0	0
Budget authority (total)	1900	1,064	1,153	1,185
Total budgetary resources available	1930	1,246	1,335	1,411
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	137	186	234
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	392	400	419
Obligations incurred, unexpired accounts	3010	1,109	1,149	1,177
Outlays (gross)	3020	-1,064	-1,085	-1,150
Recoveries of prior year unpaid obligations, unexpired	3040	-37	-45	-40

Account Symbol and Title 14X1109				
Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
Recoveries of prior year unpaid obligations, expired	3041	0	0	0
Unpaid obligations, end of year	3050	400	419	406
Uncollected payments:				
Uncollected pymts, Fed sources, brought forward, Oct 1	3060	-50	-36	-36
Change in uncollected pymts, Fed sources, unexpired	3070	14	0	36
Uncollected pymts, Fed sources, end of year	3090	-36	-36	0
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	342	364	383
Obligated balance, end of year	3200	364	383	406
Budget authority and outlays, net:				
Discretionary:				
Budget authority, gross	4000	1,064	1,153	1,185
Outlays, gross:				
Outlays from new discretionary authority	4010	768	894	924
Outlays from discretionary balances	4011	296	191	226
Outlays, gross (total)	4020	1,064	1,085	1,150
Offsets against gross budget authority and outlays:				
Offsetting collections (collected) from:				
Federal sources	4030	-32	-38	-38
Federal sources (total)	4030-10	-32	-38	-38
Policy Program [Economy Act]	4030-41	-32	-38	-38
Baseline Program [Economy Act]	4030-71	0	-38	-39
Non-Federal sources	4033	-72	-42	-42
Non-Federal sources	4033	0	0	-48
Non-Federal sources	4033	0	0	-17
Non-Federal sources (total)	4033-10	-72	-42	-107
Policy Program - Computed Total	4033-20	-72	-42	-107
Policy Program [Mining Law, Comm Sites, APD Fees]	4033-41	-72	-42	-42
Baseline Program [Mining Law, Comm Sites, APD Fees]	4033-71		-42	-43
Policy Program [Inspection Fees]	4033-41	0	0	-48
Policy Program [Grazing Fees]	4033-41	0	0	-17
Offsets against gross budget authority and outlays (total)	4040	-104	-80	-145

Account Symbol and Title 14X1109				
Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
Additional offsets against gross budget authority only:				
Change in uncollected pymts, Fed sources, unexpired	4050	14	0	36
Change in uncollected customer payments (total)	4050-10	14	0	36
Policy Program - Computed Total	4050-20	14	0	36
Policy Program [Inspection Fees]	4050-41	0	0	48
Policy Program [Grazing Fees]	4050-41	0	0	17
Policy Program [Grazing Fees]	4050-71		0	0
Policy Program [Text]	4050-41	14	0	-29
Baseline Program [Text]	4050-71		0	0
Budget authority, net (discretionary)	4070	974	1,073	1,076
Outlays, net (discretionary)	4080	960	1,005	1,005
Budget authority, net (total)	4180	974	1,073	1,076
Outlays, net (total)	4190	960	1,005	1,005
Memorandum (non-add) entries:				
Unexpired unavailable balance, SOY: Offsetting collections	5090	4	4	4
Unexpired unavailable balance, EOY: Offsetting collections	5092	4	4	4
<b>INVESTMENT ACTIVITIES:</b>				
Conduct of research and development:				
Applied research:				
Direct Federal programs:				
Budget Authority	1422-01	21	21	21
Outlays	1422-02	16	16	16
Development:				
Direct Federal programs:				
Budget Authority	1432-01	-21	1	1
Outlays	1432-02	-16	1	1
<b>NON-INVESTMENT ACTIVITIES:</b>				
Direct Federal programs:				
Budget Authority	2004-01	974	1,051	1,054
Outlays	2004-02	960	988	988
<b>Object Classification</b>				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	355	355	355
Other than full-time permanent	11.3	16	16	16
Other personnel compensation	11.5	15	15	15
Total personnel compensation	11.9	386	386	386

Account Symbol and Title 14X1109				
Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
Civilian personnel benefits	12.1	137	137	137
Benefits for former personnel	13.0	0	1	1
Travel and transportation of persons	21.0	17	20	21
Transportation of things	22.0	4	5	5
Rental payments to GSA	23.1	22	24	25
Rental payments to others	23.2	32	34	35
Communications, utilities, and miscellaneous charges	23.3	21	24	24
Printing and reproduction	24.0	2	2	2
Advisory and assistance services	25.1	8	8	8
Other services from non-Federal sources	25.2	155	160	157
Other goods and services from Federal sources	25.3	56	60	60
Operation and maintenance of facilities	25.4	11	12	12
Operation and maintenance of equipment	25.7	20	22	22
Supplies and materials	26.0	22	23	23
Equipment	31.0	23	25	25
Land and structures	32.0	16	22	20
Grants, subsidies, and contributions	41.0	70	93	87
Insurance claims and indemnities	42.0	1	1	1
Subtotal, obligations, Direct obligations	99.0	1,003	1,059	1,051
Reimbursable obligations:				
Personnel compensation:				
Full-time permanent	11.1	48	48	50
Other than full-time permanent	11.3	2	2	3
Other personnel compensation	11.5	2	2	3
Total personnel compensation	11.9	52	52	56
Civilian personnel benefits	12.1	18	18	19
Travel and transportation of persons	21.0	2	1	3
Rental payments to others	23.2	3	1	3
Communications, utilities, and miscellaneous charges	23.3	2	1	3
Advisory and assistance services	25.1	1	0	1
Other services from non-Federal sources	25.2	11	8	15
Other goods and services from Federal sources	25.3	10	7	15
Operation and maintenance of equipment	25.7	2	1	2
Supplies and materials	26.0	1	0	2
Equipment	31.0	1	0	2
Land and structures	32.0	0	0	2
Grants, subsidies, and contributions	41.0	3	1	3
Subtotal, obligations, Reimbursable obligations	99.0	106	90	126
Total new obligations	99.9	1,109	1,149	1,177
<b>Employment Summary</b>				
Direct civilian full-time equivalent employment	1001	5,034	5,056	5,057
Reimbursable civilian full-time equivalent employment	2001	713	486	571

Account Symbol and Title				
14X1109				
Management of Lands and Resources	Line	2015 Act	2016 CY	2017 BY
Allocation account civilian full-time equivalent employment	3001	2,235	2,262	2,262
<hr/>				
Budget year budgetary resources [014-1109]	1000			1,075,545

# Land Acquisition



# LAND ACQUISITION

## Appropriations Language

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, [~~\$38,630,000~~]**\$43,959,000**, to be derived from the Land and Water Conservation Fund and to remain available until expended. (*Department of the Interior, Environment and Related Agencies Appropriations Act, 2016*)

## Appropriations Language Citations

### **1. For expenses necessary to carry out sections 205, 206 and 318(d) of Public Law 94-579, including administrative expenses**

Section 205 authorizes the Secretary to acquire by purchase, exchange, donation, or eminent domain, public lands or interests. Eminent domain may only be invoked to secure access to public lands if the lands are confined to a narrow corridor and serve a purpose. This section does not expand or limit the Secretary's authority to acquire land by eminent domain within the boundaries of the National Forest System. Acquisitions must support the mission of the Department and have associated land-use plans.

Section 206 provides authority for the Secretary to dispose of a public tract of land by exchange if it serves the public interest well. The Secretary may accept title to any non-Federal land or interests in exchange for such land which he or she finds proper for transfer out of Federal ownership and which are located in the same State as the non-Federal land or interest to be acquired. For the purposes of this subsection, unsurveyed school sections which, upon survey by the Secretary, would become State lands, shall be considered as "non-Federal" lands. The value of the lands exchanged by the Secretary need to be equal, or if they are not equal, the values will be equalized by the payment of money to the grantor or to the Secretary concerned as the circumstances require.

Section 318 authorizes the Secretary to use the Land and Water Conservation Fund to acquire public lands as described in section 205.

### **2. including administrative expenses and acquisition of lands or waters, or interests therein, \$43,959,000,**

This language provides the Secretary with authority to use \$43,959,000 in appropriated funds to acquire lands or waters or pay administrative expenses to carry out the mission of the program.

### **3. to be derived from the Land and Water Conservation Fund**

The language specifies that funding appropriated for land acquisition activities would be derived from the Land and Water Conservation Fund (LWCF), which was enacted by Congress in 1965. The Act designated that a portion of receipts from offshore oil and gas leases be placed into a

fund annually for State and local conservation, as well as for the protection of our national treasures (parks, forest, and wildlife areas).

#### 4. and to remain available until expended.

The language makes the appropriations to the account available on a no-year basis. This type of account allows the BLM a valuable degree of flexibility needed to support multi-year land acquisitions, agreements and purchases.

### Appropriation Language Citations and Authorizations

<b><i>Federal Land Policy and Management Act of 1976 (FLPMA) (Pub. L. 94-579, Sec. 101 et seq.; 43 U.S.C. 1701 et seq.)</i></b>	Provides authority for acquisition (Pub. L. 94-579, Sec. 205, 206; 43 U.S.C., 1715, 1716) of lands or interests in lands by purchase, exchange, donation, or eminent domain, when it is consistent with the mission of the Department and with land use plans (Pub. L. 94-579, Sec. 205(b); 43 U.S.C., 1715(b)); in exercising this authority, appropriations from the Land and Water Conservation Fund may be used to purchase lands which are primarily of value for outdoor recreation purposes (Pub. L. 94-579, Sec. 318(d); 43 U.S.C., 1748(d)).
<b><i>Federal Land Transaction Facilitation Act of 2000 (FLTFA) (Public Law 106-248)</i></b>	Provided authority for the use of receipts from disposal actions by the BLM to purchase inholdings and lands adjacent to federally designated areas containing exceptional resources, as defined in FLTFA, from willing sellers with acceptable titles, at fair market value, to “promote consolidation of the ownership of public and private lands in a manner that would allow for better overall resource management administrative efficiency, or resource allocation.” The 2010 Supplemental Appropriations Act (P.L. 111-212) reauthorized FLTFA for one year, expiring in July 2011.
<b><i>Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 et seq.)</i></b>	Authorizes planning, acquisition, and development of needed land and water areas and facilities; in exercising this authority, appropriated funds from the LWCF may be used for such acquisition to assist in preserving, developing, and assuring accessibility for the benefit of present and future citizens.
<b><i>Wild and Scenic Rivers Act of 1968, as amended (16 U.S.C. 1271 et seq.)</i></b>	Authorizes the Secretary to exchange or dispose of suitable Federally-owned property for non-Federal property within the authorized boundaries of any federally-administered component of the National Wild and Scenic Rivers System, 1277(d). Similar exchange authority is contained in The National Trails System Act of 1968, as amended 16 U.S.C. 1241et seq.).
<b><i>Wilderness Act of 1964 (16 U.S.C. 1131 et seq.)</i></b>	Authorizes the Secretary to acquire privately owned property within the boundary of any area designated as a component of the National Wilderness Preservation System.

***National Trails System Act of 1968, as amended (16 U.S.C. 1241-1249)*** Authorizes the Secretary to acquire lands or interests in lands included in the right-of-way selected for a National Historic, National Recreation, or National Scenic Trail; by written cooperative agreement, donation, purchase (with donated or appropriated funds), or exchange.

***Other*** Other acts such as, the King Range National Conservation Area Act of 1970, as amended (16 U.S.C. 460y); San Pedro Riparian National Conservation Area Act, in Arizona (16 U.S.C. 460xx); Arkansas-Idaho Land Exchange Act of 1992 (P.L. 102-584); Utah School Lands Act (P.L. 103-93); Steens Mountain Cooperative Management and Protection Act of 2000 (16 U.S.C. 460nnn, P.L. 106-399; and California Desert Protection Act of 1994 (P.L. 103-433), authorize the Secretary to enter into acquisitions, including purchase, donation, land exchange.

Summary of Requirements  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	Transfers		2017 President's Budget		Requested Amount		Change from 2016	
	FTE	Amount	FTE	Amount		FTE	Amount	Program Change		FTE	Amount	FTE	Amount
								FTE	Amount				
Land Acquisitions	-	16,226	-	35,014	-	-	-	-	+5,287	-	40,301	-	+5,287
Emergency & Hardships	-	1,616	-	1,616	-	-	-	-	-	-	1,616	-	+0
Acquisition Management	12	1,904	12	2,000	+42	-	-	-	-	12	2,042	-	+42
<b>Total, Land Acquisition</b>	<b>12</b>	<b>19,746</b>	<b>12</b>	<b>38,630</b>	<b>+42</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>+5,287</b>	<b>12</b>	<b>43,959</b>	<b>-</b>	<b>+5,329</b>

**Justification of Fixed Costs and Internal Realignments**  
**Land Acquisition**

*(Dollars In Thousands)*

<b>Fixed Cost Changes and Projections</b>	<b>2016 Total or Change</b>	<b>2016 to 2017 Change</b>
Change in Number of Paid Days This column reflects changes in pay associated with the change in the number of paid days between the 2016 and 2017.	+22	-43
Pay Raise The change reflects the salary impact of the 1.6% programmed pay raise increases as provided in the June, 2015 Circular A-11.	+74	+85

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<b>Activity: Land Acquisition</b>
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		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Land Acquisitions	\$000	16,226	35,014	+0	+0	+5,287	40,301	+5,287
	FTE	0	0		+0	+0	0	+0
Emergency & Hardships	\$000	1,616	1,616	+0	+0	+0	1,616	+0
	FTE	0	0		+0	+0	0	+0
Acquisition Management	\$000	1,904	2,000	+42	+0	+0	2,042	+42
	FTE	12	12		+0	+0	12	+0
<b>Total, Land Acquisition</b>	<b>\$000</b>	<b>19,746</b>	<b>38,630</b>	<b>+42</b>	<b>+0</b>	<b>+5,287</b>	<b>43,959</b>	<b>+5,329</b>
	<b>FTE</b>	<b>12</b>	<b>12</b>		<b>+0</b>	<b>+0</b>	<b>12</b>	<b>+0</b>

The 2017 budget proposes to fund the Land Acquisition program with an appropriation from the Land and Water Conservation Fund at a total level of \$43,959,000 and 12 FTE, a program change of +\$5,287,000 from the 2016 enacted level.

### Activity Description

The BLM is authorized to acquire intermingled and adjacent non-Federal lands through purchase, exchange, and donation for specified public benefits. Consolidation of the public lands through land acquisition increases management efficiency in pursuing land management goals such as maintaining open space, providing opportunities for environmentally responsible recreation, preserving natural and cultural heritage resources, restoring at-risk botanical, fisheries and wildlife resources, and maintaining functioning ecosystems. The BLM's Land Acquisition program utilizes Land and Water Conservation Fund (LWCF) monies for Land Acquisition, Emergencies, Hardships, and Inholdings, and Acquisition Management.

In addition to acquiring land by purchase with LWCF appropriated funds, the BLM acquires land by exchange. When an exchange is proposed, every attempt is made to equalize values between the lands coming into Federal ownership and the lands leaving Federal ownership. In those instances where land values are not equal, the BLM attempts to equalize land values by decreasing or increasing the land leaving Federal ownership. In certain instances where values are not equal and there is no available land in Federal ownership to equalize values, a cash payment can be made to the exchange proponent. This cash payment, an equalization payment, cannot exceed 25 percent of the difference between the values of the lands coming into Federal ownership and the lands leaving Federal ownership.

<b>Major Components of BLM's Land Acquisition Program</b>				
(\$000)	2015 Enacted	2016 Enacted	2017	
			Discretionary	Mandatory
Land Acquisition - Core Projects	5,000	7,072	13,139	13,741
Land Acquisition - Collaborative Projects	9,226	19,942	19,162	28,577
<b>Total Land Acquisition Project Funding</b>	<b>\$14,226</b>	<b>\$27,014</b>	<b>\$32,301</b>	<b>\$42,318</b>
Sportsman/Recreational Access	2,000	8,000	8,000	0
Acquisition Management	1,904	2,000	2,042	1,000
Emergencies, Hardships, & Inholdings	1,616	1,616	1,616	1,500
<b>Total BLM Land Acquisition Funding</b>	<b>\$19,746</b>	<b>\$38,630</b>	<b>\$43,959</b>	<b>\$44,818</b>

<b>Activity: Land Acquisition</b>
<b>Subactivity: Land Acquisition</b>

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Land Acquisition	<i>\$000</i>	16,226	35,014	+0	+0	+5,287	40,301	+5,287
	<i>FTE</i>	0	0		+0	+0	0	+0

Summary of 2017 Program Changes/Internal Transfers for Land Acquisitions:	(\$000)	FTE
Line-item Projects	+5,287	+0
Total	+5,287	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Land Acquisition program is \$40,301,000, a program change of +\$5,287,000 from the 2016 enacted level.

**High Priority Projects (+\$5,287,000)** - In 2017, the BLM will acquire high priority acquisition projects in the core and collaborative landscape planning land acquisition programs. The 2017 core program is \$13.1 million and will fund nine of BLM's highest priorities. The collaborative landscape-planning component invests strategically in interagency landscape-scale conservation projects while continuing to meet bureau-specific programmatic needs. The Department of the Interior and the U.S. Forest Service (USFS) collaborated extensively to develop a process to more effectively coordinate land acquisitions with government and local community partners to achieve the highest priority shared conservation goals. The 2017 request includes a total of \$19.2 million for five collaborative landscapes consisting of 12 projects. Within this total, the BLM includes \$9.0 million for the High Divide landscape, \$3.0 million for the Rivers of the Chesapeake landscape, \$2.0 million for projects that are part of the National Trails System landscape, \$412,000 for the Florida-Georgia Longleaf pine landscape, and \$4.75 million for the Pathways to the Pacific landscape. The 2017 request also includes a total of \$8.0 million to benefit Sportsmen/Recreational access, level with the FY2016 enacted level.

### Legislative Change

**Mandatory Appropriation: Permanent Land Acquisition** – The Department of the Interior will submit a legislative proposal to permanently authorize annual funding, without further appropriation or fiscal year limitation for the Land and Water Conservation Fund (LWCF). Starting in 2018, \$900 million annually in permanent funds would be available. During the transition to full permanent funding in 2018, the budget proposes \$900 million in total LWCF funding in FY 2017, comprised of \$425 million in permanent and \$475 million discretionary funds. The amounts requested include the authorized levels for the Department of the Interior and the Department of Agriculture. In 2017, the proposal includes \$44.0 million in discretionary funding and \$44.8 million in permanent funding, for the BLM Land Acquisition program.

Land acquisition funds are also used to secure access for the American public to their Federal lands. Concurrent with the America's Great Outdoor initiative, these funds will invest in acquisitions to better meet recreation access needs by working with willing landowners to secure rights-of-way, easements or fee simple lands that provide access or consolidate Federal ownership so the public has unbroken spaces to recreate, hunt, and fish. BLM will focus \$8.0 million in discretionary funding towards projects to acquire access for sportsmen/recreation access.

### Program Overview

The Land Acquisitions Program promotes the conservation of natural landscapes and resources by consolidating public lands through purchase, exchange and donation to increase management efficiency and preserve areas of natural, cultural, and recreational importance. Acquisition projects occur within or adjacent to nationally-designated management units, including National Monuments, National Conservation Areas, Wilderness, National Wild and Scenic Rivers, National Scenic Trails, and National Historic Trails, as well as in BLM-designated Areas of Critical Environmental Concern and Special Recreation Management Areas. Land acquisition funding is also necessary to acquire small parcels of land or access easements through these lands to provide public access to landlocked BLM lands. The BLM estimates 23 million acres (or nine percent) of BLM-managed public lands lack public access or have inadequate public access, primarily due to checkerboard land ownership patterns. Securing and improving public access to these lands will serve various recreational activities, including hunting and fishing.

The BLM utilizes funding from other sources such as from the *Southern Nevada Public Land Management Act* and other land sale authorizations. The Budget includes a legislative proposal to reauthorize the Federal Land Transaction Facilitation Act (FLTFA) and allow lands identified as suitable for disposal in recent land use plans to be sold using FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally sensitive lands and the administrative costs associated with conducting sales, which would provide funding for land acquisition as well. These legal authorities are described in the Lands and Realty Management section of the Management of Lands and Resources chapter, and various land sale accounts are described in the Permanent Operation Funds chapter.

The national Collaborative Landscape Planning (CLP) priority projects contained in this document reflect the collaborative efforts between the Departments of Interior and Agriculture in specific focal areas. As part of the landscape program, Interior bureaus collaborated extensively with the USFS and with government and local community partners to plan projects to achieve the highest priority shared landscape-scale conservation goals. An interagency team of BLM, U.S. Fish and Wildlife Service, National Park Service, and USFS experts identified a number of ecosystems throughout the Nation where high priority shared conservation goals could be achieved based on existing locally-driven conservation efforts. The prospective projects were evaluated according to criteria that included:

- Process: ensure proposals are community-driven, collaborative, and cost-effective;
- Outcome: ensure proposals contribute to informed, science-based, important local landscape-scale outcomes, so that Federal resources strategically achieve land management objectives;

- Urgency: ensure funding decisions acknowledge where funds must be spent sooner rather than later to achieve outcomes or prevent harm, versus areas where outcomes could be achieved even if funding were postponed; and,
- Contribution to National/Regional priorities: ensure outcome goals contribute to regional and national priorities.

After analyzing the results of this process, bureau directors advised the Secretary on the development of the final CLP acquisitions to be incorporated in the integrated land acquisition lists.

**Mandatory Appropriation: Permanent Land Acquisition** - The Department of the Interior's FY 2017 budget request proposes a multi-year strategy leading to full and mandatory funding for the Land and Water Conservation Fund. Mandatory funding would help to fulfill the commitment of LWCF: a fair return of the profits from developing the Nation's offshore oil and gas resources to improve and increase the availability of outdoor opportunities for all Americans. The FY 2017 mandatory request through LWCF would provide an additional \$44.8 million for BLM land acquisition activities, for a total of \$88.7 million between discretionary funding and the mandatory proposal. The complete mandatory listing of proposed projects would cover the 21 BLM priorities, located in at least nine States.

The joint Interior-Agriculture National Selection Committee identified a number of ecosystems throughout the Nation where high priority shared conservation goals can be achieved based on existing locally-driven conservation efforts. Through the rigorous merit based evaluation process, seven ecosystems were selected for inclusion in the 2017 budget. The BLM is involved in four of those landscapes including the High Divide, Rivers of the Chesapeake, National Trails System, and Pathways to the Pacific.

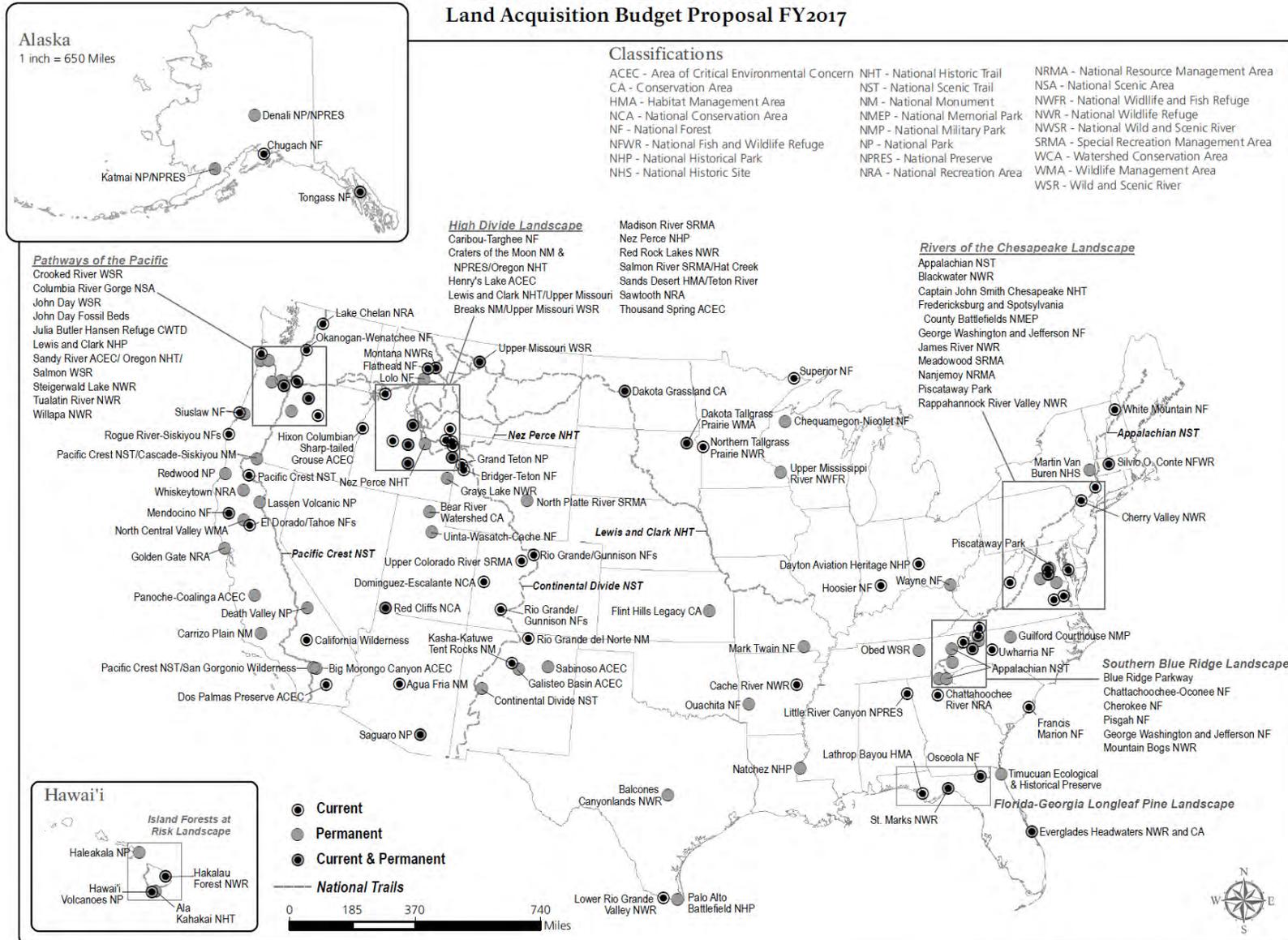
Investing now in these ecologically important but threatened landscapes will ensure that they remain resilient in the face of development pressures and global climate change. Smart investment in strategic conservation in these landscapes will prevent further ecosystem decline or collapse, which is expected to preclude the need for future investments in restoration.

### 2017 Program Performance

In 2017, the BLM has plans for 21 acquisition projects (nine core and 12 collaborative) in 11 States using discretionary funding. With mandatory funding, the BLM has plans for 21 acquisition projects (12 core and nine collaborative) in 8 States. These acquisitions will strengthen the BLM's efforts to preserve wildlife habitat and wilderness, conserve and protect cultural and historic resources, retain open space, and enhance public recreation opportunities in the western U.S. in perpetuity. The BLM will utilize innovative methods to acquire lands, including conservation easements, leveraged purchases, and the purchase of development rights where these methods meet management objectives and landowner needs. Planned acquisitions for 2017 are listed on the following page. The subsequent pages include maps of the acquisition projects and project descriptions.

The following lists of proposed land acquisition projects is the current set of land acquisition priorities that has been vetted and approved by the BLM and Departmental leadership to meet the high priority programmatic needs during fiscal year 2017.

### Land and Water Conservation Fund Land Acquisition Budget Proposal FY2017



Information on this map is provided for purposes of discussion and visualization only

This map depicts LWCF federal land acquisition only and does not include the dozens of projects funded through Forest Legacy, and other LWCF state grant programs.



## Bureau of Land Management Land and Water Conservation Fund 2017 National Project Priorities (Discretionary)





## Bureau of Land Management Land and Water Conservation Fund 2017 National Project Priorities (Mandatory)



Bureau of Land Management  
Land and Water Conservation Fund  
FY2017 National Project Discretionary Priorities

12 January 2016

Rank	State	Collaborative Landscape/Project Name or Core Project Name <sup>1</sup>	FY2017 President's Budget Request (Discretionary)
<b>High Divide</b>			
1	MT	Madison River Special Recreation Management Area	\$4,000,000
	ID	Henry's Lake Area of Critical Environmental Concern	\$50,000
	ID	Salmon River Special Recreation Management Area	\$700,000
	ID	Thousand Springs Area of Critical Environmental Concern	\$300,000
	ID	Craters of the Moon National Monument and Preserve/Oregon NHT	\$1,200,000
	ID	Sands Desert Habitat Management Area	\$2,750,000
			<b>High Divide Total</b>
2	NM	Rio Grande del Norte National Monument	\$1,250,000
3	CO	Dominguez-Escalante National Conservation Area	\$350,000
4	CO	Upper Colorado River Special Recreation Management Area	\$1,500,000
<b>Rivers of the Chesapeake</b>			
5	VA	Meadowood Special Recreation Management Area	\$1,400,000
	MD	Nanjemoy National Resource Management Area	\$1,600,000
		<b>Rivers of the Chesapeake Total</b>	<b>\$3,000,000</b>
6	AZ	Agua Fria National Monument	\$3,300,000
<b>National Trails System</b>			
7	MT	Lewis and Clark NHT/Upper Missouri River Breaks NM/Upper Missouri WSR	\$2,000,000
		<b>National Trails System Total</b>	<b>\$2,000,000</b>
8	CA	Dos Palmas Area of Critical Environmental Concern	\$650,000
9	NM	Kasha-Katuwe Tent Rocks National Monument	\$750,000
10	ID	Hixon Columbian Sharp-tailed Grouse ACEC	\$1,250,000
<b>Florida-Georgia Longleaf Pine</b>			
11	FL	Lathrop Bayou Habitat Management Area	\$412,000
		<b>Florida-Georgia Longleaf Pine Total</b>	<b>\$412,000</b>
<b>Pathways to the Pacific</b>			
12	OR	Salmon Wild and Scenic River	\$1,300,000
	OR	John Day Wild and Scenic River	\$3,450,000
		<b>Pathways to the Pacific Total</b>	<b>\$4,750,000</b>
13	CA	California Wilderness	\$2,389,000
14	UT	Red Cliffs National Conservation Area	\$1,700,000
		<b>Total Core Projects</b>	<b>\$13,139,000</b>
		<b>Total Collaborative Projects</b>	<b>\$19,162,000</b>
		<b>Total Line Item Projects</b>	<b>\$32,301,000</b>
		Sportsmen/Recreational Access	\$8,000,000
		Emergency/Inholding/Hardship	\$1,616,000
		Acquisition Management	\$2,042,000
		<b>TOTAL</b>	<b>\$43,959,000</b>

<sup>1</sup>Acronyms

ACEC = Area of Critical Environmental Concern

NM = National Monument NHT = National Historic Trail

SRMA = Special Recreation Management Area

WSR = Wild and Scenic River

Bureau of Land Management  
 Land and Water Conservation Fund  
 FY2017 National Project Mandatory Priorities

12 January 2016

Rank	State	Collaborative Landscape/Project Name or Core Project Name <sup>1</sup>	FY2017 President's Budget Request (Mandatory)
15		<b>High Divide</b>	
	ID	Craters of the Moon National Monument and Preserve/Oregon NHT	\$656,000
	ID	Salmon River Special Recreation Management Area	\$3,473,000
	ID	Thousand Springs Area of Critical Environmental Concern	\$180,000
	ID	Sands Desert Habitat Management Area/Teton River	\$1,000,000
		<b>High Divide Total</b>	<b>\$5,309,000</b>
16	UT	Red Cliffs NCA	\$5,000,000
17		<b>Rivers of the Chesapeake</b>	
	VA	Meadowood Special Recreation Management Area	\$2,800,000
	MD	Nanjemoy National Resource Management Area	\$1,668,000
		<b>Rivers of the Chesapeake Total</b>	<b>\$4,468,000</b>
18	CA	Panoche-Coalinga Area of Critical Environmental Concern	\$500,000
19	MT	Upper Missouri National Wild and Scenic River	\$475,000
20	CA	Carrizo Plain National Monument	\$350,000
21		<b>National Trails System</b>	
	ID	Nez Perce National Historic Trail	\$3,100,000
	OR	Pacific Crest NST/Cascade Siskiyou National Monument	\$1,500,000
	CA	Pacific Crest NST/San Geronio Wilderness	\$3,050,000
	NM	Continental Divide National Scenic Trail	\$2,300,000
		<b>National Trails System Total</b>	<b>\$9,950,000</b>
22	CA	Big Morongo Canyon Area of Critical Environmental Concern	\$800,000
23		<b>Pathways to the Pacific</b>	
	OR	Sandy River ACEC/Oregon NHT/Salmon WSR	\$1,700,000
	OR	John Day Wild and Scenic River	\$6,800,000
	OR	Crooked Wild and Scenic River	\$350,000
		<b>Pathways to the Pacific Total</b>	<b>\$8,850,000</b>
24	NM	Sabinoso Area of Critical Environmental Concern	\$2,300,000
25	NM	Galisteo Basin Area of Critical Environmental Concern	\$1,500,000
26	WY	North Platte River Special Recreation Management Area	\$2,816,000
		<b>Total Core Projects</b>	<b>\$13,741,000</b>
		<b>Total Collaborative Projects</b>	<b>\$28,577,000</b>
		<b>Total Line Item Projects</b>	<b>\$42,318,000</b>
		Sportsmen/Recreational Access	
		Emergency/Inholding/Hardship	\$1,500,000
		Acquisition Management	\$1,000,000
		<b>TOTAL</b>	<b>\$44,818,000</b>

<sup>1</sup>Acronyms

ACEC = Area of Critical Environmental Concern  
 NM = National Monument NHT = National Historic Trail  
 SRMA = Special Recreation Management Area  
 WSR = Wild and Scenic River

Project / Unit: Madison River Special Recreation Management Area

Priority: 1

Discretionary

Mandatory

State(s): MT

Congressional 1

District(s):

Location: Southwest Montana, 15 miles south of Ennis.

Proposed for FY 2017	
Acres	\$
1,895	\$4,000,000
Acquired to Date	
Remaining to be Acquired	

**Project Description:**

The parcel is within the Greater Yellowstone Ecosystem (GYE), the largest intact ecosystem in the lower 48 States. Within the GYE lies the legendary trout waters of the Madison River which originate in Yellowstone National Park and are the headwater tributary of the Missouri River. It is here that its true character is revealed and its reputation as a world-renowned Blue Ribbon/ Class 1 trout fishery harboring some of the largest rainbows and trophy browns. To the river's east, the Madison Range with its magnificent 10,000-foot peaks comprises the Lee Metcalf Wilderness; to the west are the vast timbered slopes of the Gravelly Range. The Madison Valley is a major migration corridor for big game and a host of migratory birds and is part of the Greater Yellowstone Ecosystem which resource managers consider one of the most intact ecologically functioning landscapes with abundant populations of elk, antelope and deer. A significant elk herd (~ 2,000 animals) traverses the valley seasonally, wintering at the adjoining MFWP, Wall Creek Wildlife Management Area. The valley provides core secure habitat for connectivity and dispersal, as wide-ranging grizzlies, wolverine and wolves expand their range outward from Greater Yellowstone.

The property adjoins BLM lands managed within the Madison River Special Recreation Management Area, as well as MFWP, State Trust Lands, and private lands under conservation easements, linking hundreds of thousands of protected acres. The property includes aquatic features such as 350 acres of wetlands, numerous ponds, and two miles of the Madison River. The river and ponds on the project provide foraging, nesting, and migration habitat for a variety of resident and migratory birds. Trumpeter Swans have been breeding on these ponds. Protecting the area from future development will aid in preserving this condition, maintaining critical wildlife connectivity and transitional habitat while increasing resiliency to the effects of climate change. Addition of the project lands will also greatly enhance access to the river expanding public recreational opportunities.

**Purpose / Need:**

Conserve and enhance crucial habitat for species restoration, emphasizing open space and critical wildlife connectivity. Secure scenic, wildlife/plant resources, and enhance recreational opportunities.

**Cooperator(s):** Montana Fish, Wildlife & Parks (MWFP) supports this acquisition as it is consistent with their goals and the property lies adjacent to the Wall Creek Wildlife Management Area (WMA). The BLM is working with the RMEF to determine additional opportunities for partnerships.

Estimated O&M Savings: Start-up: \$0 Annual: \$1,000

Estimated O&M Costs: Start-up: \$5,000 Annual: \$2,000

**Describe O&M:** O&M annual savings of shared recreation facilities maintenance. O&M start-up costs of interpretive signs and gates; annual costs of weed control and road maintenance.

Project / Unit: **Henrys Lake Area of Critical Environmental Concern**

Priority: 1

Discretionary

Mandatory

State(s):      ID     

Congressional District(s): 2

Location: Southeast Idaho, 14 miles west of Yellowstone National Park.

Proposed for FY 2017	
Acres	\$
42	\$50,000
Acquired to Date	
6,412	\$8,993,452
Remaining to be Acquired	
5,000	\$6,000,000

**Project Description:**

This project encompasses the Henrys Lake/Upper Snake area of the High Divide Collaborative LWCF Proposal. On the western doorstep of Yellowstone National Park and surrounded by the Continental Divide, the 35,875-acre Henrys Lake Area of Critical Environmental Concern's exceptional aesthetic and wildlife values have been an attraction to generations of Americans who have fished, hiked, hunted, skied and snowmobiled here. The area offers high quality open space, rangeland, streams, wetlands, and wildlife and fish resources to the approximately 3,000,000 annual visitors who pass through the project area. Large carnivores such as grizzly bears and wolverines, antelope, elk, moose, and mule deer utilize the region for summer/winter range and as a migratory corridor connecting summer range in Yellowstone National Park with winter range in Idaho and Montana.

The vast wet meadows support large concentration of long billed curlews and sandhill cranes. The world-renowned Henrys Lake fishery is the last stronghold in the Henrys Fork basin for the Yellowstone cutthroat trout. White spruce/aspen forested wetlands on the east and north shores of the lake are globally rare and found nowhere else in the continental United States. Chief Joseph led his Nez Perce tribe through the basin on his failed flight to Canada, their journey now evidenced by the Nez Perce National Historic Trail. The Continental Divide National Scenic Trail rings the project area to the west and north.

Working ranches in the area provide valuable summer range for cattle operations based throughout Idaho, contributing an important economic base for ranching families. Diverse recreation, attracted to the basin's natural open space, provides a critical economic base to the local communities. To compensate for agricultural revenue shortfalls and to meet estate tax commitments, an increasing amount of these productive lands are being lost to second home and resort development, sacrificing the natural amenities of open space and wildlife, which originally attracted recreational development. This landscape is literally being "loved to death".

**Purpose / Need:**

Further a conservation easement purchase program to conserve working ranch land, open spaces, rare wetlands, and wildlife habitat for recreation. This funding provides an excellent opportunity to protect a working ranch property for residential summer home development by providing a economic incentive to keep the property intact.

**Cooperator(s):** The Nature Conservancy, The Conservation Fund, Teton Regional Land Trust, Idaho Department of Fish & Game, Caribou-Targhee National Forest, Henrys Fork Legacy Project, Greater Yellowstone Coalition, Henrys Fork Foundation, Heart of the Rockies Initiative.

Estimated O&M Savings:            Start-up: \$5,000                    Annual: \$400

Estimated O&M Costs:            Start-up:                                  Annual: \$100

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by not purchasing a property in fee. Start up costs would be signing conserved properties and annual conservation easement stewardship.

Project / Unit: **Salmon River Special Recreation Management Area**

Priority: 1

Discretionary

Mandatory

State(s):     ID    

Congressional District(s):     2    

Location:     Central Idaho near the cities of Salmon and Challis.    

Proposed for FY 2017	
Acres	\$
236	\$700,000
Acquired to Date	
14,257	\$19,444,718
Remaining to be Acquired	
800	\$1,000,000

**Project Description:**

This project encompasses the Upper Salmon River area of the High Divide Collaborative LWCF Proposal. The Salmon River, known as the "River of No Return," provides valuable habitat for many fish and wildlife species. Species listed under the ESA relying on this habitat include Snake River Chinook salmon, sockeye salmon, steelhead, and bull trout. The Lewis and Clark National Historic Trail, Continental Divide National Scenic Trail, and Nez Perce (Nee-Me-Poo) National Historic Trail corridors are all included within the project area. Significant prehistoric and historic cultural resources and traditional cultural places are known and documented within project area and they could be evaluated and protected. Recreational values include white-water rafting, fishing, hunting, camping, hiking, and sight-seeing.

Acquisition of land through conservation easements/fee purchase would protect the riparian and river habitat from impending private development and keep working ranches open spaces and thereby continuing contributions to the local rural economy. Additionally conservation of these key private properties ensure outstanding scenic vistas, wildlife and fish migration corridor connectivity, and open space, connectivity, and interpretation of National Scenic and Historic Trails.

These acquisitions will directly protect headwater fisheries and wetlands; protect an important wildlife habitat and corridors from development; as well as prevent development within Designated Critical Habitat for chinook and sockeye salmon, steelhead trout and bull trout along the Salmon River SRMA. Parcels sit at a critical migration bottleneck for elk moving from Montana to the southwestern faces of Idaho's Salmon River to winter and serve as transition range for migrating animals. Protection of these properties in the form of conservation easements will prevent further subdivision of this habitat and will protect the current habitat values of the properties. Other properties are immediately upstream of properties acquired in a prior LWCF submission as well as a BLM river access site, and stop on the Idaho Birding Trail, which provides access to waterfowl hunters, fishermen and birdwatchers.

**Purpose / Need:**

Promote open space. Enhance significant scenic vistas, recreational opportunities, and public access. Ensure connectivity and quality of critical wildlife, fish and National Trail resources. Protecting historic ranching operations and local rural economy. Multiple landowners who prefer a conservation option for their properties rather than face potential subdivision. A mixture fee title and conservation easements have been offered.

Cooperator(s): Lemhi Regional Land Trust, The Nature Conservancy, Idaho Department of Fish and Game, local County support, State of Idaho, local Trails Committee, Salmon Valley Stewardship, Upper Salmon Working Group, Central Idaho Rangeland Committee

Estimated O&M Savings: Start-up: \$50,000 Annual: \$1,000

Estimated O&M Costs: Start-up: \$9,000 Annual: \$700

Describe O&M: Savings are from partner contributions towards the acquisition process and by not purchasing properties in fee. Start up costs are constructing parking areas & interpretive kiosks for fee properties. Annual costs are for conservation easement stewardship.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Thousand Springs Area of Critical Environmental Concern

Priority: 1

Discretionary

Mandatory

State(s): ID

Congressional District(s): 2

Location: Central Idaho, 25 miles northwest of Mackay; 115 miles northwest of Idaho Falls.

Proposed for FY 2017	
Acres	\$
200	\$300,000
Acquired to Date	
1,946	\$17,356,000
Remaining to be Acquired	
1,100	\$1,500,000

**Project Description:**

The project is the Thousand Springs ACEC/Chilly Slough area of the High Divide LWCF Collaborative Proposal. It is one of the few remaining examples of natural, high desert, spring-fed wetlands. Winter snows melt, gather along a range-front fault and feed thousands of springs to this area. It is the largest wetland in east-central Idaho and is managed jointly by the BLM and the Idaho Fish and Game. Acquisition of the private parcels are crucial because it encompasses the headwaters of the Thousand Springs/Chilly Slough wetlands. Land administered by BLM within the Thousand Springs/Chilly Slough wetlands is designated an ACEC and is valued for its diversity of wildlife that use it. The Zollinger parcel falls within the boundary delineated in the BLM Thousand Springs/Chilly Slough Habitat Management Plan. Acquisition will assure protection of this wildlife migration corridor and year-round habitat. Currently, the Chilly Slough Wetland Conservation Area protects almost 2,000 acres (BLM has acquired 1,028 acres and IDFG has acquired 918 acres) in public ownership. The 1999 BLM Resource Management Plan for this area allows for the creation of a wetlands management area of approximately 4,400 acres.

One hundred and seventy three wildlife species are known to use Thousand Springs/Chilly Slough wetlands with 113 of those being birds. These wetlands hold a high importance for migratory birds for a refueling spot during their annual migration. The riparian edge and adjacent sage-brush steppe habitat have shown to be important to sage-grouse throughout the year. Numerous historic and prehistoric archeological sites are present in and around the wetlands, and it is highly probable that other prehistoric and historic sites are located within these parcels; one prehistoric site is already known to exist on these private lands proposed for purchase. The Shoshone-Bannock Tribes have expressed interest in using this area for the practice of treaty-reserved rights. Recreational opportunities would include bird watching, hiking, fishing, canoeing, and historical education. Acquisition of this land through fee purchase would help to provide additional access to the wetlands, as well as, provide connectivity between publicly managed lands for wildlife conservation.

**Purpose / Need:**

Conservation and enhancement of one of Idaho's significant wildlife corridors and habitat areas lying at the base of the state's highest mountain range. Crucial wetland (Chilly Slough Wetland Conservation Area) adjacent to priority sagebrush steppe habitat. Private property within the area is for sale and has been subdivided threatening migratory birds, sensitive species habitat including year-round sage-grouse use, visual resources, cultural sites, and recreation.

**Cooperator(s):** Lemhi Regional Land Trust, The Conservation Fund, Idaho Department of Fish and Game (IDFG), The Nature Conservancy, Ducks Unlimited, Rocky Mountain Elk Foundation, Idaho State Historic Preservation Office, Heart of the Rockies Initiative.

Estimated O&M Savings: Start-up: \$4,000 Annual: \$500

Estimated O&M Costs: Start-up: \$7,000 Annual: \$1,000

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by eliminating the source of livestock trespass. Start up costs are constructing a parking area for interpretive kiosks. Annual costs are for conservation easement stewardship.

**Project / Unit:** Craters of the Moon National Monument and Preserve

Priority: 1

Discretionary

Mandatory

**State(s):** ID

**Congressional District(s):** 2

**Location:** Central Idaho, lands adjacent to Craters of the Moon National Monument and Preserve. Approximately 86 miles west of Idaho Falls and 170 miles east of Boise.

Proposed for FY 2017	
Acres	\$
4,669	\$1,200,000
Acquired to Date	
72,529	\$42,330,200
Remaining to be Acquired	
2,220	\$2,485,000

**Project Description:**

Craters of the Moon National Monument and Preserve (CRMO) protects 750,100 acres of National Park Service and BLM land in South Central Idaho and the southwestern corner of the High Divide Conservation Collaborative. CRMO is a member of the Pioneers Alliance, a coalition of ranchers, farmers, local residents, conservationists, agency officials and elected officials working together to accomplish common goals in Blaine and Butte counties. Conservation easements have been negotiated in both counties to protect the open spaces; the abundant wildlife; the access to the mountains, foothills, and desert; the agricultural way of life, and the small communities – and to build an economically, environmentally and socially sustainable future.

The Pioneers Foothills encompasses intact shrub habitat and provides a migration corridor between the Pioneer Mountains, Sawtooth National Forest and CRMO. Pronghorn antelope migrate seasonally through the north end of CRMO from the Pioneer Mountains to the Birch Creek area approximately 100 miles each way. The project area is core habitat for greater sage-grouse. Over 40 greater sage-grouse leks have been monitored in the CRMO. A portion of the Oregon National Historic Trial (i.e., Jeffrey Goodale Cutoff) is also within the project area. The Goodale's Cutoff of the Oregon Trail is a 230-mile spur headed north from Fort Hall toward Big Southern Butte, and then through the northern part of Craters of the Moon National Monument.

The target properties are located in Blaine County near the community of Carey, Idaho, and have tremendous potential for rural residential development. In the last decade, many farms and ranches in the vicinity have been subdivided and developed. Recreation use within the areas is in high demand due to the magnitude of proposed development of the surrounding areas; thus changing and/or increasing the demand, type and intensity of recreational use. CRMO attracted 198,545 visitors during calendar year 2011, with visitors spending an estimated \$6,821,000, resulting in 81 jobs and a \$2,940,000 value added to local communities.

**Purpose / Need:**

We are working with Willing ranchers and farmers have chosen to pursue a conservation alternative for their property rather than development. This is an opportunity to fund conservation easements that would conserve significant big game migration corridors and crucial winter range, key year round sage-grouse core habitat, tremendous hunting opportunities, archaeological and geologic resources.

**Cooperator(s):** The Nature Conservancy, Pioneer Alliance, Idaho Department of Fish and Game, National Park Service, Natural Resources Conservation Service, Central Idaho Rangeland Committee, Heart of the Rockies Initiative

Estimated O&M Savings: Start-up: \$25,000 Annual: \$18,000

Estimated O&M Costs: Start-up: \$1,000 Annual: \$1,000

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by not purchasing properties in fee. Start up costs would be signing conserved properties and annual conservation easement stewardship.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Sands Desert Habitat Management Area

Priority: 1

Discretionary

Mandatory

State(s): ID

Congressional District(s): 2

Location: Southeast Idaho. North and west of St. Anthony. Teton River east of St. Anthony.

Proposed for FY 2017	
Acres	\$
3,672	\$2,750,000
Acquired to Date	
25,771	\$20,040,247
Remaining to be Acquired	
7,000	\$7,000,000

**Project Description:**

The Sands Desert Habitat Management Area and Teton River Wildlife Corridor encompass some of the best remaining sagebrush steppe habitat, riparian, and fish habitat in the state of Idaho. This high quality habitat supports healthy populations of two species of national importance: the greater sage-grouse (core habitat) and the Columbian sharp-tailed grouse. For Idahoans though, it is best known for its large mammal populations; more than 4,000 elk, 3,000 mule deer and 400 moose winter on the Sands and Teton River public rangelands, the IDFG's 35,000 acre Sand Creek Wildlife Management Area (WMA), and the adjacent private property. Much of the wildlife that people attribute to Yellowstone National Park and the surrounding National Forest lands, leave those public lands in the winter to find refuge from heavy snows at lower elevations. On the west side of Yellowstone the best winter refuge on the Sands Desert and Teton River Corridor. While IDFG's WMA is not small, the lands that have been cobbled together to date are somewhat disconnected and do not encompass some of the best habitat. The value of this habitat was recognized by in the Idaho Fish and Game Comprehensive Wildlife Conservation Strategy, but few opportunities have come about to match willing land-owners with funds for habitat conservation.

These substantial fish and game resources also support outstanding hunting and fishing opportunities for both Idahoans and nonresidents. A high profile OHV program on the St. Anthony Sand Dunes which also supports the local rural economies. Additionally the Shoshone-Bannock Tribes rely heavily on the areas to continue their aboriginal hunting and gathering Treaty rights.

Through a rigorous prioritization process, the HFLP identified a dozen private parcels near the Sand Creek WMA and Teton River that would dramatically improve the protection offered by the WMA as well as existing conserved private properties and would permanently protect migration corridors land connectivity habitat. If successful, this funding would ensure the persistence of the large mammals that need the WMA and Teton River in the winter and two grouse species which can be found there year-round.

**Purpose / Need:**

A part of the High Divide LWCF Collaborative. The proposal is a mix of fee and conservation easement opportunities. Conserve significant big game migration corridors and crucial winter range, priority year round sage and sharp-tail grouse habitat, tremendous hunting opportunities, and archaeological resources. Multiple willing land owners are seeking a conservation alternative for their properties to keep them as working ranches or secure in public ownership to ensure they will always make a significant wildlife contribution.

**Cooperator(s):** Teton Regional Land Trust, The Conservation Fund, Rocky Mt. Elk Foundation, Idaho Fish and Game (IDFG), Henrys Fork Legacy Project (HFLP), Mule Deer Foundation, Doris Duke Charitable Foundation, Natural Resource Conservation Service, Caribou-Targhee National Forest, Heart of the Rockies Initiative

Estimated O&M Savings: Start-up: \$30,000 Annual: \$4,500

Estimated O&M Costs: Start-up: \$5,000 Annual: \$1,000

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by not purchasing properties in fee. Start up costs are constructing a parking areas & interpretive kiosks for fee properties. Annual costs are for conservation easement stewardship.

Project / Unit: Rio Grande del Norte National Monument

Priority: 2

Discretionary

Mandatory

State(s): NM

Congressional 3  
District(s):

Location: Northern New Mexico within the Rio Grande del Norte National Monument

Proposed for FY 2017	
Acres	\$
1,186	\$1,250,000
Acquired to Date	
33,339	\$28,412,800
Remaining to be Acquired	

**Project Description:**

On March 25, 2013 President Obama designated approximately 242,555 acres as the Rio Grande del Norte National Monument. Private inholdings within the Monument are vulnerable to increasing residential and "off grid" developments. Acquisition of three inholding parcels would enhance BLM's ability to protect fragile cultural, biological and scenic resources within the Monument, which contains the Taos Plateau ACEC and Wild and Scenic Rio Grande Corridor. This would secure and increase traditional and recreational access, and prevent fragmentation of a vital interstate wildlife migration corridor and critical winter range. Cultural significance of the area dates back 14,000 years to the Pleistocene era, when native hunters first followed the massive migrating herds of Mammuthus primigenius (wooley mammoth) and Bison antiquus (mega bison) into the region. The Plateau is rife with remains of the earliest known human cultures in the hemisphere with petroglyphs, tipi rings, wickiup structures, arrow heads, and pottery shards scattered across the landscape. Continuing archaeological investigation has documented over 500 recorded sites. Several Native American tribes and descendants of Hispanic settlers continue to traditionally use these lands as important areas for hunting, native plant, pinon nut, and fire-wood gathering, and grazing. Hunting, camping, wildlife viewing, fishing and renowned whitewater rafting contribute much-needed economic revenue to nearby rural communities. Access to the interior of the Monument and preservation of the rugged, wide-open landscape and vistas would be preserved through these acquisitions. Acquisition would also protect habitat for species of Greatest Conservation Need listed in the Comprehensive Wildlife Conservation Strategy for NM; Gunnison's Prairie dog, loggerhead shrike and burrowing owl, all BLM sensitive species. The New Mexico DGF identified the Taos Plateau as the most important winter range habitat for elk populations moving between CO and NM and best suited habitat for mule deer relocation projects. Up to 10,000 elk winter on the plateau each year. Mule deer, pronghorn, and wild sheep also depend on key habitat resources classified for protection in the NM Comprehensive Wildlife Conservation Strategy (sagebrush shrubland, mixed conifer forest/ woodland, and wet meadow).

**Purpose / Need:**

Acquire private inholdings within the Monument, preserve traditional uses, secure connectivity to the Rio Grande Wild & Scenic Corridor, preserve avian and wildlife habitat, protect prehistoric human habitation sites, and improve recreation & tourism.

**Cooperator(s):** NM Department of Game and Fish (DGF), Rio Grande del Norte Coalition, NM Wilderness Alliance, NM Wildlife Federation, The Wilderness Society, Trout Unlimited, Mule Deer Foundation, and Backcountry Hunters & Anglers.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$10,000 Annual: \$5,000

**Describe O&M:** The anticipated one-time O&M investment associated with this project is construct or remove approximately 3 miles of fencing, hold a dedication event with Trust for Public Land and other cooperators, install signage associated with the National Monument, and update maps and brochures. The estimated costs for the one-time O&M investment would be between \$5,000 and \$10,000. The ongoing O&M costs associated with this project would be maintaining infrastructure (e.g. roads, fences, gates, cultural structure, etc.), restoring resources and monitoring. External O&M contributions associated with the project would include but not limited to wildlife habitat restoration, natural and cultural resource inventories, maintenance of natural resources, and monitoring. These contributions would be funded by cost share, grants and stewardships programs through our partnerships with Federal, state, local governments, interest groups and non-profit organizations.

Project / Unit: Dominguez-Escalante National Conservation Area

Priority: 3

Discretionary

Mandatory

State(s): CO

Congressional 3  
District(s):

Location: West Central Colorado, approximately 8 miles south of Grand Junction.

Proposed for FY 2017	
Acres	\$
150	\$350,000
Acquired to Date	
985	\$3,901,500
Remaining to be Acquired	

**Project Description:**

The 150-acre Hallock Homestead property stretches along approximately 1 mile of an alluvial bench along the Gunnison River. This acquisition would provide an important link for a recreational trail along the Gunnison River from Whitewater to Delta. It would also ensure continued protection of the recreation setting for boaters along a 24-mile stretch of the Gunnison River. Currently, boaters enjoy outings in a largely undeveloped landscape. This undeveloped recreation setting is essential for the quality-of-life enhancing experiences that visitors seek when visiting the river corridor.

This section of the Gunnison River is listed as critical habitat for two federally endangered fish species, the Colorado Pikeminnow and Razorback Sucker, and contains known occupied habitat for the threatened Colorado Hookless Cactus as well as other riparian, scenic, and recreation values. Western Rivers Conservancy pre-purchased the property in 2013 for later sale to the BLM. The Mesa Land Trust holds a conservation easement on the property that allows for the development of two residential building sites. Acquisition of the property would include a simultaneous assignment of the conservation easement to the BLM, protecting the area from residential development by extinguishing the two reserved building sites. Development of the inholding property would be incompatible with management objectives of adjacent NCA lands.

The 210,000-acre Dominguez-Escalante NCA, including a 66,000-acre wilderness area, was established to protect its geological, cultural, paleontological, wilderness, recreation, wildlife, riparian, and scenic values. Spectacular red rock canyons and cliffs covered in pinion juniper forests hold geological and paleontological resources spanning 600 million years, as well as many cultural and historic sites. The Escalante, Cottonwood, Little- and Big Dominguez Creeks drain the eastern Uncompahgre Plateau to the nearly 30 miles of the Gunnison River that flow through the NCA. The Gunnison River is designated critical habitat for two endangered fish species. Threatened plant species, and rare and diverse wildlife call the area home, including desert bighorn sheep, mule deer, golden eagle, mountain lion, black bear, and elk. The area is bounded by the BLM Bangs Canyon Special Recreation Management Area and the Uncompahgre National Forest, and encompasses and adjoins the Escalante State Wildlife Area.

**Purpose / Need:**

Acquire critical inholding for endangered fish habitat preservation, riparian and scenic resource protection, and recreational opportunity enhancement.

**Cooperator(s):** U.S. Fish and Wildlife Service, Colorado Parks and Wildlife, Colorado Environmental Coalition, American Rivers, Audubon Society, Colorado River Outfitters Association, Trout Unlimited.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** Start-up O&M costs would include removal of an old cabin and cleanup/removal of trash and debris. Ongoing periodic O&M costs would involve treatment of noxious weeds and associated resource restoration.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Upper Colorado River SRMA

Priority: 4

Discretionary

Mandatory

State(s): CO

Congressional 2 District(s):

Location: Colorado River Corridor from State Bridge to Dotsero Landing

Proposed for FY 2017	
Acres	\$
36	\$1,500,000
Acquired to Date	
512	\$228,900
Remaining to be Acquired	

**Project Description:**

This project proposes to acquire 3 properties from The Conservation Fund that were previously purchased and improved by Eagle County to prevent private development and secure future public access, while preserving the BLM's acquisition opportunity. The 3 inholding sites complement 9 existing BLM recreation sites within the SRMA by establishing strategic public access points in previously inaccessible and underused portions of the Upper Colorado River. State Bridge is a take-out location that has long been a BLM priority; Two Bridges adds a functionally important put-in/take-out site on the 10 mile stretch between State Bridge and BLM's Catamount site; Dotsero Landing provides river access at Interstate 70 where the Eagle and Colorado Rivers join. Acquisition of these parcels would allow BLM to more effectively manage and enhance public access and recreational assets in the corridor, and to more evenly distribute public use along the river (historically 90% of use concentrated on the upper 40 miles of river, while only 10% use from Two Bridges to Dotsero.)

The Colorado River SRMA encompasses 85 miles of river stretching from above Kremmling in Grand County to below Dotsero at I-70 in Eagle County. The SRMA has retained its natural and historic attributes, including red rock cliffs, soaring geologic formations, free-flowing water, and historic ranches. The SRMA connects critical wildlife movement corridors between the Flat Tops Wilderness Area and Bull Gulch Wilderness Study Area, and provides habitat for bighorn sheep, Colorado River cutthroat trout, Roundtail chub, bald eagle and peregrine falcon. The Upper Colorado River, including the SRMA, is one of 25 Priority Landscapes identified for protection by the Colorado Conservation Partnership.

The SRMA is located less than three hours from the Denver metropolitan area and less than two hours from Grand Junction. The proximity of the SRMA to Interstate 70 and the Colorado River Headwaters National Scenic and Historic Byway makes it an increasingly popular destination for over 65,000 visitors annually, including anglers, rafters, kayakers, paddle boarders and campers eager to experience significant scenic, recreation, cultural, and wildlife resources. The river offers a variety of experiences from advanced whitewater in Gore Canyon to family friendly floating, and is used regularly by school groups, outdoor education groups, and organizations serving the disabled.

**Purpose / Need:**

Acquire three critical river access points within the Colorado River SRMA to enhance opportunities and options for local and visiting recreationists to experience the area's varied, unique and significant scenic, cultural, and wildlife/plant resources.

**Cooperator(s):** CO Parks & Wildlife, Great Outdoors Colorado, Eagle County, Eagle Valley Land Trust, Eagle River Watershed Council, Town of Gypsum, CO River Headwaters Scenic & Historic Byway, CO River Outfitters Assoc., American Rivers, Ducks Unlimited, Trout Unlimited, CO Conservation Partnership

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$10,000 Annual: \$25,000

**Describe O&M:** Annual maintenance costs would include routine upkeep of these facilities, as well as staff and law enforcement patrols of the property and facilities.

**Project / Unit:** Meadowood Special Recreation Management Area

Priority: 5

Discretionary

Mandatory

**State(s):** VA

**Congressional 8 District(s):**

**Location:** Northern Virginia, approximately 20 miles southwest of Washington D.C.

Proposed for FY 2017	
Acres	\$
10	\$1,400,000
Acquired to Date	
802	\$41,000,000
Remaining to be Acquired	
22	\$2,000,000

**Project Description:**

Established by An Act of Congress in 2001 and managed by the BLM, Eastern States Office, the 802 acre Meadowood SRMA is a key component of the parks, refuges, and other preserves on the Mason Neck Peninsula that have been protected from encroaching urban development radiating south from the metropolitan Washington, D.C. area. The landscape is a mosaic of gently sloping open meadows, mature hardwood forests, freshwater ponds, creeks, streams, and riparian wetlands.

Two national trail segments pass through the Meadowood SRMA, the Potomac Heritage National Scenic Trail and the Washington-Rochambeau Revolutionary Route National Historic Trail. These national trail segments help make up Meadowood's 15-mile, multiple-use trail system which provides opportunities for hiking, running, mountain biking, and horseback riding. One universally accessible trail is incorporated within the trail system. The proposed acquisition would permit BLM to significantly expand and enhance the existing trail system. Additional day-use dispersed recreational activities at Meadowood include wildlife viewing, fishing, seasonal hunting, nature photography, geocaching, environmental education, and interpretation. The SRMA attracts over 22,000 annual recreational visitors and reaches over 700 area youth through a variety of educational and recreational programs, including Hands on the Land and Take it Outside.

The diverse Meadowood habitat supports a great variety of wildlife, including white-tailed deer, red fox, coyote, beaver, raccoons, hawks, eagles, reptiles, and amphibians. Home to 30 species of migratory songbirds, the SRMA lies within the National Audubon Society's Lower Potomac River Important Bird Area. Meadowood contains some of the best mature hardwood forest on the Mason Neck peninsula as well as less mature woodlands. Woody plants common to the woodlands, forest and forest edges at Meadowood include red and white oak, beech, sweet gum, Virginia pine, persimmon and paw paws. The trails at Meadowood pass through a wide variety of terrain and vegetation types, providing visitors with constantly changing seasonal experiences.

**Purpose / Need:**

Enhance public access to an extensive recreational trail network and strengthen aquatic and terrestrial habitat connectivity to and from Meadowood Special Recreation Area (SRMA) from neighboring conserved lands.

**Cooperator(s):** U.S. Fish and Wildlife Service, NPS, Virginia Department of Conservation and Recreation, Northern Virginia Regional Park Authority, Fairfax County Department of Parks and Recreation, Chesapeake Conservancy, Audubon Society, Gunston Hall, Hands on the Land, Gunston Elementary School

Estimated O&M Savings: Start-up: \$0 Annual: \$30,000

Estimated O&M Costs: Start-up: \$100,000 Annual: \$15,000

**Describe O&M:** Acquisition of land that will expand the trail system with a facility that can be used for Student Conservation Association intern housing, Law Enforcement, and an Educational Center will result in O&M savings by offsetting the number of seasonal employees hired with summer interns and the need for expanding the Educational Center and providing Law Enforcement facilities. Additional saving will result from eliminating boundary issues by acquiring an in-holding. O & M costs will include the cost of expanding the trail system and participating in the development of a bike path along the historic northeast boundary of the SRMA with local partners.

Project / Unit: Nanjemoy National Resource Management Area

Priority: 5

Discretionary

Mandatory

State(s): MD

Congressional 5  
District(s):

Location: Southern Maryland, approximately 45 miles south of Washington, D.C.

Proposed for FY 2017	
Acres	\$
172	\$1,600,000
Acquired to Date	
1,945	\$9,613,216
Remaining to be Acquired	
4,543	\$55,651,000

**Project Description:**

Situated only one hour from Washington, D.C. on the tidal, lower Potomac River, the Nanjemoy Peninsula is one of the most ecologically and culturally significant landscapes remaining in the State of Maryland. Migratory waterfowl and wading birds find shelter and abound along ten miles of undisturbed shoreline, and an extensive network of wetlands and forest harbor some of Maryland's finest examples of rare and engendered plants and animals. Nanjemoy's outstanding natural attributes are equally matched by its archaeological resources and history - early native American sites in the region offer a rare insight into indigenous cultures prior to European settlement, the site of a 25,000-troop Civil War encampment and dozens of World War 1-era sunken ships remains in Malloes Bay. Two water-based national trails on the Potomac River pass to the east of Nanjemoy NRMA, the Captain John Smith Chesapeake National Historical Trail and the Star-Spangled Banner national historic Trail. A two mil-mile segment of the Potomac Heritage National Scenic Trail loops through the area. Limiting development within the Nanjemoy NRMA will preserve the historic Potomac River viewshed associated with these trails.

The State of Maryland manages several conservation areas within the Nanjemoy Peninsula, including Nanjemoy NRMA, Myrtle Grove Wildlife Management Area, Doncaster State Forest and Purse State Park. The BLM contributes to the Nanjemoy NRMA landscape through two "anchors", Douglas Point SRMA and Maryland Point.

In September 2005, the State of Maryland DNR and the BLM approved a long-term land management plan for the Nanjemoy NRMA that provides guidance for the sustainable protection, use, and future conservation of additional lands. The BLM and Maryland DNR are working together to establish habitat linkages between these conserved areas and the Potomac River to enhance wildlife species viability and protect cultural resources and watershed values.

**Purpose / Need:**

Provides habitat connectivity and improve public access between State of Maryland conservation areas and BLM's Douglas Point Special Recreation Management Area (SRMA), all within the Nanjemoy National Resource Management Area (NRMA).

**Cooperator(s):** Maryland Department of Natural Resources (DNR), Charels County, Piscataway-Conoy Tribe. Chesapeake Conservancy.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** O&M costs will include construction of a small equipment shed and trail development including maps, signs, and brochures. Eliminating the need to transport equipment for trail maintenance will result in O&M savings annually

Project / Unit: **Agua Fria National Monument**

Priority: 6

Discretionary

Mandatory

State(s): AZ

Congressional 2  
District(s):

Location: Central Arizona; 40 miles north of the Phoenix metropolitan area.

Proposed for FY 2017	
Acres	\$
621	\$3,300,000
Acquired to Date	
60,279	\$18,380,000
Remaining to be Acquired	
575	\$1,900,000

**Project Description:**

The 71,000-acre Agua Fria National Monument contains one of the most significant complexes of late prehistoric pueblo settlement sites in the American Southwest. The Monument encases many significant archaeological sites, including distinctive rock art, settlements, stone pueblos and clusters of pueblos and forts, all amid visually spectacular settings. There is an extraordinary array of biological and scientific resources, including riparian areas, upland high-desert grasslands, year-round flowing streams, and a 21-mile segment of the Agua Fria River. This segment of the Agua Fria River is proposed for designation as a Wild and Scenic River.

This proposal represents the second of a two phase attempt to acquire the entire 701 acre property. The first phase of the property acquisition plan was completed in February of 2015. The property proposed for FY 2017 acquisition is comprised of a Monument inholding totaling approximately 621 acres. The Cross Y Ranch property includes more than a mile of Agua Fria River riparian habitat, and a substantial number of water rights. This stretch of the Agua Fria River is habitat for several endangered and State and Bureau sensitive species including but not limited to: Gila Chub, Gila Topminnow, Longfin Dace, Speckled Dace, Lowland Leopard Frog, Gila Monster, Yellow-billed Cuckoo, and Zone-tailed Hawk. The upland portions of the property encompass numerous pueblo ruins, rock art sites, and artifact scatters. The property is highly scenic and includes dense stands of saguaro cacti, and other rare plant species. Acquisition would contribute to maintaining connectedness and resource integrity of important grassland habitat types as part of the Central Arizona Grasslands Strategy. The Cross Y Ranch acquisition is a high BLM priority due to its natural resource values, new public access opportunities, water rights, and the proximity to the Phoenix metropolitan area. The Conservation Fund began purchase actions after receiving favorable support from the BLM. They closed on the property in June 2012. Updated appraisals and hazmat studies will be completed.

**Purpose / Need:**

To enhance management efficiency and preservation of Monument values and objects, including open space, a flowing stream, riparian habitat, recreation opportunities, and cultural resources.

**Cooperator(s):** The Arizona Game and Fish Department and the U.S. Forest Service. Trust for Public Land. Friends of the Agua Fria. There is strong community and user group support.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$10,000 Annual: \$5,000

**Describe O&M:** Costs of the acquiring the private lands may involve media communications, monitoring, and on the ground boundary signs.

Project / Unit: Lewis and Clark National Historic Trail

Priority: 7

Discretionary

Mandatory

State(s): MT

Congressional 1  
District(s):

Location: Central Montana, 75 miles northeast of Great Falls on the Missouri River.

Proposed for FY 2017	
Acres	\$
2,385	\$2,000,000
Acquired to Date	
9,869	\$4,142,000
Remaining to be Acquired	
13,850	\$13,430,000

**Project Description:**

The tread of the 3,700-mile long Lewis and Clark National Historic Trail and the riparian corridor of the 149-mile free-flowing Upper Missouri National Wild and Scenic River are historically braided through this area of central Montana. The landscape contains a spectacular array of biological, historical, geological, cultural, and wildlife resources in a remote location that offers opportunities for solitude. This isolation results in unsoiled, natural settings that form a backdrop for outstanding recreational and cultural tourism opportunities. The remote nature of this segment of the Missouri River has buffered it from most human influence and maintains the same vistas experienced by the Lewis and Clark expedition in 1805 and 1806. Acquisition of riverfront and breaks/upland properties will preserve the scenic beauty and wild experience of the area in perpetuity.

This proposal would acquire 2,623 acres (238 acres in fee title and 2,385 acres in conservation easements) in two properties located along one of the few travel corridors to transect the Upper Missouri National Wild and Scenic River as it passes through the Upper Missouri River National Monument. The travel corridor is also an extremely sensitive visual corridor.

Acquisition would eliminate the threat of development on nearly three miles of river frontage and serve to further consolidate management of public lands along the Wild and Scenic River. Being highly suited for development, protection of the scenic values and cultural landscape are among the highest priorities within the Wild and Scenic River corridor.

**Purpose / Need:**

Protect the historic landscape and multiple resource values while enhancing recreational opportunities for river users.

**Cooperator(s):** Montana Wildlife Federation, Montana Wilderness Association, Montana Preservation Alliance, Lewis and Clark Trust, Inc., Friends of the Missouri Breaks Monument.

Estimated O&M Savings: Start-up: \$0 Annual: \$1,000

Estimated O&M Costs: Start-up: \$5,000 Annual: \$3,000

**Describe O&M:** O&M savings of shared recreation facilities maintenance. O&M start-up costs of interpretive signs and river bank restoration; annual costs of weed control and conservation easement monitoring.

Project / Unit: **Dos Palmas Area of Critical Environmental Concern**

Priority: 8

Discretionary

Mandatory

State(s): CA

Congressional 36  
District(s):

Location: Southern California, east of the Salton Sea and south of Orocopia Mtns. Wilderness

Proposed for FY 2017	
Acres	\$
847	\$650,000
Acquired to Date	
3,860	\$666,000
Remaining to be Acquired	
6,000	\$3,500,000

**Project Description:**

In 1980, the California Desert Conservation Area (CDCA) Plan designated 2,503 non-contiguous acres as the Salt Creek Desert Pupfish/Rail Habitat Area of Critical Environmental Concern (ACEC) to protect washes, seeps, and springs, which provide habitat for the federally-listed pupfish, Yuma clapper rail and other species. This ACEC was expanded to 4,288 acres in 1984. In 1998, the CDCA Plan was amended again to expand the ACEC to approximately 15,800 acres and the ACEC was re-named the Dos Palmas ACEC. Ownership is approximately 8,100 acres of BLM, 1,010 acres of State, 248 acres of San Diego County Water Authority mitigation lands, 1,379 acres of private conservation lands and approximately 5,063 acres of private non-conservation lands. Biological resource values include desert fan palm oasis woodland, desert dry wash woodland, mesquite bosque, stabilized desert sand fields, desert saltbush scrub, desert sink scrub and fresh water marsh. The area is habitat for species including the federally-listed desert pupfish and Yuma clapper rail; and sensitive species including California black rail, flat-tailed horned lizard; and southern yellow bat. Friends of the Desert Mountains has pre-acquired 847 acres within and contiguous to the ACEC to facilitate acquisition by the BLM in order to protect the ACEC's resource values from any development threat and to improve management.

The ACEC is part of a larger Conservation Area designated in the Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan (Plan). BLM has committed via a CDCA Plan Amendment to manage its lands in the Plan Conservation Areas consistent with the conservation objectives of the Plan. BLM cooperates and coordinates with other conservation managers in the Conservation Area to ensure effective and efficient management. The other conservation managers include the California Department of Fish and Wildlife, the California Department of Parks and Recreation, the Coachella Valley Conservation Commission and the Nature Conservancy. Acquisition of the 847 acres by BLM will help further this cooperative management effort and implementation of the Regional Plan.

**Purpose / Need:**

Conserve sensitive habitats and species as well as cultural, historic, and recreational resources, and consolidate conservation ownership to improve management. The ACEC is also part of the regional habitat conservation plan (HCP).

**Cooperator(s):** Friends of the Desert Mountains, The Coachella Valley Mountains Conservancy, Coachella Valley Conservation Commission, California Department of Fish and Wildlife

Estimated O&M Savings: Start-up: \$10,000 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** O&M Start-up Savings: Partner assistance available to process the proposed transaction in the form of contributed services to contract for appraisal, Phase I Environmental Site Assessment and necessary due diligence.  
Estimated O&M Start-up Costs: Conduct cultural and natural resource inventories.  
Estimated O&M Annual Costs: Treat noxious and/or invasive plants.

Project / Unit: Kasha-Katuwe Tent Rocks National Monument

Priority: 9

Discretionary

Mandatory

State(s): NM

Congressional 3  
District(s):

Location: North-central New Mexico, 52 miles northeast of Albuquerque

Proposed for FY 2017	
Acres	\$
213	\$750,000
Acquired to Date	
1,484	\$807,516
Remaining to be Acquired	
559	\$1,100,000

**Project Description:**

Kasha-Katuwe Tent Rocks (KKTR) National Monument, established under Presidential Proclamation 7394 of January 17, 2001, consists of 5,402 acres of land. Visitors from all over the world travel to this unique site, which consists of sandstone rock formations that have been partially eroded into the shape of tents, many between 40 and 60 feet tall and several that tower over 90 feet in height. The only other known place on earth with formations comparable to these is near Mount Ararat in Turkey. The channel of Peralta Canyon contains some riparian habitat, including on the private inholdings, where BLM staff will have the opportunity to monitor vegetation supported by available water during the runoff season. The BLM will also maintain, restore, improve, and protect this riparian wetland area and other similar areas located on private land for their productivity, biological diversity, and sustainability. A variety of cultural resources will be protected and preserved in place for the benefit of scientific study and public use by present and future generations. These include both historic and prehistoric sites. Multiple recreational opportunities exist within the Monument, including hiking, photography, watching birds and other wildlife, viewing wildflowers and scenic topography, picnicking, and creating artwork. Hiking trails for day use are planned as part of a trail system that will allow the recreating public to experience firsthand the natural beauty and majestic rock canyons located on the private inholdings. Equestrian use, including overnight pack trips, is also planned on those lands. Use of the Monument for hiking and as a laboratory for environmental education classes are the major demands by the public. Acquisition of the private inholdings will expand the acreage and variety of resources available for these activities by individuals, and private and school groups. University and professional scientific societies will have additional opportunities for permitted geologic and other scientific research and educational field trips. Overall, addition of these private lands to the Monument will enhance visitor experiences, allow greater resource protection, and contribute to the Monument's varied resources.

**Purpose / Need:**

Purchase private inholdings within the Kasha-Katuwe Tent Rocks National Monument

Cooperator(s): Pueblo de Cochiti, Sandoval County

Estimated O&M Savings: Start-up: \$12,000 Annual: \$12,000

Estimated O&M Costs: Start-up: \$225,000 Annual: \$60,000

**Describe O&M:** Estimated O&M savings would include maintenance on roads with our road maintenance agreement we hold with Peralta Canyon Trust. The estimated savings would be \$12,000. The anticipated one-time O&M investment associated with this project would include the amendment of the KKTR resource management plan to add the new properties, fence removal, installation of signage associated with the National Monument, trail development and implementation, update brochures, and park ranger and law enforcement patrols. The estimated costs for the one-time O&M investment would be approximately \$225,000. The ongoing O&M costs associated with this project would be maintaining infrastructure such as roads, restoring resources and monitoring.

Project / Unit: Hixon Columbian Sharptailed Grouse ACEC

Priority: 10

Discretionary

Mandatory

State(s): ID

Congressional 1 District(s):

Location: West Central Idaho, about five miles west of Midvale, Idaho

Proposed for FY 2017	
Acres	\$
2,333	\$1,250,000
Acquired to Date	
6,901	\$421,050
Remaining to be Acquired	
1,200	\$800,000

**Project Description:**

The once abundant Columbian sharptailed grouse was all but eradicated from western Idaho by the early 1970s. Hunting the beautiful bird had been closed since the 1940s and all known dancing grounds (leks) had been unoccupied for decades. However, every few years Idaho Department of Fish and Game (IDFG) would receive a report of the sighting of a few birds, making it known that the population existed and was critically low. Today, the Columbian is the rarest subspecies of sharptail and has twice been petitioned for listing under the Endangered Species Act. They are currently classified as a BLM Sensitive Species and an IDFG Species of Highest Conservation Need.

In 1977, three small sharptail leks were discovered, with a estimated population of 75 birds. The leks were located on a 4,300 acre ranch that was purchased in 1987 by The Nature Conservancy (TNC), and most of which was later exchanged to BLM. Other land exchanges in addition to fee and easement acquisitions have occurred since that time to acquire key habitat and to protect the ACEC. To date, BLM has acquired in fee and conservation easement about 7,000 acres. Improved habitat management has resulted in a much expanded population of sharptails, now estimated at 300-400 birds, an anomaly when compared to the continued decline of the birds in other parts of their range.

In 1987, BLM designated the 11,854 acre Hixon Columbian Sharptailed Grouse ACEC, which also contains key sage-grouse nesting and brood rearing habitat, including two known sage-grouse leks. Private lands within and adjacent to the ACEC are part of a Habitat Management Plan/Sikes Act Cooperative Agreement among BLM, IDFG, and TNC. It was developed to encompass all associated important habitat for this sharptail population (24,130 acres) until a willing seller was identified and the project was awarded more funds. Continued land acquisitions within and improved management of the ACEC and HMP area will hopefully allow the area to be used as a source of birds for reestablishing sharptail populations in other areas where they have been extirpated. There is a real threat today of rural residential development that would adversely affect the critical Columbian sharptailed habitat and may trigger a decline in the population due to urban sprawl.

**Purpose / Need:**

To consolidate ownership within the Hixon Columbian Sharptailed Grouse ACEC for habitat management of a landscape to protect and enhance the land containing crucial Columbian sharptail lekking, nesting, and wintering habitat.

Cooperator(s): The Nature Conservancy, Idaho Dept. of Fish & Game

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

Describe O&M: Start-up costs will cover: 1) preparing and/or updating maps & brochures, and 2) developing and installing signs and kiosks; Annual O&M costs are associated with: 1) conservation easement stewardship, and 2) maintenance/restoration of resources.

Project / Unit: Lathrop Bayou Habitat Management Area

Priority: 11

Discretionary

Mandatory

State(s): FL

Congressional District(s): 2

Location: Florida Panhandle just east of Panama City

Proposed for FY 2017	
Acres	\$
206	\$412,000
Acquired to Date	
Remaining to be Acquired	

**Project Description:**

Lathrop Bayou is one of the most intact longleaf pine stands in the Florida Panhandle. BLM has work with St. Joe Timberlands, U.S. Fish and Wildlife Service, Florida Fish and Wildlife Conservation Commission and others to protect and restore this 539-acre area longleaf pine stand since 2002. Over the last 15 years, three prescribed burns, removal of ladder fuels, and the cutting of thousands of young slash pine have restored the characteristic park-like setting required by so many longleaf pine endemics. The endangered red-cockaded woodpecker population at Lathrop Bayou expanded from two clusters to four breeding clusters in 2014. That expansion has been aided by the installation of nineteen artificial cavities and translocation of three red-cockaded woodpeckers to improve genetic diversity and sex ratios. The four active clusters at Lathrop Bayou represent the expected maximum carrying capacity of the 539-acre site without additional mid-story reduction in privately owned peripheral areas. Three federally listed plants with narrow ranges in the Florida Panhandle have responded well to regular prescribed burns after decades of fuel accumulation. In 2007, a total of 764 Florida skullcap seeds were collected at Lathrop Bayou when the threatened plant bloomed in the thousands across the island. Those seeds are being stored and used in propagation studies at the Bok Towers in central Florida. Based on these successes, BLM is continuing to work with partners to extend management of these imperiled resources in the Florida Panhandle as a signatory of the Apalachicola Regional Stewardship Alliance MOU.

In 2014, 206 acres of private land at Lathrop Bayou were part of a 380,000 acre land sale in northwest Florida. That sale changed the dynamics of BLM's long-time collaborative partnerships at Lathrop Bayou where management had been conducted seamlessly across property boundaries for years. Lathrop Bayou is basically an island, accessible only by boat. The frequent prescribed fire regime, based on aerial ignition for safety concerns, is essential to maintaining the habitat and that technique can only be used when applied across the entire island.

This relic longleaf pine stand and its host of endemic species is dependent on being able to be managed across the entire island. AgReserves has indicated they are a willing seller and the purchase would make a significant contribution of longleaf pine in the Florida Panhandle.

**Purpose / Need:**

Consolidate the most intact longleaf stands in the Florida Panhandle to facilitate an active prescribed burn program and management of four federally listed species and seven state-listed plant species, at risk migratory birds, and nesting bald eagles.

**Cooperator(s):** Proposed acquisition part of Florida-Georgia Longleaf Pine Initiative, cooperators include North Florida Refuges and National Forests of Florida. BLM is also a signatory to the Apalachicola Land Stewardship MOU with TNC, FL Forest Service, DOD, NW FL Water Mgmt. Dist., and others

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** Start-up costs will cover: 1) preparing and/or updating maps & brochures, and 2) developing and installing signs and kiosks; Annual O&M costs are associated with: 1) conservation easement stewardship, and 2) maintenance/restoration of resources.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Salmon Wild and Scenic River

Priority: 12

Discretionary

Mandatory

State(s): OR

Congressional 3  
District(s):

Location: Northwest Oregon, 20 miles southeast of Portland

Proposed for FY 2017	
Acres	\$
213	\$1,300,000
Acquired to Date	
Remaining to be Acquired	

**Project Description:**

A breath-taking scenic corridor immediately east of metropolitan Portland, the Salmon River descends from the forested slopes of Mount Hood, harboring a rich diversity of animal and plant populations, within secluded riparian and wetland areas. Multiple threatened salmonid species, including Lower Columbia Chinook and Coho salmon and Steelhead use these turbulent waters for spawning and rearing their young before returning to the Pacific Ocean via the Columbia River. Old growth stands of Douglas fir contain prime habitat for the threatened northern spotted owl.

The Salmon River National Wild and Scenic River project offers exceptional recreational opportunities for fishing, hiking, wildlife viewing, nature study, and non-motorized boating or floating. The project is easily accessible from the Portland Metro area, the Northwest's second largest population center.

Numerous projects designed to improve accessibility and enhance and restore habitat for listed species have been undertaken by BLM and its partners on and adjacent to recently acquired parcels within the project area. These actions will aid federal agencies recover federally-listed species and improve the BLM's ability to provide recreation opportunities to a large population. The recently completed Sandy Ridge Mountain Bike Trail System now draws over 100,000 visitors annually, and that number is growing. The proposed acquisitions will also provide greater management consistency in the Sandy Basin and improve the BLM's ability to manage Salmon River area.

**Purpose / Need:**

Preservation of the Salmon National Wild and Scenic River gorge and interwoven Oregon National Historic Trail corridor, providing for the protection of open space, scenic, recreation, fisheries and wildlife values

**Cooperator(s):** U.S. Forest Service, State of Oregon, Clackamas and Multnomah Counties, METRO (regional government body), Cities of Portland and Sandy, Portland General Electric (PGE), The Nature Conservancy, Northwest Steelheaders, Oregon Trout, Sandy River Watershed

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$1,500

**Describe O&M:** Costs incurred would include forest type inventories, potential weed control or silvicultural treatments to enhance forest conditions, and enhancement opportunities for species habitat or population maintenance. The intrinsic values to be gained are for species of concern, recreation, and sustainable forest landscape conditions; these do not have a dollar amount attached but are important to our local communities.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: John Day Wild and Scenic River

Priority: 12

Discretionary

Mandatory

State(s): OR

Congressional 2  
District(s):

Location: North Central OR, 95 miles SE of Portland, OR and 83 miles NE of Bend, Oregon

Proposed for FY 2017	
Acres	\$
6,846	\$3,450,000
Acquired to Date	
11	\$40,000
Remaining to be Acquired	

**Project Description:**

The John Day River (JDR) is the Columbia Basin's most biologically diverse river system with the largest native fish populations in Oregon including Chinook salmon, Mid Columbia Steelhead and Bull Trout; both listed as Threatened. The system includes the mainstem and its North, Middle and South Forks and covers more than 500 river miles. The JDR and its tributaries have been identified as a salmon stronghold and key for recovery of important fish populations. The landscape also provides enhanced opportunities for bats, neo-tropical and resident birds, and dispersal territories for wide-ranging species like elk, mule deer and wolverine.

An investment into the JDR will benefit important habitat and ensure public access to thousands of acres of public land for a diverse range of highly desirable recreation opportunities including hunting, fishing, camping, sight-seeing, nature study, photography, and float boating. Every segment of the river offers a different experience. Vast expanses of wilderness and roadless areas provide remote, wild settings with great solitude and primitive conditions. These options can only be accessed by 5 to 7 day float trips; an experience not available within 100 miles of the area. Visitors can also experience day trips through a variety of spectacular scenic and rural settings.

The project area includes the newly Congressionally designated Spring Basin Wilderness (SBW), the North Pole Ridge WSA, the Thirty Mile WSA, the John Day and South Fork John Day WSR's, the administratively suitable North Fork John Day WSR, State Scenic Waterways, State Wildlife Management Areas along the lower mainstem and along the South Fork, and the John Day Fossil Beds National Monument. Some acquired lands will become incorporated into the SBW.

Historically, various Tribal groups used the region for root collecting, hunting, fishing and religious activities. These traditions continue today however, access for these traditional activities is an issue due to land ownership and geography.

**Purpose / Need:**

Conserve significant scenic, recreation, fisheries, wildlife, cultural, paleontological, and botanical values. Increase recreational access.

**Cooperator(s):** OR Parks & Rec. Dept., OR Dept. of Fish & Wildlife, OR Watershed Enhancement Board, Gilliam Co. and Sherman Co. Soil & Water Conservation Districts, Lower John Day Working Group

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$10,000 Annual: \$2,500

**Describe O&M:** The O&M costs associated with this proposal include: recreational staffing, law enforcement, placing public informational signs, developing and maintaining trails or roads for public access, and on going monitoring of the public lands to preserve, develop and ensure access to outdoor recreation facilities.

Project / Unit: California Wilderness

Priority: 13

Discretionary

Mandatory

State(s): CA

Congressional Multiple District(s):

Location: All of California

Proposed for FY 2017	
Acres	\$
3,164	\$2,389,000
Acquired to Date	
400,200	\$54,234,375
Remaining to be Acquired	
200,000	\$150,000,000

**Project Description:**

There are 88 designated Wilderness Areas encompassing over 3.9 million acres of public land in California. The first 69 Wilderness Areas were designated in southern California with the passage of the California Desert Protection Act of 1994. Subsequently the Otay Mountain Wilderness Act, Big Sur Wilderness and Conservation Act of 2002, Northern California Coastal Wild Heritage Act of 2006, and most recently, the Omnibus Public Lands Management Act of 2009, designated 19 additional Wilderness Areas on BLM lands in California. These Wilderness Areas stretch from the north coast of California to the peaks of the Sierra Nevada to lands along the Mexican border.

Over 37 million people are now living in California and these Wilderness Areas offer places of solitude where people can experience freedom from our fast-paced industrialized society. They are places where people can renew the human spirit through association with the natural world and offer a respite from the pressures of an ever increasing urban lifestyle.

These Wilderness Areas also provide important habitat to a wide variety of animal and plant species, many threatened and endangered, and some Federally-listed species. There are six Wilderness Areas that are transected by the 2,638-mile Pacific Crest National Scenic Trail, as well as seven Wilderness Areas that are located adjacent to the Juan Bautista de Anza and Old Spanish National Historic Trails.

**Purpose / Need:**

Consolidate public ownership within designated wilderness to preserve wilderness character, and increase opportunities for the public to experience primitive recreation.

**Cooperator(s):** Resources Legacy Fund Foundation, The California wilderness Coalition, The Nature Conservancy, The Sierra Club, The Wildlands Conservancy, California State Lands Commission, California Native Plants Society, PCT Association

Estimated O&M Savings: Start-up: \$10,000 Annual: \$50,000

Estimated O&M Costs: Start-up: \$10,000 Annual: \$5,000

**Describe O&M:** Acquiring inholdings reduces the miles of boundaries the BLM has to manage and monitor. Also reduces future resolution of issues such as access to the inholdings.

Project / Unit: Red Cliffs National Conservation Area

Priority: 14

Discretionary

Mandatory

State(s): UT

Congressional 2  
District(s):

Location: Southwest Utah, Immediately north of St. George

Proposed for FY 2017	
Acres	\$
12	\$1,700,000
Acquired to Date	
6,544	\$49,534,952
Remaining to be Acquired	
1,206	\$50,000,000

**Project Description:**

Known for its spectacular red rock canyons and basaltic lava flows, the 45,000-acre Red Cliffs National Conservation Area (NCA) is surrounded by the towering Pine Valley Mountains and the Dixie National Forest to the north and an arc of growing communities to the south. The Omnibus Public Land Management Act of 2009, designated the Red Cliffs NCA to conserve, protect, and enhance ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources.

The NCA is adjacent to the Dixie National Forest and Snow Canyon State Park, and is the largest block of undeveloped land contiguous to one of the fastest-growing metropolitan areas in the nation. St. George is projected to grow from its current 140,000 residents to 700,000 residents by 2050. The NCA offers the recreating public a wide variety of options, including access to camping and day use areas, over 130 miles of non-motorized trails, and the solitude and scenic vistas found in the Red Mountain and Cottonwood Canyon Wilderness areas.

The NCA is a major component of the 62,000-acre Red Cliffs Desert Reserve (Reserve), created in 1996 by the signing of a Habitat Conservation Plan (HCP) to protect populations and habitat of the threatened Mojave Desert tortoise and other at-risk native plant and animal species. The Reserve is managed collaboratively by the BLM, State of Utah, Washington County, and local municipalities, and serves as the primary mitigation for the Washington County HCP and incidental take permit that allows for continued community growth and development. Since 1996, the BLM has acquired 6,544 acres within the Reserve, leaving only 1,200 acres in three private ownerships and another 6,524 acres of State Trust Land. The BLM is working actively with two of the landowners and the County to complete large-scale land exchanges. A competitive land sale was held in October, 2014, the receipts from which can be used to purchase additional acreage. The BLM's acquisition of the NCA in-holdings would satisfy the goals of the Mojave Desert Tortoise Recovery Plan (USFWS1994) and HCP, and would support renewal of the Washington County's incidental take permit in 2016.

**Purpose / Need:**

Consolidate land ownership within Red Cliffs NCA to improve management of designated critical habitat for the Federally-listed threatened Mojave Desert tortoise; eliminate conflicts with private in-holdings; and allow for continued development within County.

**Cooperator(s):** The Trust for Public Land, The Nature Conservancy

Estimated O&M Savings: Start-up: Annual:  
 Estimated O&M Costs: Start-up: \$25,000 Annual: \$5,000

**Describe O&M:** Costs of the acquiring the private lands may involve additional signage and monitoring of populations in additional areas.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Craters of the Moon National Monument and Preserve

Priority: 15

Discretionary

Mandatory

State(s): ID

Congressional District(s): 2

Location: Central Idaho, lands adjacent to Craters of the Moon National Monument and Preserve. Approximately 86 miles west of Idaho Falls and 170 miles east of Boise.

Proposed for FY 2017	
Acres	\$
2,552	\$656,000
Acquired to Date	
72,529	\$42,330,200
Remaining to be Acquired	
2,220	\$2,485,000

**Project Description:**

Craters of the Moon National Monument and Preserve (CRMO) protects 750,100 acres of National Park Service and BLM land in South Central Idaho and the southwestern corner of the High Divide Conservation Collaborative. CRMO is a member of the Pioneers Alliance, a coalition of ranchers, farmers, local residents, conservationists, agency officials and elected officials working together to accomplish common goals in Blaine and Butte counties. Conservation easements have been negotiated in both counties to protect the open spaces; the abundant wildlife; the access to the mountains, foothills, and desert; the agricultural way of life; and the small communities – and to build an economically, environmentally and socially sustainable future.

The Pioneers Foothills encompasses intact shrub habitat and provides a migration corridor between the Pioneer Mountains, Sawtooth National Forest and CRMO. Pronghorn antelope migrate seasonally through the north end of CRMO from the Pioneer Mountains to the Birch Creek area approximately 100 miles each way. The project area is core habitat for greater sage-grouse. Over 40 greater sage-grouse leks have been monitored in the CRMO. A portion of the Oregon National Historic Trial (i.e., Jeffrey Goodale Cutoff) is also within the project area. The Goodale's Cutoff of the Oregon Trail is a 230-mile spur headed north from Fort Hall toward Big Southern Butte, and then through the northern part of Craters of the Moon National Monument.

The target properties are located in Blaine County near the community of Carey, Idaho, and have tremendous potential for rural residential development. In the last decade, many farms and ranches in the vicinity have been subdivided and developed. Recreation use within the areas is in high demand due to the magnitude of proposed development of the surrounding areas; thus changing and/or increasing the demand, type and intensity of recreational use. CRMO attracted 198,545 visitors during calendar year 2011, with visitors spending an estimated \$6,821,000, resulting in 81 jobs and a \$2,940,000 value added to local communities.

**Purpose / Need:**

We are working with willing ranchers and farmers have chosen to pursue a conservation alternative for their property rather than development. This is an opportunity to fund conservation easements that would conserve significant big game migration corridors and crucial winter range, key year round sage-grouse core habitat, tremendous hunting opportunities, archaeological and geologic resources.

**Cooperator(s):** The Nature Conservancy, Pioneer Alliance, Idaho Department of Fish and Game, National Park Service, Natural Resources Conservation Service, Central Idaho Rangeland Committee, Heart of the Rockies Initiative

Estimated O&M Savings: Start-up: \$25,000 Annual: \$18,000

Estimated O&M Costs: Start-up: \$1,000 Annual: \$1,000

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by not purchasing properties in fee. Start up costs would be signing conserved properties and annual conservation easement stewardship.

**Project / Unit:** Salmon River Special Recreation Management Area

Priority: 15

Discretionary

Mandatory

**State(s):** ID

**Congressional District(s):** 2

**Location:** Central Idaho near the cities of Salmon and Challis.

Proposed for FY 2017	
Acres	\$
1,724	\$3,473,000
Acquired to Date	
14,257	\$19,444,718
Remaining to be Acquired	
800	\$1,000,000

**Project Description:**

This project encompasses the Upper Salmon River area of the High Divide Collaborative LWCF Proposal. The Salmon River, known as the "River of No Return," provides valuable habitat for many fish and wildlife species. Species listed under the ESA relying on this habitat include Snake River Chinook salmon, sockeye salmon, steelhead, and bull trout. The Lewis and Clark National Historic Trail, Continental Divide National Scenic Trail, and Nez Perce (Nee-Me-Poo) National Historic Trail corridors are all included within the project area. Significant prehistoric and historic cultural resources and traditional cultural places are known and documented within project area and they could be evaluated and protected. Recreational values include white-water rafting, fishing, hunting, camping, hiking, and sight-seeing.

Acquisition of land through conservation easements/fee purchase would protect the riparian and river habitat from impending private development and keep working ranches open spaces and thereby continuing contributions to the local rural economy. Additionally conservation of these key private properties ensure outstanding scenic vistas, wildlife and fish migration corridor connectivity, and open space, connectivity, and interpretation of National Scenic and Historic Trails.

These acquisitions will directly protect headwater fisheries and wetlands; protect an important wildlife habitat and corridors from development; as well as prevent development within Designated Critical Habitat for chinook and sockeye salmon, steelhead trout and bull trout along the Salmon River SRMA. Parcels sit at a critical migration bottleneck for elk moving from Montana to the southwestern faces of Idaho's Salmon River to winter and serve as transition range for migrating animals. Protection of these properties in the form of conservation easements will prevent further subdivision of this habitat and will protect the current habitat values of the properties. Other properties are immediately upstream of properties acquired in a prior LWCF submission as well as a BLM river access site, and stop on the Idaho Birding Trail, which provides access to waterfowl hunters, fishermen and birdwatchers.

**Purpose / Need:**

Promote open space. Enhance significant scenic vistas, recreational opportunities, and public access. Ensure connectivity and quality of critical wildlife, fish and National Trail resources. Protecting historic ranching operations and local rural economy. Multiple landowners who prefer a conservation option for their properties rather than face potential subdivision. A mixture fee title and conservation easements have been offered.

**Cooperator(s):** Lemhi Regional Land Trust, The Nature Conservancy, Idaho Department of Fish and Game, local County support, State of Idaho, local Trails Committee, Salmon Valley Stewardship, Upper Salmon Working Group, Central Idaho Rangeland Committee

Estimated O&M Savings: Start-up: \$50,000 Annual: \$1,000

Estimated O&M Costs: Start-up: \$9,000 Annual: \$700

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by not purchasing properties in fee. Start up costs are constructing parking areas & interpretive kioks for fee properties. Annual costs are for conservation easement stewardship.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Thousand Springs Area of Critical Environmental Concern

Priority: 15

Discretionary

Mandatory

State(s): ID

Congressional District(s): 2

Location: Central Idaho, 25 miles northwest of Mackay; 115 miles northwest of Idaho Falls.

Proposed for FY 2017	
Acres	\$
120	\$180,000
Acquired to Date	
1,946	\$17,356,000
Remaining to be Acquired	
1,100	\$1,500,000

**Project Description:**

The project is the Thousand Springs ACEC/Chilly Slough area of the High Divide LWCF Collaborative Proposal. It is one of the few remaining examples of natural, high desert, spring-fed wetlands. Winter snows melt, gather along a range-front fault and feed thousands of springs to this area. It is the largest wetland in east-central Idaho and is managed jointly by the BLM and the Idaho Fish and Game. Acquisition of the private parcels are crucial because it encompasses the headwaters of the Thousand Springs/Chilly Slough wetlands. Land administered by BLM within the Thousand Springs/Chilly Slough wetlands is designated an ACEC and is valued for its diversity of wildlife that use it. The Zollinger parcel falls within the boundary delineated in the BLM Thousand Springs/Chilly Slough Habitat Management Plan. Acquisition will assure protection of this wildlife migration corridor and year-round habitat. Currently, the Chilly Slough Wetland Conservation Area protects almost 2,000 acres (BLM has acquired 1,028 acres and IDFG has acquired 918 acres) in public ownership. The 1999 BLM Resource Management Plan for this area allows for the creation of a wetlands management area of approximately 4,400 acres.

One hundred and seventy three wildlife species are known to use Thousand Springs/Chilly Slough wetlands with 113 of those being birds. These wetlands hold a high importance for migratory birds for a refueling spot during their annual migration. The riparian edge and adjacent sage-brush steppe habitat have shown to be important to sage-grouse throughout the year. Numerous historic and prehistoric archeological sites are present in and around the wetlands, and it is highly probable that other prehistoric and historic sites are located within these parcels; one prehistoric site is already known to exist on these private lands proposed for purchase. The Shoshone-Bannock Tribes have expressed interest in using this area for the practice of treaty-reserved rights. Recreational opportunities would include bird watching, hiking, fishing, canoeing, and historical education. Acquisition of this land through fee purchase would help to provide additional access to the wetlands, as well as, provide connectivity between publicly managed lands for wildlife conservation.

**Purpose / Need:**

Conservation and enhancement of one of Idaho's significant wildlife corridors and habitat areas lying at the base of the state's highest mountain range. Crucial wetland (Chilly Slough Wetland Conservation Area) adjacent to priority sagebrush steppe habitat. Private property within the area is for sale and has been subdivided threatening migratory birds, sensitive species habitat including year-round sage-grouse use, visual resources, cultural sites, and recreation.

**Cooperator(s):** Lemhi Regional Land Trust, The Conservation Fund, Idaho Department of Fish and Game (IDFG), The Nature Conservancy, Ducks Unlimited, Rocky Mountain Elk Foundation, Idaho State Historic Preservation Office, Heart of the Rockies Initiative.

Estimated O&M Savings: Start-up: \$4,000 Annual: \$500

Estimated O&M Costs: Start-up: \$7,000 Annual: \$1,000

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by eliminating the source of livestock trespass. Start up costs are constructing a parking area for interpretive kiosks. Annual costs are for conservation easement stewardship.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Sands Desert Habitat Management Area/Teton River Wildlife Corridor

Priority: 15

Discretionary

Mandatory

State(s): ID

Congressional District(s): 2

Location: Southeast Idaho. North and west of St. Anthony. Teton River east of St. Anthony.

Proposed for FY 2017	
Acres	\$
250	\$1,000,000
Acquired to Date	
25,771	\$20,040,247
Remaining to be Acquired	
7,000	\$7,000,000

**Project Description:**

The Sands Desert Habitat Management Area and Teton River Wildlife Corridor encompass some of the best remaining sagebrush steppe habitat, riparian, and fish habitat in the state of Idaho. This high quality habitat supports healthy populations of two species of national importance: the greater sage-grouse (core habitat) and the Columbian sharp-tailed grouse. For Idahoans though, it is best known for its large mammal populations; more than 4,000 elk, 3,000 mule deer and 400 moose winter on the Sands and Teton River public rangelands, the IDFG's 35,000 acre Sand Creek Wildlife Management Area (WMA), and the adjacent private property. Much of the wildlife that people attribute to Yellowstone National Park and the surrounding National Forest lands, leave those public lands in the winter to find refuge from heavy snows at lower elevations. On the west side of Yellowstone the best winter refuge on the Sands Desert and Teton River Corridor. While IDFG's WMA is not small, the lands that have been cobbled together to date are somewhat disconnected and do not encompass some of the best habitat. The value of this habitat was recognized by in the Idaho Fish and Game Comprehensive Wildlife Conservation Strategy, but few opportunities have come about to match willing land-owners with funds for habitat conservation.

These substantial fish and game resources also support outstanding hunting and fishing opportunities for both Idahoans and nonresidents. A high profile OHV program on the St. Anthony Sand Dunes which also supports the local rural economies. Additionally the Shoshone-Bannock Tribes rely heavily on the areas to continue their aboriginal hunting and gathering Treaty rights.

Through a rigorous prioritization process, the HFLP identified a dozen private parcels near the Sand Creek WMA and Teton River that would dramatically improve the protection offered by the WMA as well as existing conserved private properties and would permanently protect migration corridors land connectivity habitat. If successful, this funding would ensure the persistence of the large mammals that need the WMA and Teton River in the winter and two grouse species which can be found there year-round.

**Purpose / Need:**

A part of the High Divide LWCF Collaborative. The proposal is a mix of fee and conservation easement opportunities. Conserve significant big game migration corridors and crucial winter range, priority year round sage and sharp-tail grouse habitat, tremendous hunting opportunities, and archaeological resources. Multiple willing land owners are seeking a conservation alternative for their properties to keep them as working ranches or secure in public ownership to ensure they will always make a significant wildlife contribution.

**Cooperator(s):** Teton Regional Land Trust, The Conservation Fund, Rocky Mt. Elk Foundation, Idaho Fish and Game (IDFG), Henrys Fork Legacy Project (HFLP), Mule Deer Foundation, Doris Duke Charitable Foundation, Natural Resource Conservation Service, Caribou-Targhee National Forest, Heart of the Rockies Initiative

Estimated O&M Savings: Start-up: \$30,000 Annual: \$4,500

Estimated O&M Costs: Start-up: \$5,000 Annual: \$1,000

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by not purchasing properties in fee. Start up costs are constructing a parking areas & interpretive kiosks for fee properties. Annual costs are for conservation easement stewardship.

Priority: 16

Project / Unit: Red Cliffs National Conservation Area

Discretionary

Mandatory

State(s): UT

Congressional 2  
District(s):

Location: Southwest Utah, Immediately north of St. George

Proposed for FY 2017	
Acres	\$
55	\$5,000,000
Acquired to Date	
6,544	\$49,534,952
Remaining to be Acquired	
1,206	\$50,000,000

**Project Description:**

Known for its spectacular red rock canyons and basaltic lava flows, the 45,000-acre Red Cliffs National Conservation Area (NCA) is surrounded by the towering Pine Valley Mountains and the Dixie National Forest to the north and an arc of growing communities to the south. The Omnibus Public Land Management Act of 2009, designated the Red Cliffs NCA to conserve, protect, and enhance ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources.

The NCA is adjacent to the Dixie National Forest and Snow Canyon State Park, and is the largest block of undeveloped land contiguous to one of the fastest-growing metropolitan areas in the nation. St. George is projected to grow from its current 140,000 residents to 700,000 residents by 2050. The NCA offers the recreating public a wide variety of options, including access to camping and day use areas, over 130 miles of non-motorized trails, and the solitude and scenic vistas found in the Red Mountain and Cottonwood Canyon Wilderness areas.

The NCA is a major component of the 62,000-acre Red Cliffs Desert Reserve (Reserve), created in 1996 by the signing of a Habitat Conservation Plan (HCP) to protect populations and habitat of the threatened Mojave Desert tortoise and other at-risk native plant and animal species. The Reserve is managed collaboratively by the BLM, State of Utah, Washington County, and local municipalities, and serves as the primary mitigation for the Washington County HCP and incidental take permit that allows for continued community growth and development. Since 1996, the BLM has acquired 6,544 acres within the Reserve, leaving only 1,200 acres in three private ownerships and another 6,524 acres of State Trust Land. The BLM is working actively with two of the landowners and the County to complete large-scale land exchanges. A competitive land sale was held in October, 2014, the receipts from which can be used to purchase additional acreage. The BLM's acquisition of the NCA in-holdings would satisfy the goals of the Mojave Desert Tortoise Recovery Plan (USFWS1994) and HCP, and would support renewal of the Washington County's incidental take permit in 2016.

**Purpose / Need:**

Consolidate land ownership within Red Cliffs NCA to improve management of designated critical habitat for the Federally-listed threatened Mojave Desert tortoise; eliminate conflicts with private in-holdings; and allow for continued development within County.

Cooperator(s): The Trust for Public Land, The Nature Conservancy

Estimated O&M Savings: Start-up: Annual:  
Estimated O&M Costs: Start-up: \$25,000 Annual: \$5,000

Describe O&M: Costs of the acquiring the private lands may involve additional signage and monitoring of populations in additional areas.

Priority: 17

Project / Unit: Meadowood Special Recreation Management Area

Discretionary

Mandatory

State(s): VA

Congressional 8  
District(s):

Location: Northern Virginia, approximately 20 miles southwest of Washington D.C.

Proposed for FY 2017	
Acres	\$
397	\$2,800,000
Acquired to Date	
802	\$41,000,000
Remaining to be Acquired	
22	\$2,000,000

**Project Description:**

Established by An Act of Congress in 2001 and managed by the BLM, Eastern States Office, the 802 acre Meadowood SRMA is a key component of the parks, refuges, and other preserves on the Mason Neck Peninsula that have been protected from encroaching urban development radiating south from the metropolitan Washington, D.C. area. The landscape is a mosaic of gently sloping open meadows, mature hardwood forests, freshwater ponds, creeks, streams, and riparian wetlands.

Two national trail segments pass through the Meadowood SRMA, the Potomac Heritage National Scenic Trail and the Washington-Rochambeau Revolutionary Route National Historic Trail. These national trail segments help make up Meadowood's 15-mile, multiple-use trail system which provides opportunities for hiking, running, mountain biking, and horseback riding. One universally accessible trail is incorporated within the trail system. The proposed acquisition would permit BLM to significantly expand and enhance the existing trail system. Additional day-use disbursed recreational activities at Meadowood include wildlife viewing, fishing, seasonal hunting, nature photography, geocaching, environmental education, and interpretation. The SRMA attracts over 22,000 annual recreational visitors and reaches over 700 area youth through a variety of educational and recreational programs, including Hands on the Land and Take it Outside.

The diverse Meadowood habitat supports a great variety of wildlife, including white-tailed deer, red fox, coyote, beaver, raccoons, hawks, eagles, reptiles, and amphibians. Home to 30 species of migratory songbirds, the SRMA lies within the National Audubon Society's Lower Potomac River Important Bird Area. Meadowood contains some of the best mature hardwood forest on the Mason Neck peninsula as well as less mature woodlands. Woody plants common to the woodlands, forest and forest edges at Meadowood include red and white oak, beech, sweet gum, Virginia pine, persimmon and paw paws. The trails at Meadowood pass through a wide variety of terrain and vegetation types, providing visitors with constantly changing seasonal experiences.

**Purpose / Need:**

Enhance public access to an extensive recreational trail network and strengthen aquatic and terrestrial habitat connectivity to and from Meadowood Special Recreation Area (SRMA) from neighboring conserved lands.

**Cooperator(s):** U.S. Fish and Wildlife Service, NPS, Virginia Department of Conservation and Recreation, Northern Virginia Regional Park Authority, Fairfax County Department of Parks and Recreation, Chesapeake Conservancy, Audubon Society, Gunston Hall, Hands on the Land, Gunston Elementary School

Estimated O&M Savings: Start-up: \$0 Annual: \$30,000

Estimated O&M Costs: Start-up: \$100,000 Annual: \$15,000

**Describe O&M:** Acquisition of land that will expand the trail system with a facility that can be used for Student Conservation Association intern housing, Law Enforcement, and an Educational Center will result in O&M savings by offsetting the number of seasonal employees hired with summer interns and the need for expanding the Educational Center and providing Law Enforcement facilities. Additional saving will result from eliminating boundary issues by acquiring an in-holding. O & M costs will include the cost of expanding the trail system and participating in the development of a bike path along the historic northeast boundary of the SRMA with local partners.

Project / Unit: Nanjemoy National Resource Management Area

Priority: 17

Discretionary

Mandatory

State(s): MD

Congressional 5  
District(s):

Location: Southern Maryland, approximately 45 miles south of Washington, D.C.

Proposed for FY 2017	
Acres	\$
478	\$1,668,000
Acquired to Date	
1,945	\$9,613,216
Remaining to be Acquired	
4,543	\$55,651,000

**Project Description:**

Situated only one hour from Washington, D.C. on the tidal, lower Potomac River, the Nanjemoy Peninsula is one of the most ecologically and culturally significant landscapes remaining in the State of Maryland. Migratory waterfowl and wading birds find shelter and abound along ten miles of undisturbed shoreline, and an extensive network of wetlands and forest harbor some of Maryland's finest examples of rare and engendered plants and animals. Nanjemoy's outstanding natural attributes are equally matched by its archaeological resources and history - early native American sites in the region offer a rare insight into indigenous cultures prior to European settlement, the site of a 25,000-troop Civil War encampment and dozens of World War 1-era sunken ships remains in Mallows Bay. Two water-based national trails on the Potomac River pass to the east of Nanjemoy NRMA, the Captain John Smith Chesapeake National Historical Trail and the Star-Spangled Banner national historic Trail. A two mil-mile segment of the Potomac Heritage National Scenic Trail loops through the area. Limiting development within the Nanjemoy NRMA will preserve the historic Potomac River viewshed associated with these trails.

The State of Maryland manages several conservation areas within the Nanjemoy Peninsula, including Nanjemoy NRMA, Myrtle Grove Wildlife Management Area, Doncaster State Forest and Purse State Park. The BLM contributes to the Nanjemoy NRMA landscape through two "anchors", Douglas Point SRMA and Maryland Point.

In September 2005, the State of Maryland DNR and the BLM approved a long-term land management plan for the Nanjemoy NRMA that provides guidance for the sustainable protection, use, and future conservation of additional lands. The BLM and Maryland DNR are working together to establish habitat linkages between these conserved areas and the Potomac River to enhance wildlife species viability and protect cultural resources and watershed values.

**Purpose / Need:**

Provides habitat connectivity and improve public access between State of Maryland conservation areas and BLM's Douglas Point Special Recreation Management Area (SRMA), all within the Nanjemoy National Resource Management Area (NRMA).

**Cooperator(s):** Maryland Department of Natural Resources (DNR), Charels County, Piscataway-Conoy Tribe. Chesapeake Conservancy.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** O&M costs will include construction of a small equipment shed and trail development including maps, signs, and brochures. Eliminating the need to transport equipment for trail maintenance will result in O&M savings annually.

Project / Unit: Panoche-Coalinga Area of Critical Environmental Concern

Priority: 18

Discretionary

Mandatory

State(s): CA

Congressional 20  
District(s):

Location: The west side of I-5 between the San Joaquin Valley and Vallecitos.

Proposed for FY 2017	
Acres	\$
80	\$500,000
Acquired to Date	
46,068	\$19,390,000
Remaining to be Acquired	
108,000	\$54,000,000

**Project Description:**

The San Joaquin Desert Hills T&E Recovery Project (Panoche Coalinga ACEC) will ensure endangered species connectivity in the area as described in the Recovery Plan for Upland Species of the San Joaquin Valley (USRP), and will accomplish multiple recovery tasks listed in the plan that have the potential to de-list several species. The parcels are known to be occupied by San Joaquin kit foxes, blunt-nosed leopard lizards, and giant kangaroo rats, all Federally listed species. The parcels have been identified by the Endangered Species Recovery Program (FWS) as a crucial stepping stone for maintaining connectivity between the Panoche Valley core populations of these species and populations to the south. The parcels also constitute an important east-west corridor between the San Joaquin Valley and the Vallecitos valley to the west. The acquisitions are adjacent to the Panoche-Coalinga, Joaquin Rocks, and Serpentine ACECs, as well as the San Benito Mt. RNA, and Monvero Dunes RNA.

This acquisition represents the next phase of an ongoing acquisition project intended to create a large contiguous block of protected lands in the western San Joaquin Valley and South Diablo Ranges. The acquisition will contribute to the conservation and stewardship of our public lands and will protect the headwaters of several ecologically important drainages, conserve outstanding paleontological resources, expand the range of an existing elk herd, improve public access and recreation, and preserve several pristine valleys that support core T&E recovery populations identified in the USRP. In this geologically unique landscape is a checkerboard of public and private lands BLM has been incrementally consolidating over the past 25 years, with a goal of improving wildlife migration and protecting entire faunal and floral assemblages and communities for several listed special status species. BOR & USFWS have committed \$4,160,000 over the next five years in support of land acquisitions within this planning area which will support T&E recovery. The project area provides a distinctive recreation badlands experience with unique geology, remnant desert ecosystem, rock outcrops, paleontological and historical resources and opportunities for viewing a host of San Joaquin special status species and ecosystems.

**Purpose / Need:**

Consolidate disbursed ownership of public, state, and private lands to provide landscape level connectivity for wildlife and the recovery of threatened and endangered (T&E) species. Improve public access to public lands.

**Cooperator(s):** National Park Service (NPS), California Department Fish and Game, Westside Resource Conservation District, San Benito Resource Conservation District, Rocky Mountain Elk Foundation.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$50,000 Annual: \$10,000

**Describe O&M:** Start up costs; resource inventories, construct trail and fencing, gates, signage, maps and brochures, and planning; NEPA and associated clearance documents. Annual expenses: maintain facilities and roads, update maps and brochures, monitor for compliance, trespass, etc.

Project / Unit: Upper Missouri National Wild and Scenic River

Priority: 19

Discretionary

Mandatory

State(s): MT

Congressional 1  
District(s):

Location: Central Montana, 75 miles northeast of Great Falls on the Missouri River.

Proposed for FY 2017	
Acres	\$
238	\$475,000
Acquired to Date	
9,869	\$4,142,000
Remaining to be Acquired	
16,000	\$14,705,000

**Project Description:**

The tread of the 3,700-mile long Lewis and Clark National Historic Trail and the riparian corridor of the 149-mile free-flowing Upper Missouri National Wild and Scenic River are historically braided through this area of central Montana. The landscape contains a spectacular array of biological, historical, geological, cultural, and wildlife resources in a remote location that offers opportunities for solitude. This isolation results in unsoiled, natural settings that form a backdrop for outstanding recreational and cultural tourism opportunities. The remote nature of this segment of the Missouri River has buffered it from most human influence and maintains the same vistas experienced by the Lewis and Clark expedition in 1805 and 1806. Acquisition of riverfront and breaks/upland properties will preserve the scenic beauty and wild experience of the area in perpetuity.

This proposal would acquire a 238 acres property located along one of the few travel corridors to transect the Upper Missouri National Wild and Scenic River as it passes through the Upper Missouri River National Monument. The travel corridor is also an extremely sensitive visual corridor.

Acquisition would eliminate the threat of development on over 2.1 miles of river frontage and serve to further consolidate management of public lands along the Wild and Scenic River. Being highly suited for development with ready road access and nearby utilities, protection of the scenic values and cultural landscape are among the highest priorities within the Wild and Scenic River corridor.

**Purpose / Need:**

Protect the historic landscape and multiple resource values while enhancing recreational opportunities for river users.

**Cooperator(s):** Montana Wildlife Federation, Montana Wilderness Association, Montana Preservation Alliance, Lewis and Clark Trust, Inc., Friends of the Missouri Breaks Monument.

Estimated O&M Savings: Start-up: \$0 Annual: \$1,000

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** O&M savings of shared recreation facilities maintenance. O&M start-up costs of interpretive signs and river bank restoration; annual costs of weed control and conservation easement monitoring.

Project / Unit: Carrizo Plain National Monument

Priority: 20

State(s): CA

Discretionary   
Mandatory

Congressional 22  
District(s):

Location: 60 miles west of Bakersfield and 60 miles east of San Luis  
Obispo

Proposed for FY 2017	
Acres	\$
320	\$350,000
Acquired to Date	
135,611	\$34,874,752
Remaining to be Acquired	

**Project Description:**

The Carrizo Plain National Monument is a majestic 250,000-acre grassland and scenic mountainous preserve that contains the last remaining undeveloped remnant of the San Joaquin Valley ecosystem. As a result, it provides critical contiguous habitat for one of the largest assemblages of threatened and endangered species surviving on any public lands in the United States, including the blunt-nosed leopard lizard, San Joaquin kit fox, giant kangaroo rat, Kern primrose sphinx moth, longhorn fairy shrimp, vernal pool fairy shrimp, California jewelflower, San Joaquin wooly threads, and the San Joaquin antelope squirrel. Within the vast expanse of the Carrizo Plain lies Painted Rock, an important ceremonial site of the Chumash that rises majestically from the surrounding grassland. In addition, the Monument contains other world-class archaeological sites, which are part of a National Historic Landmark. Soda Lake, a glistening bed of white salt in the dry summer, and the largest alkali wetland remaining in Southern California, provides important habitat for migratory birds during the winter. Those interested in geology can see one of the most spectacular sections of the 800-mile long San Andreas Fault with its complex corrugated topography along the edge of the Plain.

The Monument's diversity and proximity to over 20 million people living in Southern and Central California attracts over 75,000 visitors annually who come to enjoy a variety of recreational activities. Those stopping at the Goodwin Education Center or taking guided tours to Painted Rock or the San Andreas Fault, can share in the rich history of the Carrizo Plain and learn about its unique plant and animal life.

**Purpose / Need:**

Acquire private inholdings within the Carrizo Plain National Monument to protect outstanding biological and cultural values.

**Cooperator(s):**

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$0

**Describe O&M:** O&M costs associated with the project would include fencing (if needed), NEPA for travel management (route designation) and inclusion into grazing allotments.

**Project / Unit:** Nez Perce (Nee-Mee-Poo) National Historic Trail

Priority: 21

Discretionary

Mandatory

**State(s):** ID

**Congressional District(s):** 2

**Location:** Central Idaho, approximately 80 miles northwest of Idaho Falls.

Proposed for FY 2017	
Acres	\$
2,827	\$3,100,000
Acquired to Date	
1,160	\$10,440,000
Remaining to be Acquired	

**Project Description:**

A portion of the Nez Perce (Nee-Me-Poo) National Historic Trail passes through the Birch Creek Valley. While the majority of the Trail crosses public lands administered by the BLM, a three mile portion lies within the historic Nicholia and Woodie Land and Livestock Ranches. The ranch owners have expressed an interest to cooperatively develop a Trail interpretive area off of nearby Highway 28. Additionally ranch conservation would promote the cultural and historical resources related to the historic Nicholia town site from the days of the Idaho mining boom.

In August 1877 nearly 750 Nez Perce men, women and children along with approximately 2,000 horses passed through the Birch Creek Valley on their attempted 1,170 mile escape from the U.S. Army. They had recently been attacked by the Army at what is now the Big Hole National Battlefield in Montana. They were carrying their dying and wounded with them when they encountered a wagon train transporting food and supplies. A fight ensued, leaving five members of the wagon train dead and one Nez Perce mortally wounded.

These two adjacent ranches are private inholdings that support approximately six miles of the Birch Creek headwaters and 300 acres of riparian wet meadow habitat which support the popular BLM Birch Creek family fishing area downstream, as well as the alkali primrose, a BLM sensitive species. Together the ranches provide 10 miles of crucial migration, connectivity, and brood rearing habitat for greater sage-grouse as well as 2,775 acres of core habitat. Additionally the ranches provide five miles of connectivity habitat for pronghorn antelope for the Birch Creek Valley summer range to their Craters of the Moon winter range. Elk and mule deer utilize the ranches year round.

The Nicholia and Woodie Land and Livestock Ranches practice traditional ranching. They graze cattle in the summer and raise hay to feed their livestock during the winter. The ranches are linked to approximately 75,000 acres of BLM-managed grazing allotments. The ranching industry supports the local rural economy.

**Purpose / Need:**

Protect a portion of the Nez Perce National Historic Trail; special landscapes, scenic viewshed; historic and cultural resources; supports working ranches; ensures resiliency and connectivity of terrestrial and waters related ecosystems. Unique opportunity to conserve two adjacent high desert valley adjacent ranches with conservation easements. The properties are historic working ranches which support rich wetlands, core greater sage-grouse habitat, and crucial wildlife habitat and connectivity.

**Cooperator(s):** The Nature Conservancy, Lemhi Regional Land Trust, Idaho Department of Fish and Game, local County support, State of Idaho, local Trails Committee, Central Idaho Rangeland Committee, Nez Perce Trail Foundation, Heart of the Rockies Initiative.

Estimated O&M Savings: Start-up: \$10,000 Annual: \$500

Estimated O&M Costs: Start-up: \$5,000 Annual: \$500

**Describe O&M:** Savings are from partner contributions towards the acquisition process and by not purchasing the properties in fee. Start up costs are modifying fences, constructing a parking areas, interpretive kiosks. Annual costs are for conservation easement stewardship.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Pacific Crest NST/  
Cascade-Siskiyou NM (Oregon)

Priority: 21

Discretionary

Mandatory

State(s): OR

Congressional 2  
District(s):

Location: Southwest Oregon, approximately 20 miles east of Ashland.

Proposed for FY 2017	
Acres	\$
960	\$1,500,000
Acquired to Date	
45,900	\$63,807,090
Remaining to be Acquired	
64,128	\$45,992,000

**Project Description:**

From scorching desert valleys in Southern California to rain forests in the Pacific Northwest, the 2,663-mile Pacific Crest National Scenic Trail (NST) offers hikers and equestrians a unique, varied experience from Mexico to Canada through three western states. It reveals the beauty of the desert, unfolds the glaciated expanses of the Sierra Nevada, and provides commanding vistas of volcanic peaks and glaciers in the Cascade Range. The trail also passes through historic mining sites and evidence of man's endless quest for natural resources.

The Pacific Crest NST was congressionally designated a National Scenic Trail in 1968. Thousands of hikers and equestrians enjoy this national treasure each year. Some only travel a few miles, while others complete every mile in a single season. About 300 hikers attempt to cover the full length of the Pacific Crest NST each year.

The BLM-managed portion of the Pacific Crest NST crosses approximately 50 parcels of private property in Oregon, totaling over 7,700 acres. The request focuses on five parcels of private land in the immediate vicinity of Cascade-Siskiyou National Monument. Numerous recent purchases within Cascade-Siskiyou National Monument have included portions of the Pacific Crest NST. The parcels are currently available from willing sellers.

**Purpose / Need:**

Acquire parcels of private property containing the tread (or within the immediate viewshed) of the Pacific Crest National Scenic Trail. The parcels are within the vicinity of Cascade-Siskiyou National Monument.

**Cooperator(s):** Pacific Crest Trail Association, The Wilderness Society, Rocky Mountain Elk Foundation, Soda Mountain Wilderness Council, Friends of the Cascade-Siskiyou National Monument.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$1,500 Annual: \$800

**Describe O&M:** The proposed acquisition is primarily viewshed parcels and will not require additional O&M Costs for trail maintenance. O&M estimates are based on the cost per acre for management of the CSNM lands. In addition to the direct management of the lands, we add acres to our cooperative agreement for fuels and fire suppression.

**Project / Unit:** Pacific Crest National Scenic Trail and San Geronio Wilderness  
(California)

Priority: 21

Discretionary

Mandatory

**State(s):** CA

**Congressional District(s):** 8

**Location:** Southern California, approximately 25 miles north of Palm Springs.

Proposed for FY 2017	
Acres	\$
1,400	\$3,050,000
Acquired to Date	
45,900	\$63,807,090
Remaining to be Acquired	
64,442	\$46,534,000

**Project Description:**

From scorching desert valleys in Southern California to rain forests in the Pacific Northwest, the 2,663-mile long Pacific Crest National Scenic Trail (NST) offers hikers and equestrians a unique, varied experience from Mexico to Canada through three western states. It reveals the beauty of the desert, unfolds the glaciated expanses of the Sierra Nevada, and provides commanding vistas of volcanic peaks and glaciers in the Cascade Range. The trail also passes through historic mining sites and evidence of man's endless quest for natural resources.

The Pacific Crest NST was congressionally designated a National Scenic Trail in 1968. Thousands of hikers and equestrians enjoy this national treasure each year. Some only travel a few miles, while others complete every mile in a single season. About 300 hikers attempt to cover the full length of the Pacific Crest NST each year. In California, hikers and riders often must cover 20-30 miles of trail between water sources.

Located within driving distance of San Diego and Los Angeles, the southern reaches of the Pacific Crest NST is both easily accessible and blissfully wild at the same time. The Pacific Crest NST departs from the Mexican border near the small town of Campo.

**Purpose / Need:**

Acquire four parcels containing the tread of (or within the immediate viewshed of) the Pacific Crest National Scenic Trail. Parcels are also within the San Geronio Wilderness.

**Cooperator(s):** Pacific Crest Trail Association, Back Country Horsemen's Association, Edangered Habitats League, Wildlands Conservancy, Coachella Valley Mountains Conservancy.

Estimated O&M Savings: Start-up: \$5,000 Annual: \$5,000

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** PCTA will assist with maintenance and operations including funding and volunteers. Over the past 10 years PCTA has raised \$9,650,000 in private dollars to help maintain and manage the PCT and has provided 864,000 volunteer hours (valued at \$18,200,000) for the purpose of PCT maintenance and protection.

Project / Unit: Continental Divide National Scenic Trail

Priority: 21

Discretionary

Mandatory

State(s): NM

Congressional 2  
District(s):

Location: East central New Mexico, approximately 50 miles south of Grants.

Proposed for FY 2017	
Acres	\$
5,227	\$2,300,000
Acquired to Date	
Remaining to be Acquired	
670	\$545,000

**Project Description:**

The Continental Divide National Scenic Trail (CDNST), one of the crown jewels of the National Trails System, runs 3,100 miles between Canada and Mexico. It follows the Continental Divide of the Americas along the Rocky Mountains and traverses five U.S. states — Montana, Idaho, Wyoming, Colorado, and New Mexico. The trail is a combination of dedicated trails and small roads and is considered 70% complete. Portions designated as incomplete must be traveled by roadwalking on dirt or paved roads.

Almost complete in New Mexico, the proposed acquisition would nearly close an existing gap and eliminate a 52-mile temporary route along state highway shoulders. The existing highway routing presents significant safety concerns and is inconsistent with the nature and purpose of the CDNST "to provide for a high-quality scenic, primitive hiking and horseback riding opportunity and to conserve natural, historic, and cultural resources along the CDNST corridor". The proposed rerouting is especially scenic and within the mostly undeveloped Alamosita Creek landscape. The proposed acquisition would offer a rare source of perennial water for CDNST users and cottonwood galleries providing shaded camping opportunities.

The Alamosita Creek landscape would improve public access (especially for hunting) to the Cibola National Forest, an area with a significant elk population. The parcel contains eight miles of Alamosita Creek, providing riparian habitat for many species of wildlife. The area is known for cultural sites (including those highlighting early contact between native Americans and Europeans).

Improving the tread and connectivity of the CDNST supports multiple America's Great Outdoors goals, including expanding access to public lands, providing high quality trail opportunities and creating youth oriented job and volunteer opportunities for underserved communities.

**Purpose / Need:**

Provide permanent route for the Continental Divide NST, replacing a temporary highway routing. Protect the Alamosita Creek landscape and improve public access to Cibola National Forest.

**Cooperator(s):** Rocky Mountain Elk Foundation, U.S. Forest Service, New Mexico State Lands Office, New Mexico State Parks, New Mexico Department of Game and Fish, Catron County, Pueblo of Acoma, Continental Divide Trail Coalition, Backcountry Horsemen.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$25,000 Annual: \$25,000

**Describe O&M:** Anticipated one-time O&M investments associated with this purchase is conduct natural and cultural resource inventories, construct or remove fencing to restore wildlife and riparian habitat, hold educational events for the public, install gates at trail head or to block/retire roads, install information signs and other trail signs, prepare a management plan, update maps and brochures. The estimated one-time total O&M investment cost associated with this acquisition is between \$10,000 and \$25,000. Anticipated ongoing O&M costs associated with this purchase is maintain infrastructure (e.g. roads, fence, gates, cultural structure, etc.), maintaining and restoring resources and treat noxious and/or invasive plants along the Alamosita Creek. The estimated annual cost for ongoing O&M associated with the acquisition is between \$10,000 and \$25,000.

Project / Unit: **Big Morongo Canyon Area Critical Environmental Concern**

Priority: 22

Discretionary

Mandatory

State(s): CA

Congressional 8

District(s):

Location: Southern California, directly north of Palm Springs

Proposed for FY 2017	
Acre	\$
691	\$800,000
Acquired to Date	
8,500	\$2,644,500
Remaining to be Acquired	
2,150	\$3,000,000

**Project Description:**

Big Morongo Canyon ACEC is a biologically rich area within the Little San Bernardino Mountains. Located primarily east of Highway 62, and north of Interstate 10, it is noted for its high biological diversity, bird-watching opportunities, recreational trails, and importance to regional wildlife corridors. Annual visitation is approximately 60 thousand persons per year.

Big Morongo Canyon, in the heart of the ACEC, includes lush desert oasis and one of the largest cottonwood-willow riparian and marsh habitats in the California Desert. The entire ACEC is inside Senator Feinstein's proposed Sand to Snow National Monument in the California Desert.

The proposed acquisition will conserve significant habitat for rare and endangered species, ecological processes and a key wildlife corridor which crosses Highway 62 between Morongo Valley and Yucca Valley, two areas with large future growth potential that could negatively impact the ACEC's conservation value. The wildlife corridor connects the Little San Bernardino and San Bernardino Mountains. It is well studied and appears in several reports and academic papers as a regionally important landscape linkage. These studies include research on critical bighorn sheep gene flow by Epps, et al, Missing Linkage by Kristeen Penrod, and the Conservation Priorities Report from the Morongo Basin Open Space Group.

This acquisition is part of a larger effort to link the San Geronio Wilderness, Bighorn Mountains Wilderness, Pioneertown Mountain Preserve, Big Morongo ACEC, Joshua Tree National Park, and the 29 Palms Marine Corps Air Ground Combat Center. Mojave Desert Land Trust, The Wildlands Conservancy, US National Park Service, and California Department of Fish and Wildlife are all working towards this regional conservation goal.

**Purpose / Need:**

Protect and preserve a desert ecosystem which provides habitat for T&E species, a regionally important wildlife corridor particularly important for bighorn sheep. Consolidate federal ownership and increase public recreational opportunities.

**Cooperator(s):** Mojave Desert Land Trust, U.S. National Park Service, California Department of Fish and Wildlife, The Wildlands Conservancy,

Estimated O&M Savings: Start-up: \$10,000 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$5,000

**Describe O&M:** Estimated O&M Start-up Savings: Partner assistance available to process the proposed transaction in the form of contributed services to contract for the appraisal, Phase I Environmental Site Assessment and necessary due diligence. Estimated O&M Start-up Costs: Conduct natural and cultural resource inventories, install gates at trail heads or to block/retire roads and install signage. Estimated O&M Annual Costs: Maintain or restore resources and monitor for compliance, trespass, overuse, hazards, etc. (Includes additional law enforcement costs).

Priority: 23

Project / Unit: Sandy River Area of Critical Environmental Concern

Discretionary

Mandatory

State(s): OR

Congressional 3  
District(s):

Location: Northwest Oregon, 20 miles southeast of Portland

Proposed for FY 2017	
Acres	\$
215	\$1,700,000
Acquired to Date	
8,198	\$33,304,845
Remaining to be Acquired	
266	\$5,000,000

**Project Description:**

A breath-taking scenic corridor immediately east of metropolitan Portland, the Sandy River descends from the forested slopes of Mount Hood, harboring a rich diversity of animal and plant populations, within secluded riparian and wetland areas. Multiple threatened salmonid species, including Lower Columbia Chinook and Coho salmon and Steelhead use these turbulent waters for spawning and rearing their young before returning to the Pacific Ocean via the Columbia River. Old growth stands of Douglas fir contain prime habitat for the threatened northern spotted owl.

The Sandy River Area of Critical Environmental Concern (ACEC) project offers exceptional recreational opportunities for fishing, hiking, wildlife viewing, nature study, and non-motorized boating or floating. The project is easily accessible from the Portland Metro area, the Northwest's second largest population center. The 29,000-acre Sandy River ACEC project contains the route of the historic Barlow Trail Road, the western segment of the Oregon National Historic Trail and shares a common boundary with the Salmon-Huckleberry Wilderness, administered by the U.S. Forest Service.

PGE recently completed removal of their Bull Run hydroelectric project, including dams on both the Sandy and Little Sandy Rivers. Dam removal has restored the free flowing character of the Sandy River. Numerous projects designed to improve accessibility and enhance and restore habitat for listed species have been undertaken by BLM and its partners on and adjacent to recently acquired parcels within the project area. These actions will aid federal agencies recover federally-listed species and improve the BLM's ability to provide recreation opportunities to a large population. The recently completed Sandy Ridge Mountain Bike Trail System now draws over 100,000 visitors annually, and that number is growing. The proposed acquisitions will also provide greater management consistency in the Sandy Basin and improve the BLM's ability to manage Sandy River Resources.

**Purpose / Need:**

Preservation of the Sandy/Salmon River gorge and interwoven Oregon National Historic Trail corridor, providing for the protection of open space, scenic, recreation, fisheries, and wildlife values

**Cooperator(s):** U.S. Forest Service, State of Oregon, Clackamas and Multnomah Counties, METRO (regional government body), Cities of Portland and Sandy, Portland General Electric (PGE), The Nature Conservancy, Northwest Steelheaders, Oregon Trout, Sandy River Watershed

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$1,500

**Describe O&M:** Costs incurred would include forest type inventories, potential weed control or silvicultural treatments to enhance forest conditions, and enhancement opportunities for species habitat or population maintenance. The intrinsic values to be gained are for species of concern, recreation, and sustainable forest landscape conditions; these do not have a dollar amount attached but are important to our local communities.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: John Day Wild and Scenic River

Priority: 23

Discretionary

Mandatory

State(s): OR

Congressional 2  
District(s):

Location: North Central OR, 95 miles SE of Portland, OR and 83 miles NE of Bend, Oregon

Proposed for FY 2017	
Acres	\$
13,493	\$6,800,000
Acquired to Date	
11	\$40,000
Remaining to be Acquired	

**Project Description:**

The John Day River (JDR) is the Columbia Basin's most biologically diverse river system with the largest native fish populations in Oregon including Chinook salmon, Mid Columbia Steelhead and Bull Trout; both listed as Threatened. The system includes the mainstem and its North, Middle and South Forks and covers more than 500 river miles. The JDR and its tributaries have been identified as a salmon stronghold and key for recovery of important fish populations. The landscape also provides enhanced opportunities for bats, neo-tropical and resident birds, and dispersal territories for wide-ranging species like elk, mule deer and wolverine.

An investment into the JDR will benefit important habitat and ensure public access to thousands of acres of public land for a diverse range of highly desirable recreation opportunities including hunting, fishing, camping, sight-seeing, nature study, photography, and float boating. Every segment of the river offers a different experience. Vast expanses of wilderness and roadless areas provide remote, wild settings with great solitude and primitive conditions. These options can only be accessed by 5 to 7 day float trips; an experience not available within 100 miles of the area. Visitors can also experience day trips through a variety of spectacular scenic and rural settings.

The project area includes the newly Congressionally designated Spring Basin Wilderness (SBW), the North Pole Ridge WSA, the Thirty Mile WSA, the John Day and South Fork John Day WSR's, the administratively suitable North Fork John Day WSR, State Scenic Waterways, State Wildlife Management Areas along the lower mainstem and along the South Fork, and the John Day Fossil Beds National Monument. Some acquired lands will become incorporated into the SBW.

Historically, various Tribal groups used the region for root collecting, hunting, fishing and religious activities. These traditions continue today however, access for these traditional activities is an issue due to land ownership and geography.

**Purpose / Need:**

Conserve significant scenic, recreation, fisheries, wildlife, cultural, paleontological, and botanical values. Increase recreational access.

**Cooperator(s):** OR Parks & Rec. Dept., OR Dept. of Fish & Wildlife, OR Watershed Enhancement Board, Gilliam Co. and Sherman Co. Soil & Water Conservation Districts, Lower John Day Working Group

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$10,000 Annual: \$2,500

**Describe O&M:** The O&M costs associated with this proposal include: recreational staffing, law enforcement, placing public informational signs, developing and maintaining trails or roads for public access, and on going monitoring of the public lands to preserve, develop and ensure access to outdoor recreation facilities.

Agency: Bureau of Land Management

Budget Justification FY2017

Project / Unit: Crooked Wild and Scenic River

Priority: 23

Discretionary

Mandatory

State(s): OR

Congressional 2  
District(s):

Location: Central Oregon, approximately 40 miles northwest of Bend, Oregon

Proposed for FY 2017	
Acres	\$
101	\$350,000
Acquired to Date	
Remaining to be Acquired	

**Project Description:**

The Crooked National Wild and Scenic River cuts a dramatic 800-foot canyon deep into the basalt plateau of Central Oregon. This scenic river canyon borders the Crooked River Ranch Subdivision with a growing population of 4,500 residents. Access to the canyon is extremely limited and the parcel proposed for acquisition offers the best trail into the canyon.

The parcel provides excellent habitat for several sensitive fish species including summer steelhead, spring chinook and redband trout. Raptors found in the canyon include Golden Eagles, Red-tail Hawks and Prairie Falcons. Beaver and river otter are present and the California floater mussel, a candidate species, has been recently discovered in the river.

This stretch of river contains a unique hydrologic system with significant spring flows that add 1,200 cubic feet per second (CFS) to the flow in a distance of seven (7) miles. This ground water inflow can constitute over 95% of the rivers flow during the summer low flows.

The canyons and surrounding plateaus are rich in historic homesteads and prehistoric pictographs. Historic artifacts related to a hydro ram pumping system and associated ladders that lifted water from the river to the rim are present on the parcel. The parcel proposed for acquisition contains some of the area's best pictograph sites. The Crooked River offers outstanding primitive recreation opportunities, solitude, and a high degree of physical challenge. Opportunities include world-class white-water kayaking, fishing, bird watching, hiking, sight-seeing, and nature photography.

**Purpose / Need:**

Acquire important cultural and natural resource values within the Crooked National Wild & Scenic River corridor and provide opportunity for improved public access.

Cooperator(s): American Whitewater, Oregon Natural Desert Association (ONDA) and the Northwest Steelheaders Association

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$5,000 Annual: \$1,500

Describe O&M: The O&M costs for the Crooked National Wild and Scenic River include: Recreational staffing, law enforcement, public informational signs, road and trail maintenance to maintain public access and to preserve, develop and ensure access to outdoor recreation facilities.

Project / Unit: **Sabinoso Area of Critical Environmental Concern**

Priority: 24

Discretionary

Mandatory

State(s): NM

Congressional 3  
District(s):

Location: Northeastern New Mexico, 75 miles east of Las Vegas.

Proposed for FY 2017	
Acres	\$
2,430	\$2,300,000
Acquired to Date	
Remaining to be Acquired	
1,695	\$3,000,000

**Project Description:**

Located in the northeastern portion of the New Mexico, the Sabinoso ACEC is remote and completely isolated. The 19,780-acre Sabinoso ACEC has a series of high, narrow mesas surrounded by cliff-lined canyons. The rugged country primarily supports pinon pine and juniper woodlands and occasional cluster of ponderosa pine, with perennial warm season grass savanna on the mesa tops. Stream periodically flow in the canyon bottoms, supporting riparian vegetation including willow and cottonwood. The large deep canyon area is surrounded by the wide-open New Mexico plains and is unique to this region.

The ACEC is adjacent to the 16,030-acre Sabinoso Wilderness. The Omnibus Public Lands Management Act of 2009 designated the Sabinoso Wilderness to conserve, protect, and enhance ecological, scenic, wildlife, recreational, cultural historical, and natural resources. Currently, the public does not have legal access into the Sabinoso Wilderness or the ACEC. These areas are completely surrounded by private and scattered State land which limits public access. Without any type of access for the public, they are unable to explore and experience the rare pristine isolated landscape. Primary recreation activities in Sabinoso ACEC are likely to include hiking, backpacking, geological study, horseback riding, landscape photography, and hunting.

The Sabinoso ACEC sits upon the Canadian Escarpment which is composed mostly of the Jurassic Morrison Formation and Triassic Chinle Shale. Cretaceous Dakota Sandstone caps these formations and creates colorful cliffs at the top of the landscape and ponderosa pines mix with riparian vegetation along many of the canyon bottoms and grow in isolated stands along the canyon walls that contain caves, old rock, and adobe ruins. Wildlife species consist of wild turkey, bobcat, mountain lions, barbary sheep, geese, duck, mule deer, and elk are seasonal inhabitants.

**Purpose / Need:**

Consolidate landownership, acquire public access, enhance recreational opportunity for users, and prevent residential development, protection of open space within the Sabinoso Area of Critical Environmental Concern (ACEC).

**Cooperator(s):** The Wilderness Land Trust is the third party partner for acquisition. Other cooperators are the Conservation Fund, the Trust for Public Land and the San Miguel County.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$10,000 Annual: \$5,000

**Describe O&M:** Anticipated one-time O&M investment associated with this purchase is conduct natural and cultural resource inventories, hold a dedication event with the Wilderness Land Trust and other cooperators, and prepare a management plan which is ongoing with the Taos Field Office, and update maps and brochures. The estimated costs for the one-time O&M investment would be \$10,000. The ongoing O&M costs associated with the project would be an estimated \$5,000 which includes maintenance of infrastructure (e.g. roads, fence, gates, cultural structure, etc.) and maintenance or restoration of resources.

Project / Unit: Galisteo Basin Area of Critical Environmental Concern

Priority: 25

Discretionary

Mandatory

State(s): NM

Congressional 3  
District(s):

Location: North Central New Mexico, 23 miles south of Santa Fe

Proposed for FY 2017	
Acre	\$
365	\$1,500,000
Acquired to Date	
182	\$1,390,000
Remaining to be Acquired	
1,361	\$5,500,000

**Project Description:**

One of the preeminent archaeological districts and recognizable cultural landscape in the Southwest is the Galisteo Basin, which is the site of multi-partner efforts to preserve and connect this unique landscape. This archaeologically rich area represents an incredibly well-preserved record of a dramatic cultural transition over the past 10,000 years. The 2,320-acre Galisteo Basin ACEC preserves a fraction of the 24 nationally significant archaeological sites designated in the Galisteo Basin Archaeological Site Protection Act. These sites include large prehistoric and historic pueblos, Native American rock art, and early Spanish Colonial Settlements. Many of these sites are surrounded by low-density residential development, which consumes excessive amounts of land and fragments natural landscapes. Ongoing collaboration and partnership among federal, state, local, and tribal governments, private, non-profit, and conservation groups serve as a foundation to protect and connect these fragmented natural spaces. These collaborations strive to achieve a common goal of interconnecting isolated islands of undeveloped spaces into an irreplaceable network of open space and trail systems to provide sustainable natural area. The interconnection efforts involves existing open space such as BLM Cerrillos Hills/Burnt Corn SRMA, Galisteo Basin and La Cienega ACECs, Cerrillos Hills State Park, Thornton Ranch Open Space, private conservation land, and easements to create a network of parks and natural spaces intertwined with rich cultural and natural resources. Creating this interconnected network of conservation and recreation lands is an ongoing effort among many partners with the BLM's acquisition of the Burnt Corn Pueblo site being a current key component. Acquisition would preserve one of largest Galisteo Basin sites and provide a key component to the ongoing efforts to create new long distance regional trail networks in Santa Fe County. Concurrently Santa Fe County has invested \$1.7 million in the acquisition of Mount Chalchihuitl in the Cerrillos Hills SRMA and \$750,000 in the Petroglyph Hill management plan. The end result is a multi-partner collaboration to connect existing open spaces into a cohesive system of greenways to sustain natural systems and cultural resources, while providing public recreation opportunities.

**Purpose / Need:**

Preserve designated Galisteo Basin archaeological site that are part of the Galisteo Basin ACEC, enhance educational, research and recreational opportunities, and protect fragile ecosystem and habitat.

**Cooperator(s):** Santa Fe County, Ohkay Owingeh Pueblo, City of Santa Fe, Friends of Galisteo Basin, Galisteo Basin Preserve, Santa Fe Conservation Trust, New Mexico Archaeological Council, Archaeology Southwest, New Mexico Museum Office of Archaeological Studies, and Sitewatch.

Estimated O&M Savings: Start-up: \$0 Annual: \$0  
 Estimated O&M Costs: Start-up: \$10,000 Annual: \$5,000

**Describe O&M:** The initial O&M costs associated with this purchase would be resource inventories, monitoring and installation of infrastructure such as signs, gates, and fencing to protect and preserve the natural and cultural resources. Inventory and monitoring for these resources would be accomplished through partnerships with non-profit, conservation groups and educational institutions to serve as a springboard to protect and open up educational and research opportunities. These types of contribution would provide an estimated savings of \$5,000. Anticipated ongoing O&M costs associated with this acquisition would be maintenance of infrastructure (e.g. roads, fences gates, cultural structure etc.), maintain or restore resources and monitoring efforts. A portion of these costs would be shared through our partnerships with state and local governments in our efforts to interconnect a network of parks and natural spaces in an area that lacks open spaces.

Project / Unit: North Platte River Special Recreation Management Area

Priority: 26

Discretionary

Mandatory

State(s): WY

Congressional 1  
District(s):

Location: Central Wyoming, up to 50 miles southwest of Casper.

Proposed for FY 2017	
Acres	\$
3,573	\$2,816,000
Acquired to Date	
1,769	\$7,886,000
Remaining to be Acquired	
1,117	\$9,494,500

**Project Description:**

Weaving a fragile thread of green through the high plains of central Wyoming, the vegetative corridor hugging the banks of the North Platte River represents the rarest of Western ecosystems, only 1% of land in Wyoming constitutes riparian/wetland habitat.

The 4,600-acre North Platte River Special Recreation Management Area (SRMA) includes a 45-mile segment of the North Platte, between Pathfinder National Wildlife Refuge (administered by the Fish and Wildlife Service) and the City of Casper. While the flow of the North Platte is regulated, the river remains lightly impacted by agriculture, mining, and rural residential subdivision. Native cottonwood stands along the river are critical to a wintering bald eagle population. The Oregon, California, Mormon Pioneer, and Pony Express National Historic Trails (NHTs), diverging from and interpreted at Casper's National Historic Trails Interpretive Center followed the natural contour of the North Platte River valley more than a century ago. The Battle of Red Buttes site along the NHTs is the location of where the Plains Tribes attacked the 11th Kansas Volunteer Cavalry supply wagons on July 26, 1865. Over 62,000 acres of sage-grouse core area combine with abundant natural resources, amidst vast relatively untrammeled landscapes. Short grass prairies and sagebrush steppe communities are intermixed with mountain shrubs bounded by riparian corridors. Uplifts along with sandstone hogbacks and cuernas add color and create diversity in this vast landscape. The combination of these varied components is critical to the life cycle and long-term survival of the sage-grouse.

An intermingled land ownership pattern stymies public access to and use of the river. Minutes away from Casper's 50,000 residents, local outdoor enthusiasts and area visitors have turned to the BLM to address their growing demand for river access. The popularity of the Platte River Parkway, Casper's highly successful "greenway" project initiated in 1982, and public fishing access easements purchased by the Wyoming Game and Fish Department along the North Platte are indicators of public use. The North Platte is regarded by the WGFD as a "Blue Ribbon/Class I" trout fishery.

**Purpose / Need:**

Enhance public recreation opportunities, provide education/preservation of historic battle site, preserve riparian/wetland and endangered species habitat along the North Platte river, and conserve Greater Sage-grouse habitat.

**Cooperator(s):** Platte River Parkway Trust, Wyoming Fly Casters, North Platte Walleyes Unlimited.

Estimated O&M Savings: Start-up: \$0 Annual: \$0

Estimated O&M Costs: Start-up: \$65,000 Annual: \$20,000

**Describe O&M:** The anticipated O&M costs would include fencing the property, construction of a parking area with bollards, placement of a vault toilet, construction of an accessible pedestrian trail, and installation of interpretative panels. An interpretive program in concert with Casper's National Historic Trails Interpretive Center may be part of the initial startup costs. Annual maintenance costs would include routine upkeep of these facilities, as well as staff and law enforcement patrols of the property and facilities, and implementation of the interpretive program.

<b>Activity: Land Acquisition</b>
<b>Subactivity: Emergencies, Hardships, &amp; Inholdings</b>

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Emergency & Hardships	\$000	1,616	1,616	+0	+0	+0	1,616	+0
	FTE	0	0		+0	+0	0	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Inholding, Emergency and Hardship program is \$1,616,000.

### Program Overview

The Inholding, Emergency and Hardship program allows the BLM to promote conservation of natural landscapes and resources by consolidating privately owned land with publicly owned land when properties become available on short notice and would not remain available unless immediate action is taken. The availability of funds for Inholding, Emergency, and Hardship purchases permits timely actions to alleviate hardships and prevent adverse land use that may conflict with management objectives for adjacent public lands. The BLM's parcels targeted for purchase with these funds, although typically small and generally inexpensive, conserve and protect cultural and historic resources, permit retention of increasingly limited open spaces, preserve wildlife habitat and wilderness, enhance public recreation opportunities, and are strongly supported for Federal acquisition by local communities.

### 2017 Program Performance

In 2017, the BLM will respond to field requests for Inholding, Emergency and Hardship funding as they are submitted for consideration on a case-by-case basis. The Bureau will continue to focus on acquisitions that conserve and protect cultural and historic resources, retain open space, preserve wildlife habitat and wilderness, and enhance public recreation opportunities in the western U.S. in perpetuity.

<b>Activity: Land Acquisition</b>
<b>Subactivity: Acquisition Management</b>

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Acquisition	\$000	1,904	2,000	+42	+0	+0	2,042	+42
Management	FTE	12	12		+0	+0	12	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Acquisition Management program is \$2,042,000 and 12 FTE.

#### Program Overview

The Acquisition Management program completes the administrative tasks necessary for the Land Acquisition program to acquire land funded through the Land and Water Conservation Fund. Acquisition Management program funds are used for title research, appraisal, appraisal review, project planning, boundary surveys, relocation, taxes, escrow, closing, coordination with BLM multi-resource programs, and coordination with local governments and private parties.

The BLM closely monitors funds spent for processing costs associated with the purchase of land and interests in land. Processing costs typically range between \$50,000 and \$100,000 per project, depending on the complexity of title searches and appraisals, boundary surveys, the number of parcels contained in each purchase, costs associated with the purchase of conservation easements, and other factors. Close communication with field offices and close monitoring of funds spent, allows the BLM to allocate the appropriate amount of funding to each office.

The Acquisition Management program receives assistance from dozens of third-party partners such as the Audubon Society, the Conservation Fund, the Nature Conservancy, and the Trust for Public Land and the Wilderness Land Trust. These partners continually assist local communities and the BLM in supporting the acquisition and management of specific properties for cultural, recreational and wildlife values and to preserve open space. While the majority of these partners support acquisition of lands through grassroots political advocacy and long-term conservation management, some regional and national partners directly assist the BLM by becoming transactionally involved in the purchase of fee and conservation easement property interests. Approximately 80 percent of BLM purchase transactions are completed with the assistance of these third-party conservation partners. This assistance is a major cost savings for the BLM.

#### 2017 Program Performance

In 2017, the BLM will complete the administrative tasks necessary to acquire fee or easement interests in lands designated for purchase under the Land Acquisition program.

## Budget Schedules - Current Law

Account Symbol and Title 14X5033 Land Acquisition	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Land acquisition	0001	8	18	20
Acquisition management	0002	2	4	4
Total new obligations	0900	10	22	24
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	23	33	50
Budget authority:				
Appropriations, discretionary:				
Appropriation (special or trust fund)	1101	20	39	44
Appropriations transferred from other acct [014-1125]	1121	0	0	0
Appropriation, discretionary (total)	1160	20	39	44
Appropriation, discretionary - Computed Totals	1160-20	20	39	44
Appropriation [Protected Conserving New Lands-LWCF]	1160-40	20	39	44
Baseline Civilian Pay	1160-50		2	2
Baseline Non-Pay	1160-50		37	38
Policy Outlays:				
New Authority	1160-61	3	10	11
Balances (excl of EOY PY Bal)	1160-62	13	0	20
End of PY Balances	1160-63		5	0
Subtotal, outlays	1160-64	16	15	31
Baseline Outlays:				
New Authority	1160-81		10	10
Balances (excl of EOY PY Bal)	1160-82		0	20
End of PY Balances	1160-83		5	0
Subtotal, outlays	1160-84		15	30
Total budgetary resources available	1930	43	72	94
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	33	50	70
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	6	0	7
Obligations incurred, unexpired accounts	3010	10	22	24
Outlays (gross)	3020	-16	-15	-31

Account Symbol and Title				
14X5033				
Land Acquisition				
	Line	2015 Act	2016 CY	2017 BY
Unpaid obligations, end of year	3050	0	7	0
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	6	0	7
Obligated balance, end of year	3200	0	7	0
Budget authority and outlays, net:				
Discretionary:				
Budget authority, gross	4000	20	39	44
Outlays, gross:				
Outlays from new discretionary authority	4010	3	10	11
Outlays from discretionary balances	4011	13	5	20
Outlays, gross (total)	4020	16	15	31
Budget authority, net (discretionary)	4070	20	39	44
Outlays, net (discretionary)	4080	16	15	31
Budget authority, net (total)	4180	20	39	44
Outlays, net (total)	4190	16	15	31
INVESTMENT ACTIVITIES:				
Physical assets:				
Major equipment:				
Purchases and sales of land and structures for Federal use:				
Direct Federal programs:				
Budget Authority	1340-01	20	39	44
Outlays	1340-02	16	15	31
Object Classification				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	1	1	1
Other services from non-Federal sources	25.2	2	3	3
Land and structures	32.0	7	18	20
Total new obligations	99.9	10	22	24
Employment Summary				
Direct civilian full-time equivalent employment	1001	12	12	12
Budget year budgetary resources [014-5033]				
	1000			43,959

## Budget Schedules - Proposal

Account Symbol and Title 14X5033 Land Acquisition	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Land acquisition	0001	0	0	30
Acquisition management	0002	0	0	4
Total new obligations	0900	0	0	34
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	0	0	0
Budget authority:				
Appropriations, mandatory:				
Appropriations transferred from other acct [014-5005]	1221	0	0	45
Appropriations, mandatory (total)	1260	0	0	45
Appropriations, mandatory - Computed Totals	1260-20	0	0	45
Appropriation [LWCF]	1260-40	0	0	45
Policy Outlays:				
New Authority	1260-61	0	0	4
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63	0	0	0
Subtotal, outlays	1260-64	0	0	4
Total budgetary resources available	1930	0	0	45
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	0	0	11
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	0	0	0
Obligations incurred, unexpired accounts	3010	0	0	34
Outlays (gross)	3020	0	0	-4
Unpaid obligations, end of year	3050	0	0	30
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	0	0	0
Obligated balance, end of year	3200	0	0	30
Budget authority and outlays, net:				

Account Symbol and Title 14X5033 Land Acquisition		Line	2015 Act	2016 CY	2017 BY
Mandatory:					
Budget authority, gross		4090	0	0	45
Outlays, gross:					
Outlays from new mandatory authority		4100	0	0	4
Budget authority, net (mandatory)		4160	0	0	45
Outlays, net (mandatory)		4170	0	0	4
Budget authority, net (total)		4180	0	0	45
Outlays, net (total)		4190	0	0	4
Character Classification (C)					
INVESTMENT ACTIVITIES:					
Physical assets:					
Major equipment:					
Purchases and sales of land and structures for Federal use:					
Direct Federal programs:					
Budget Authority		1340-01	0	0	45
Outlays		1340-02	0	0	4
Object Classification (O)					
Direct obligations:					
Other services from non-Federal sources		25.2	0	0	10
Land and structures		32.0	0	0	24
Total new obligations		99.9	0	0	34
Employment Summary (Q)					
Direct civilian full-time equivalent employment		1001	0	0	0

# Oregon and California Grant Lands



# OREGON AND CALIFORNIA GRANT LANDS

## Appropriations Language

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; [\$107,734,000]\$106,985,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 1181f). (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.*)

## Appropriations Language Citations

- 1. For expenses necessary for management, protection, and development of resource and for construction, operation, and maintenance of access roads, reforestation, and other improvements**

This language provides authority to use appropriated funds provided for the BLM to carry out the mission of the Oregon and California Grant Lands program. The BLM manages these lands for forest diversity and sustainability while providing multiple-use benefits and services to local communities and the public. Activities focus on forest management, watershed health, wildlife and fisheries habitat improvement, recreation opportunities, cultural resources protection, and infrastructure maintenance.

- 2. on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon,**

The BLM manages resources on public domain under the provisions of the Federal Land Policy and Management Act of 1976. Programs conducted on certain O&C grant lands within National Forests are under the jurisdiction of the U.S. Forest Service (USFS) and managed with USFS funds. The USFS returns receipts generated from activities on these lands to the BLM for payment to counties in accordance with the Act.

- 3. and on adjacent rights-of-way and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands;**

The O&C appropriation supports the acquisition of easements, road-use agreements for timber site access, and the design of access roads for general resource management purposes.

**4. \$106,985,000 to remain available until expended**

This language provides authority to use \$106,985,000 in appropriated funds to carry out the mission of the program. The language makes the funding no-year, available for expenditure in any year after the appropriation. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, agreements and purchases.

**5. *Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 1181(f)).***

The 2017 budget request reflects the continuation of BLM's Oregon and California Grant Lands existing authorities within the Office of the Secretary.

### Authorizations

***The Oregon and California Grant Lands Act of 1937 (43 U.S.C. 1181)*** provides for conservation, management, permanent forest production, and sale of timber from revested Oregon and California (O&C) grant lands and reconveyed Coos Bay Wagon Road (CBWR) grant lands located in western Oregon.

***The Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701 et seq.,*** as amended, provides for the public lands to be generally retained in Federal ownership; for periodic and systematic inventory of the public lands and their resources; for a review of existing withdrawals and classifications; for establishing comprehensive rules and regulations for administering public land statutes; for multiple use management on a sustained yield basis; for protection of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values; for receiving fair market value for the use of the public lands and their resources; for establishing uniform procedures for any disposal, acquisition, or exchange; for protecting areas of critical environmental concern; and for recognizing the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands, including implementation of the *Mining and Minerals Policy Act of 1970*.

***The Federal Land Policy and Management Act*** applies to all public lands that include the O&C grant lands by definition (Sec. 103(e)). However, Sec. 701(b) of *FLPMA (43 U.S.C. 1701)* note) provides that if any provision of *FLPMA* is in conflict with or inconsistent with the *O&C Act* and *Coos Bay Wagon Road Act*, insofar as they relate to management of timber resources and disposition of revenue from lands and resources, the latter Acts will prevail. In addition, many other Federal statutes regarding natural resource management and protection apply to the management of the O&C and CBWR grant lands in western Oregon.

***The Act of May 24, 1939 (53 Stat. 753)*** relates to the disposition of funds from the CBWR grant lands located in western Oregon.

***The Timber Protection Act of 1922 (16 U.S.C. 594)*** provides for the protection of timber from fire, insects, and disease.

***The Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393)*** authorizes stabilized payments to O&C and CBWR Counties for 2001 through 2006. Each county that received at least one payment during the eligibility period (1986-1999) received an amount equal to the average of the three highest 50-percent payments and safety net payments made for the years of the eligibility period. The payments were adjusted to reflect changes in the Consumer Price Index. The Act expired in 2006. The final payments for 2006 were made in 2007, consistent with the Act.

***P.L. 110-28*** provided one additional year of payments to O&C grant lands and Coos Bay Wagon Road counties.

***Sec. 601. of P.L. 110-343 Secure Rural Schools and Community Self-Determination Program*** provided an extension and ramping down of payments to the O&C grant lands and the Coos Bay Wagon Road counties through fiscal year 2011.

***P.L. 112-141 – Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21)*** provided an extension of one year of Secure Rural School payments to O&C grant lands and Coos Bay Wagon Road counties.

***P.L. 113-40 – Helium Stewardship Act of 2013*** provided an extension of one year of Secure Rural School payments to O&C grant lands and Coos Bay Wagon Road counties.

***P.L. 114-10 - ‘Medicare Access and CHIP Reauthorization Act of 2015*** provided an extension of two years (2014 and 2015) of Secure Rural School payments to O&C grant lands and Coos Bay Wagon Road counties.

***Public Land Order 5490***, dated February 12, 1975, reserved all public lands in and west of Range 8 East of the Willamette Meridian and all lands within that area which hereinafter become public lands for multiple use management, including sustained yield of forest resources in connection with intermingled revested Oregon and California Railroad Grant Lands and reconveyed Coos Bay Wagon Road Grant Lands.

***Healthy Forest Restoration Act (P.L. 108-148)*** authorizes the BLM and the U.S. Forest Service to conduct hazardous fuels reduction projects on federal land in wildland-urban interface (WUI) areas and on certain other federal lands using expedited procedures.

***Land Conveyance to Douglas County, Oregon, (P.L. 108-206)*** authorized conveyance to Douglas County, Oregon, of approximately 68.8 acres of BLM-managed land in Douglas County in order to improve management of and recreational access to the Oregon Dunes National Recreation Area.

***Forest Ecosystem Health & Recovery Fund, (P.L. 102-381)*** authorized quick response to fire and reforestation of forests damaged by insects, disease, and fire. Also includes proactive vegetative treatments designed to reduce the risk of catastrophic damage to forests and increase forest resiliency to disturbances. Funds in this account are derived from the Federal share (defined as the portion of receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181-1 et seq., and P.L. 106-393) of receipts from all BLM timber salvage sales and all BLM forest health restoration treatments funded by this account. The authority to make deposits and to spend from this fund was provided in the 2010 Interior Appropriations Act (P.L.

111-88, 123 STAT. 2906) and was scheduled to expire at the end of fiscal year 2015. The 2015 Omnibus Appropriations Act (Section 117) extended this authority through 2020.

***Timber Sale Pipeline Restoration Funds (PL 104-134 - Section 327 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996.)*** established initial funds for the USFS and the BLM using revenues generated by timber sales released under *Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act*. The legislation directs that 75 percent of the subsequent pipeline fund be used to fill each agency's timber sale "pipeline" and that 25 percent of the pipeline funds be used to address maintenance backlog for recreation projects on BLM and USFS lands after statutory payments are made to State and local governments and the U.S. Treasury.

***Stewardship Contracting (Sec. 347 of Public Law 105-277, as amended by Public Law 108-7 and Public Law 113-79)*** permanently authorizes the BLM, via agreement or contract as appropriate, to enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

Summary of Requirements

(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	2017 President's Budget				Requested Amount	Change from 2016		
	FTE	Amount	FTE	Amount		FTE	Amount	FTE	Amount		FTE	Amount	
<b>Western Oregon Resources Management</b>													
Forest Management	268	33,447	268	33,752	+73	-	-	-	-	268	33,825	-	+73
Reforestation & Forest Development	118	23,851	118	24,023	+43	-	-	-	-	118	24,066	-	+43
Other Forest Resource Mgmt	259	36,985	259	33,495	+61	-	-	-	-	259	33,556	-	+61
Resource Mgmt Planning	42	7,140	42	3,985	+13	-	-	-	-1,000	42	2,998	-	-987
<b>Total, Western Oregon Resource Management</b>	<b>687</b>	<b>101,423</b>	<b>687</b>	<b>95,255</b>	<b>+190</b>	<b>0</b>	<b>-</b>	<b>+0</b>	<b>-1,000</b>	<b>687</b>	<b>94,445</b>	<b>-</b>	<b>-810</b>
<b>Info. &amp; Resource Data Systems</b>	<b>11</b>	<b>1,772</b>	<b>11</b>	<b>1,786</b>	<b>+12</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>11</b>	<b>1,798</b>	<b>-</b>	<b>+12</b>
<b>Transportation &amp; Facilities Maintenance</b>													
Annual Maintenance	1	-	1	-	-	-	-	-	-	1	-	-	+0
Annual Maintenance & Operations	62	9,517	62	9,602	+26	-	-	-	-	62	9,628	-	+26
<b>Subtotal, Western Oregon Trans &amp; Facilities Maint</b>	<b>63</b>	<b>9,517</b>	<b>63</b>	<b>9,602</b>	<b>+26</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>63</b>	<b>9,628</b>	<b>-</b>	<b>+26</b>
<b>Construction &amp; Acquisition</b>	<b>2</b>	<b>312</b>	<b>2</b>	<b>324</b>	<b>+11</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>335</b>	<b>-</b>	<b>+11</b>
<b>NMs &amp; NCAs</b>	<b>4</b>	<b>753</b>	<b>4</b>	<b>767</b>	<b>+12</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4</b>	<b>779</b>	<b>-</b>	<b>+12</b>
<b>Total, Oregon &amp; California Grant Lands</b>	<b>767</b>	<b>113,777</b>	<b>767</b>	<b>107,734</b>	<b>+251</b>	<b>0</b>	<b>-</b>	<b>+0</b>	<b>-1,000</b>	<b>767</b>	<b>106,985</b>	<b>-</b>	<b>-749</b>

**Justification of Fixed Costs and Internal Realignments  
Oregon and California Grant Lands**

*(Dollars In Thousands)*

<b>Fixed Cost Changes and Projections</b>	<b>2016 Total or Change</b>	<b>2016 to 2017 Change</b>
Change in Number of Paid Days This column reflects changes in pay associated with the change in the number of paid days between the 2016 and 2017.	+134	-259
Pay Raise The change reflects the salary impact of the 1.6% programmed pay raise increases as provided in the June, 2015 Circular A-11.	+751	+510

### Appropriation Description

The Oregon and California (O&C) Grant Lands appropriation provides for management of the revested O&C Railroad grant lands and the reconveyed Coos Bay Wagon Road (CBWR) grant lands. The BLM manages these lands for forest diversity and sustainability while providing an array of multiple-use benefits and services to local communities and the public (see discussion under each activity and subactivity). As mandated by the O&C Act of 1937 (43 U.S.C. 1181), these lands are managed for timber production under the principle of sustained yield. Activities focus on forest management including commodity production; watershed health and productivity including soil and water restoration projects; wildlife and fisheries habitat protection and improvement; recreation opportunities; cultural resources protection; and infrastructure maintenance.

The BLM manages 2.4 million acres of O&C grant lands, CBWR lands, and intermingled public domain lands with this appropriation. The BLM manages resources on public domain land (10 percent of the area) under the provisions of the Federal Land Policy and Management Act of 1976. Programs conducted on certain O&C grant lands within National Forests are under the jurisdiction of the U.S. Forest Service (USFS) and managed with USFS funds (often referred to as Controversial O&C Lands). The USFS returns receipts generated from activities on these lands to the BLM for payment to counties in accordance with the Act. The five budget activities of the O&C appropriation are summarized below. Through these activities, the BLM implements resource management plans (RMP) and supports resource activities on the O&C and CBWR grant lands under the BLM's jurisdiction.

- **Western Oregon Construction and Acquisition** provides for the acquisition of easements, road-use agreements for timber site access, and the design of access roads for general resource management purposes.
- **Western Oregon Transportation and Facilities Maintenance** provides for maintenance activities for the transportation system, office buildings, warehouse and storage structures, shops, greenhouses, and recreation sites. This program's efforts maintain the transportation system necessary for effective implementation of the RMPs. Road maintenance activities help to reduce or eliminate negative impacts of poor road conditions on aquatic and fisheries resources, including Pacific salmon and other resident and anadromous fish populations in the Northwest.
- **Western Oregon Resources Management** provides for planning, preparing, offering, administering and monitoring timber sales; maintaining the sustainability of forest resources and timber harvest through reforestation, development, and restoration techniques; managing and monitoring wildlife habitat, recreational opportunities, and rangeland resources; and maintaining or improving soil, water and air quality.
- **Western Oregon Information and Resource Data Systems** provides for the acquisition, operation, and maintenance of the automated data support systems required for the management of the O&C grant lands. The focus of this program is to make data operational for monitoring and adaptive management; and for developing and analyzing activity plans, such as timber sales and habitat management plans.

- **Western Oregon National Monuments and National Conservation Areas** provides for the management of National Monuments and National Conservation Areas and other similar Congressionally designated areas in western Oregon.

<b>O&amp;C LANDS IN WESTERN OREGON</b>	
<b>(ACRES)</b>	
<b>BLM-Managed Lands</b>	
O&C Grant Lands	2,084,796
CBWR Lands	74,547
Public Domain Lands	239,500
<b>Total – BLM</b>	<b>2,398,843</b>
<b>U.S. Forest Service-Managed Lands</b>	
Controverted O&C Lands	462,678
Special Act O&C Lands	29,721
<b>Total - U.S. Forest Service</b>	<b>492,399</b>

### Additional Funding Methods

In addition to the O&C Grant Lands appropriation, two Permanent Appropriations, the Timber Sale Pipeline Restoration Fund and the Forest Ecosystem Health and Recovery Fund, are available for use and do not require annual appropriation action. These are the outlined in Permanent Operating Funds, 2017 Budget Justifications.

### Management of Oregon and California Grant Lands

The BLM manages 2.4 million acres of O&C and CBWR lands in western Oregon. The BLM has practiced sustainable forest management, as outlined in the O&C Act of 1937, which includes a provision for the western Oregon counties to receive shares of timber sale receipts. In the late 1970s, USFS researchers observed a rapid decline in the populations of the Northern Spotted Owl, a species associated with old-growth forests. In 1990, the U.S. Fish and Wildlife Service (FWS) listed the Northern Spotted Owl as threatened under the Endangered Species Act of 1973, citing loss of old-growth habitat. The BLM modified management of forested lands to conserve the old-growth forests, reducing the annual timber sale volumes and thus reducing receipts to counties.

Soon after the listing of the owl, President Clinton convened a group of scientists called the Forest Ecosystem Management Assessment Team. Their Assessment report in 1993, led to the development of the Northwest Forest Plan (NWFP) in 1994; the NWFP amended BLM and USFS land use plans within the range of the Northern Spotted Owl. This plan set out land use allocations, standards and guidelines for management designed to contribute to the recovery of Northern Spotted Owls and marbled murrelets and to produce a predictable and sustainable level of timber sales. Under the NWFP, agencies are required to survey and manage for rare, uncommon, or little known species of plants and animals.

The BLM has managed the O&C lands under the NWFP since 1994. The change in management resulting from the NWFP has not been without controversy. The BLM's Western Oregon Districts continue to receive protests, appeals, and litigation on individual timber sales as well as on other larger programmatic issues.

In 2009, the Western Oregon Plan Revisions (2008 Records of Decision), finalized in December, 2008, were withdrawn by the Secretary. He determined the process was legally flawed, having failed to complete consultation under the Endangered Species Act. The decision to withdraw the 2008 Records of Decision was accompanied with the direction to revert to managing the O&C lands under the Northwest Forest Plan (1995 Records of Decision/RMP). Since 2009, the BLM has subsequently designed a timber sale program of work consistent with the 1995 Records of Decision, Northwest Forest Plan, the Endangered Species Act, and other laws and regulations. Forest restoration is one of the goals of the NWFP, and is emphasized where appropriate in the context of the timber sale planning process. The BLM resource management plans continue to be litigated from both conservation and industry groups, resulting in a complicated and changing legal framework under which managers must implement projects.

In October 2009, former BLM Director Abbey and the late FWS Director Sam Hamilton convened the interdisciplinary Western Oregon Task Force. The task force, composed of experts across a range of resource disciplines, from the BLM, the FWS, the National Marine Fisheries Service and the USFS, examined the Western Oregon Plan Revisions process and the long-standing challenges of managing the forests for multiple goals. The task force issued recommendations that the BLM and other Federal agencies have been working on in order to find new approaches for forest management.

In December 2010, the Secretary initiated a plan applying the principles of ecological forestry as suggested by Doctors Norm Johnson and Jerry Franklin, on BLM lands. This ongoing initiative explores ways to restore ecological processes and address economic issues on O&C lands. As of December 2014, the BLM has completed a number of forestry ecological pilot timber sales and continues to offer additional timber sales in various western Oregon Districts. The projects seek to:

- Demonstrate a landscape level approach to forest ecosystem restoration that includes active management;
- Restore functional and sustainable ecological conditions in Federal forests;
- Allow recovery for threatened species; and
- Provide needed employment opportunities.

The FWS is assisting in development and review of the ecological forestry efforts. The BLM is using a variety of means to inform and involve stakeholders to stimulate collaboration with public stakeholders.

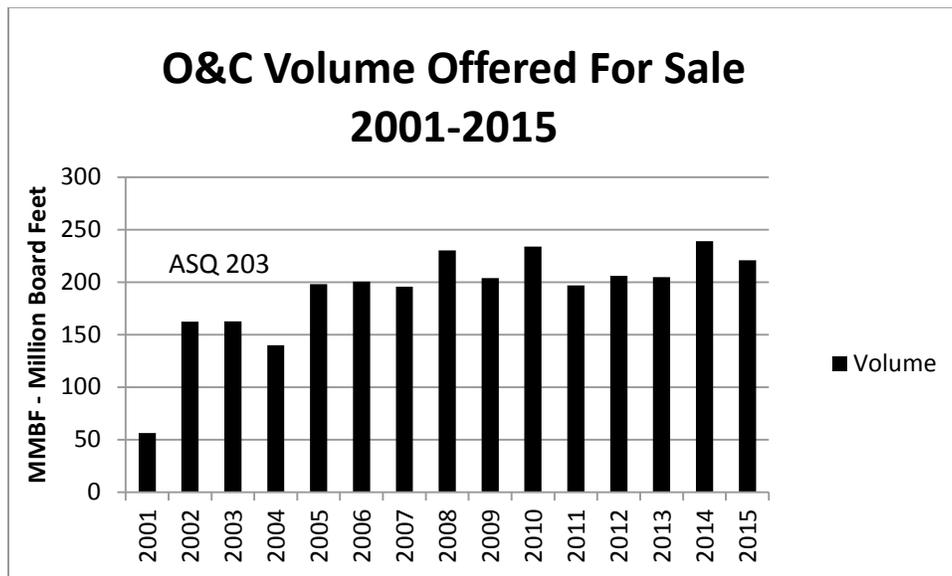
In June 2011, the FWS issued their Revised Recovery Plan for the Northern Spotted Owl, and in November 2012, issued the final Critical Habitat Rule for the Northern Spotted Owl. Both the Recovery Plan and the final Critical Habitat Rule emphasize maintenance and enhancement of Northern Spotted Owl habitat and do not preclude active forest management, where appropriate, to increase stand resiliency, reduce hazardous fuels, and promote ecological diversity. The BLM is incorporating the new Critical Habitat Rule and Recovery Plan into out-year timber sale planning.

In February 2012, the BLM announced new planning efforts for the six West-side Oregon Resource Management Plans. The BLM released the Draft EIS for the new plans in April of 2015 and received over 4,000 public comments. The BLM expects to release the Final EIS in the spring of 2016 and sign the Record of Decision later this year. The current RMPs were

signed in 1995. The new RMPs will analyze management of the different resources and incorporate new information including the 2011 Northern Spotted Owl Recovery Plan and 2012 Final Critical Habitat Rule. The U.S. Forest Service’s Oregon and Washington National Forests within the Northwest Forest Plan region are in the very initial planning phase to revise their National Forest Plans.

**Timber Harvest Targets and Volumes**

The long-term annual timber target or allowable sale quantity (ASQ) from O&C lands and as declared in the six 1995 Resource Management Plans (RMPs) is 203 million board feet (MMBF). Note that a new declared ASQ for the 2016 RMP is still being analyzed in the Final EIS. Although volume offered from the reserve land use allocations does not count towards the ASQ target, it does contribute towards meeting the BLM’s annual performance target; achieving ecological objectives in reserve areas through active management; and contributing to the needs of rural communities. The NWFP timber targets and accomplishments displayed in the tables below are for the BLM-managed lands in both western Oregon and northern California, even though timber activities in northern California are funded by other appropriations.



<b>BLM O&amp;C WESTERN OREGON AND CALIFORNIA ALLOWABLE SALE QUANTITY – TOTAL VOLUME OFFERED UNDER THE NWFP</b>						
<b>BLM NWFP Area Timber Volume Targets</b>						
<b>Year</b>	<b>Allowable Sale Quantity Target</b>			<b>Total Volume Offered</b>		
	<b>OR</b>	<b>CA</b>	<b>Total</b>	<b>OR</b>	<b>CA</b>	<b>Total</b>
1995	118	15	133	127.3	22.8	150.1
1996	180	2.5	182.5	189.7	5.8	195.5
1997	211	2.5	213.5	212	10.2	222.2
1998	211	2.5	213.5	257.5	0.4	257.9
1999	203	2.5	205.5	61.7	3.1	64.8
2000	203	2.5	205.5	69.2	0.7	69.9
2001	203	1	204	56.4	0.1	56.5
2002	203	1	204	162.5	0.4	162.9
2003	203	1	204	162.7	0	162.7
2004	203	1	204	140	0.1	140.1
2005	203	1	204	198.2	7.7	205.9
2006	203	1	204	200.6	0.6	201.2
2007	203	1	204	195.6	3.2	198.8
2008	203	1	204	230.2	0.8	231.0
2009	203	1	204	203.8	0.8	204.6
2010	203	1	204	233.8	0.8	234.6
2011	203	1	204	197	1.8	198.8
2012	203	1	204	206.4	0.5	206.9
2013	203	1	204	204.9	0.0	204.9
2014	203	1	204	239.4	0.2	239.6
2015	203	1	204	221	0.0	221.4
2016 est.	203	1	204	203	1.0	204
2017 est	*203	1	204	*203	1.0	204

*Note: Timber volumes displayed include BLM-managed lands in California managed within the area of the NWFP, even though activities are funded by BLM appropriations other than O&C funds.*

- 2017 ASQ will be declared when new RMP are finalized.

### O&C Revenues and Receipts

The BLM derives timber receipts used for O&C payments from the harvest of timber on O&C lands managed by the BLM, and controverted O&C grant lands under the jurisdiction of the USFS. In addition, the BLM derives receipts from CBWR and Public Domain lands in western Oregon as well.

The projected timber receipts in 2017 are lower than those collected in 2015 and projected for 2016. The large increase in timber receipts in 2014 and 2015 was reflective of the large amount of salvage volume sold and harvested in both of those years. The much lower receipts earlier in

the decade coincided with the Great Recession and associated decline in construction and housing markets and timber values.

<b>TIMBER RECEIPTS FOR WESTERN OREGON BLM LANDS</b>										
<b>(Million \$)</b>										
	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016 est.</b>	<b>2017 Est.</b>
<b>O&amp;C Grant Lands</b>										
Regular Sales	13.0	14.2	9.7	11.6	11.5	17.3	30.2	18.3	20.0	18.0
Salvage Sales	4.3	5.5	3.2	2.7	4.3	4.0	4.5	12.2	5.0	4.0
Subtotal	17.3	19.7	12.9	14.3	15.8	21.3	34.7	30.5	25.0	22.0
<b>CBWR Lands</b>										
Regular Sales	0.3	0.2	.8	0	1.0	2.2	3.3	7.7	2.0	1.5
Salvage Sales	0.1	0	0	0	0.2	0.2	0.1	-0.1	0.1	0.1
Subtotal	0.4	0.2	0.8	0.1	1.2	2.4	3.4	7.6	2.1	1.6
<b>Timber Sale Pipeline Restoration Fund</b>										
PD, O&C, and CBWR	9.8	4.5	4.3	3.9	3.8	2.4	4.3	9.5	4.6	3.6
<b>Stewardship Contract Excess Proceeds</b>										
PD, O&C, and CBWR	0	0.2	0	0.1	0.3	0.05	0.1	0.0	0.0	0.0
<b>Total Receipts</b>	<b>27.6</b>	<b>24.6</b>	<b>18.0</b>	<b>18.3</b>	<b>21.1</b>	<b>26.1</b>	<b>42.5</b>	<b>47.6</b>	<b>31.7</b>	<b>27.2</b>

### **Timber Sale Pipeline Restoration Fund**

The Timber Sale Pipeline Restoration Fund (the Pipeline Fund) was established under Section 327 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996. The Act established separate funds for the USFS and the BLM, using revenues generated by timber sales released under Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act, which directs that 75 percent of the Pipeline Fund be used to fill each agency's timber sale "pipeline" and that 25 percent of the Pipeline Fund be used to address maintenance backlog for recreation projects on BLM and USFS lands after statutory payments are made to State and local governments and the U.S. Treasury.

At the end of 2015, the balance in BLM's Pipeline Fund was approximately \$14.0 million. The BLM has implemented a spend-down plan to bring the Pipeline Fund balance down to approximately \$5.0-\$7.0 million by the end of 2017. This carryover balance generally offsets irregular annual deposits caused by fluctuations in timber market conditions and purchasers opting on which year to harvest their 1-3 year timber sale contracts. A balance at the end of the year allows continued use of the Pipeline Fund to meet the Pipeline Fund's annual objective of rebuilding and maintaining the timber sale pipeline. Receipts, deposits and cumulative expenditures are described in the Permanent Operating Funds chapter.

### **Payments to the O&C Counties**

Timber harvest levels have dropped significantly from the historical levels of the late 1980s and early 1990s. The traditional payment formulas defined in Title II of the Oregon and California Grant Lands Act of 1937, U.S.C. 43 1181f, (50 Stat. 876, Title II) were modified to account for these declines and provide fiscal predictability to the O&C counties.

Receipts from public domain lands within the O&C grant lands are distributed to the State of Oregon (four percent), the General Fund of the U.S. Treasury (20 percent), and the Reclamation Fund (76 percent), except those generated through projects funded by the Forest Ecosystem Healthy Recovery Fund and the Timber Sale Pipeline Restoration Fund, which are deposited into those accounts.

<b>PAYMENT TO WESTERN OREGON COUNTIES (MILLION \$)<sup>†</sup></b>			
<b>Year</b>	<b>O&amp;C Lands</b>	<b>CBWR Lands</b>	<b>Total Payment</b>
1994	\$78.6	\$0.6	\$79.2
1995	75.8	0.6	76.4
1996	73.0	0.6	73.6
1997	70.3	0.6	70.9
1998	67.5	0.5	68.0
1999	64.7	0.5	65.2
2000	61.9	0.5	62.4
2001	0.0	0.0	0.0
2002	108.7	1.0	109.7
2003	109.6	1.0	110.6
2004	110.9	1.0	111.9
2005	112.3	1.0	113.3
2006	114.9	1.0	115.9
2007	116.3	1.0	117.3
2008	115.9	1.0	116.9
2009	104.5	0.9	105.4
2010	94.0	0.8	94.8
2011	84.7	0.7	85.5
2012	39.7	0.3	40.0
2013 <sup>††</sup>	37.7	0.3	38.0
2014	39.3	0.3	39.6
2015	37.9	0.3	38.2
2016 est.	35.3	0.3	36.4
2017 est.	SRS legislation only extended for FY 2014 amd 2015 payments		
<sup>†</sup> Payments reflect the fiscal year in which the payments were made			
<sup>††</sup> BLM made 94.9% of payments in FY 2013, reserving approximately \$2.04 million required against sequestration			

Under the Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393), the annual payments to the 18 O&C counties were derived from any revenues, fees, penalties, or miscellaneous receipts (exclusive of deposits to any relevant trust fund, or permanent operating funds such as the Timber Sale Pipeline Restoration or the Forest Ecosystem Health and Recovery funds) received by the Federal government from activities by the BLM on O&C lands, and to the extent of any shortfall, out of any funds in the Treasury not otherwise appropriated. The Secure Rural Schools Act of 2000 provided that, for 2001-2006, each payment to eligible counties would be an amount equal to the average of the three highest payments made during fiscal years 1986-1999. For each payment made by the BLM under the law, the full payment amount would be adjusted for inflation. The Secure Rural Schools Act of 2000 expired in 2006 and final payments for 2006 were made in 2007, consistent with the Act. Public Law 110-28 provided payments for one additional year. In October 2008, Congress enacted Section 601 of Public Law 110-343, which extended the Secure Rural Schools Act of 2000. Public Law 110-343 provided an extension of payments to the O&C grant lands and the Coos Bay Wagon Road counties through fiscal year 2011. As in the prior act, payments were to be made for the year prior. The payments for 2008 through 2010 were described in the law as “transition” payments, and were a declining percentage of the payments made in 2006; the payment in 2009 (for 2008) was 90 percent of the amount paid in 2006, the payment in 2010 (for 2009) was 81 percent, and the payment in 2011 (for 2010) was 73 percent. The payments made to counties in 2012 (for 2011) used a formula based on several factors that included acreage of Federal land, previous payments, and per capita personal income. More information on these payments is contained in the Miscellaneous Permanent Payments chapter.

Since the Secure Rural Schools Act of 2000, the BLM has worked collaboratively with the five western

Oregon Resource Advisory Committees to review over 1,000 restoration projects and implement over 600 of them totaling over \$43.0 million dollars.

In 2012 and 2013, the Secure Rural Schools Act was reauthorized for one year under PL 112-141 (2012 payments made in 2013) and PL 113-40 (2013 payments made in 2014). The total SRS payment made in fiscal year 2013 was \$37,992,143.19 and the total SRS payment made in fiscal year 2014 was \$39,630,137.85.

In 2015, the Secure Rural Schools Act was reauthorized for two years under Public Law 114-10 “Medicare Access and CHIP Reauthorization Act of 2015.” This law addresses SRS payments to be made in Fiscal Year 2015 and Fiscal Year 2016. The 2015 fiscal year payment for 2014 has already been made.

## Activity: Western Oregon Acquisition

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Construction & Acquisition	\$000	312	324	+11	+0	+0	335	+11
	FTE	2	2		+0	+0	2	+0

### Justification of 2017 Program Change

The 2017 Budget Request for the Western Oregon Acquisition Program is \$335,000 and 2 FTE.

### Activity Description

The Western Oregon Acquisition Program uses appropriated funds to acquire and protect access to public lands in western Oregon, providing access to BLM timber sales and other activities associated with managing Oregon and California (O&C) lands. The BLM estimates that nearly 5,000 separate tracts of O&C lands require some form of access for proper management. The BLM obtains access by purchase of perpetual easements, acquisition, or condemnation. Acquisition funding is also used to manage the historical reciprocal rights-of-way agreements, and acquire additional lands or interests in lands needed for infrastructure development including recreation sites, administrative sites, and transportation facilities.

The BLM has many long-standing (since the 1950s) reciprocal right-of-way agreements with surrounding and adjacent private landowners allowing reciprocal use of each owner's roads. Access to western Oregon O&C lands is dependent upon the continual upkeep of these long standing reciprocal rights-of-way agreements. As adjacent private lands change ownership, existing agreements need to be continuously negotiated and updated. The BLM prioritizes reciprocal right-of-way agreements based upon both private requests and land management needs. Generally, right-of-way agreements necessary to meet timber management performance measures for the BLM and adjacent private harvesting plans receive the highest priority, while access to recreational and key administrative facilities also receive high priority.

### Other Funding Sources

Timber haul roads, or "fee roads" negotiated under reciprocal right-of-way agreements are maintained using both appropriated funds and road maintenance fees collected from commercial users and deposited into a permanent account for road maintenance.

**2017 Program Performance**

In 2017, the Western Oregon Acquisition Program proposes to:

- Complete up to 20 new reciprocal right-of-way agreements, amendments, or assignments; and
- Complete the uploading of historic 1950s reciprocal O&C ROW agreement data into the electronic and GIS database that facilitates analysis for 14,000 miles of roads, expedites analysis of third party ROW agreements, and depicts public access via GIS.

## Activity: Western Oregon Transportation and Facilities Maintenance

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Annual Maintenance & Operations	\$000	9,517	9,602	+26	0	0	9,628	+26
	FTE	63	63		+0	+0	62	+0
Transportation & Facilities Maintenance	\$000	9,517	9,602	+26	+0	+0	9,628	+26
	FTE	63	63		+0	+0	62	0

### Justification of 2017 Program Changes

The 2017 budget request for Western Oregon Transportation and Facilities Maintenance program is \$9,628,000 and 63 FTE.

### Activity Description

In 2014, under the Interior, Environment, and Related Appropriations (P.L. 113-76), the O&C Deferred Maintenance function was transferred to the Management of Lands and Resources, Deferred Maintenance and Capital Improvements Subactivity, leaving only the Annual Maintenance and Operations Program in the Transportation and Facilities Maintenance Activity.

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# Activity: Western Oregon Transportation and Facilities Maintenance

## Subactivity: Annual Maintenance & Operations

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Annual Maintenance & Operations	\$000	9,517	9,602	+26	+0	+0	9,628	+26
	FTE	63	63		+0	+0	62	+0

Other Resources Supporting Annual Maintenance & Operations:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
Road Maintenance	\$000	3,094	2,820	2,820	+0
	FTE	8	10	6	-4

**Notes:**

- Road Maintenance amounts are shown as new budget authority derived from provisions for amortization of road costs in contracts and by cooperative financing with other public agencies and with private agencies or persons, or by a combination of these methods; 43 USC 1762(c), which provides the authority to acquire, construct, and maintain roads within and near the public lands to permit maximum economy in harvesting timber from such lands tributary to such roads and at the same time meet the requirements for protection, development, and management of such lands for utilization of the other resources thereof. appropriates these funds on a permanent basis. More information on Road Maintenance is found in the Permanent Operating Funds chapter
- Road Maintenance is used on both Oregon and California Grant Lands and Public Domain Forestry Lands
- Actual and estimated obligations, by year for Road Maintenance are found in President's Budget Appendix under the BLM section. 2015 amount includes previously unavailable authority.
- The Road Maintenance appropriation is also a collaborative activity of the MLR Annual Maintenance & Operations program, accounting for less than \$100,000 in available receipts from public domain lands

### Justification of 2017 Program Changes

The 2017 budget request for Western Oregon Annual Maintenance and Operations program is \$9,628,000 and 63FTE.

### Program Overview

The Operations and Annual Maintenance Program maintains the BLM's investment in the transportation network, preserves public safety, minimizes environmental impacts especially, related to water quality and soil erosion, and provides for functional utilities and other services at visitor and administrative sites supporting O&C grant land management. BLM-managed roads serve commercial, administrative, and local government functions. They also serve public land users by providing for timber haul, school bus and emergency routes, and access to private, local,

**Program Process Improvements**

Periodic maintenance reviews are performed within each district to assure the maintenance work meets or exceeds district expectations and is within established budgets. Districts are also required to complete annual Maintenance Operation Plans (MOP's) to show their planned work. Costs can then be monitored against the planned targets by WO, State, and district program leads to determine the effectiveness of the maintenance program.

State, and Federal lands. The types of facilities maintained by the BLM in western Oregon include:

- Sixty-five administrative sites with 162 buildings served by 230 separate mechanical, plumbing and electrical systems;
- One hundred and seventy recreation sites with 350 buildings, served by trash collection, sanitation facilities, and safe drinking water;
- Three dams; and
- A system of 14,200 miles of roads, including 131 miles designated as Back Country Byways, 324 miles of trails, along with related structures including 410 bridges, 586 major culverts, and multiple retaining walls and subsurface drainage systems.

### **Critical Factors**

The following factors can impact program performance:

- Natural disturbances (heavy winter rains, windstorms, wildfires) which alter maintenance priorities, requiring changes to planned work; and
- State of Oregon Parks and Recreation surveys indicate that public use of BLM's recreational facilities and the roads accessing them is increasing.
- The 2017 annual maintenance and operation program will need to incorporate the priorities outlined in the management action/direction of the new western Oregon Resource Management Plans (RMPs) which could include expansion of recreational opportunities and development of comprehensive transportation plans.

Maintenance priorities are established at the district and field office level annually using a MOP. This prioritization is based on roads and facilities that are essential to the districts and have the highest impact on the health and safety of employees, contractors, and the general public. Emergency repair work that is identified as high priority is completed as soon as funding is available.

### **Other Funding Sources**

Most O&C roads and trails used by the public are maintained using appropriated funds. Timber haul roads, or "fee roads," are maintained using both appropriated funds and road maintenance fees that are collected from commercial users and deposited into a permanent operating fund for road maintenance.

Recreation facility maintenance activities are partially funded by the O&C Recreation Management Program, use fees, and the O&C National Monuments and National Conservation Areas subactivity. Eighteen of 170 O&C recreation sites participate in the Recreation Site Fee program.

### **2017 Program Performance**

The BLM will continue to emphasize maintenance on high-priority facilities, particularly those that have the greatest public exposure and use. In 2017, the Western Oregon Operations and Annual Maintenance Program plans to complete routine annual maintenance at 275 recreation sites, 88 bridges, 175 BLM administrative buildings, and 45 BLM non-building sites. In addition, over 14,000 miles of roads will be assessed to prioritize where 2,000 miles of annual road maintenance will occur in 2017. Annual routine maintenance will also include upkeep of wells,

sanitation facilities, and trails to reduce public health and safety risks and provide positive recreational experiences.

The BLM will also begin implementation of the management action/direction outlined in the new western Oregon RMPs.

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## Activity: Western Oregon Resources Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Forest Management	\$000	33,447	33,752	+73	+0	+0	33,825	+73
	FTE	268	268		+0	+0	268	+0
Reforestation & Forest Development	\$000	23,851	24,023	+43	+0	+0	24,066	+43
	FTE	118	118		+0	+0	118	+0
Other Forest Resource Mgmt	\$000	36,985	33,495	+61	+0	+0	33,556	+61
	FTE	259	259		+0	+0	259	+0
Resource Mgmt Planning, Assessment, and Monitoring	\$000	7,140	3,985	+13	+0	-1,000	2,998	-987
	FTE	42	42		+0	+0	42	+0
Total, -Western Oregon Resource Management	\$000	101,423	95,255	+190	+0	-1,000	94,445	-810
	FTE	687	687		+0	0	687	0

Other Resources Supporting Forest Management:					
		2015 Actual	2016 Estimate	2017 Estimate	Change from 2016
Forest Ecosystem Health and Recovery Fund	\$000	12,018	14,633	7942	-6,540
	FTE	48	48	48	+0
USFS Forest Pest Control	\$000	357,695	500,000	500,000	+0
	FTE	0	0	0	+0
Timber Sale Pipeline Restoration	\$000	9,843	9,735	5,291	-4,997
	FTE	34	23	23	+0

### Notes:

- Forest Ecosystem Health and Recovery Fund amounts are shown as new budget authority derived from the federal share of receipts from all BLM timber salvage sales, and from BLM forest health restoration treatments funded by this account; 43 USC 1736a appropriates these funds on a permanent basis. More information on Forest Ecosystem Health and Recovery Fund is found in the Permanent Operating Funds chapter. Forest Ecosystem Health and Recovery Fund is used on both Oregon and California Grant Lands and Public Domain Forestry Lands.
- USFS Forest Pest Control amounts are shown as estimated transfers. More information on USFS Forest Pest Control is found in the U.S. Forest Service budget Justifications. USFS Forest Pest Control is used on both and Public Domain Forestry Lands.
- Timber Sale Pipeline Restoration amounts are shown as new budget authority derived from revenues generated by timber sales released under Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act, which directs that 75 percent of the fund be used to fill the BLM's timber sale pipeline and that 25 percent of the fund be used to address the maintenance backlog for recreation projects on BLM land; Section 327 of the Omnibus Consolidated Appropriations Act of 1996 (Public Law 104-134) appropriates these funds on a permanent basis. More information on Timber Sale Pipeline Restoration is found in the Permanent Operating Funds chapter. Timber Sale Pipeline Restoration is used on lands in Oregon that are managed under the Northwest Forest Plan. The Interior, Environment, and Related Agencies Appropriation Act of 1996 (Public Law 104-134), Section 327, states that the Secretary of the Interior shall establish a Timber Sales Pipeline Restoration Fund, of which 75 percent shall be available for preparation of timber sales and 25 percent shall be available to expend on the backlog of recreation projects on lands administered by the Bureau of Land Management, without fiscal year limitation or further appropriation.
- Amount in 2015 and 2016 for Forest Ecosystem Health and Recovery Fund and Timber Sale Pipeline Restoration shown net of sequestration and previously unavailable authority. Amount in 2017 includes previously unavailable authority.
- Actual and estimated obligations, by year for Timber Sale Pipeline Restoration are found in President's Budget Appendix under the BLM section

The 2017 budget request for the Western Oregon Resources Management activity is \$94,445,000 and 687 FTE, a program change of -\$1,000,000 from the 2016 enacted level.

### **Activity Description**

The Western Oregon Resources Management activity provides for the management of 2.4 million acres of Oregon and California (O&C) and Coos Bay Wagon Road grant lands, and intermingled Public Domain lands. This program's objectives are to:

- Restore and maintain the ecological health of forested watersheds;
- Provide well-distributed blocks of late-successional and old-growth forest habitat to benefit threatened, endangered and other sensitive species;
- Provide recreational opportunities to a growing number of users; and
- Provide a sustainable supply of timber and other forest products.

The BLM designs landscape level solutions, such as the new western Oregon Draft Resource Management Plan, to address resource management challenges, which includes supplying a sustainable supply of timber and other forest products while applying active forest management to maintain and restore forest landscapes and terrestrial and aquatic habitat to increase resiliency to disturbance factors such as wildfire, insects and climate change. The BLM works collaboratively with Federal, State, local, and tribal partners, as well as public stakeholders and individuals during the planning and implementation of active forest management treatments to address timber production, fuels reduction, species habitat considerations and restoration opportunities.

## Activity: Western Oregon Resources Management

### Subactivity: Forest Management

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Forest Management	\$000	33,447	33,752	+73	+0	+0	33,825	+73
	FTE	268	268		+0	+0	268	+0

#### Justification of 2017 Program Changes

The 2017 budget request for the Western Oregon Forest Management Program is \$33,825,000 and 268 FTE.

#### Program Overview

The Western Oregon Forest Management Program includes costs associated with management, maintenance and enhancement of forests on the public lands, including the O&C Grant lands, the Coos Bay Wagon Road lands, and Public Domain land within western Oregon, except for activities directly related to reforestation and forest development.

#### Critical Factors

The 2017 Forest Management program will implement the management action/direction outlined in the new western RMPs. The new plans include a four year analysis that incorporates the 2011 Northern Spotted Owl Recovery Plan, the 2012 Northern Spotted Owl Critical Habitat Plan, new Survey and Manage guidance, new riparian and aquatic protection guidance, sustainable forest management direction, recreational demands, and critical analysis of multiple other resources.

Under the new RMPs, the BLM will continue to collaborate with Federal, State, and local governmental agencies as well as Tribes and other stakeholders in project-level National Environmental Policy Act (NEPA) development and consultation to support efforts to meet performance targets for timber offered. The BLM will continue to look for efficiencies in streamlining the administrative review process with the strategy and objective of resolving project level issues early in the planning process to assure timber sale offering targets are met.

#### Means and Strategies

Within the framework of the Endangered Species Act (ESA), the Clean Water Act, the O&C Act, and the NWFP, the program provides a sustainable source of timber, protects watersheds, and contributes to conservation, restoration, species recovery, and economic stability. The BLM develops forest management projects using landscape and watershed approaches to determine the suite of treatment activities. Work continues in coordination with the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) to implement active forest

management prescriptions. The BLM continues to implement and monitor timber sales that incorporate the ecological principles suggested by Doctors Norm Johnson and Jerry Franklin and initiated by the Secretary in December of 2010. Lessons learned are being applied to subsequent timber sales that apply the ecological principles on O&C lands. The components of the Forest Management program include:

- Forest landscape planning and project level NEPA development;
- Forest inventory and monitoring;
- Trespass prevention and investigation;
- Maintenance of existing right-of-way agreements;
- Maintenance and restoration of late-successional and old-growth forest structure;
- Resolving protests, appeals, and litigation;
- Sales of timber and other forest and vegetative products; and
- Maintenance and development of the national Forest Resource Information System databases to assure data integrity including the interfacing of the Timber Sale Information System and Collection and Billing System.

The Forest Management Program cooperates with the USFS in the Integrated Vegetation Management Group to support projects that overlap USFS and BLM lands.

### **Other Funding Sources**

In addition to the O&C Grant Lands appropriation, two Permanent Operating Funds are available for use on O&C lands. These are the Timber Sale Pipeline Restoration Fund and the Forest Ecosystem Health and Recovery Fund (FEHRF) as described in the Permanent Operating Funds chapter of the Budget Justification. Public Law 113-235 reauthorized the FEHRF through 2020.

### **2017 Program Performance**

In 2017, the O&C Forest Management Program proposes to:

- Offer at least 200 million board feet (MMBF) of timber for sale during the transition period from the old to new RMPs;
- Inventory and Monitor 9,000 acres of forest and woodland vegetation;
- Offer 5,000-10,000 tons of biomass through firewood permits and stewardship contracts through a combination of the Forest Management and Forest Development Programs; and
- Harvest 180-200 MMBF of volume from 10,000+ acres under contract from the current and previous year's operational timber sales (normal 3-year contracts).

## Activity: Western Oregon Resources Management

### Subactivity: Reforestation and Forest Development

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Reforestation & Forest Development	\$000	23,851	24,023	+43	+0	+0	24,066	+43
	FTE	118	118		+0	+0	118	+0

#### Justification of 2017 Program Changes

The 2017 budget request for the Western Oregon Reforestation and Forest Development Program is \$24,066,000 and 118 FTE.

#### Program Overview

The Reforestation & Forest Development Program includes costs associated with reforestation, intermediate stand management and forest health treatments in young growth forest stands on the Public Lands in western Oregon. This program provides for forest restoration and sustainable and permanent forest production through active management to achieve healthy and productive watersheds.

#### Program Components

The focus areas for the Western Oregon Reforestation and Forest Development Program include:

- Forest regeneration and restoration activities of commercial and non-commercial forest lands that establish young stands and restore habitat in riparian and other reserve areas;
- Intermediate stand management activities in young growth forests that promote forest growth, health, value enhancement, fuel hazard reduction and structure development to provide for future timber harvest, biomass utilization, habitat requirements, and fire recovery;
- Treatments to control the spread of forest pathogens and destructive insects;
- Forest monitoring and adaptive management assessments that inform active forest management to achieve stand objectives and provide for the sustainable harvest of timber;
- Non-native and noxious weed management;
- Forest inventory, data acquisition, and consolidation of data storage and retrieval capabilities to facilitate coordination with other programs; and
- Cooperative research on developing technologies and management activities with other Federal and State resource management agencies and universities.

### Critical Factors

The Reforestation and Forest Development Program is implementing the Cooperative Landscape Conservation Adaptation Initiative that incorporates climate change management planning and carbon sequestration. The BLM participates with the Adapting Forests To Climate Change Task Force that is a cooperative project to addresses how forest managers will modify seed zones in response to future climate conditions.

The BLM continually assures that landscape-level planning and project-level NEPA compliance work is integrated into and analyzes the full suite of reforestation and forest development treatments and restoration needs in the analysis areas to assure sustainable forest production. As part of the overall process, the BLM works with external and internal stakeholders to ensure that program goals are achieved.

### Means and Strategies

The BLM uses the following strategies in western Oregon reforestation and forest development:

- Employing emerging technologies such as Light and Detection and Ranging (LiDAR) to provide better, more cost-effective information for decision makers;
- Supporting the Secretarial forestry ecological pilot projects by developing site-specific prescriptions, modeling, and monitoring;
- Supporting the Cooperative Landscape Conservation strategy through work with the USFS to study the potential for assisted migration of Douglas-fir in response to future climate conditions;
- Balancing workforce and operational capacity to prepare and administer service contracts, stewardship contracts, and agreements to reforest and implement high-priority forest development treatments;
- Implementing intermediate stand management activities using a variety of authorities including stewardship contracts, service contracts, and timber sale contracts to offer biomass, reduce hazardous fuels, improve forest health, and enhance growth in young growth stands, achieving multiple resource objectives;
- Working with the USFS, the Oregon Department of Forestry, the Oregon Department of Agriculture, and Oregon State University to treat and monitor sudden oak death in Curry County, Oregon in accordance with a federally mandated quarantine zone;
- Engaging in several collaborative efforts to maintain and enhance ecosystem function, such as the Medford Small Log Collaborative, Tillamook Watershed restoration projects, and Klamath Falls small diameter log and juniper utilization; and
- Improving efficiencies, and where appropriate, taking advantage of The Good Neighbor and Stewardship Contracting authorities.

### 2017 Program Performance

In 2017, the Reforestation and Forest Development Program will:

- Transition into compliance with the new RMPs management action/direction;
- Assure successful post-fire reforestation efforts continue after harvesting of salvage timber sale areas;

- Treat a total of approximately 14,000 acres of matrix and forest reserve forests to assure adequate growth and habitat development;
- Monitor over 40,000 acres post-treatment;
- Inventory over 30,000 acres of forest or woodland vegetation;
- Inventory over 20,000 acres for the presence of invasive or noxious weeds;
- Treat over 5,000 acres of noxious and invasive weeds or pathogens, including the fungus involved in sudden oak death;
- Produce 1,000 pounds of Improved Seed from western Oregon seed orchards; and
- Summarize use of LiDAR technology and its cost-effective benefits for decision makers.

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**Activity: Western Oregon Resources Management**  
**Subactivity: Other Forest Resources Management**

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
Other Forest Resource Mgmt	\$000	36,985	33,495	+61	+0	+0	33,556	+61
	FTE	259	259		+0	+0	259	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Western Oregon Other Forest Resources Management Program is \$33,556,000 and 259 FTE.

### Program Overview

The O&C Grant Lands Other Forest Resources Management Program includes funding for four programs critical to effective multiple-use management across BLM lands in western Oregon: Rangeland Management; Recreation Management; Soil, Water and Air Management; and Wildlife and Fish Habitat Management.

In western Oregon, the BLM addresses public demand for recreation, clean water and productive soil, while managing for the sustained yield timber production as required by the Oregon and California Act of 1937. Additionally, this program provides the necessary funding to support fish and wildlife environmental clearances related to this management of BLM forestlands in western Oregon. This program supports species and habitat management and associated data collection, aquatic restoration for clean water and fish habitat, as well as the timber sale program in the form of surveys, clearances, interdisciplinary team participation, and environmental assessment preparation. In turn, the Forest Management Program supports active forest habitat management within the reserve land use allocations designed to benefit fish and wildlife species in the long term.

### Critical Factors

- Within the Rangeland, Recreation, Soil, Water, Air, Fish, and Wildlife programs, incorporate management action/direction as outline in the new western Oregon RMPs.
- Rangeland Management – Coordination with permittees, private landowners, county, State and Federal agencies to integrate best management practices and mitigation measures to reduce the spread of noxious weeds. Utilize approved herbicides and mechanical means to improve habitat.
- Recreation Management – Recreational interest and use is increasing on BLM lands. Look for opportunities to accommodate increasing demand as analyzed in the new RMPs. Continue to use available public input and information and available transportation

management plans to guide, prioritize and address public recreational needs; (e.g. construction and maintenance of recreational facilities and sites, access needs via roads and trails, promoting the America Great Outdoor initiative as well as youth activities, managing various special use permits).

- Soil, Water, and Air Management – Coordination with County, State, and Federal agencies to assure compliance with the regulatory framework. Address climate change concerns at the appropriate scale.
- Fish and Wildlife Management – Coordination with regulatory agencies to complete necessary surveys to assess biological impacts in support of proposed forest management activities. Coordinate implementation at the appropriate scale to meet Endangered Species Act, Clean Water Act, and other regulatory requirements.

### **Means and Strategies**

The Other Forest Resources Management Program uses collaborative cooperative conservation principles, engaging commodity users, private groups, local communities, government agencies, and other stakeholders when planning and implementing management activities.

BLM biologists in western Oregon consult closely with their FWS and NMFS counterparts to implement an array of forest management and other resource restoration projects. The BLM, in collaboration with the FWS and the NMFS, has been monitoring various fish and wildlife populations as part of on-going regional studies to assist in making informed decisions. The BLM works with the USFS to implement an interagency Special Status Species Program and Clean Water Act compliance activities that extend across administrative boundaries. Applying the concept of Service First and sharing skills accommodates an interagency approach toward resource conservation. Partnering improves administrative efficiencies, and decreases the cost of program administration. In the Soil, Water and Air Management Program, key partnerships with the USFS, the EPA, and the Oregon Department of Environmental Quality have contributed toward administrative streamlining, restoration prioritization, and water quality standard updates—all of which contribute to the BLM's role as a Designated Management Agency under the Clean Water Act.

The BLM also partners with The Nature Conservancy, NatureServe, and local watershed councils to share data and planning strategies that extend across private, State, and Federal jurisdictions. Additionally, the management of invasive species benefits from coordination with other landowners and land management agencies to control the spread of noxious weeds in high-priority habitats. Eradication efforts focus on rapid detection and an early response and prevention, including seeking approval for the use of additional and more effective herbicides.

The Soil, Water and Air Management Program in western Oregon is focused on designing projects and implementing BLM Water Quality Restoration Plan objectives. These objectives emphasize the protection of drinking water sources, improvement of aquatic species habitat, restoring water quality, and improving aquatic and riparian conditions while incorporating stakeholder input and involvement in development of program priorities. The program involves long-term coordination and collaboration with the fisheries and riparian management programs of multiple agencies and landowners. The program is tasked with managing for soil stabilization, health and productivity; impacts from invasive species to riparian and upland habitat; upland forest and rangeland health; habitat for sensitive species; and the Bureau's wild and scenic rivers.

## 2017 Program Performance

The Rangeland Program consists of 95 grazing allotments (52 active and 43 vacant) covering about 352,000 acres of the Medford District, and 11 allotments covering about 14,400 acres in the Klamath Resource Area, Lakeview District. Nine allotments in the Medford District providing 2,714 Animal Unit Months of forage are partially or completely within the Cascade-Siskiyou National Monument. In 2017, the O&C Rangeland Management program proposes to:

- Issue 5-6 grazing allotment permits/leases;
- Maintain 49 grazing use authorizations;
- Complete 15 shrub, grassland, woodland and forest projects related to range management;
- Monitor 5 grazing allotments;
- Inspect 8 grazing allotments for compliance; and
- Complete 3 Land Health Evaluations.

The America's Great Outdoors Initiative continues to be a focus in 2017 along with the initial implementation of the management action/direction in the new RMPs pertaining to Recreation.. The O&C Recreation Management program promotes and expands outdoor recreation opportunities for youth and supports the Secretary's Youth in the Great Outdoors Initiative. Another high priority will be improving public access and protecting resources through Comprehensive Travel and Transportation Management. The BLM will manage rivers and trails to protect their special values, minimize user conflicts, promote a quality recreational experience in a preferred setting, and promote public safety. In 2017, the O&C Recreation Management Program proposes to:

- Inventory Recreation Resources on over 2,000 acres;
- Assess 200 Linear Miles of Recreation Resources;
- Assess 45 Nationally Designated Rivers and Trails;
- Prepare 3 Recreation Activity Plans;
- Process 275 Commercial and Group Special Recreation Permits;
- Issue and Manage over 40,000 Recreation Use Permits;
- Evaluate Recreation Areas on over 12,000 acres; and
- Monitor over 250 acres of Wilderness and Wilderness Study Areas.

***The O&C Soil, Water, and Air Management program*** involves assessment, monitoring, and restoring of watersheds to comply with the Clean Water Act and the Safe Drinking Water Act. This is accomplished through development and implementation of restoration projects and activities defined within the context of water quality restoration plans, which support the State of Oregon's Total Maximum Daily Loads program. In addition, the program supports the Energy Policy Act of 2005 through involvement in the Federal Energy Regulatory Commission re-licensing process. Additionally, the program funds studies necessary to establish in-stream flows that are required to support wild and scenic river outstandingly remarkable values and work to obtain or maintain Federal reserve water rights; and inter-agency agreements with the U.S. Geological Survey and Oregon State University to develop flow and water quality monitoring data necessary for developing NEPA planning documents.

In 2017, the O&C Soil, Water and Air Management Program proposes to:

- Inventory over 100 water resources;
- Monitor air resources/climatic conditions at over 10 sites; and
- Monitor over 100 water resources.

The Western Oregon Wildlife and Fish Habitat Program combines habitat management and habitat restoration actions for fish, wildlife and botany with inventory and monitoring for key species of management concern. Management for, and monitoring of, specific habitat conditions to meet the requirements of the new RMP guidance are critical elements of the program. The program supports the Forest Management and the Reforestation and Forest Development Programs through pre-disturbance surveys, project level NEPA analysis and appropriate consultation of proposed treatments. The program is responsible under the the Endangered Species Act and Bureau policies for inventorying, monitoring and managing habitat for 68 federally endangered or threatened species and 632 Bureau sensitive fish, wildlife and plant species.

Specific wildlife management emphasis includes a partnership with the FWS and USGS to monitor northern spotted owl populations and barred owl control. Fisheries management emphasis is on continued cooperation with the Oregon Watershed Enhancement Board, watershed councils and the NMFS to improve habitat for Pacific salmon species.

From a landscape perspective, the new RMPs identified high intrinsic riparian areas and priority watershed where restoration efforts contributing to recovery of listed salmonoids will be focused. Identifying priority watersheds in conjunction with other Federal and State partners allows for identification of areas with overlapping priorities and the opportunity to form partnerships that leverage additional resources.

In 2017, the O&C Wildlife and Fish Habitat Management program proposes to:

- Inventory over 150 miles of streams and riparian areas;
- Inventory over 40,000 acres of wildlife and plant habitat;
- Implement 45 species recovery and conservation actions;
- Monitor over 50 acres of lake and wetland habitat;
- Monitor 2,000,000 acres of terrestrial habitat; and
- Monitor over 600 species populations

## Activity: Western Oregon Resources Management

### Subactivity: Resource Management Planning

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Resource Management	\$000	7,140	3,985	+13	+0	-1,000	2,998	-987
Planning	FTE	42	42		+0	+0	42	+0

Summary of 2017 Program Changes/Internal Transfers for Resource Management Planning:	(\$000)	FTE
Anticipated Plan Completion	-1,000	+0
Total	-1,000	+0

### Justification of 2017 Program Changes

The 2017 budget request for the Western Oregon Resource Management Planning Program is \$2,998,000 and 42 FTE, a program change of -\$1,000,000 from the 2016 enacted level.

**Anticipated Plan Completion (-\$1,000,000)** - By July 2016, the BLM plans to issue 2 revised Resource Management Plans (RMPs) and 2 Record of Decisions (RODs) for western Oregon O&C lands: A Northwest Oregon RMP for the moist forests and a Southwest Oregon RMP for the drier forests. These RMPs were initiated in March of 2012 and will replace the six 1995 RMPs for western Oregon. As the final environmental impact statements are released and decisions are signed, the program's emphasis will be to support plan implementation with continued collaboration both internally and externally.

### Program Overview

The Western Oregon Resource Management Planning Program emphasizes the development, implementation, and maintenance of Resource Management Plans for BLM-managed land in western Oregon communities. The program supports implementation of NEPA by providing a network of planning experts who provide oversight and extensive advice and review of the various NEPA documents to assure compliance with the existing Resource Management Plans.

The BLM anticipates releasing the Final EIS and Record of Decision for the new western Oregon RMPs in June of 2016. Work on the new RMPs was initiated by Secretary Salazar in February of 2012 and after 4 years of public, tribal, cooperators, Federal, State, county, and other stakeholder input, consultation, and analysis, the BLM is expected to release the new plans in 2016.

### Program Components

The new RMPs for Western Oregon will determine how the BLM-administered lands in western Oregon will be managed in the future to further the recovery of threatened and endangered species, provide for clean water, restore fire-adapted ecosystems, produce a sustained yield of

timber products, provide for recreation opportunities, and meet tribal concerns. The new RMPs will:

- Assure compliance with applicable laws, regulations, and policies, including, but not limited to, the O&C Act, the National Environmental Policy Act (NEPA), the Federal Land Policy and Management Act, the Endangered Species Act, and the Clean Water Act;
- Facilitate completing the subsequent environmental assessments, categorical exclusions, and determinations of NEPA adequacy as appropriate for project implementation; and
- Provide critical analysis to respond to protests, appeals, or litigation.

### **Critical Factors**

Within its regulatory guidance, the BLM has actively engaged all stakeholders to ensure dialogue, collaboration, transparency, and overall support for the new RMPs. Successful implementation hinges on: critical support from the stakeholders for the final Record of Decision; internal and external capacity to effectively and quickly transition from the 1995 RMPs to the 2016 RMPs; and resolution of any outstanding issues (protests, appeals, litigation) post-signing the Record of Decision.

### **Means and Strategies**

The Means and Strategies the BLM is engaging in to begin implementing the new RMPs includes:

***Transition Period*** – A transition period between 1995 RMPs compliant projects and 2016 RMP compliant projects will be allowed to minimize substantial disruptions to on-going plans and projects including; the offering of timber sales, implementing fuel hazard reduction treatments, reforestation of burned sites, and other restoration, vegetative treatments or ground disturbing projects that must comply with NEPA.

***Consultation*** – The BLM will utilize updated Biological Opinions from both the U.S. Fish and Wildlife Service and National Marine Fisheries Service for guidance and support to implement active forest management treatments.

***Incorporation of New Information*** - The new RMPs have incorporated and analyzed new information, science, and regulatory requirements into the analysis including the 2011 Northern Spotted Owl Recovery Plan and 2012 final Critical Habitat rule, .

***Implementation Oversight*** - Internally, western Oregon will maintain a critical core staff to provide oversight and consistent implementation guidance for the new RMPs. The core planning staff will assist the 6 western Oregon Districts with training, interpretation, implementation, monitoring, and reporting annual outcomes and accomplishments as required under the new RMPs. They will serve as key contacts for responding to external questions and facts as RMP implementation proceeds. The core planning staff will also be engaged in any post-signing issue resolution.

**2017 Program Performance**

In 2017, the Western Oregon Resource Management Planning Program plans to:

- Begin transition to and implementation of the management action/direction outlined in the new RMPs for all resources.
- Provide support and guidance for implementing new RMPs; and
- Address any follow-up issues associated with new RMPs.

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## Activity: Western Oregon Information and Data Systems

### Subactivity: Western Oregon Information Systems Operation and Maintenance

		2015 Actual	2016 Enacted	2017 President's Budget			Change from 2016	
				Fixed Costs	Transfers	Program Change		Requested Amount
Info. & Resource Data Systems	\$000	1,772	1,786	+12	+0	+0	1,798	+12
	FTE	11	11		+0	+0	11	+0

#### Justification of 2017 Program Changes

The 2017 budget request for the Western Oregon Information Systems Operation and Maintenance Program is \$1,798,000 and 11 FTE.

#### Program Overview

This program deploys hardware and software necessary to implement and analyze Resource Management Plans, develop and maintain data sets supporting decision making, and provides technology to facilitate and evaluate management decisions utilizing programs such as mobile geographic information system (GIS) and internet mapping services. This program manages infrastructure, including workstations, networks, Web services and software applications, and ensures system security, integrity and reliability.

#### Means and Strategies

The BLM instituted corporate spatial data standards to ensure GIS data integrity, facilitate integration with partners, and implement Web-based collaboration and mapping tools to enhance access and communication. In 2017, the BLM will continue to centralize management of IT support services. Efforts will continue under Service First to align the GIS functions and leverage BLM and U.S. Forest Service (USFS) data resources to reduce costs to both agencies, facilitate knowledge transfer, and standardize data and procedures.

#### Other Funding Sources

Public Domain Forest Management funding in the Management of Lands and Resources Appropriation also supports the maintenance and development of the suite of Forest Management databases within the Forest Resource Information System (FRIS) national database .

**2017 Program Performance**

In 2017, western Oregon's BLM Information Technology program plans to support the following:

- Operations and maintenance for various State and national applications (software) to monitor multiple resource data including fish and wildlife populations and sites, recreational use and permits, threatened, endangered, and special status species, cultural information, forest inventory, timber sale and stewardship contracts, special forest product permits, hydrology and riparian information, transportation network, and other databases.
- Assure Oregon/Washington's treatment databases can interface with BLM's national Vegetative Treatments System database
- Assure the interface transition between the Collection and Billing System and the Timber Sale Information System continues to meet both national and user requirements.
- Coordinate Information Technology needs with the need to update components of the Forest Resource Information System (FRIS) focusing on:
  - Integrating BLM's forest inventory system (MICROSTORM and FORVIS) into a single national BLM wide forest inventory system
  - Updating the Special Forest Products database including looking at information technology needs to transition to an on-line permit system.
- Remote sensing support to facilitate resource management and analysis.
- Regular upgrading and/or replacement of computer hardware (i.e. personal computers, radios, phones, storage).

## Activity: Western Oregon National Landscape Conservation System

### Subactivity: National Monuments & National Conservation Areas

		2015 Actual	2016 Enacted	2017 President's Budget				Change from 2016
				Fixed Costs	Transfers	Program Change	Requested Amount	
NMs & NCAs	\$000	753	767	+12	+0	+0	779	+12
	FTE	4	4		+0	+0	4	+0

#### Justification of 2017 Program Changes

The 2017 budget request for the Western Oregon National Monuments & National Conservation Areas Program is \$779,000 and 4 FTE.

#### Program Overview

The Cascade Siskiyou National Monument (CSNM) in southwestern Oregon and the Yaquina Head Outstanding Natural Area (YHONA) located in the central coast near Newport, Oregon, are the two units that comprise the Western Oregon National Monuments and National Conservation Areas program. These are both units of the BLM National Conservation Lands.

#### Critical Factors

In support of the NCL goals, in 2017 the BLM will focus on these critical factors:

- Law Enforcement Presence and Visibility — Law enforcement is a key factor in ensuring visitor safety and protecting fragile or rare geologic, archeological, paleontological, and biological resources. Threats include vandalism of natural features, archeological sites, facilities, and theft of irreplaceable archeological and paleontological resources.
- Critical Inventories and Monitoring Programs — Inventories define the critical resource values representative of each unit's uniqueness, and the information provided is essential to the development and implementation of management plans.
- Restoration — Both CSNM and YHONA are home to a variety of ecosystems. These areas contribute to protection and restoration of native plant and animal communities, including riparian habitat. These ecosystems also provide native plant and animal corridors and migration routes to sustain and conserve public land resources affected by climate change, altered fire regimes, and invasive species.
- Comprehensive Travel and Transportation Management — Unmanaged recreation use continues to impact resources in the monuments through increased erosion, vegetative damage, spread of weeds and invasive plants, and impacts to wildlife habitat.
- Visitor and Community Education — Interpretation and environmental education improve visitor experiences, providing information about the cultural, ecological, and scientific values of units and the BLM's balanced resource mission.

- Maintenance and Operations of Recreation Facilities – The program supports a number of education and visitor centers along with other facilities to enhance the visitor experience in the natural setting.
- Supporting Soda Mountain Wilderness Stewardship Plan Implementation – The BLM will continue to implement the new plan, including activities such as decommissioning former roads, conducting roads-to-trails projects, removing unneeded grazing management facilities and other human infrastructure, and other “re-wilding” projects.

**Means and Strategies**

Both the CSNM and the YHONA work with volunteers, partners, and communities. The BLM works closely with the public to ensure that recreation in these units meets the needs of user groups while remaining compatible with the values for which each unit was designated.

**2017 Program Performance**

To fulfill the goals of the NLCS program at CSNM and YHONA, the BLM will:

- Manage monuments and conservation areas to conserve, protect, and restore the values for which they were designated, as guided by each unit’s enabling legislation or proclamation;
- Manage valid existing rights and compatible uses;
- Support and encourage scientific study and research, while ensuring that research methodologies conserve and protect resources;
- Develop and maintain partnerships with local, State, Federal, and tribal government agencies, as well as scientists, local communities, public land users, non-governmental organizations, and the public; and
- Recognize gateway communities as vital links to monuments and conservation areas and where practical, locate developed recreation and interpretive facilities adjacent to NLCS lands.

## Budget Schedules

Account Symbol and Title 14X1116 Oregon and California Grant Lands	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Western Oregon Maintenance	0002	0	1	1
Western Oregon Resource Management	0004	115	112	110
Western Oregon Data Systems Operation & Management	0005	2	2	2
Western Oregon National Monuments & NCA	0006	1	2	2
Total new obligations	0900	118	117	115
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	6	7	0
Recoveries of prior year unpaid obligations	1021	5	2	8
Unobligated balance (total)	1050	11	9	8
Budget authority:				
Appropriations, discretionary:				
Appropriation	1100	114	108	107
Appropriation, discretionary (total)	1160	114	108	107
Appropriation, discretionary - Computed Totals	1160-20	114	108	107
Appropriation [O&C]	1160-40	114	108	107
Baseline Civilian Pay	1160-50		74	77
Baseline Non-Pay	1160-50		34	35
Policy Outlays:				
New Authority	1160-61	80	80	79
Balances (excl of EOY PY Bal)	1160-62	32	0	24
End of PY Balances	1160-63		28	4
Subtotal, outlays	1160-64	112	108	107
Baseline Outlays:				
New Authority	1160-81		80	83
Balances (excl of EOY PY Bal)	1160-82		0	24
End of PY Balances	1160-83		28	4
Subtotal, outlays	1160-84		108	111
Total budgetary resources available	1930	125	117	115
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	7	0	0
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	43	44	51

Account Symbol and Title 14X1116				
Oregon and California Grant Lands	Line	2015 Act	2016 CY	2017 BY
Obligations incurred, unexpired accounts	3010	118	117	115
Outlays (gross)	3020	-112	-108	-107
Recoveries of prior year unpaid obligations, unexpired	3040	-5	-2	-8
Unpaid obligations, end of year	3050	44	51	51
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	43	44	51
Obligated balance, end of year	3200	44	51	51
Budget authority and outlays, net:				
Discretionary:				
Budget authority, gross	4000	114	108	107
Outlays, gross:				
Outlays from new discretionary authority	4010	80	80	79
Outlays from discretionary balances	4011	32	28	28
Outlays, gross (total)	4020	112	108	107
Budget authority, net (discretionary)	4070	114	108	107
Outlays, net (discretionary)	4080	112	108	107
Budget authority, net (total)	4180	114	108	107
Outlays, net (total)	4190	112	108	107
NON-INVESTMENT ACTIVITIES:				
Direct Federal programs:				
Budget Authority	2004-01	114	108	107
Outlays	2004-02	112	108	107
Object Classification				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	46	46	45
Other than full-time permanent	11.3	5	5	5
Other personnel compensation	11.5	2	2	2
Total personnel compensation	11.9	53	53	52
Civilian personnel benefits	12.1	18	18	17
Travel and transportation of persons	21.0	1	1	1
Communications, utilities, and miscellaneous charges	23.3	6	6	6
Printing and reproduction	24.0	0	0	0
Other services from non-Federal sources	25.2	19	18	18
Other goods and services from Federal sources	25.3	7	7	7
Operation and maintenance of facilities	25.4	3	3	3
Operation and maintenance of equipment	25.7	2	2	2
Supplies and materials	26.0	2	2	2

Account Symbol and Title				
14X1116				
Oregon and California Grant Lands	Line	2015 Act	2016 CY	2017 BY
Equipment	31.0	2	2	2
Grants, subsidies, and contributions	41.0	5	5	5
Total new obligations	99.9	118	117	115
<b>Employment Summary</b>				
Direct civilian full-time equivalent employment	1001	767	767	767
<b>Budget year budgetary resources [014-1116]</b>				
	1000			106,985

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# Range Improvements



# RANGE IMPROVEMENTS

## Appropriations Language

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.*)

## Appropriations Language Citations

- 1. For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1751),**

The language provides authority for the Secretary to direct on-the-ground range rehabilitation, protection and improvements to Federal range lands, including seeding and reseeding, fence construction, weed control, water development, and fish and wildlife habitat enhancement.

- 2. notwithstanding any other Act,**

The provisions of this language supercede any other provision of law.

- 3. sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315(b), 315(m))**

Section 3 of the Taylor Grazing Act concerns grazing permits issued on public lands within the grazing districts established under the Act. Receipts from grazing on section 3 lands are distributed three ways: 50 percent goes to range betterment projects, 37.5 percent remains in the US Treasury, and 12.5 percent is returned to the State.

Section 15 of the Taylor Grazing Act concerns issuing grazing leases on public lands outside the original grazing district boundaries. The receipts from grazing on section 15 public lands are distributed two ways: 50 percent goes to range betterment projects and 50 percent is returned to the State.

- 4. and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law,**

The Bankhead Jones Farm Tenant Act of 1937 authorized and directed the Secretary of Agriculture to purchase low production, privately owned farmlands. These lands were later transferred to the Department of the Interior for use, administration, or exchange under the applicable provisions of the Taylor Grazing Act.

**5. but not less than \$10,000,000,**

If grazing receipts are less than \$10 million, the balance of the \$10 million appropriation comes from the General Fund

**6. to remain available until expended:**

The language makes the funding no-year, available for expenditure in any year after the appropriation. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, agreements and purchases.

**7. Provided, That not to exceed \$600,000 shall be available for administrative expenses.**

The provision limits the amount of funding in this appropriation that can be used for administrative expenses to \$600,000.

### **Appropriations Language Citations and Authorizations**

***Section 401 of Federal Land Policy & Management Act (FLPMA) (43 U.S.C. 1751), as amended by the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1905),*** provides that 50 percent of all monies received by the U.S. as fees for grazing domestic livestock on public land under the Taylor Grazing Act (43 U.S.C. 315) and the Act of August 28, 1937 (43 U.S.C. 1181d) shall be credited to a separate account in the Treasury and made available for the purpose of on-the-ground range rehabilitation, protection, and improvements, including, but not limited to, seeding and reseeding, fence construction, weed control, water development, and fish and wildlife habitat enhancement.

***Taylor Grazing Act of 1934 (43 U.S.C 315) as, amended by the Act of August 28, 1937 (43 U.S.C. 1181d),*** authorizes the establishment of grazing districts, regulation, and administration of grazing on the public lands, and improvement of the public rangelands. It also authorizes the Secretary to accept contributions for the administration, protection, and improvement of grazing lands, and establishment of a trust fund to be used for these purposes.

***7 U.S.C. 1010 (the Bankhead Jones Farm Tenant Act of 1937),*** provides that the Secretary of Agriculture is authorized and directed to develop a program of land conservation and utilization in order to correct maladjustments in land use, and thus assist in controlling soil erosion, conducting reforestation, preserving natural resources, protecting fish and wildlife, developing and protecting recreational facilities, mitigating floods, preventing impairment of dams and reservoirs, conserving surface and subsurface moisture, protecting the watersheds of navigable streams, and protecting the public land, health, safety, and welfare; but not to build industrial parks or establish private industrial or commercial enterprises.

***Executive Orders 10046, et al.,*** provide that land under the jurisdiction of the Secretary of Agriculture under the provision of §32 of the Bankhead Jones Farm Tenant Act is transferred

from the Department of Agriculture to the Department of the Interior for use, administration, or exchange under the applicable provisions of the Taylor Grazing Act.

**30 U.S.C. 355**, provides that all mineral leasing receipts derived from leases issued under the authority of the Mineral Leasing Act for Acquired Lands of 1947 shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease. The intention is that this act shall not affect the distribution of receipts pursuant to legislation applicable to such lands.

**Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2814)**, provides for the designation of a lead office and person trained in the management of undesirable plants; establishes and funds an undesirable plant management program; completes and implements cooperative agreements with State agencies; and establishes integrated management systems to control undesirable plant species.

**The Annual Department of the Interior, Environment, and Related Agencies Appropriations Acts**, provide that a minimum amount is appropriated, that the appropriation shall remain available until expended, and that a maximum of \$600,000 is available from this appropriation for BLM administrative expenses.

Under the provisions of the **Balanced Budget and Emergency Deficit Control Act of 1985 and the Budget Enforcement Act of 1990**, this account is classified as a current, mandatory account.

Summary of Requirements  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	Transfers		2017 President's Budget		Requested Amount	Change from 2016	
	FTE	Amount	FTE	Amount		FTE	Amount	FTE	Amount		FTE	Amount
Public Lands Improvements	29	7,582	29	7,621	+0	-	-	+558	29	8,179	-	-
Farm Tenant Act Land Improvements	6	1,688	6	1,699	+0	-	-	+122	6	1,821	-	-
Administrative Costs	-	[600]	-	[600]	+0	-	-	+0	-	[600]	-	-
<b>Range Improvements</b>	<b>35</b>	<b>9,270</b>	<b>35</b>	<b>9,320</b>	<b>+0</b>	<b>-</b>	<b>-</b>	<b>+680</b>	<b>35</b>	<b>10,000</b>	<b>-</b>	<b>+0</b>

- Notes:
- The 2015 amount includes 7.3% (\$730,000) sequester pursuant to Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.
  - The 2015 AND 2016 amounts reflect sequesters \$680,000 the increase from 2016 to 2017 just reflects a change in available appropriations due to a sequester in 2016, not a request for an increase of appropriations in 2017.
  - The increase from 2016 to 2017 just reflects a change in available appropriations due to a sequester in 2016, not a request for an increase of appropriations.

## Appropriation: Range Improvements

		2015 Actual	2016 Enacted	2017 President's Budget			Requested Amount	Change from 2016
				Fixed Costs	Transfers	Program Change		
Public Lands Improvements	\$000	7,582	7,621	+0	+0	+558	8,179	+558
	FTE	30	30		+0	+0	30	+0
Farm Tenant Act Land Improvements	\$000	1,688	1,699	+0	+0	+122	1,821	+122
	FTE	5	5		+0	+0	5	+0
Administrative Costs	\$000	[600]	[600]	+0	+0	+0	[600]	[0]
Range Improvements	\$000	9,270	9,320	+0	+0	+680	10,000	+680
	FTE	35	35		+0	+0	35	+0

*Notes: 2015 amount for Range Improvements includes 7.3% sequester and the 2016 amount reflects a sequester of 6.8 percent.*

*"Change in Range Improvements between 2016 and 2017 reflects the change in available appropriations between 2016 and 2017 due to sequester in 2016, not a request for an increase in appropriated funds*

### Justification of 2017 Program Changes

The 2017 budget request for the Range Improvement Account is \$10,000,000 and 35 FTE.

### Program Overview

#### Program Components

The Range Improvement Account functions as the primary support program for Rangeland Management and is used to construct on-the-ground projects, such as vegetation management treatments, fencing, and wildlife-livestock water developments.

These funds are used to improve land health and resource conditions, facilitating the production of a wide variety of ecosystem goods and services, such as high quality water. Areas identified through land health evaluations are prioritized at the district level for funding. Examples of areas not achieving rangeland health standards could be riparian areas functioning at-risk with a downward trend, areas with unacceptable plant community composition including areas invaded by noxious and invasive weeds or other invasive species, or areas with unnaturally high amounts of exposed soil that would be subject to accelerated erosion.

Healthy landscapes in the West today are at greater risk due to more intense and extended droughts, increasing wildfire frequency, and continuing migration of invasive species. Range Improvement funds also provide field offices with the flexibility to address changing resource conditions such as drought, wildfire, newly listed species, critical habitat, and candidate species such as sage-grouse.



Rangeland drill restoration after Soda Fire

### Means and Strategies

- The BLM uses funding from the Range Improvement Account in addition to funding from other programs and contributions from permittees and partner organizations to support rangeland health. The amount of funding the BLM is able to leverage from partners and stakeholders is a factor used to help prioritize projects for funding.
- Other workload priorities such as wildfire, droughts, floods, and litigation can affect the BLM's ability to complete range improvement projects.
- Project prioritization is based on resource issues, such as protection of sensitive species through management of sage-grouse habitat, reduction of wildfire risks through the management of fuel loads, and coordination with post-fire rehabilitation efforts to help manage the spread of invasive or noxious weeds.

### Funding for the Range Improvement Appropriation

Fifty percent of grazing fees collected on public lands, or \$10.0 million, whichever is greater, is appropriated annually into the Range Improvement Account. Funding is distributed to the BLM grazing districts according to where the receipts were collected. This funding remains available until exhausted and is to be used for on-the-ground projects, principally for improving public lands not achieving land health standards.

Please refer to the Collections chapter for information on grazing fees collected on public lands.

## Grazing Fees

Grazing fees are set each year under the authority of FLPMA and the Public Range Improvement Act. The fee for 2015 was \$1.69 per Animal Unit Month (AUM), as announced on January 29, 2015. The fee for 2016 will be announced in late January 2016. A portion of the grazing fees are deposited into the Treasury and 50 percent of the fees are appropriated to the BLM in this Range Improvement Account for the purposes described in this chapter.

These fees do not fund the Rangeland Management Program, and they also differ from the proposed grazing permit administrative fee. More information on the Rangeland Management Program and the proposed cost recovery measure can be found in the MLR appropriation section.

## 2017 Program Performance

In 2017, the focus and priorities of the Range Improvement Account will remain as described in the overview section. It is estimated that approximately 18,000 acres would receive vegetation treatment, 300 new structural projects would be constructed, 250 existing projects would be re-constructed/maintained and 50,000 acres of weed treatment would be completed.



Cattle grazing near Wood River

## Budget Schedules – Current Law

Account Symbol and Title 14X5132 Range Improvements	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Public Lands Improvements	0001	8	8	8
Farm Tenant Act Lands Improvements	0002	2	1	1
Total new obligations	0900	10	9	9
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	4	3	3
Budget authority:				
Appropriations, mandatory:				
Appropriation (General Fund)	1200	3	3	3
Appropriation (special or trust fund)	1201	7	7	7
Appropriations and/or unobligated balance of appropriations temporarily reduced	1232	-1	-1	0
Appropriations, mandatory (total)	1260	9	9	10
Appropriations, mandatory - Computed Totals	1260-20	9	9	10
Appropriation [Indefinite]	1260-40	4	2	2
Baseline Civilian Pay	1260-50		0	0
Baseline Non-Pay	1260-50		2	2
Policy Outlays:				
New Authority	1260-61	4	1	1
Balances (excl of EOY PY Bal)	1260-62	5	0	1
End of PY Balances	1260-63		2	1
Subtotal, outlays	1260-64	9	3	3
Baseline Outlays:				
New Authority	1260-81		1	1
Balances (excl of EOY PY Bal)	1260-82			1
End of PY Balances	1260-83		2	1
Subtotal, outlays	1260-84		3	3
Appropriation [Special Fund, Indefinite]	1260-40	6	7	8
Baseline Civilian Pay	1260-50		3	3
Baseline Non-Pay	1260-50		4	5
Policy Outlays:				
New Authority	1260-61	0	3	3
Balances (excl of EOY PY Bal)	1260-62	0	0	2
End of PY Balances	1260-63		4	2
Subtotal, outlays	1260-64	0	7	7
Baseline Outlays:				
New Authority	1260-81		3	3
Balances (excl of EOY PY Bal)	1260-82			2

Account Symbol and Title 14X5132				
Range Improvements	Line	2015 Act	2016 CY	2017 BY
End of PY Balances	1260-83		4	2
Subtotal, outlays	1260-84		7	7
Effects of 2014 sequester	1260-40	-1	0	0
Baseline Non-Pay	1260-50		0	0
Policy Outlays:				
New Authority	1260-61	0	0	0
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63		0	0
Subtotal, outlays	1260-64	0	0	0
Baseline Outlays:				
New Authority	1260-81		0	0
Balances (excl of EOY PY Bal)	1260-82		0	0
End of PY Balances	1260-83		0	0
Subtotal, outlays	1260-84		0	0
Total budgetary resources available	1930	13	12	13
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	3	3	4
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	4	5	4
Obligations incurred, unexpired accounts	3010	10	9	9
Outlays (gross)	3020	-9	-10	-10
Unpaid obligations, end of year	3050	5	4	3
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	4	5	4
Obligated balance, end of year	3200	5	4	3
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	9	9	10
Outlays, gross:				
Outlays from new mandatory authority	4100	4	4	4
Outlays from mandatory balances	4101	5	6	6
Outlays, gross (total)	4110	9	10	10
Budget authority, net (mandatory)	4160	9	9	10
Outlays, net (mandatory)	4170	9	10	10
Budget authority, net (total)	4180	9	9	10
Outlays, net (total)	4190	9	10	10

## INVESTMENT ACTIVITIES:

Physical assets:

Account Symbol and Title 14X5132				
Range Improvements	Line	2015 Act	2016 CY	2017 BY
Major equipment:				
Other physical assets:				
Direct Federal programs:				
Budget Authority	1352-01	9	9	10
Outlays	1352-02	9	10	10
<b>Object Classification</b>				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	2	2	2
Civilian personnel benefits	12.1	1	1	1
Other services from non-Federal sources	25.2	1	1	1
Other goods and services from Federal sources	25.3	1	1	1
Supplies and materials	26.0	2	1	1
Land and structures	32.0	1	1	1
Grants, subsidies, and contributions	41.0	2	2	2
Total new obligations	99.9	10	9	9
<b>Employment Summary</b>				
Direct civilian full-time equivalent employment	1001	35	35	35
<b>Budget year budgetary resources [014-5132]</b>				
Budget year budgetary resources [014-5132]	1000			10,000

# Service Charges, Deposits and Forfeitures



# SERVICE CHARGES, DEPOSITS AND FORFEITURES

## Appropriations Language

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579 (43 U.S.C. 1701 et seq.), and under section 28 of the Mineral Leasing Act (30 U.S.C. 185), to remain available until expended: *Provided*, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.*)

## Appropriations Language Citations

**1. For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources,**

This language provides authority to recover costs associated with the processing of documents related to Rights-of-Way (ROW) and energy and minerals authorizations required to dispose of public lands and resources. These funds are deposited in the Service Charges, Deposits, and Forfeitures account and used by BLM for labor and other expenses of processing these documents. Only those costs directly associated with processing an application or issuing a ROW grant are charged to an individual project.

**2. for costs of providing copies of official public land documents,**

The BLM performs certain types of realty work on a cost-recoverable basis. Regulations promulgated pursuant to FLPMA allow the BLM to collect from applicants the costs associated with providing copies of public land documents.

**3. for monitoring construction, operation, and termination of facilities in conjunction with use authorizations,**

The BLM performs certain types of realty work on a cost-recoverable basis. Regulations promulgated pursuant to FLPMA allow the BLM to collect from applicants the costs of monitoring construction, operation and termination of facilities.

**4. and for rehabilitation of damaged property,**

The BLM performs certain types of realty work on a cost-recoverable basis. Regulations promulgated pursuant to the FLPMA allow the BLM to collect from applicants the costs of monitoring rehabilitation and restoration of the land.

**5. such amounts as may be collected under Public Law 94–579 (43 U.S.C.1701 et seq.),**

This language authorizes the BLM to collect amounts for activities authorized by FLPMA.

**6. and under section 28 of the Mineral Leasing Act (30 U.S.C. 185),**

This language authorizes the Secretary to issue Rights-of-Way and other land use authorizations related to the Trans-Alaska Pipeline. Rights-of-Way applicants and permittees are to reimburse the U.S. for all costs associated with processing applications and monitoring pipeline construction and operations.

**7. to remain available until expended:**

The language makes the funds deposited into the account available on a no-year basis. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, maintenance, construction, operations, and rehabilitation of public lands.

**8. Provided, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)),**

This provision authorizes BLM to collect for land damaged by users who have not fulfilled the requirements of contracts or bonds.

**9. any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)),**

This language authorizes the Secretary to issue a refund of the amount in excess of the cost of doing work to be made from applicable funds.

**10. shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action:**

This language authorizes the Secretary to use funds to improve, protect, or rehabilitate public lands that were damaged by a developer or purchaser even if the funds collected were not for damages on those exact lands.

**11. Provided further, that any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.**

If a funding excess exists after repair has been made to the exact land for which funds were collected or forfeited, then the BLM may use these funds to improve, protect, or rehabilitate any damaged public land.

### Appropriation Language Authorizations

<b><i>Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1735)</i></b>	Authorizes the BLM to receive deposits and forfeitures.
<b><i>The Mineral Leasing Act of 1920, as amended by the Trans-Alaska Pipeline Act of 1973, §101 (Public Law 93-153) (30 U.S.C. 185)</i></b>	Authorizes rights-of-way for oil, gas, and other fuels. It further authorizes the Secretary to issue Rights-of-Way and other land use authorizations related to the Trans-Alaska Pipeline. Rights-of-Way applicants and permittees are to reimburse the U.S. for all costs associated with processing applications and monitoring pipeline construction and operations.
<b><i>The Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719)</i></b>	Authorizes the granting of certificates, Rights-of-Way permits, and leases.
<b><i>The National Environmental Policy Act of 1969 (42 U.S.C. 4321, 4331-4335, 4341-4347)</i></b>	Requires the preparation of environmental impact statements for Federal projects that may have a significant effect on the environment.
<b><i>The Wild Free Roaming Horse and Burro Act of 1971, as amended by the Public Rangelands Improvement Act of 1978 (16 U.S.C. 1331-1340)</i></b>	Authorizes adoption of wild horses and burros by private individuals under cooperative agreements with the Government.
<b><i>The Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1908)</i></b>	Establishes the policy of improving Federal rangeland conditions and facilitates the humane adoption or disposal of excess wild free-roaming horses and burros.
<b><i>Omnibus Public Land Management Act, 2009 (P.L. 111-11)</i></b>	Among numerous other things, authorizes the disposal of certain lands in the Boise District of the Bureau of Land Management, in Washington County, Utah, and in Carson City, Nevada. It authorizes BLM to retain and spend most of the proceeds of these sales to acquire lands in wilderness and other areas and for other purposes, and to pay a portion to the States in which the sold land was located.

**Summary of Requirements**  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	2017 President's Budget						Change from 2016	
	FTE	Amount	FTE	Amount		Transfers	Program Change	Requested Amount	Change from 2016	FTE	Amount		
Rights-of-Way Processing	80	11,014	80	14,690	-	-	-	80	14,690	-	-		
Energy and Minerals Cost Recovery	22	2,799	22	5,160	-	-	-	22	5,160	-	-		
Recreation Cost Recovery	7	3,536	7	3,690	-	-	-	7	3,690	-	-		
Adopt-A-Horse Program	-	432	-	380	-	-	-	-	380	-	-		
Repair of Damaged Lands	10	4,385	10	3,420	-	-	-	10	3,420	-	-		
Cost Recoverable Realty Cases	5	940	5	830	-	-	-	5	830	-	-		
Timber Purchaser Expenses	1	97	1	60	-	-	-	1	60	-	-		
Commercial Film and Photography Fees	2	301	2	230	-	-	-	2	230	-	-		
Copy Fees	8	826	8	970	-	-	-	8	970	-	-		
Trans Alaska Pipeline	23	3,741	23	1,620	-	-	-	23	1,620	-	-		
<b>Subtotal (gross)</b>	<b>158</b>	<b>28,070</b>	<b>158</b>	<b>31,050</b>				<b>158</b>	<b>31,050</b>				
<i>Offsetting Collections</i>	-	(28,070)	-	(31,050)				-	(31,050)	-	+0		
<b>Total, Service Charges, Deposits &amp; Forfeitures</b>	<b>158</b>	<b>-</b>	<b>158</b>	<b>-</b>				<b>158</b>	<b>-</b>				

## Appropriation: Service Charges, Deposits, and Forfeitures (Indefinite)

### Program Overview

***Rights-of-Way Processing and Energy and Minerals Cost Recovery*** – The BLM recovers certain costs of processing documents related to Rights-of-Way (ROW), and energy and minerals authorizations. These funds are deposited in the Service Charges, Deposits, and Forfeitures account and used by BLM for labor and other expenses of processing these documents. More detail for each type of cost recovery is described below.

***Rights-of-Way Processing*** – ROW processing is funded through a combination of applicant deposits made into this indefinite appropriation and a direct appropriation of funds in the Management of Lands and Resources (MLR) appropriation, which include the Renewable Energy subactivity as well as the Land and Realty Management subactivity.

The BLM recovers costs for the processing of ROW applications pursuant to the Mineral Leasing Act (MLA) and the Federal Land Policy and Management Act (FLPMA). Processing fees are determined by a fee schedule for minor category ROWs (those which require fewer than 50 Federal work hours). Processing fees for major category ROWs (those which require greater than 50 Federal work hours) are based on reasonable costs (FLPMA) or actual costs (MLA). In 2015, BLM's average cost to process a major category right-of-way application was approximately \$98,000 and will remain the same for 2016. Major category ROW projects are usually for oil and gas pipelines, electric transmission lines, wind and solar energy development sites, or other projects associated with energy development. Twenty percent of BLM's rights-of-way applications are for these types of projects. BLM estimates that it will recover 80 percent of the reasonable or actual processing costs of the larger scale project types of applications.

Approximately 80 percent of the ROW projects are minor category which usually consists of short roads, well gathering pipelines, and electric distribution lines. Minor category ROW applications cost an average of \$2,600 each to process in 2015; in 2016 minor category cost recovery applications are estimated to have an average processing cost of \$2,800. For these smaller-scale projects, the BLM recovers 50 percent of the actual costs of each right-of-way application. Approximately 10 percent of the ROW projects are for roads and other infrastructure for local or State government agencies for which BLM recovers no cost recovery funds.

Only those costs directly associated with processing an application or issuing a ROW grant are charged to an individual project. Costs of land use planning or studies to determine placement of ROW corridors, and other general costs that are not specific to a ROW application, cannot be charged to the individual ROW cost recovery account. These costs are funded entirely from the MLR appropriation. In addition, certain types of ROW applicants are exempted, by law, from cost recovery. These applicants include States and local governments.

The BLM currently administers more than 112,000 ROW authorizations. The Bureau will continue to expedite the granting of ROWs by processing applications, issuing grants, and monitoring construction involved with the operation and termination of ROWs on the public land as authorized by the FLPMA and the MLA.

**Energy and Minerals Cost-Recovery** - The BLM issued a final rule effective November 7, 2005, to amend its mineral resources regulations to increase certain fees and to impose new fees to cover BLM's costs of processing documents relating to its minerals programs. The new fees included costs of actions such as environmental studies performed by the BLM, lease applications, name changes, corporate mergers, lease consolidations and reinstatements, and other processing-related costs. The BLM charges the fees pursuant to authorities under the Independent Offices Appropriation Act, as amended, 31 U.S.C. 9701 (IOAA); Section 304(a) of FLPMA; and OMB Circular A-25; DOI Manual 346 DM 1.2 A; and case law (also see the preamble to the proposed rule at 70 FR 41533 and Solicitor's Opinion M-36987 (December 5, 1996)).

**Recreation Cost Recovery** – The BLM recovers its costs associated with authorizing and administering certain recreation activities or events. The BLM uses Special Recreation Permits to authorize events such as off-highway vehicle areas, shooting ranges, and specialized trail systems; or to authorize group activities or recreation events. This subactivity covers revenues and expenditures associated with any Special Recreation Permit that has been determined to be cost recoverable by BLM personnel as outlined in 43 CFR 2930-1 Permits for Recreation on Public Lands and H-2930-1, Recreation Permit Administration Handbook. Primary work in this program involves processing the application and administering the permit, which includes environmental analysis and monitoring.

**Adopt-a-Horse Program** – The BLM conducts adoptions of wild horses and burros removed from its public lands. In 2017, the BLM will continue offering animals for adoption to qualified applicants. The BLM administers animal adoptions primarily through a competitive bidding process that often increases the adoption fee above the base fee of \$125 per horse or burro. On an occasional basis in special circumstances, the \$125 adoption fee is lowered to a minimum of \$25. Adoption fees are used to defray part of the costs of the adoption program.

**Repair of Damaged Lands** – Under FLPMA, the BLM is authorized to collect for land damaged by users who have not fulfilled the requirements of contracts or bonds. If a funding excess exists after repair has been made to the exact land for which funds were collected or forfeited, then the BLM may use these funds to improve, protect, or rehabilitate any damaged public land.

**Cost-Recoverable Realty Cases** – The BLM performs certain types of realty work on a cost-recoverable basis. Regulations promulgated pursuant to the FLPMA allow the BLM to collect from applicants the costs of processing applications for realty work, as described below.

- **Conveyance of Federally Owned Mineral Interests** –The BLM collects costs from applicants to cover administrative costs, including the costs of conducting an exploratory program to determine the type and amount of mineral deposits, establishing the fair market value of the mineral interests to be conveyed, and preparing conveyance documents.
- **Recordable Disclaimers of Interest** – The BLM collects costs from applicants to cover administrative costs, including the costs to determine if the U.S. has an interest in the property or boundary definitions, as well as preparing the riparian specialist's report or preparing and issuing the document of disclaimer.
- **Leases, Permits, and Easements** – The BLM collects costs from applicants to cover administrative costs, including the cost of processing applications, monitoring construction, operating and maintaining authorized facilities, and monitoring rehabilitation and restoration of the land.

Applicants may deposit money in an approved account for the BLM use in completing specific realty work. These dollars become immediately available to the BLM without further appropriation.

**Timber Contract Expenses** – Many BLM timber contracts have provisions that allow the purchaser to make cash payments to the BLM in lieu of performing specified work directly. The BLM uses these funds as required by the contract. This involves performing timber slash disposal and reforestation.

**Commercial Film and Photography** – A permit is required for all commercial filming activities on public lands. Commercial filming is defined as the use of motion picture, videotaping, sound recording, or other moving image or audio recording equipment on public lands that involves the advertisement of a product or service, the creation of a product for sale, or the use of actors, models, sets, or props, but not including activities associated with broadcasts for new programs. Creation of a product for sale includes a film, videotape, television broadcast, or documentary of participants in commercial sporting or recreation event created for the purpose of generating income. These fees are exclusive of cost recovery fees for processing the permits which are collected under leases, permits, and easements.

**Copy Fees** – The BLM is the custodian of the official public land records of the United States. There are more than 500,000 requests annually from industry, user organizations, and the general public, for copies of these official records. The BLM charges a fee for copies of these documents (maps, plats, field notes, copies of use authorizations, reservations of easements and ROW, serial register pages, and master title plats). This fee covers the cost of research, staff time, and the supplies required for printing and for responding to Freedom of Information Act requests.

## Budget Schedules

Account Symbol and Title 14X5017 Service Charges, Deposits, and Forfeitures	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Right-of-way processing	0001	10	13	13
Energy and minerals cost recovery	0004	2	3	3
Wild horse and burro cost recover	0005	1	1	1
Repair of damaged lands	0006	2	3	3
Cost recoverable realty	0007	1	1	1
Recreation cost recovery	0008	4	3	3
Copy fees	0009	1	1	1
Trans Alaska Pipeline Authority	0011	4	4	4
Total new obligations	0900	25	29	29
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	48	51	53
Recoveries of prior year unpaid obligations	1021	0	0	0
Unobligated balance (total)	1050	48	51	53
Budget authority:				
Appropriations, discretionary:				
Appropriation (special or trust fund)	1101	28	31	31
Appropriation, discretionary (total)	1160	28	31	31
Appropriation, discretionary - Computed Totals	1160-20	28	31	31
Appropriation [Text]	1160-40	28	31	31
Baseline Civilian Pay	1160-50		21	22
Baseline Non-Pay	1160-50		10	10
Policy Outlays:				
New Authority	1160-61	13	16	16
Balances (excl of EOY PY Bal)	1160-62	12	0	16
End of PY Balances	1160-63		14	0
Subtotal, outlays	1160-64	25	30	32
Baseline Outlays:				
New Authority	1160-81		16	16
Balances (excl of EOY PY Bal)	1160-82		0	16
End of PY Balances	1160-83		14	0
Subtotal, outlays	1160-84		30	32
Total budgetary resources available	1930	76	82	84
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	51	53	55
Change in obligated balance:				

Account Symbol and Title 14X5017				
Service Charges, Deposits, and Forfeitures	Line	2015 Act	2016 CY	2017 BY
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	4	4	3
Obligations incurred, unexpired accounts	3010	25	29	29
Outlays (gross)	3020	-25	-30	-32
Recoveries of prior year unpaid obligations, unexpired	3040	0	0	0
Unpaid obligations, end of year	3050	4	3	0
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	4	4	3
Obligated balance, end of year	3200	4	3	0
Budget authority and outlays, net:				
Discretionary:				
Budget authority, gross	4000	28	31	31
Outlays, gross:				
Outlays from new discretionary authority	4010	13	16	16
Outlays from discretionary balances	4011	12	14	16
Outlays, gross (total)	4020	25	30	32
Budget authority, net (discretionary)	4070	28	31	31
Outlays, net (discretionary)	4080	25	30	32
Budget authority, net (total)	4180	28	31	31
Outlays, net (total)	4190	25	30	32
NON-INVESTMENT ACTIVITIES:				
Direct Federal programs:				
Budget Authority	2004-01	28	31	31
Outlays	2004-02	25	30	32
Object Classification				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	11	13	13
Other than full-time permanent	11.3	1	1	1
Other personnel compensation	11.5	1	1	1
Total personnel compensation	11.9	13	15	15
Civilian personnel benefits	12.1	4	5	5
Travel and transportation of persons	21.0	1	1	1
Other services from non-Federal sources	25.2	1	2	2
Other goods and services from Federal sources	25.3	4	4	4
Supplies and materials	26.0	1	1	1
Grants, subsidies, and contributions	41.0	1	1	1
Total new obligations	99.9	25	29	29

Account Symbol and Title				
14X5017				
Service Charges, Deposits, and Forfeitures	Line	2015 Act	2016 CY	2017 BY
Employment Summary				
Direct civilian full-time equivalent employment	1001	158	158	158
Budget year budgetary resources [014-5017]	1000			31,050

# Miscellaneous Permanent Payments



# MISCELLANEOUS PERMANENT PAYMENTS

## Appropriations Language

No Appropriations Language

## Explanation

The Permanent Payment Accounts provide for sharing specified receipts collected from the sale, lease, or use of the public lands and resources with States and counties. They do not require annual appropriations action. Amounts are estimated based on anticipated collections, or in some cases, upon provisions required by permanent legislation. The BLM distributes these funds in accordance with the provisions of the various laws that specify the percentages to be paid to the applicable recipient jurisdictions and, in some cases, how the States and counties must use these funds. These payments are made subject to the authorities of permanent law, and the amounts are made available by operation of permanent laws. The payment amounts shown for each year are the amounts paid, or estimated to be paid, in that year.

## Authorizations

<b>30 U.S.C. 191, 286; 95 Stat. 12051</b>	Mineral leasing receipts are collected from the leasing of public land (including bonuses, royalties and rents) for exploration of oil and gas, coal, oil shale, and other minerals. The amount charged depends on the type of mineral that is leased.
<b>1952 Interior and Related Agencies Appropriations Act (65 Stat. 252)</b>	States are paid five percent of the net proceeds (four percent of gross proceeds) from the sale of public land and public land products.
<b>Taylor Grazing Act of 1934 (43 U.S.C. 315 b, i and m)</b>	States are paid 12½ percent of the grazing fee receipts from lands within organized grazing district boundaries; States are paid 50 percent of the grazing fee receipts from public land outside of organized grazing districts; and States are paid specifically determined amounts from grazing fee and mineral receipts from miscellaneous lands within grazing districts that are administered under certain cooperative agreements which stipulate that the fees be retained by the BLM for distribution.
<b>The Oregon and California Grant Lands Act of 1937 (50 STAT. 874)</b>	Provides for payments to 18 western Oregon counties of 75 percent of receipts derived from the activities of BLM on O&C grant lands. The percentage was changed to 50 percent by agreement between Oregon and the Federal government.
<b>The Act of May 24, 1939 (53 STAT. 753)</b>	Provides for payments in lieu of taxes to Coos and Douglas counties in Oregon of not to exceed 75 percent of receipts derived from BLM activities on Coos Bay Wagon Road grant lands.
<b>7 U.S.C. 1012, the Bankhead Jones Farm Tenant Act of 1937, and Executive Orders 107878 and 10890</b>	25 percent of the revenues received from the use of these land use project lands, including grazing and mineral leasing, are paid to the counties in which such lands are located. The Act transfers the management of certain Farm Tenant Act-Land Utilization Project lands to the jurisdiction of the Department of the Interior.
<b>The Burton-Santini Act of 1980 (P.L. 96-586) and P.L. 105-263</b>	Authorizes and directs the sale of up to 700 acres per year of certain lands in Clark County, Nevada, and the acquisition of environmentally sensitive lands in the Lake Tahoe Basin, with 85 percent of the proceeds. The remaining 15 percent of proceeds from sales are distributed to Nevada and Clark County.
<b>Southern Nevada Public Land Management Act, P.L. 105-263, as amended by P.L. 107-282.</b>	Authorizes the disposal through sale of 27,000 acres in Clark County, Nevada, the proceeds of which are distributed as follows: (a) five percent for use in the general education program of the State of Nevada; (b) 10 percent for use by Southern Nevada Water Authority for water treatment and transmission facility infrastructure in Clark County, Nevada; and (c) the remaining 85 percent to be used to acquire environmentally sensitive lands in Nevada; to make capital improvements to areas administered by NPS, FWS and BLM in Clark County, Nevada; to develop a multi-species habitat plan in Clark County, Nevada; to develop parks, trails, and natural areas in Clark County, Nevada; and to provide reimbursements for BLM costs incurred in arranging sales and exchanges under this Act.

<b><i>The Alaska Native Claims Settlement Act of 1971 as amended by Public Law 94-204 of 1976 (43 U.S.C. 1611)</i></b>	Directs the Secretary to make conveyances to Cook Inlet Region, Inc. (CIRI) in accordance with the "Terms and Conditions for Land Consolidation and Management in Cook Inlet Area."
<b><i>The Alaska National Interest Lands Conservation Act of 1980 (43 U.S.C. 1611)</i></b>	Authorizes CIRI to bid on surplus property in accordance with the <i>Federal Property and Administrative Services Act of 1940 (40 U.S.C. 484)</i> , and provides for the establishment of a CIRI surplus property account by the Secretary of the Treasury.
<b><i>The Alaska Railroad Transfer Act of 1982 (43 U.S.C. 1611)</i></b>	Expands the account by allowing CIRI to bid on properties anywhere in the U.S.
<b><i>The 1988 Department of Defense Appropriations Act (101 Stat. 1329- 318)</i></b>	Authorizes CIRI to bid at any public sale of property by any agent of the U.S., including the Department of the Defense.
<b><i>The 1990 Department of Defense Appropriation Act (16 U.S.C 396f)</i></b>	Appropriated monies to be placed into the CIRI Property Account in the U.S. Treasury as permanent budget authority.
<b><i>Alaska Land Status Technical Corrections Act of 1992 (P.L. 102-415)</i></b>	Authorizes payments to the Haida and Gold Creek Corporations to reimburse them for claims in earlier land settlements.
<b><i>The Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393) as amended by P.L. 110-343, October, 2008.</i></b>	Authorizes stabilized payments to Oregon and California (O&C) Grant lands and Coos Bay Wagon Road Counties for fiscal years 2001 through 2006. Each county that received a payment during the eligibility period (1988-1999) had an option to receive an amount equal to the average of the three highest 50 percent payments and safety net payments made for the fiscal years of the eligibility period. The payments were adjusted to reflect 50 percent of the cumulative changes in the Consumer Price Index that occur after publication of the index for fiscal year 2000. The final payments for 2006 were made in 2007, consistent with the Act. Public Law 110–28, May 25, 2007 provided payments for one additional year. The fiscal year 2007 payments under the original act were made in October, 2007, that is in FY2008.
<b><i>Public Law 110-28</i></b>	Provided one additional year of payments to Oregon & California Grant Lands and Coos Bay Wagon Road counties for 2007 to be made in 2008.
<b><i>Public Law 110-343</i></b>	Secure Rural Schools and Community Self-Determination Act payments were authorized to be made in 2009 through 2012 (for 2008 through 2011) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.
<b><i>Public Law 112-141</i></b>	Secure Rural Schools and Community Self-Determination Act payments were authorized to be made in 2013 (for 2012) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.

<b>Public Law 113-40</b>	Secure Rural Schools and Community Self-Determination Act payments were authorized to be made in 2014 (for 2013) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.
<b>Public Law 114-10</b>	Under the Medicare Access and CHIP Reauthorization Act of 2015, and the Extension of Secure Rural Schools and Community Self-Determination Act of 2000, the payments were authorized to be made in 2015 (for 2014) and 2016 (for 2015) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.
<b>Clark County Conservation of Public Land and Natural Resources Act of 2002 (P.L. 107-282) as amended by P.L. 108-447</b>	Enlarges the area in which the BLM can sell lands under the Southern Nevada Public Land Management Act; approves a land exchange in the Red Rock Canyon Area; designates wilderness; designates certain BLM lands for a new airport for Las Vegas; and gives land to the State and City for certain purposes.
<b>Lincoln County Conservation, Recreation and Development Act (PL 108-424)</b>	Addresses a wide range of public lands issues in Lincoln County, Nevada, designates as wilderness 768,294 acres of BLM-managed lands and releases from wilderness study area (WSA) status 251,965 acres of public land. The bill also directs the BLM to dispose of up to 90,000 acres of public land and divides the proceeds 85 percent to a Federal fund and 15 percent to State and county entities, establishes utility corridors, transfers public lands for State and county parks, creates a 260-mile OHV trail and resolves other public lands issues.
<b>Public Law 109-432, White Pine County Land Sales</b>	Authorizes the disposal through sale of 45,000 acres in White Pine County, Nevada, the proceeds of which are distributed as follows: (a) 5 percent for use in the general education program of the State of Nevada; (b) 10 percent shall be paid to the County for use for fire protection, law enforcement, education, public safety, housing, social services, transportation, and planning; and (c) the remaining 85 percent to be used to reimburse the BLM and DOI for certain costs, to manage unique archaeological resources, for wilderness and endangered species protection, for improving recreational opportunities in the County, and for other specified purposes.
<b>Public Law 111-11, State Share, Carson City Land Sales</b>	Authorizes five percent of the proceeds from Carson City, Nevada land sales to be paid to the State for the general education program of the State.

Summary of Requirements  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	2017 President's Budget				Change from 2016			
	FTE	Amount	FTE	Amount		Transfers		Program Change		Requested Amount		FTE	Amount
						FTE	Amount	FTE	Amount	FTE	Amount		
<b>Miscellaneous Permanent Payments Appropriation Total</b>	-	<b>52,521</b>	-	<b>50,829</b>	-	-	-	-	<b>-37,056</b>	-	<b>13,773</b>	-	<b>-37,056</b>
Payments to States from Proceeds of Sales (L5133)	-	627	-	1,057	-1	-	-	-	-19	-	1,038	-	-19
Payments to States from Grazing Fees, etc. on Public Lands outside Grazing Districts (L5016)	-	847	-	875	-1	-	-	-	-25	-	850	-	-25
Payments to States from Grazing Fees, etc. on Public Lands within Grazing Districts (L5032)	-	1,126	-	1,309	-1	-	-	-	-121	-	1,188	-	-121
Payments to States from Grazing Fees, etc. on Public Lands within Grazing Districts, Misc. (L5044)	-	25	-	21	-1	-	-	-	+1	-	22	-	+1
Payments to Counties, National Grasslands (Farm Tenant Lands) (L5896)	-	590	-	613	-1	-	-	-	-1	-	612	-	-1
Payments to Nevada from Receipts on Land Sales (inc. 15%) (L5129)	-	11,016	-	10,574	-1	-	-	-	-511	-	10,063	-	-511
State Share, Carson City Land Sales (5561)	-	-	-	3	-1	-	-	-	-3	-	-	-	-3
Payments to O&C Counties 50% of receipts under 1937 statute	-	-	-	-	-1	-	-	-	+0	-	-	-	+0
Payments to Coos and Dougals Counties under 1939 statute	-	-	-	-	-1	-	-	-	+0	-	-	-	+0
<b>Secure Rural Schools</b>	-	<b>38,290</b>	-	<b>36,377</b>	-1	-	-	-	<b>-36,377</b>	-	-	-	<b>-36,377</b>
Payments to O&C Counties, Title I/III	-	34,802	-	32,670	-1	-	-	-	-32,670	-	-	-	-32,670
Payments to Coos Bay Wagon Road Counties, Title I/III	-	296	-	260	-1	-	-	-	-260	-	-	-	-260
Payments to O&C and Coos Bay Wagon Road Counties, Title II	-	3,192	-	3,447	-1	-	-	-	-3,447	-	-	-	-3,447

## Appropriation: Miscellaneous Permanent Payments

### Program Overview

The following activities include payments made to States and counties from the sale, lease, or use of other public lands or resources under the provisions of permanent legislation and do not require annual appropriations. The payment amounts for 2016 and 2017 are estimated based on the amounts of collections or receipts as authorized by applicable legislation and the provisions of those laws that specify the percentage of receipts to be paid to designated States, counties, or other recipients.

***Payments to States from Proceeds of Sales*** – The BLM collects funds from the sale of public lands and materials in the limits of public domain lands pursuant to 31 U.S.C. 1305. States are paid five percent of the net proceeds of these sales. The BLM makes these payments annually and payments are used by States either for educational purposes or for the construction and improvement of public roads. The payments in 2015 were \$627,000. The estimated payments for 2016 and 2017 are \$1,057,000 and \$1,038,000 respectively.

***Payments to States from Grazing Receipts, etc., on Public Lands outside Grazing Districts*** – The States are paid 50 percent of the grazing receipts from public lands outside grazing districts (43 U.S.C. 315i, 315m). These funds are to be expended by the State for the benefit of the counties in which the lands are located. The States will continue to receive receipts from public lands outside organized grazing districts. The BLM makes these payments annually. The actual payments for 2015 were \$847,000 and estimated payments for 2016 and 2017 are \$875,000 and \$850,000 respectively.

***Payments to States from Grazing Receipts, etc., on Public Lands within Grazing Districts*** – The States are paid 12½ percent of grazing receipts from public lands inside grazing districts (43 U.S.C. 315b, 315i). These funds are to be expended by the State for the benefit of the counties in which the lands are located. The BLM makes the payments annually. The actual payments for 2015 were \$1,126,000 and estimated payments for 2016 and 2017 are \$1,309,000 and \$1,188,000 respectively.

***Payments to States from Grazing Fees, etc. on Public Lands within Grazing Districts, misc.*** – Also included are grazing receipts from isolated or disconnected tracts. The States are paid specifically determined amounts from grazing receipts derived from miscellaneous lands within grazing districts when payment is not feasible on a percentage basis (43 U.S.C. 315m). These funds are to be expended by the State for the benefit of the counties in which the lands are located. The BLM makes these payments annually. The actual payments for 2015 were \$25,000 and estimated payments for 2016 and 2017 are \$21,000 and \$22,000 respectively.

***Payments to Counties, National Grasslands (Farm Tenant Act Lands)*** – Of the revenues received from the use of Bankhead-Jones Act lands administered by the BLM, 25 percent is paid to the counties in which such lands are situated for schools and roads (7 U.S.C. 1012). The BLM makes payments annually on a calendar-year basis. The actual payments for 2015 were \$590,000 and estimated payments for 2016 and 2017 are \$613,000, and \$612,000 respectively.

**Payments to Nevada from Receipts on Land Sales** – Payments to the State of Nevada are authorized by two Acts. The Burton-Santini Act authorizes and directs the Secretary to sell not more than 700 acres of public lands per calendar year in and around Las Vegas, Nevada, the proceeds of which are to be used to acquire environmentally sensitive land in the Lake Tahoe Basin of California and Nevada. Annual revenues are distributed to the State of Nevada (five percent) and the county in which the land is located (ten percent).

The Southern Nevada Public Land Management Act (SNPLMA), as amended, authorizes the disposal through sale of approximately 50,000 acres in Clark County, Nevada, the proceeds of which are to be distributed as follows: (a) 5 percent for use in the general education program of the State of Nevada (b) 10 percent for use by Southern Nevada Water Authority for water treatment and transmission facility infrastructure in Clark County, Nevada and (c) the remaining 85 percent for various uses by the BLM and other Federal lands. (For more information, see the Southern Nevada Public Land Management Act, P.L. 105-263, as amended by P.L. 107-282.)

The actual payments for 2015 were \$11,016,000. Estimated payments for 2016 and 2017 are \$10,574,000 and \$10,063,000 based on the estimates of collections from planned land sales. Sales values for these lands in Clark County have stabilized, but collections are still relatively low compared to the past. The BLM collected \$81,793,000 in 2015 from Nevada land sales (including SNPLMA and Lincoln County) and estimates collections from sales in 2016 and 2017 will be \$75,501,000 and \$67,087,000 respectively. Some receipts from sales held in the latter half of one fiscal year are not collected in full until the next fiscal year because of normal delay in the acceptance of bids.

**Payments to Oregon and California Grant Lands Counties** – Under the Oregon and California Act of 1937, the BLM paid 50 percent of receipts from Federal activities on O&C lands (mainly from timber sales) to 18 counties in western Oregon. These revenues decreased since the 1980s due to changes in Federal timber policies.

The Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393) was enacted on October 30, 2000. The Act was designed to provide a predictable payment to States and counties, in lieu of funds derived from Federal timber harvests. Payments were based on historical payments, adjusted for inflation.

Payments to the 18 O&C counties were derived from:

1. Revenues from Federal activities on O&C lands in the previous fiscal year that are not deposited to permanent operating funds such as the Timber Sale Pipeline Restoration or the Forest Ecosystem Health and Recovery, and,
2. To the extent of any shortfall, out of any funds in the Treasury not otherwise appropriated.

Under P.L. 106-393, and in the extensions of it, payments for a fiscal year were made in the following fiscal year. For example, payments for 2013 were made in 2014.

Payments have been extended five times. Under the extensions, payments tend to be reduced each year, and they are not adjusted for inflation as they were under P.L. 106-393 during the first six years.

P.L. 110-28 provided authorized payments for 2007 which were made in 2008. Payments in 2008 were distributed among the counties in the same way as payments in 2007. Payments

were limited to a total of \$525,000,000 for both the BLM and the Forest Service, \$100,000,000 from receipts and \$425,000,000 from the General Fund. BLM's share was \$116,865,000.

In October, 2008, Congress enacted Section 601 of Public Law 110-343, which extended the Secure Rural Schools Act of 2000. Public Law 110-343 provided an extension of payments to the O&C Grant Lands and the Coos Bay Wagon Road counties through fiscal year 2011 (with final payment to be made in 2012). As in the prior act, payments were to be made for the year prior. The payments for 2008 through 2010 were described in the law as "transition" payments, and were a declining percentage of the payments made in 2006; the payment in 2009 (for 2008) was 90 percent of the amount paid in 2006, the payment in 2010 (for 2009) was 81 percent, and the payment in 2011 (for 2010) was 73 percent.

The payments in 2012 (for 2011) were calculated based on several factors that included acreage of Federal land, previous payments, and per capita personal income. The table below shows payments made from 2002 (for 2001) through the payments for 2012 (in 2013). The payments to the Coos and Douglas counties have followed the same pattern as payments to O&C counties under the Secure Rural Schools Act and extensions.

In July 2012, Congress enacted Public Law 112-141, which extended the Secure Rural Schools Act of 2000. Public Law 112-141 provided an extension of payments to the O&C Grant Lands and the Coos Bay Wagon Road counties through fiscal year 2012 (with the payment to be made in 2013).

In October 2013, Congress enacted Public Law 113-40 which extended payments for one year to the O&C Grant Lands and the Coos Bay Wagon Road counties through fiscal year 2013 (with the payment to be made 2014).

In April 16, 2015 under the Medicare Access and CHIP Reauthorization Act of 2015, and the Extension of Secure Rural Schools and Community Self-Determination Act of 2000, the payments were authorized to be made in 2015 (for 2014) and 2016 (for 2015) to Oregon & California Grant Lands and Coos Bay Wagon Road counties.

The 2017 Budget reflects a five-year reauthorization of the Secure Rural Schools Act with funding through mandatory U.S. Forest Service (USFS) appropriations, starting with the payments for fiscal year 2016 (which would be made in 2017). This SRS proposal revises the allocation split between the three portions of the program from the current authority emphasizing enhancement of forest ecosystems, restoration and improvement of land health and water quality and the increase of economic activity. For more information on this proposal, see the USFS 2017 Budget Justification.

For any of the 18 counties in Western Oregon choosing not to receive payments for 2016 (in 2017) under the reauthorization proposal discussed above, the payments would revert back to payments under the 1937 O&C Act and subsequent amendments. The 1937 statute authorizes payments of 50 percent of Federal receipts from activities on O&C grant lands. In the case of Coos and Douglas Counties, if they were to choose not to receive payments for 2016 (in 2017) under the proposal, the 1939 statute authorizes payments for lost tax revenue not to exceed 75 percent of the receipts from activities on Coos Bay Wagon Road grant lands.

The table below shows actual and estimated payments for 2001 through 2016.

**Secure Rural Schools Payments (\$ in thousands)**

<b>Payments for 2001 in 2002</b>	O&C	CBWR	Total
Amount from Receipts:	<b>\$15,540</b>	<b>\$330</b>	<b>\$15,869</b>
Amount from General Fund:	\$93,192	\$618	\$93,811
<b>Total</b>	<b>\$108,732</b>	<b>\$948</b>	<b>\$109,680</b>
Title I/III	\$101,085	\$875	\$101,960
Title II	\$7,647	\$73	\$7,720
<b>Total</b>	<b>\$108,732</b>	<b>\$948</b>	<b>\$109,680</b>

<b>Payments for 2002 in 2003</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,519	\$229	\$11,748
Amount from General Fund:	\$98,083	\$727	\$98,809
<b>Total</b>	<b>\$109,602</b>	<b>\$956</b>	<b>\$110,558</b>
Title I/III	\$101,433	\$834	\$102,266
Title II	\$8,169	\$122	\$8,291
<b>Total</b>	<b>\$109,602</b>	<b>\$956</b>	<b>\$110,558</b>

<b>Payments for 2003 in 2004</b>	O&C	CBWR	Total
Amount from Receipts:	\$6,199	\$51	\$6,249
Amount from General Fund:	\$104,718	\$917	\$105,635
<b>Total</b>	<b>\$110,917</b>	<b>\$967</b>	<b>\$111,884</b>
Title I/III	\$102,468	\$844	\$103,312
Title II	\$8,449	\$124	\$8,572
<b>Total</b>	<b>\$110,917</b>	<b>\$967</b>	<b>\$111,884</b>

<b>Payments for 2004 in 2005</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,935	\$133	\$12,068
Amount from General Fund:	\$100,424	\$847	\$101,271
<b>Total</b>	<b>\$112,359</b>	<b>\$980</b>	<b>\$113,339</b>
Title I/III	\$103,595	\$936	\$104,531
Title II	\$8,763	\$44	\$8,808
<b>Total</b>	<b>\$112,359</b>	<b>\$980</b>	<b>\$113,339</b>

<b>Payments for 2005 in 2006</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,100	\$251	\$11,351
Amount from General Fund:	\$103,843	\$751	\$104,594
<b>Total</b>	<b>\$114,943</b>	<b>\$1,002</b>	<b>\$115,946</b>
Title I/III	\$106,123	\$955	\$107,077
Title II	\$8,820	\$48	\$8,868
<b>Total</b>	<b>\$114,943</b>	<b>\$1,002</b>	<b>\$115,946</b>

Note: Amounts may not add due to rounding

<b>Payments for 2006 in 2007</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,720	\$530	\$12,250
Amount from General Fund:	\$104,373	\$394	\$104,767
<b>Total</b>	<b>\$116,093</b>	<b>\$924</b>	<b>\$117,017</b>
Title I/III	\$107,928	\$924	\$108,852
Title II	\$8,165	\$88	\$8,253
<b>Total</b>	<b>\$116,093</b>	<b>\$1,013</b>	<b>\$117,105</b>

<b>Payments for 2007 in 2008*</b>	O&C	CBWR	Total
Amount from Receipts:	\$6,354	\$297	\$6,652
Amount from General Fund:	\$109,500	\$713	\$110,213
<b>Total</b>	<b>\$115,854</b>	<b>\$1,010</b>	<b>\$116,865</b>
Title I/III	\$110,873	\$995	\$111,868
Title II	\$4,982	\$15	\$4,997
<b>Total</b>	<b>\$115,854</b>	<b>\$1,010</b>	<b>\$116,865</b>
P.L. 110-28 extended Secure Rural Schools payments for one year.			

<b>Payments for 2008 in 2009</b>	O&C	CBWR	Total
Amount from Receipts:	\$12,999	\$312	\$13,311
Amount from General Fund:	\$91,484	\$599	\$92,083
<b>Total</b>	<b>\$104,483</b>	<b>\$911</b>	<b>\$105,394</b>
Title I/III	\$95,870	\$838	\$96,708
Title II	\$8,614	\$73	\$8,686
<b>Total</b>	<b>\$104,483</b>	<b>\$911</b>	<b>\$105,394</b>
P.L. 110-343 extended Secure Rural Schools payments through 2011 with the final payment in 2012.			

<b>Payments for 2009 in 2010</b>	O&C	CBWR	Total
Amount from Receipts:	\$14,423	\$248	\$14,471
Amount from General Fund:	\$79,812	\$573	\$80,384
<b>Total</b>	<b>\$94,035</b>	<b>\$820</b>	<b>\$94,855</b>
Title I/III	\$86,420	\$755	\$87,175
Title II	\$7,615	\$65	\$7,680
<b>Total</b>	<b>\$94,035</b>	<b>\$820</b>	<b>\$94,855</b>

<b>Payments for 2010 in 2011</b>	O&C	CBWR	Total
Amount from Receipts:	\$9,670	\$636	\$10,306
Amount from General Fund:	\$75,077	\$102	\$75,180
<b>Total</b>	<b>\$84,748</b>	<b>\$739</b>	<b>\$85,487</b>
Title I/III	\$77,393	\$636	\$78,029
Title II	\$7,354	\$102	\$7,457
<b>Total</b>	<b>\$84,748</b>	<b>\$739</b>	<b>\$85,487</b>

Note: Amounts may not add due to rounding

<b>Payments for 2011 in 2012</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,575	0	\$11,575
Amount from General Fund:	\$28,116	\$346	\$28,463
<b>Total</b>	<b>\$39,691</b>	<b>\$346</b>	<b>\$40,037</b>
Title I/III	\$35,992	\$318	\$36,310
Title II	\$3,699	\$28	\$3,727
<b>Total</b>	<b>\$39,691</b>	<b>\$346</b>	<b>\$40,037</b>

<b>Payments for 2012 in 2013</b>	O&C	CBWR	Total
Amount from Receipts:	\$11,521	\$326	\$11,847
Amount from General Fund:	\$26,162	\$0	\$26,162
<b>Total</b>	<b>\$37,683</b>	<b>\$326</b>	<b>\$38,009</b>
Title I/III	\$34,054	\$281	\$34,334
Title II	\$3,629	\$45	\$3,675
<b>Total</b>	<b>\$37,683</b>	<b>\$326</b>	<b>\$38,009</b>

<b>Payments for 2013 in 2014</b>	O&C	CBWR	Total
Amount from Receipts:	\$17,341	\$337	\$17,678
Amount from General Fund:	\$21,952	\$0	\$21,952
<b>Total</b>	<b>\$39,293</b>	<b>\$337</b>	<b>\$39,630</b>
Title I/III	\$35,976	\$310	\$36,286
Title II	\$3,317	\$27	\$3,344
<b>Total</b>	<b>\$39,293</b>	<b>\$337</b>	<b>\$39,630</b>
P.L. 113-40 extended Secure Rural Schools payments through 2013 with the payment to be made in 2014.			

<b>Payments for 2014 in 2015</b>	O&C	CBWR	Total
Amount from Receipts:	\$30,238	\$322	\$30,560
Amount from General Fund:	\$7,731	\$0	\$7,731
<b>Total</b>	<b>\$37,969</b>	<b>\$322</b>	<b>\$38,291</b>
Title I/III	\$34,802	\$296	\$35,098
Title II	\$3,167	\$26	\$3,193
<b>Total</b>	<b>\$37,969</b>	<b>\$322</b>	<b>\$38,291</b>
P.L. 114-10 extended Secure Rural Schools payments through 2014 with the payment to be made in 2015.			

<b>Estimated Payments for 2015 in 2016</b>	O&C	CBWR	Total
Amount from Receipts:	\$28,726	\$306	\$29,032
Amount from General Fund:	\$7,345	\$0	\$7,345
<b>Total</b>	<b>\$36,071</b>	<b>\$306</b>	<b>\$36,377</b>
Title I/III	\$33,062	\$281	\$33,343
Title II	\$3,009	\$25	\$3,034
<b>Total</b>	<b>\$36,071</b>	<b>\$306</b>	<b>\$36,377</b>
P.L. 114-10 extended Secure Rural Schools payments through 2015 with the payment to be made in 2016.			

Note: Amounts may not add due to rounding

**2015 Total Payments of BLM Receipts to States and Counties  
(\$ in thousands)**

State	a/ Mineral Leasing Act ROW payments	Taylor Grazing Act			Proceeds of Sales	Other	Total Payments
		SEC. 15 Outside Grazing Districts	SEC. 3 Outside Grazing Districts	Other			
Alaska	0	0	0	0	478	0	478
Arizona	145,214	84,969	48,967	0	53,097	0	332,247
California	774,538	40,242	11,214	0	41,720	0	867,714
Colorado	319,916	31,108	55,142	12,764	19,895	0	438,825
Florida	0	0	0	0	19		19
Idaho	87,450	19,332	139,242	0	9,094	0	255,118
Michigan	0	0	0	0	156		156
Illinois	0	0	0	0	54	0	54
Montana	29,690	104,896	126,800	0	26,245	b/ 539,964	827,595
Nebraska	0	902	0	0	0	0	902
Nevada	65,562	2,137	179,265	0	153,200	c/ 11,738,922	12,139,086
New Mexico	1,316,793	121,310	179,172	15	154,123	7,378	1,778,791
North Dakota	5,091	4,633	0	0	10.00	0	9,734
Oklahoma	658	60	0	0	0.00	0	718
Oregon	51,971	21,766	118,104	0	19,267.00	d/ 38,291,303	38,502,411
South Dakota	0	104,921	28	0	208.00	0	105,157
Utah	248,316	0	130,142	0	30,219.00	0	408,677
Washington	803	18,856	0	0	347.00	0	20,006
Wisconsin	0	0	0	0	2,852	0	2,852
Wyoming	1,109,295	292,484	138,674	12,128	70,556	0	1,623,137
<b>Total</b>	<b>4,155,297</b>	<b>847,616</b>	<b>1,126,750</b>	<b>24,907</b>	<b>581,384</b>	<b>50,577,567</b>	<b>57,313,521</b>
<p>Note: The amounts shown above are outlays, some of which may be from prior year budget authority, and therefore, may be different than the amounts reported for fiscal year 2015 in the Summary of Requirements at the beginning of this chapter.</p>							
<p>a/ These are payments to States of 50 percent of mineral leasing rights-of-way rents. They are not reported in the Summary of Requirements table in this chapter because the Department of the Interior, Office of Natural Resource Revenues (ONRR), not BLM, includes these payments in accounting reports to Treasury. The Summary of Requirements amounts in the BLM Justifications tie to the amounts reported to Treasury by BLM. ONRR does not include the mineral leasing rights-of-way payments to States in the ONRR Budget Justifications.</p>							
<p>b/ LU lands under the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1021)</p>							
<p>c/ Payments to Clark County and the State of Nevada.</p>							
<p>d/ These are Secure Rural Schools and Community-Self-Determination Act payments to 18 counties in Western Oregon authorized by P.L. 106-393, as amended by P.L. 110-343, and P.L. 112-141.</p>							

## Budget Schedules - Current Law

Account Symbol and Title 14X9921 Miscellaneous Permanent Payment Accounts	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Payments to O&C Counties, Title I/III 5884	0001	34	32	0
Payment to O&C and CBWR Counties, Title II 5485	0003	0	4	0
From grazing fees, etc., public lands outside grazing districts 5016	0004	1	1	1
From grazing fees, etc., public lands within grazing districts 5032	0005	1	1	1
Proceeds from sales 5133	0009	1	1	1
Payments to counties from national grasslands 5896	0010	1	1	1
Payments to State and Counties from Nevada Land Sales	0013	11	10	10
Payments to O&C counties under 1937 statute	0014	0	0	15
Payments to CBWR counties under 1939 statute	0015	0	0	2
Total new obligations	0900	49	50	31
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	3	7	7
Recoveries of prior year unpaid obligations	1021	0	0	0
Unobligated balance (total)	1050	3	7	7
Budget authority:				
Appropriations, mandatory:				
Appropriation	1200	8	0	0
Proceeds of sales-payments to states	1201	46	1	1
Payments from grazing fees outside grazing districts	1201	0	1	1
Payments from grazing fees within grazing districts	1201	0	1	1
Payments to Counties, National Grasslands, BLM	1201	0	1	1
Payments from Nevada Land Sales	1201	0	11	10
Payments to O&C Grants lands counties under 1937 statute	1201	0	0	15
Payments to CBWR counties under 1939 statute	1201	0	0	2
Appropriation (SRS O&C Payments from GF- Title I/III)	1201	0	14	0
Appropriation (SRS O&C Payments from receipts- Title I/III)	1201	0	18	0
Appropriation (SRS Payments from GF-Title II)	1201	0	4	0
Appropriations and/or unobligated balance of appropriations temporarily reduced	1232	-1	-1	0
Appropriations, mandatory (total)	1260	53	50	31

Account Symbol and Title 14X9921				
Miscellaneous Permanent Payment Accounts	Line	2015 Act	2016 CY	2017 BY
Appropriations, mandatory - Computed Totals	1260-20	53	50	31
Appropriation [Text]	1260-40	53	50	31
Baseline Civilian Pay	1260-50		0	0
Baseline Non-Pay	1260-50		50	31
Policy Outlays:				
New Authority	1260-61	0	40	25
Balances (excl of EOY PY Bal)	1260-62	53	0	10
End of PY Balances	1260-63		6	2
Subtotal, outlays	1260-64	53	46	37
Baseline Outlays:				
New Authority	1260-81		40	25
Balances (excl of EOY PY Bal)	1260-82			10
End of PY Balances	1260-83		6	2
Subtotal, outlays	1260-84		46	37
Effects of 2014 sequester	1260-40	0	0	0
Baseline Non-Pay	1260-50		0	0
Policy Outlays:				
New Authority	1260-61	0	0	0
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63		0	0
Subtotal, outlays	1260-64	0	0	0
Baseline Outlays:				
New Authority	1260-81		0	0
Balances (excl of EOY PY Bal)	1260-82		0	0
End of PY Balances	1260-83		0	0
Subtotal, outlays	1260-84		0	0
Total budgetary resources available	1930	56	57	38
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	7	7	7
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	7	3	7
Obligations incurred, unexpired accounts	3010	49	50	31
Outlays (gross)	3020	-53	-46	-37
Recoveries of prior year unpaid obligations, unexpired	3040	0	0	0
Unpaid obligations, end of year	3050	3	7	1
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	7	3	7
Obligated balance, end of year	3200	3	7	1
Budget authority and outlays, net:				

Account Symbol and Title 14X9921				
Miscellaneous Permanent Payment Accounts	Line	2015 Act	2016 CY	2017 BY
Mandatory:				
Budget authority, gross	4090	53	50	31
Outlays, gross:				
Outlays from new mandatory authority	4100	0	40	25
Outlays from mandatory balances	4101	53	6	12
Outlays, gross (total)	4110	53	46	37
Budget authority, net (mandatory)	4160	53	50	31
Outlays, net (mandatory)	4170	53	46	37
Budget authority, net (total)	4180	53	50	31
Outlays, net (total)	4190	53	46	37
NON-INVESTMENT ACTIVITIES:				
Grants to State and local govts:				
Budget Authority	2001-01	53	50	31
Outlays	2001-02	53	46	37
Object Classification				
Direct obligations:				
Personnel compensation:				
Full-time permanent	11.1	0	0	0
Other services from non-Federal sources	25.2	0	0	0
Grants, subsidies, and contributions	41.0	49	50	31
Total new obligations	99.9	49	50	31
Employment Summary				
Direct civilian full-time equivalent employment	1001	0	0	0
Budget year budgetary resources [014-9921]				
	1000			0

## Budget Schedules - Proposal

Account Symbol and Title 14X9921 Miscellaneous Permanent Payment Accounts	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Payments to O&C counties under 1937 statute	0014	0	0	-15
Payments to CBWR counties under 1939 statute	0015	0	0	-2
Total new obligations (object class 41.0)	0900	0	0	-17
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	0	0	0
Budget authority:				
Appropriations, mandatory:				
Payments to O&C Grants lands counties under 1937 statute	1201	0	0	-15
Payments to CBWR counties under 1939 statute	1201	0	0	-2
Appropriations, mandatory (total)	1260	0	0	-17
Appropriations, mandatory - Computed Totals	1260-20	0	0	-17
Appropriation [Text]	1260-40	0	0	-17
Policy Outlays:				
New Authority	1260-61	0	0	-17
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63	0	0	0
Subtotal, outlays	1260-64	0	0	-17
Appropriation [FLTFA]	1260-40	0	0	0
Policy Outlays:				
New Authority	1260-61	0	0	0
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63	0	0	0
Subtotal, outlays	1260-64	0	0	0
Total budgetary resources available	1930	0	0	-17
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	0	0	0
Obligations incurred, unexpired accounts	3010	0	0	-17
Outlays (gross)	3020	0	0	17
Unpaid obligations, end of year	3050	0	0	0
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	0	0	0
Obligated balance, end of year	3200	0	0	0

Account Symbol and Title 14X9921				
Miscellaneous Permanent Payment Accounts	Line	2015 Act	2016 CY	2017 BY
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	0	0	-17
Outlays, gross:				
Outlays from new mandatory authority	4100	0	0	-17
Budget authority, net (mandatory)	4160	0	0	-17
Outlays, net (mandatory)	4170	0	0	-17
Budget authority, net (total)	4180	0	0	-17
Outlays, net (total)	4190	0	0	-17
NON-INVESTMENT ACTIVITIES:				
Grants to State and local govts:				
Budget Authority	2001-01	0	0	-17
Outlays	2001-02	0	0	-17
Object Classification				
Direct obligations:				
Grants, subsidies, and contributions	41.0	0	0	-17

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# Permanent Operating Funds



# PERMANENT OPERATING FUNDS

## Appropriation Language

No Appropriation Language Sheet

## Explanation

The Permanent Operating Funds Appropriation contains funds available for use by the BLM for the purposes specified in permanent laws and do not require annual appropriation action. The activities authorized by the appropriations are funded through various receipts received from the sale, lease or use of the public lands and resources. Amounts shown for 2016 and 2017 are estimates based on anticipated collections.

## Authorizations

***Forest Ecosystem Health  
& Recovery Fund (P.L.  
102-381)***

The initial purpose of this fund was to allow quick response to fire and reforestation of forests damaged by insects, disease, and fire. Expanded authorization in the 1998 Interior and Related Agencies Appropriations Act allows activities designed to reduce the risk of catastrophic damage to forests in addition to responding to damage events. Funds in this account are derived from the Federal share (defined as the portion of receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181-1 et seq., and P.L. 106-393) of receipts from all BLM timber salvage sales and all BLM forest health restoration treatments funded by this account. The authority to make deposits and to spend from this fund was provided in the 2010 Interior Appropriations Act (P.L. 111-88, 123 STAT. 2906) and was scheduled to expire at the end of fiscal year 2015. The 2015 Omnibus Appropriations Act (Section 117) extended this authority through 2020.

***Omnibus Consolidated  
Appropriations Act of  
1996, section 327***

This Act established the Timber Sale Pipeline Restoration Fund, using revenues generated by timber sales released under Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act, which directs that 75 percent of the Pipeline Fund be used to fill each agency's timber sale "pipeline" and that 25 percent of the Pipeline Fund be used to address the maintenance backlog for recreation projects on BLM and U.S. Forest Service lands after statutory payments are made to State and local governments and the U.S. Treasury.

***1985 Interior and Related  
Agencies, Appropriations  
Act (P.L. 98-473), Section  
320***

Established a permanent account in each bureau for the operation and maintenance of quarters, starting with 1985 and each fiscal year thereafter.

**75th Congress, 1st Session – Ch. 876 – August 28, 1937, 50 Stat. 874**

An Act relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon provides that 18 counties in western Oregon be paid 50 percent of the revenues from Oregon and California grant lands.

**76th Congress, 1st Session – Ch. 142-144 – May 24, 1939, 53 Stat. 753**

An Act relating to the disposition of funds derived from the Coos Bay Wagon Road grant lands provides that Coos and Douglas counties in western Oregon be paid for lost tax revenue.

**The Omnibus Budget Reconciliation Act of 1993**

Amended the *Land and Water Conservation Fund Act* and further expanded collection of recreation use fees to be deposited into a special account established for each agency in the U.S. Treasury to offset the cost of collecting fees.

**The 1993 Interior and Related Agencies Appropriations Act**

The Federal share of receipts from the disposal of salvage timber from lands under BLM jurisdiction is deposited in a special fund in the U.S. Treasury.

**Section 502(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1762(c))**

Provides for the permanent appropriation of money collected from commercial road users in lieu of user maintenance. Receipts are permanently appropriated to the BLM for road maintenance.

**Act of October 30, 1998 (P.L. 105-321)**

The legislation provides that the BLM will convey property to Deschutes County, Oregon, and the amount paid by the County pursuant to the Act, may be used by the Secretary of the Interior to purchase environmentally sensitive land east of Range 9 East of Willamette Meridian, Oregon.

**Lincoln County Conservation, Recreation and Development Act (PL 108-424)**

Addresses a wide range of public lands issues in Lincoln County, Nevada, designates as wilderness 768,294 acres of BLM-managed lands and releases from Wilderness Study Area (WSA) status 251,965 acres of public land. The Act also directs the BLM to dispose of up to 90,000 acres of public land and divides the proceeds 85 percent to a Federal fund and 15 percent to State and County entities, establishes utility corridors, transfers public lands for State and County parks, creates a 260-mile off-highway vehicle trail and resolves other public lands issues.

**Lincoln County Land Sales (P.L. 106-298)**

The *Lincoln County Land Act of 2000*, among other things, authorizes the Secretary to dispose of certain lands in Lincoln County, Nevada, to distribute the proceeds as follows: Five percent to the State of Nevada, 10 percent the County, and 85 percent to an interest bearing account that is available for expenditure without further appropriation.

**White River Oil Shale Mine, Utah Property Sale Provisions, The 2001 Interior and Related Agencies Appropriations Act (P.L. 106-291)**

The Act authorized the sale of improvements and equipment at the White River Oil Shale Mine with the proceeds to be available for expenditure without further appropriation to reimburse (A) the Administrator for the direct costs of the sale; and (B) the Bureau of Land Management Utah State Office for the costs of closing and rehabilitating the mine.

***The Federal Land Transaction Facilitation Act (P.L. 106-248)***

The Federal Land Transaction Facilitation Act (FLTFA) provides that the BLM may conduct sales of lands that have been classified as suitable for disposal under current resource management plans. This law provides that receipts from such sales may be used to acquire non-Federal lands with significant resource values that fall within the boundaries of areas now managed by the Department. FLTFA expired on July 25, 2010. It was reauthorized through July 25, 2011 by the 2010 Supplemental Appropriations Act (P.L. 111-212). The 2017 Budget includes a proposal to reauthorize FLTFA and allow lands identified as suitable for disposal in recent land use plans to be sold using the FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally sensitive lands and the administrative costs associated with conducting sales.

***Southern Nevada Public Land Management Act (P.L. 105-263).***

Provides for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition of environmentally sensitive lands in the State of Nevada. Receipts are generated primarily through the sale of public lands in the Las Vegas Valley.

***Federal Lands Recreation Enhancement Act (Title VIII of P.L. 108-447)***

Enacted as Title VIII of the Consolidated Appropriations Act, 2005, this Act provides authority for 10 years for the BLM to manage public lands for recreational purposes and to collect and spend recreation use fees. The purposes for which the collections may be spent are generally for maintenance and repair of recreation facilities, visitor services, and habitat restoration related to recreation, law enforcement related to public use and recreation, and direct operating and capital costs of the recreation fee program. The 2016 budget proposes legislation to permanently authorize the Federal Lands Recreation Enhancement Act, which will expire in December 2016. In addition, the Department will propose a general provision in the 2016 budget request to amend appropriations language to extend the authority through FY 2017.

***Energy Policy Act of 2005 (P.L. 109-58, Sections 224 and 234, Section 365, Section 332, and Section 349)***

Established three multi-year appropriations to use a portion of onshore mineral leasing receipts to improve oil and gas permit processing, facilitate the implementation of the Geothermal Steam Act, and clean up environmental contamination on the Naval Petroleum Reserve Numbered 2 in California. It also authorized the Secretary of the Interior to establish standards under which leaseholders may reduce payments owed by the reasonable actual costs of remediating, reclaiming, and closing orphaned wells.

***Public Law 109-432, White Pine County Land Sales***

Authorizes the disposal through sale of 45,000 acres in White Pine County, Nevada, the proceeds of which are distributed as follows: (a) Five percent for use in the general education program of the State of Nevada; (b) 10 percent shall be paid to the County for use for fire protection, law enforcement, education, public safety, housing, social services, transportation, and planning; and (c) the remaining 85 percent to be used to reimburse the Bureau of Land Management and the Department of the Interior for certain costs, to manage unique archaeological resources, for wilderness and endangered species protection, for improving recreational opportunities in the County, and for other specified purposes.

***Public Law 111-11,  
Omnibus  
Public Land Management  
Act of 2009***

Among numerous other things, authorizes the disposal of certain lands in the Boise District of the Bureau of Land Management, in Washington County, Utah, and in Carson City, Nevada. It authorizes the BLM to retain and spend most of the proceeds of sales of those lands to acquire lands in wilderness and other areas and for other purposes, and to pay a portion to the States in which the sold land was located.

***Sec. 347 of Public Law  
105-277, as amended by  
Public Law 108-7 and  
Public Law 113-79***

Permanently authorizes the BLM, via agreement or contract as appropriate, to enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

***Public Law 109-94,  
Ojito Wilderness Act***

Authorizes the sale of land to the Pueblo of Zia Tribe, and appropriates the proceeds of that sale to the BLM to purchase lands within the State of New Mexico.

***Public Law 113-291,  
National Defense  
Authorization Act***

Provides for permanent extension of BLM's access to the Permit Processing Improvement Fund and adds fees for applications for permit to drill as a source of deposits to the Fund.

Summary of Requirements  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	Transfers		2017 President's Budget		Requested Amount		Change from 2016			
	FTE	Amount	FTE	Amount		FTE	Amount	Program Change		FTE	Amount	FTE	Amount	FTE	Amount
								FTE	Amount						
Operations & Maintenance of Quarters	1	807	1	670	-1	-	-	+0	1	670	-	+0	-	+0	
Recreation Enhancement Act, BLM	107	21,842	121	18,662	-1	-	-	+317	121	19,204	-	+542	-	+542	
Forest Ecosystem Health & Recovery	45	12,018	48	14,633	-1	-	-	-6,540	48	7,942	-	-6,691	-	-6,691	
Timber Sale Pipeline Restoration	34	9,843	23	9,735	-1	-	-	-4,997	23	5,291	-	-4,444	-	-4,444	
Expenses, Road Maintenance Deposits	8	3,094	10	2,820	-1	-	-	+0	10	2,820	-	+0	-	+0	
Southern Nevada Public Land Sales	43	64,425	54	68,123	-1	-	-	-11,354	54	61,422	-	-6,701	-	-6,701	
Southern Nevada Earnings on Investments	-	258	-	2,000	-1	-	-	+3,000	-	5,000	-	+3,000	-	+3,000	
Lincoln County Land Sales	7	3,183	7	801	-1	-	-	-247	7	418	-	-383	-	-383	
Interest, Lincoln County Land Sales	-	17	-	200	-1	-	-	+60	-	260	-	+60	-	+60	
White Pine County Special Account	-	140	-	132	-1	-	-	-130	-	9	-	-123	-	-123	
Stewardship contract excess receipts	-	15	-	20	-1	-	-	-1	-	21	-	+1	-	+1	
Federal Land Disposal Account	-	0	-	-	-1	-	-	+4,800	-	4,800	-	+4,800	-	+4,800	
Owyhee Land Acquisition Account	-	0	-	198	-1	-	-	+1,288	-	1,450	-	+1,252	-	+1,252	
Washington County, Utah Land Acquisition Account	-	747	-	4,031	-1	-	-	-4,262	-	290	-	-3,741	-	-3,741	
Silver Saddle Endowment	-	348	-	763	-1	-	-	-790	-	54	-	-709	-	-709	
Carson City Special Account	-	6	-	48	-1	-	-	-52	-	4	-	-44	-	-44	
Ojito Land Acquisition	-	0	-	-	-1	-	-	+0	-	-	-	+0	-	+0	
NPR-2 Lease Revenue Account	-	5	2	5	-1	-	-	+0	2	5	-	+0	-	+0	
Geothermal Lease and Use Authorization Fund	-	0	-	-	-1	-	-	+0	-	-	-	+0	-	+0	
Oil and Gas Permit Processing Improvement Fund	76	11,799	430	44,192	-1	-	-	+1,844	430	51,667	-	+7,475	-	+7,475	
<b>Total, Permanent Operating Fund</b>	<b>321</b>	<b>128,547</b>	<b>696</b>	<b>167,033</b>	-	-	-	<b>-17,064</b>	<b>696</b>	<b>161,327</b>	-	<b>-5,706</b>	-	<b>-5,706</b>	

Note:

The 2016 and 2017 amounts in this table are updated from the estimates in the Appendix, Budget of the United States Government, Fiscal Year 2017. Specifically, the 2016 and 2017 estimates for the Oil and Gas Permit Processing Improvement Fund have been adjusted in this table to correctly include both estimated APD fees and 50 percent of rent revenues from onshore leases.

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## Appropriation: Permanent Operating Funds

### Program Overview

The following activities account for certain receipts received from the sale, lease, or use of public lands or resources. They are available for use by Bureau of Land Management (BLM) for the purposes specified in permanent laws and do not require annual appropriation action by Congress. Amounts shown for 2016 and 2017 are estimates based on anticipated collections. Projected collection amounts consider such factors as market and economic indicators, expected public or industry demand levels for services or sales products, fee or collection schedules or structures, and certain legislative proposals expected to be enacted into law.

**Operations & Maintenance of Quarters** – This account is used to maintain and repair all BLM employee-occupied quarters from which quarters rental charges are collected. Agencies are required to collect quarter rentals from employees who occupy Government-owned housing and quarters. This housing is provided only in isolated areas or when an employee is required to live on-site at a Federally-owned facility or reservation. The BLM currently maintains and operates 248 housing or housing units in 11 States.

**Recreation Fee Program, BLM** – The Federal Lands Recreation Enhancement Act (FLREA) of 2004, Title VIII of the Consolidated Appropriations Act, 2005, Public Law 108-447, provided a comprehensive restatement of Federal authority, including that of the BLM, to collect and spend recreation use fees. This statute replaced prior authorities enacted in the Land and Water Conservation Act, the Omnibus Budget Reconciliation Act of 1993, and the Recreational Fee Demonstration Program authority enacted in annual appropriation acts since 1996. During fiscal 2005, the BLM switched to the authorities and arrangements enacted in the FLREA.

Recreation projects operating under the former Recreational Fee Demonstration program have varying fee structures depending upon the day of week, season of use, free use days, and standardized entrance fees. Service fees, automated fee collection machines, third-party collection contracts, volunteer fee collectors, entrance booths, donations, self-serve pay stations, reservation systems, fee collection through the mail for permitted areas, special recreation permits for competitive and organized groups, and online Internet reservation payment with credit cards are examples of new collection methods the BLM has used as a result of the Recreational Fee Demonstration program. The fee structure at each site is periodically evaluated to ensure that the fees are comparable to similar sites in the surrounding area. These fees, combined with appropriated funds, are used to maintain buildings, shelters, water supply systems, fences, parking areas, and landscaping; to pump vault toilets and dump stations; to replace or repair broken or non-functioning facilities; to modify facilities to accessibility standards; and to collect trash at recreation sites.

The Administration proposes to permanently reauthorize the Department of the Interior's and the Department of Agriculture's recreation fee programs under the Federal Lands Recreation Enhancement Act, which is set to expire on September 30, 2017.

The following table provides the actual collections for 2015 and the estimated revenues projected for 2016 and 2017 from BLM recreational fee sites. In addition, the table provides

information on the number of projects approved, the type of work conducted and the amount of revenues spent for all three fiscal years.

### Recreation Fee Projects

(In thousands of dollars)

Bureau of Land Management	2015 Actual	2016 Estimated	2017 Budget
Unobligated Balance Brought Forward & Recoveries	14,995	19,866	19,443
Recreation Fee Revenues [Post-sequestration]	21,842	18,662	19,204
America the Beautiful pass	[800]	[800]	[800]
Funds Obligated	-16,971	-19,085	-19,900
<b>Unobligated Balance</b>	<b>19,866</b>	<b>19,443</b>	<b>18,747</b>
<b>Total Expenditures (outlays)</b>	<b>16,379</b>	<b>20,244</b>	<b>18,933</b>
<i>Obligations by Type of Project</i>			
Asset Repair & Maintenance			
<i>Facilities Routine/Annual Maintenance</i>	4,742	4,900	5,000
<i>Facilities Capital Improvements Health &amp; Safety</i>	170	185	200
<i>Facilities Deferred Maintenance</i>	708	1,000	1,040
<b>Subtotal, Asset Repair and Maintenance</b>	<b>5,620</b>	<b>6,085</b>	<b>6,240</b>
<i>Interp. Visitor Services, issue SRP &amp; RUP</i>	5,421	6,000	6,100
<i>Law Enforcement, Recreation</i>	2,376	2,800	2,800
<i>Habitat Restoration, Resource Protection</i>	848	800	850
<i>Collection Costs</i>	508	400	410
<i>Fee Mgmt. Agreement &amp; Reservation Services</i>	847	1,000	1,000
<i>Pass Administration and Overhead</i>			
<i>Administration, Overhead, Indirect Costs &lt;= 15%</i>	1,351	2,000	2,500
<b>Total Obligations</b>	<b>16,971</b>	<b>19,085</b>	<b>19,900</b>
<b>Total Expenditures (outlays)</b>	<b>16,379</b>	<b>20,244</b>	<b>18,933</b>

### Use of Fees

The BLM Annual Maintenance program maintains assets on recreation sites. In fiscal year 2015, the BLM maintained 92 percent of buildings and 89 percent of non-building assets in fair condition. In FY 2015, \$5.6 million of recreation fee revenue was used for annual maintenance and operations at recreation sites.

Projects that have been completed or started are quite varied in nature, and include the following accomplishments:

*Repair and Maintenance* - Recreation fee revenues have been used for maintaining existing facilities; repairing roofs; paving and grading roads and bridges; trail maintenance; repairing equipment and vehicles; adding communication systems; repairing gates, fences and flood damage; and repairing, replacing, installing, and expanding water systems.

*Improving Visitor Services* - Recreation fee revenues have been used for retrofitting restrooms and providing access to picnic areas for persons with disabilities; repairing existing restrooms or constructing new ones; landscaping recreation sites; expanding campgrounds; adding new grills and tables; constructing trails and additional tent pads; creating and adding directional signs; repairing, replacing, and constructing boat ramps; replacing and constructing boat and fishing docks; developing maps; brochures; exhibits and other outreach materials; and designing and creating interpretive displays.

*Providing for Fee Collection* - Recreation fee revenues have been used for constructing fee collection facilities, purchasing and installing lighting for exhibits and kiosks, adding seasonal positions, and expanding partnerships.

**Forest Ecosystem Health and Recovery Fund (FEHRF)** - Funds in this account are derived from the Federal share of receipts (defined as the portion of receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181-1 et seq., and P.L. 106-393, as amended) from all BLM timber salvage sales, and from BLM forest health restoration treatments funded from this account. Funds from this account are available for planning, preparing, implementing, monitoring, and reforestation of salvage timber sales and forest health restoration treatments, including those designed to release trees from competing vegetation, control tree densities, and treat hazardous fuels. Most of these treatments are implemented through service contracts or commercial timber sales. BLM projects may occur on Oregon and California Grant Lands, Coos Bay Wagon Road Grant Lands in Oregon, and on the public domain lands throughout the BLM.

The initial purpose of this fund was to allow quick response to fire and for reforestation of forests damaged by insects, disease, and fire. Expanded authorization in the 1998 Interior and Related Agencies Appropriations Act allows activities designed to promote forest health, including reducing the risk of catastrophic damage to forests in addition to responding to damage events. The Federal share of receipts in 2015 was \$12 million. The expected receipts for 2016 and 2017 are estimated to be \$14.6 million and \$7.6 million respectively.

The volume of salvage timber harvested and associated revenues in any given year may vary depending upon the severity of wildland fires, weather events such as drought and windstorms, and insect and disease mortality. The volume and value of harvest is also influenced by the demand for wood products.

In 2015, the BLM harvested approximately 70 million board feet of timber worth \$11.4 million dollars from over 5,000 acres and inventoried or monitored over 100,000 acres, from salvage and forest restoration activities using a combination of FEHRF and Public Domain Forestry

funds. In addition, in 2015 the BLM offered approximately 75.6 million board feet of FEHRF new timber sales from over 7,000 acres worth approximately \$12.3 million dollars.

In 2016 and 2017, the BLM intends to treat approximately 10,000 acres, inventory or monitor between 100,000 and 200,000 acres, and offer approximately 60.0 million board feet of timber from salvage and forest restoration activities using a combination of FEHRF and Public Domain Forestry funds. Under current law, the FEHRF fund expires at the end of 2020.

<b>Deposits and Expenditures, Forest Ecosystem Health and Recovery Fund (\$000)</b>				
<b>Year</b>	<b>Annual Deposit</b>	<b>Cumulative Deposit</b>	<b>Annual Expenditure</b>	<b>Cumulative Expenditure</b>
<b>Earlier</b>		10,648		3,412
1998	5,897	16,545	7,575	10,987
1999	5,454	21,999	9,247	16,822
2000	11,888	33,887	8,906	25,728
2001	997	34,884	5,579	31,307
2002	4,986	39,870	3,883	35,190
2003	5,003	44,873	3,698	38,888
2004	5,954	50,827	4,254	43,142
2005	6,236	57,063	4,596	47,738
2006	6,795	63,858	5,779	53,517
2007	7,274	71,132	5,865	59,382
2008	5,334	76,466	6,179	65,561
2009	6,998	83,464	5,707	71,268
2010	4,270	87,734	4,880	76,148
2011	3,793	91,527	5,308	81,456
2012	6,437	97,964	4,624	86,080
2013	6,104	104,068	5,505	91,585
2014	4,524	108,592	4,991	96,576
2015	12,018	120,610	4,559	101,135
<b>2016 Estm</b>	7,020	127,630	5,500	106,635
<b>2017 Estm</b>	5,060	132,690	5,500	112,135

**Timber Sale Pipeline Restoration Fund** – The Pipeline Fund was established under Section 327 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996. The Act established separate funds for the U.S. Forest Service (USFS) and the BLM using revenues generated by timber sales released under Section 2001(k) of the 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act. This Act directs that 75 percent of the Pipeline Fund be used to fill each agency’s timber sale “pipeline”; and, that 25 percent of the Pipeline Fund be used to address the maintenance backlog for recreation projects on BLM and USFS lands. Funds are deposited into the fund after statutory payments are made to State and local governments.

Receipts deposited in 2015 were \$9.8 million. In 2016, receipts are estimated to be \$9.7 million and in 2017 \$5.3 million. In 2016 and 2017, 100 percent of timber sale pipeline receipts from O&C Grant Lands will be deposited to the Timber Sales Pipeline Restoration Fund due to the proposed reauthorization of Secure Rural Schools payments. That law exempts deposits to permanent operating funds such as to the Timber Sales Pipeline Restoration Fund from being available for use to make Secure Rural Schools payments to western Oregon counties.

<b>Deposits and Expenditures, Timber Sale Pipeline Restoration Fund (\$000)</b>				
<b>Year</b>	<b>Annual Deposit</b>	<b>Cumulative Deposit</b>	<b>Annual Expenditure</b>	<b>Cumulative Expenditure</b>
1998	31,803	31,803	4,474	4,474
1999	3,122	38,192	10,239	14,713
2000	0	38,192	8,454	23,167
2001	6,590	41,868	7,489	30,656
2002	563	42,431	5,615	36,271
2003	2,879	45,502	5,339	41,610
2004	6,993	53,421	2,904	44,514
2005	8,843	62,301	2,887	47,401
2006	12,339	74,756	5,059	52,460
2007	10,922	85,718	8,381	60,841
2008	10,396	96,093	10,340	71,181
2009	5,162	101,274	16,768	87,949
2010	4,078	105,352	10,587	98,536
2011	4,048	109,400	4,718	103,254
2012	4,023	113,423	4,514	107,768
2013	2,889	116,313	2,106	109,874
2014	2,991	119,304	3,172	113,046
2015	9,843	129,147	4,302	117,348
<b>2016 Est.</b>	4,636	133,783	4,300	121,648
<b>2017 Est.</b>	3,648	137,431	4,300	125,948

At the end of 2015, the unobligated balance in the Fund was \$14.2 million. The BLM estimates the Fund balance will be \$14 million at the end of fiscal year 2017.

Recreation Projects Funded Through the Pipeline Fund – Significant progress has been made in western Oregon to address recreation projects using funds from the Timber Sale Pipeline Restoration Fund. Through the end of 2015, 25% of the Pipeline Fund has been used to complete millions of dollars of deferred maintenance work at recreation sites scattered throughout western Oregon on O&C lands. The principal focus of recreation spending is maintaining existing facilities, resolving critical safety needs, and meeting the requirements of the Americans with Disabilities Act. The BLM has made considerable investment in projects such as renovation of water and sewer systems, upgrading restroom facilities, improving parking areas, and adapting existing recreation sites for handicapped visitors. In 2017, the BLM

level of expenditures for recreation projects from the Pipeline Fund is estimated to be between \$700,000 and \$800,000.

Timber Sales Prepared by Use of the Pipeline Fund – Approximately 75 percent of the Timber Sale Pipeline Fund is specifically used by a multiple resource team of specialists to prepare timber sales, including all necessary NEPA, environmental inventories and analyses; timber sale layout; timber cruising and appraising; and contract preparation costs. Upon completion of these requirements, a timber sale is officially prepared and placed “on-the-shelf” in anticipation of being offered for sale in future years.

Since 2001, the BLM has harvested approximately 620 million board feet of timber from over 41,000 acres valued at approximately \$89 million dollars from the Pipeline Fund timber sales. In 2015, the BLM expended \$4.3 million from the Timber Sale Pipeline Fund and offered approximately 19.8 million board feet of timber for sale valued at approximately \$3.8 million. The BLM expects to deposit \$4.6 million in 2016 and \$3.6 million in 2017 from associated timber sales into the Pipeline Fund.

**Expenses, Road Maintenance Deposits** – This activity provides for the permanent appropriation of money collected from commercial road users in lieu of user maintenance. The receipts are permanently appropriated to the BLM for road maintenance. Users of certain roads under BLM jurisdiction make deposits for maintenance purposes. Moneys collected are available for needed road maintenance. Moneys collected on Oregon and California Grant Lands are available only for those lands (43 U.S.C. 1762(c), 43 U.S.C. 1735(b)). The BLM has authority to collect money for road maintenance from commercial users of the public lands and the public domain lands transportation system. Most of the funds generated for this account come from Oregon and California Grant Lands and are available for those lands only.

**Southern Nevada Public Land Sales** – This receipt account allows the BLM to record transactions authorized by the Southern Nevada Public Land Management Act (SNPLMA) (P.L. 105-263). The purpose of the Act is to provide for the orderly disposal of certain Federal lands in Clark County, Nevada, to meet the demands for community expansion and economic development, and to use the proceeds from these sales to address critical environmental and educational needs in Clark County and other areas of Nevada. Receipts are generated primarily through sale to the public of lands in the Las Vegas valley. Approximately 50,000 acres of public land are within the disposal boundary area.

Currently, funds collected from the land sales are distributed as follows:

- Five percent to the State General Education Fund.
- 10 percent to the Southern Nevada Water Authority to fund the infrastructure needed to support the development resulting from land sales under the Act.
- 85 percent is deposited into a special account and available to be spent by the Secretary of the Interior.

To date, SNPLMA has generated more than \$2.9 billion in deposits to the special fund, including earnings on investments, from land sales since its enactment in 1998. When SNPLMA was originally passed, proceeds from land sales under the bill were estimated at roughly \$70 million per year. Collections in 2014 and 2015 were \$61,430,000 and \$78,441,000 respectively. Sales in 2016 are projected to produce \$75,065,000. The increase is due to an increase in estimates of acres sold offsetting a lower price per acre. Estimated collections for 2017 are expected to be \$66,660,000 mainly coming from final payments received from 2016 sales and a planned fall

auction of 600 acres. Collections are reported when payments are received regardless of when sales are held and the estimates make allowance for the normal lag of 180 days between sales and collections. For more information on SNPLMA, see the 2008 report to Congress, at <http://www.blm.gov/nv/st/en/snplma.html>. See the Collections chapter for more information on anticipated land sales in 2016 and 2017.

**Lincoln County Sales** – This receipt account allows the BLM to record transactions authorized by the *Lincoln County Land Sales Act (P.L. 106-298)*, which was enacted by Congress in 2000. The purpose of the Act is to provide for the disposal of certain Federal lands in Lincoln County, Nevada. Funds accumulated in the special account may be used to:

- Preserve archaeological resources, conserve habitat, and reimburse the BLM Nevada State Office for land sale costs related to this act;
- Process public land use authorizations and rights-of-way stemming from conveyed land; and
- Purchase environmentally sensitive land or interests in land in the State of Nevada, with priority given to land outside Clark County.

In 2015, \$3,183,000 was deposited from land sales. In 2016 and 2017, deposits from land sales are estimated to be \$801,000 and \$418,000. Those estimates exclude interest deposited to the fund and payments to the State and County.

**Southern Nevada Public Land Management and Lincoln County – Earnings on Investments** – SNPLMA authorizes the Secretary to manage the collections account for the purposes set out above, and is also authorized to use interest generated from the above-mentioned funds. The BLM is authorized to invest the unspent balance of collections from SNPLMA and Lincoln County Lands Act land sale receipts. Earnings on investments for 2014 and 2015 were \$369,000 and \$275,000 respectively. Interest estimated to be earned in 2016 and 2017 is \$2,200,000 and \$5,260,000 respectively. Projected investment earnings take into account revenue from land sales, earnings on investments, and projected interest rates and outlays. Funds in the special account earn interest at a rate determined by the Secretary of the Treasury and are available for expenditure without further appropriation under the provisions of the Act.

**Stewardship "End Results" Contracting Fund** –The 2003 Omnibus Appropriations Act (P.L. 108-7), Section 323, amended Section 347 of the 1999 Appropriation Omnibus (P.L. 105-277, Oct. 21, 1998) that originally granted the USFS pilot stewardship contracting authority. Until September 30, 2013, the USFS and the BLM, via agreement or contract as appropriate, may enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forest and the public lands that meet local and rural community needs.

The Act granted the BLM the ability to utilize stewardship contracting as a tool for forest and rangeland restoration. The BLM may apply the value of timber or other forest products removed as an offset against the cost of services received, and monies from a contract under subsection (a) may be retained by the USFS and the BLM and shall be available for expenditure without further appropriation at the project site from which the monies are collected or at another project site. In 2015, the BLM deposited \$15,000 into the fund and expects to deposit \$20,000 in 2016 and \$21,000 in 2017 respectively.

The Agriculture Act of 2014 (P.L. 113-79) provides permanent stewardship contracting authority.

**Federal Land Disposal Account** – The Federal Land Transaction Facilitation Act (FLTFA), provides authority for the use of receipts from disposal actions by the BLM to purchase inholdings and lands adjacent to federally designated areas containing exceptional resources, as defined in FLTFA, from willing sellers with acceptable titles, at fair market value, to “promote consolidation of the ownership of public and private lands in a manner that would allow for better overall resource management administrative efficiency, or resource allocation.

The Act expired on July 25, 2010. On July 29, 2010, Congress passed PL 111-212, which included a one-year extension of FLTFA. Because of the break in FLTFA authority, the funds in the account on July 25, 2010 were deposited into the Land and Water Conservation Fund. This included \$37.0 million designated for land purchase and \$13.0 million designated to administer the BLM’s land sale program, for a total of approximately \$50.0 million. When the one year extension expired, the unobligated balance of \$2.2 million was transferred to the Land and Water Conservation Fund.

The Budget includes a proposal to reauthorize FLTFA and allow lands identified as suitable for disposal in recent land use plans to be sold using the FLTFA authority. FLTFA sales revenues would continue to be used to fund the acquisition of environmentally sensitive lands and the administrative costs associated with conducting sales.

**Owyhee Land Acquisition Account** – The Owyhee Land Acquisition Account was established under Section 1505 of the Omnibus Public Land Management Act of 2009. This account provides a process for orderly sale of certain public lands in Boise District of the BLM that, as of July 25, 2000, had been identified for disposal in an appropriate resource management plan. In 2015, there were no deposits, 2016 and 2017 expect to deposit \$198,000 and \$1,450,000 into the fund.

**Washington County, Utah Land Acquisition Account** – This account was established under Section 1778 of the Omnibus Public Land Management Act of 2009. This account provides a process for the orderly sale of certain public lands in Washington County, Utah, that, as of July 25, 2000, had been identified for disposal in appropriate resource management plans. Proceeds from the sale of public land are deposited into the “Washington County, Utah Land Acquisitions Account”. Amounts in the account are available to the Secretary to purchase, from willing sellers, inholdings of lands or interest in land within the wilderness areas and National Conservation Area established by the Omnibus Public Land Management Act. In 2015, the BLM deposited \$747,000 into the fund and expects to deposit \$4,031,000 in 2016 respectively and \$290,000 is estimated for 2017.

**Silver Saddle Endowment Account** – This account was established by the Omnibus Public Land Management Act of 2009, and authorizes, under certain conditions, the sale of a 62-acre parcel to Carson City, Nevada. Proceeds of the sale are to be used by the BLM for the oversight and enforcement of a perpetual conservation easement to the land to protect, preserve, and enhance the conservation values of the land. In 2015, the BLM deposited \$348,000 into the fund and expects to deposit \$763,000 in 2016 respectively and \$54,000 is estimated for 2017.

**Carson City Special Account** – This account was established by the Omnibus Public Land Management Act of 2009, and authorizes the sale of approximately 158 acres described in the law. Five percent of the proceeds will be paid directly to the State for use in the general education program of the State. The remainder is deposited in this account to reimburse the

BLM and the Forest Service for the costs of the sale and appraisals, and to acquire environmentally sensitive land or an interest in environmentally sensitive land in the city. In 2011, 2012 and 2013 there were no receipts. In 2015, the BLM deposited \$6,000 into the fund; \$48,000 is estimated in 2016; \$4,000 is estimated for 2017.

***NPR-2 Lease Revenue Account*** – Section 331 of the Energy Policy Act of 2005, P.L.109–58 transferred Naval Petroleum Reserve Numbered 2 from the Department of Energy to the Department of the Interior and appropriates a portion of revenues from mineral leases on the site to remove environmental contamination. The appropriations end when the cleanup is completed. In 2015, the BLM deposited \$5,000 into the fund. Estimated deposits in 2016 and 2017 are \$5,000 and \$5,000.

***Geothermal Steam Act Implementation Fund*** – Section 224 of the Energy Policy Act of 2005, P.L.109–58, amended the Geothermal Steam Act of 1970. The amendment provides that fifty percent of geothermal bonuses, rents, and royalties will be paid to the State and twenty-five percent will be paid to the County within the boundaries of which the leased lands or geothermal resources are or were located. Section 234 provided that twenty-five percent be deposited to the BLM Geothermal Steam Act Implementation Fund from 2006 through 2010 for the purpose of expediting the development of geothermal steam as an energy source. That authority was repealed by Congress a year early.<sup>1</sup> A deposit of \$2.7 million was made in 2010 from revenues collected in 2009 before the authority expired. No additional deposits will be made under current law. More information about this fund can be found in the Oil and Gas and Renewable Energy Management sections of the Management of Lands and Resources chapter.

***Permit Processing Improvement Fund*** –Section 365 of the Energy Policy Act of 2005, P.L.109–58, permanently directed that fifty percent of rents from onshore mineral leases for oil and gas, coal, and oil shale on Federal lands were to be deposited into the Permit Processing Improvement Fund (PPIF), and authorized BLM access to the PPIF from 2006 through 2016 for the purpose of identifying and implementing improvements and cost efficiencies in processing applications for permits to drill (APDs) and related work.

Section 3021 of the National Defense Authorization Act (NDAA), P.L. 113-291 permanently extends BLM's access to the rent receipts in the PPIF. Section 3021 of the NDAA also added fees for APDs as a source of receipts to the PPIF. Specifically, Section 3021 authorizes the Secretary in fiscal years 2016 through 2026 to charge and collect a \$9,500 APD processing fee, as indexed for inflation. The NDAA-authorized APD fee obviates the need for the \$6,500 APD processing fee that has been authorized in annual appropriations acts the last several years.

The NDAA created two sub-accounts within the PPIF to accommodate these two sources of receipts:

- The Rental Account is comprised of rents from oil, gas, and coal leases not paid to States.
- The Fee Account is comprised of fees paid with applications for permits to drill.

The law requires that the rental account is used for coordination and processing of leasing activity by BLM project offices.

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<sup>1</sup> Section 423, P.L. 111-88, (123 STAT. 2961). Department of the Interior, environment, and related agencies appropriations for the fiscal year ending September 30, 2010

The law requires that the fee account is used for the same purposes but is not limited to the activities of project offices.

In 2015, the BLM deposited \$11,799,000 into the fund. Estimated APD fees are expected to deposit \$32,761,000 in 2016 and \$38,398,000 in 2017 respectively. Pursuant to the NDAA, from 2016 through 2019, 15 percent of APD collections are subject to appropriation while 85 percent is permanently appropriated. For more information on the use of this Fund, please see the Oil and Gas Management section in the Management of Lands and Resources Chapter.

***Ojito Land Acquisition*** – The Ojito Wilderness Act authorized the sale of land to the Pueblo of Zia Indian Tribe and the purchase of land from willing sellers within the State of New Mexico. The sale to the Tribe has been completed; the BLM is planning a land purchase using the proceeds of that sale. No deposits in 2015 and none are estimated for 2016 and 2017.

## Budget Schedules - Current Law

Account Symbol and Title 14X9926 Permanent Operating Funds	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Forest ecosystem health and recovery fund	0001	4	6	6
Recreation fee demonstration	0002	17	19	19
Expenses, road maintenance deposits	0003	2	2	2
Timber sale pipeline restoration fund	0004	4	2	2
Southern Nevada public land sales (85)	0005	52	75	75
Lincoln County Lands Act	0008	2	3	3
Operation and maintenance of quarters	0013	1	1	1
Permit Processing Improvement Fund	0014	9	49	49
Geothermal Steam Act Fund	0015	0	0	0
NPR-2 Cleanup Fund	0018	0	1	1
Total new obligations	0900	91	158	158
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	578	646	644
Recoveries of prior year unpaid obligations	1021	31	0	0
Unobligated balance (total)	1050	609	646	644
Budget authority:				
Appropriations, mandatory:				
Recreation fee demonstration program	1201	137	19	19
Forest ecosystem health and recovery fund	1201	0	13	4
Timber sales pipeline restoration fund	1201	0	9	2
Expenses, road maintenance deposits	1201	0	3	3
S. Nevada public land management	1201	0	64	57
S. Nevada public land management-interest earned	1201	0	2	5
Permit processing improvement fund	1201	0	39	42
Operation and maintenance of quarters	1201	0	1	1
Washington County (Land Acquisition)	1201	0	5	1
Lincoln Cty. land sales	1201	0	1	1
Appropriation (Ojito Land Acquisition)	1201	0	0	0
Appropriation (previously unavailable)	1203	0	9	9
Appropriations and/or unobligated balance of appropriations temporarily reduced	1232	-9	-9	0
Appropriations, mandatory (total)	1260	128	156	144
Appropriations, mandatory - Computed Totals	1260-20	128	156	144
Appropriation [SNPLMA]	1260-40	77	82	38
Baseline Civilian Pay	1260-50		4	3
Baseline Non-Pay	1260-50		78	35

Policy Outlays:				
New Authority	1260-61	12	30	14
Balances (excl of EOY PY Bal)	1260-62	136	0	25
End of PY Balances	1260-63		117	73
Subtotal, outlays	1260-64	148	147	112
Baseline Outlays:				
New Authority	1260-81		30	14
Balances (excl of EOY PY Bal)	1260-82			25
End of PY Balances	1260-83		117	73
Subtotal, outlays	1260-84		147	112
Appropriation [Recreation Fees]	1260-40	16	19	22
Baseline Civilian Pay	1260-50		8	8
Baseline Non-Pay	1260-50		11	14
Policy Outlays:				
New Authority	1260-61	0	10	11
Balances (excl of EOY PY Bal)	1260-62	0	0	10
End of PY Balances	1260-63		9	0
Subtotal, outlays	1260-64	0	19	21
Baseline Outlays:				
New Authority	1260-81		10	11
Balances (excl of EOY PY Bal)	1260-82			10
End of PY Balances	1260-83		9	0
Subtotal, outlays	1260-84		19	21
Appropriation [Other Perm Operating]	1260-40	35	64	75
Baseline Civilian Pay	1260-50		15	20
Baseline Non-Pay	1260-50		49	55
Policy Outlays:				
New Authority	1260-61	0	45	52
Balances (excl of EOY PY Bal)	1260-62	0	0	13
End of PY Balances	1260-63		15	5
Subtotal, outlays	1260-64	0	60	70
Baseline Outlays:				
New Authority	1260-81		45	52
Balances (excl of EOY PY Bal)	1260-82			13
End of PY Balances	1260-83		15	5
Subtotal, outlays	1260-84		60	70
Appropriation [Sequestration]	1260-40	0	0	0
Baseline Civilian Pay	1260-50		0	0
Policy Outlays:				
New Authority	1260-61	0	0	0
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63		0	0
Subtotal, outlays	1260-64	0	0	0
Baseline Outlays:				
New Authority	1260-81		0	0
Balances (excl of EOY PY Bal)	1260-82		0	0
End of PY Balances	1260-83		0	0
Subtotal, outlays	1260-84		0	0
Effects of sequester	1260-40	0	-9	0
Baseline Civilian Pay	1260-50		0	0

Baseline Non-Pay	1260-50		-9	0
Policy Outlays:				
New Authority	1260-61	0	-9	0
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63		0	0
Subtotal, outlays	1260-64	0	-9	0
Baseline Outlays:				
New Authority	1260-81		-9	0
Balances (excl of EOY PY Bal)	1260-82		0	0
End of PY Balances	1260-83		0	0
Subtotal, outlays	1260-84		-9	0
Appropriation [Text]	1260-40	0	0	9
Baseline Civilian Pay	1260-50		0	0
Baseline Non-Pay	1260-50		0	9
Policy Outlays:				
New Authority	1260-61	0	0	9
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63		0	0
Subtotal, outlays	1260-64	0	0	9
Baseline Outlays:				
New Authority	1260-81		0	9
Balances (excl of EOY PY Bal)	1260-82		0	0
End of PY Balances	1260-83		0	0
Subtotal, outlays	1260-84		0	9
Total budgetary resources available	1930	737	802	788
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	646	644	630
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	201	113	54
Obligations incurred, unexpired accounts	3010	91	158	158
Outlays (gross)	3020	-148	-217	-212
Recoveries of prior year unpaid obligations, unexpired	3040	-31	0	0
Unpaid obligations, end of year	3050	113	54	0
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	201	113	54
Obligated balance, end of year	3200	113	54	0
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	128	156	144
Outlays, gross:				
Outlays from new mandatory authority	4100	12	76	86
Outlays from mandatory balances	4101	136	141	126

Outlays, gross (total)	4110	148	217	212
Budget authority, net (mandatory)	4160	128	156	144
Outlays, net (mandatory)	4170	148	217	212
Budget authority, net (total)	4180	128	156	144
Outlays, net (total)	4190	148	217	212

## Memorandum (non-add) entries:

Total investments, SOY: Federal securities: Par value	5000	609	634	660
Total investments, EOY: Federal securities: Par value	5001	634	660	687

## Character Classification (C)

## NON-INVESTMENT ACTIVITIES:

## Direct Federal programs:

Budget Authority	2004-01	128	156	144
Outlays	2004-02	148	217	212

## Object Classification (O)

## Direct obligations:

## Personnel compensation:

Full-time permanent	11.1	16	41	41
Full-time permanent - Allocation	11.1	4	7	7
Other than full-time permanent	11.3	2	3	3
Other than full-time permanent - Allocation	11.3	2	2	2
Other personnel compensation	11.5	1	3	3
Total personnel compensation	11.9	25	56	56
Civilian personnel benefits	12.1	7	16	16
Civilian personnel benefits - Allocation	12.1	2	3	3
Travel and transportation of persons	21.0	1	1	1
Communications, utilities, and miscellaneous charges	23.3	1	1	1
Other services from non-Federal sources	25.2	5	8	8
Other services from non-Federal sources - Allocation	25.2	23	27	27
Other goods and services from Federal sources	25.3	5	8	8
Other goods and services from Federal sources - Allocation	25.3	1	2	2
Operation and maintenance of facilities	25.4	2	3	3
Operation and maintenance of facilities - Allocation	25.4	2	2	2
Operation and maintenance of equipment	25.7	1	2	2
Supplies and materials	26.0	2	2	2
Equipment	31.0	1	2	2
Land and structures	32.0	0	3	3
Land and structures - Allocation	32.0	7	12	12
Grants, subsidies, and contributions	41.0	2	6	6
Grants, subsidies, and contributions - Allocation	41.0	4	4	4
Total new obligations	99.9	91	158	158

## Employment Summary (Q)

**Bureau of Land Management****2017 Budget Justifications**

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Direct civilian full-time equivalent employment	1001	321	696	696
<b>Appropriations Requests in Thousands of Dollars (T)</b>				
Budget year budgetary resources [014-9926]	1000			0

## Budget Schedules - Proposal

Account Symbol and Title 14X9926 Permanent Operating Funds	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Forest ecosystem health and recovery fund	0001	0	2	5
Timber sale pipeline restoration fund	0004	0	2	2
Federal land disposal fund	0005	0	0	1
Total new obligations	0900	0	4	8
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	0	0	0
Budget authority:				
Appropriations, mandatory:				
Forest ecosystem health and recovery fund	1201	0	2	2
Timber sales pipeline restoration fund	1201	0	2	1
Federal land disposal fund	1201	0	0	5
Appropriations, mandatory (total)	1260	0	4	8
Appropriations, mandatory - Computed Totals	1260-20	0	4	8
Appropriation [Timber sales]	1260-40	0	4	3
Policy Outlays:				
New Authority	1260-61	0	3	2
Balances (excl of EOY PY Bal)	1260-62	0	0	1
End of PY Balances	1260-63		0	0
Subtotal, outlays	1260-64	0	3	3
Appropriation [FLTFA]	1260-40	0	0	5
Policy Outlays:				
New Authority	1260-61	0	0	0
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63		0	0
Subtotal, outlays	1260-64	0	0	0
Total budgetary resources available	1930	0	4	8
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	0	0	1
Obligations incurred, unexpired accounts	3010	0	4	8
Outlays (gross)	3020	0	-3	-3
Unpaid obligations, end of year	3050	0	1	6
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	0	0	1

**Bureau of Land Management****2017 Budget Justifications**

Obligated balance, end of year	3200	0	1	6
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	0	4	8
Outlays, gross:				
Outlays from new mandatory authority	4100	0	3	2
Outlays from mandatory balances	4101	0	0	1
Outlays, gross (total)	4110	0	3	3
Budget authority, net (mandatory)	4160	0	4	8
Outlays, net (mandatory)	4170	0	3	3
Budget authority, net (total)	4180	0	4	8
Outlays, net (total)	4190	0	3	3
<b>Character Classification (C)</b>				
NON-INVESTMENT ACTIVITIES:				
Direct Federal programs:				
Budget Authority	2004-01	0	4	8
Outlays	2004-02	0	3	3
<b>Object Classification (O)</b>				
Direct obligations:				
Other services from non-Federal sources	25.2	0	2	5
Supplies and materials	26.0	0	2	2
Land and structures	32.0	0	0	1
Total new obligations	99.9	0	4	8

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# Miscellaneous Trust Funds



# MISCELLANEOUS TRUST FUNDS

## Appropriations Language

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.*)

## Appropriations Language Citations

**1. In addition to amounts authorized to be expended under existing laws,**

In addition to the amounts provided under other statutes for BLM operations and activities.

**2. there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737),**

This appropriation consists of both current and permanent funds. The current appropriations are the contributions authorized by the Federal Land Policy Management Act (FLPMA) section 307 (c), which allows parties to contribute funds to the BLM for resource development, protection, and management activities; for acquisition and conveyance of public lands; and for cadastral surveys on Federally controlled or intermingled lands.

**3. and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)),**

The permanent appropriation allows the BLM to spend funds contributed under the authority of the Taylor Grazing Act and under authority of various land survey acts.

**4. to remain available until expended.**

The language makes the funds available without fiscal year limitation. This type of account allows BLM a valuable degree of flexibility needed to support multi-year contracts, agreements and purchases.

## Authorizations

Statutes that authorize permanent mandatory trust funds

***The Taylor Grazing Act of 1934, as amended (43 U.S.C. 315h, 315i)***

Provides for the Secretary of the Interior to accept contributions for the administration, protection, and improvement of grazing lands, and for these funds to be deposited into the Treasury in a trust fund; the Act also permanently appropriates them for use by the Secretary.

***The Act of March 3, 1891, Section 11 (43 U.S.C. 355)***

Provides for the sale of town lots to non-Native Alaskans. This Act was repealed by FLPMA in 1976. However, the Comptroller General Opinion of November 18, 1935, and 31 U.S.C. 1321 authorize the use of trust funds to provide for survey and deed recordation of town lots occupied prior to passage of FLPMA.

***43 U.S.C. 759***

Provides for accomplishment of public surveys of whole townships through a trust fund; deposits for expenses deemed appropriated. 43 U.S.C. 761 provides for refunds from trust funds established in 43 U.S.C. 759 of costs in excess of expenses.

***31 U.S.C. 1321(a)(47) and (48)***

Classifies the activities of "Expenses, public survey work, general" and "Expenses, public survey work, Alaska" as trust funds.

***48 Stat. 1224-36***

Provides for payments in advance for public surveys.

Statutes that authorize current mandatory appropriations of trust funds.

***43 U.S.C. 1721(a) and (b) (FLPMA Section 211(a) and (b))***

Provides for the donation of funds for surveys of omitted lands.

***The Comptroller General Opinion of November 18, 1935, and 31 U.S.C. 1321***

Authorizes the use of trust funds to provide for survey and deed recordation of town lots occupied prior to passage of FLPMA.

***The Sikes Act of 1974, as amended (16 U.S.C. 670 et seq.)***

Provides for the conservation, restoration, and management of species and their habitats in cooperation with State wildlife agencies.

***Omnibus Appropriations Act, 2009, Division E—Department of the Interior, Environment, and Related Agencies Appropriations Act, 2009, P.L. 111-8, March 10, 2009***

Provides that projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis.

Summary of Requirements  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	2017 President's Budget						Change from 2016		
	FTE	Amount	FTE	Amount		FTE	Amount	Transfers FTE	Amount	Program Change FTE	Amount	Requested Amount FTE	Amount	FTE
<b>Current:</b>	<b>84</b>	<b>21,972</b>	<b>86</b>	<b>24,000</b>	-	-	-	-	-	-	<b>86</b>	<b>22,930</b>	-	<b>-1,070</b>
Conveyance of Omitted Lands	-	-	-	-	-	-	-	-	-	-	-	-	-	+0
Resource Development Protection & Management - FLPMA	61	17,610	55	19,235	-	-	-	-	-	-	55	18,378	-	-857
Resource Development Protection & Management - California Off-Highway	22	3,999	29	4,368	-	-	-	-	-	-	29	4,173	-	-195
Wildlife & Fish Conservation & Rehabilitation - Sikes Act	1	363	2	397	-	-	-	-	-	-	2	379	-	-18
Rights-Of-Way	-	-	-	-	-	-	-	-	-	-	-	-	-	+0
<b>Permanent:</b>	<b>5</b>	<b>1,505</b>	<b>7</b>	<b>2,220</b>	-	-	-	-	-	-	<b>7</b>	<b>2,220</b>	-	<b>+0</b>
Resource Development Protection & Management - Taylor Grazing Act	3	1,439	3	2,123	-	-	-	-	-	-	3	2,123	-	+0
Public Survey	2	66	4	97	-	-	-	-	-	-	4	97	-	+0
Trustee Funds - Alaska Townsites	-	-	-	-	-	-	-	-	-	-	-	-	-	+0
<b>Total, Miscellaneous Trust Fund</b>	<b>89</b>	<b>23,477</b>	<b>93</b>	<b>26,220</b>	-	-	-	-	-	-	<b>93</b>	<b>25,150</b>	-	<b>-1,070</b>

## Appropriation: Miscellaneous Trust Funds (Current and Permanent)

### Activity Description

The Land and Resource Management Trust Fund provides for resource development, protection, and management improvement of the public lands using money and services that are contributed to the BLM from non-Federal sources.

Contributions and donations of money from private individuals, companies, user organizations, State government agencies, and other non-Federal entities provide for the performance of certain conservation practices. Any money remaining after the project is completed is returned to the contributor if they desire.

#### Current Appropriations:

Funds are routinely received for the following purposes:

- **Conveyance of Omitted Lands** - This activity accounts for contributed funds for land and realty actions from non-Federal sources or applicants as agreed to through an established contribution agreement.
- **Resource Development, Protection, and Management--FLMPA** - According to FLPMA, the BLM can accept contributed money or services for resource development, protection, and management; conveyance or acquisition of public lands; and conducting cadastral surveys.
- **Resource Development, Protection and Management of California Off-Highway Vehicles** - Includes contributions from the State of California Off-Highway Vehicle license ("Green Sticker") fund. The BLM uses this fund for the development, maintenance, and operation of benefiting projects on BLM-administered public lands in California. The BLM requests these funds from the State of California each year through a competitive process. The amount awarded to the BLM varies each year.
- **Wildlife & Fish Conservation & Rehabilitation--Sikes Act** - The Sikes Act authorizes State game and fish departments to charge fees for activities such as hunting, fishing, and trapping on Federal lands. These funds are shared with the BLM and used by the BLM for the conservation, restoration, management and improvement of wildlife species and their habitat.
- **Rights-of-Way** - This activity accounts for funds contributed by private entities to pay the casework costs of processing Rights-of-Way grants requested by them.

#### Permanent Appropriations:

The following funds are permanently available as Permanent Miscellaneous Trust Funds to the Secretary of the Interior for efforts as specified by the authorizing Act:

- ***Taylor Grazing Act Contributions*** - These contributions are permanently appropriated as trust funds to the Secretary for rangeland improvement.
- ***Public Survey Contributions*** - These funds are contributions from individuals, companies or other users of the public lands, for cadastral survey services provided by the BLM.
- ***Trustee Funds, Alaska Townsites*** - These contributions are provided for the sale of town lots to non-Native Alaskans. These trust funds provide for the survey and deed transfer of town lots. Purchasers pay the cost of survey and deed transfer plus \$25. (Native Alaskans are exempt from payment.) Only lots occupied before the passage of FLPMA may be deeded to the occupants; all other lots are the property of the municipality.

## Budget Schedules

Account Symbol and Title 14X9971 Miscellaneous Trust Funds	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Resource development FLPMA	0001	13	14	14
Resource development CA OHV	0002	4	4	4
Resource development Taylor Grazing	0003	1	1	1
Public Survey	0004	0	0	0
Sikes Act	0005	0	1	1
Total new obligations	0900	18	20	20
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	53	59	64
Recoveries of prior year unpaid obligations	1021	1	0	0
Unobligated balance (total)	1050	54	59	64
Budget authority:				
Appropriations, mandatory:				
Appropriation (special or trust fund)	1201	23	25	25
Appropriation (previously unavailable)	1203	0	0	0
Appropriations and/or unobligated balance of appropriations temporarily reduced	1232	0	0	0
Appropriations, mandatory (total)	1260	23	25	25
Appropriations, mandatory - Computed Totals	1260-20	23	25	25
Appropriation [Text]	1260-40	21	25	25
Baseline Civilian Pay	1260-50		8	8
Baseline Non-Pay	1260-50		17	17
Policy Outlays:				
New Authority	1260-61	6	16	16
Balances (excl of EOY PY Bal)	1260-62	13	0	8
End of PY Balances	1260-63		8	0
Subtotal, outlays	1260-64	19	24	24
Baseline Outlays:				
New Authority	1260-81		16	16
Balances (excl of EOY PY Bal)	1260-82			8
End of PY Balances	1260-83		8	0
Subtotal, outlays	1260-84		24	24
Effects of 2014 sequester	1260-40	2	0	0
Baseline Non-Pay	1260-50		0	0
Policy Outlays:				
New Authority	1260-61	0	0	0
Balances (excl of EOY PY Bal)	1260-62	0	0	0
End of PY Balances	1260-63		0	0

Account Symbol and Title 14X9971				
Miscellaneous Trust Funds	Line	2015 Act	2016 CY	2017 BY
Subtotal, outlays	1260-64	0	0	0
Baseline Outlays:				
New Authority	1260-81		0	0
Balances (excl of EOY PY Bal)	1260-82		0	0
End of PY Balances	1260-83		0	0
Subtotal, outlays	1260-84		0	0
Total budgetary resources available	1930	77	84	89
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	59	64	69
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	10	8	4
Obligations incurred, unexpired accounts	3010	18	20	20
Outlays (gross)	3020	-19	-24	-24
Recoveries of prior year unpaid obligations, unexpired	3040	-1	0	0
Unpaid obligations, end of year	3050	8	4	0
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	10	8	4
Obligated balance, end of year	3200	8	4	0
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	23	25	25
Outlays, gross:				
Outlays from new mandatory authority	4100	6	16	16
Outlays from mandatory balances	4101	13	8	8
Outlays, gross (total)	4110	19	24	24
Budget authority, net (mandatory)	4160	23	25	25
Outlays, net (mandatory)	4170	19	24	24
Budget authority, net (total)	4180	23	25	25
Outlays, net (total)	4190	19	24	24
NON-INVESTMENT ACTIVITIES:				
Direct Federal programs:				
Budget Authority	2004-01	23	25	25
Outlays	2004-02	19	24	24

## Object Classification

Account Symbol and Title 14X9971 Miscellaneous Trust Funds		Line	2015 Act	2016 CY	2017 BY
Direct obligations:					
Personnel compensation:					
Full-time permanent	11.1	4	4	4	
Other than full-time permanent	11.3	1	1	1	
Other personnel compensation	11.5	1	1	1	
Total personnel compensation	11.9	6	6	6	
Civilian personnel benefits	12.1	2	2	2	
Other services from non-Federal sources	25.2	2	3	3	
Other goods and services from Federal sources	25.3	3	3	3	
Supplies and materials	26.0	1	1	1	
Land and structures	32.0	1	2	2	
Grants, subsidies, and contributions	41.0	3	3	3	
Total new obligations	99.9	18	20	20	
<b>Employment Summary</b>					
Direct civilian full-time equivalent employment	1001	89	93	93	
<b>Budget year budgetary resources [014-9971]</b>					
	1000			22,930	

# Helium Fund and Operations



# HELIUM FUND AND OPERATIONS

## Appropriations Language

No Appropriations Language

## Explanation

No appropriations language is necessary. The Helium Stewardship Act of 2013, Public Law No. 113-40, provides the authority and funding for operation of the program.

**Summary of Requirements**  
(dollars in thousands)

	2015 Actual		2016 Enacted		Fixed Costs	2017 President's Budget				Requested Amount		Change from 2016	
	FTE	Amount	FTE	Amount		Transfers		Program Change		FTE	Amount	FTE	Amount
						FTE	Amount	FTE	Amount				
Helium Fund	-	46,747	-	26,975	-1	-	-	-	-	-	25,654	-	(1,321)
Offsetting Collections	-	(46,747)	-	(26,975)	-1	-	-	-	-	-	(25,654)	-	1,321
Production and Sales	19	43,666	19	23,327	-1	-	-	-	-	19	20,937	-	(2,390)
Transmission & Storage Operations	19	850	19	1,350	-1	-	-	-	-	19	2,350	-	1,000
Administrative and Other Expenses	19	2,231	19	2,298	-1	-	-	-	-	19	2,367	-	69
<b>Total, Helium</b>	<b>57</b>	<b>46,747</b>	<b>57</b>	<b>26,975</b>						<b>57</b>	<b>25,654</b>	<b>-</b>	<b>(1,321)</b>

## Activity: Helium Fund and Operations

### Justification of 2017 Program Changes

The 2017 budget request for the Helium Fund and Operations program is \$25,654,000 and 57 FTE, a program decrease of \$1,321,000 from the 2016 estimate. The amount of the 2017 budget request is based on estimated costs of natural gas and liquid gas sales operations of the Crude Helium Enrichment Unit, and oversight of helium production on Federal lands. The Helium Stewardship Act of 2013 (HSA) required the BLM to hold a sale and auction in 2015 for helium that will be delivered in 2016. In 2015, the BLM held one sale, both allocated and non-allocated, and one auction. Due to extended contract negotiations with the Federal Helium System's Storage Contract Holders, the BLM received payment in FY 2016 for helium purchased in 2015 to be delivered in 2016.

### Program Overview

The Helium Act Amendments of 1960, Public Law 86–777 (50 U.S.C. 167), authorized activities necessary to provide sufficient helium to meet the current and foreseeable future needs of essential government activities. The Helium Privatization Act of 1996 (HPA), Public Law 104–273, provided for the eventual privatization of the program and its functions, specifying that once the helium debt is retired, the Helium Production Fund would be dissolved. The debt was repaid at the beginning of fiscal year 2014. The HSA, Public Law 113-40, provided for continued operation of the Helium program while facilitating a gradual exit from the helium market.

The HSA established the following goals for the BLM's Helium program:

- Continued storage and transmission of crude helium;
- Oversight of the production of helium on Federal lands; and
- Administration of in-kind and open market crude helium gas sale programs.

To minimize impacts to the helium market, the HSA provides a "glide path" for ensuring a market-based price for the sale of crude helium through an annual auction and crude helium sale until the amount in storage reaches 3.0 billion cubic feet of federally owned helium. At that point, sales to private industry will cease and the remaining helium will be reserved for Federal users until the HSA mandated disposal of the program assets and sunset of the program by September 30, 2021.

The table below shows actual and estimated revenues for 2014 through 2017. The revenues include funds from the sale of crude helium (through sales and auctions, as described above) and revenue from in-kind crude helium sales, sales of natural gas and natural gas liquids, and royalties from the extraction of helium from Federal lands. Collections in excess of operating costs were deposited to a receipt account and are not shown in the Summary of Requirements table as revenue.

Helium Program	\$ in thousands			
	2014 Actual	2015 Actual	2016 Estimate	2017 Estimate
Revenues	242,111	181,699	207,297	125,811

The BLM Helium Program is currently responsible for the following operational activities:

- Storing and transmitting Federal and private crude helium via the helium storage system;
- Administering the helium fee and royalty contracts for helium extracted from gas produced on Federal lands;
- Administering the in-kind and open market crude helium gas sale program; and
- Conducting helium resource evaluation and reserve tracking to determine the extent of helium resources.

The helium storage system ensures that excess helium produced from natural gas processing plants connected to the pipeline network is conserved for future use. Federally owned natural gas containing marketable helium reserves will be identified and contracted for sale or royalty to enhance conservation of crude helium already in storage.

### **Funding History**

The income derived from crude helium sales, private helium storage, and fee sales/royalty payments for helium extracted from Federal lands pays the full cost of the Helium Program, pursuant to the HSA.

Funds generated from the sale of helium were used to repay the Helium Debt. The Helium Debt was retired at the beginning of FY 2014.

### **2017 Program Performance**

The amount of the budget request is based on estimated costs of natural gas and liquid gas sales operations of the Crude Helium Enrichment Unit, and oversight of helium production on Federal lands. The income derived from crude helium sales, from private helium storage, and from fee sales/royalty payments for helium extracted from Federal lands will continue to pay for the full costs of the program.

**Helium Fund-** Revenues from the sale or auction of helium, as well as royalties from helium extraction on Federal lands and sales of natural gas and natural liquids byproducts from helium enrichment are deposited in the Helium Fund. In 2015, approximately \$182 million in revenues was deposited in the Helium Fund. Revenue from the 2015 sale and auction was received in early FY 2016 and is included in the FY 2016 revenue estimate.

## Budget Schedules

Account Symbol and Title 14X4053 Helium Fund	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Production and sales	0801	7	20	20
Transmission and storage	0802	3	2	2
Administration and other expenses	0803	3	2	3
Total new obligations	0900	13	24	25
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	216	148	27
Recoveries of prior year unpaid obligations	1021	1	0	0
Capital transfer of unobligated balances to general fund	1022	-100	-124	0
Unobligated balances applied to repay debt	1023	0	0	0
Unobligated balance (total)	1050	117	24	27
Budget authority:				
Appropriations, mandatory:				
Appropriations and/or unobligated balance of appropriations permanently reduced	1230	0	0	0
Appropriations, mandatory (total)	1260	0	0	0
Spending authority from offsetting collections, discretionary:				
Offsetting collections (previously unavailable)	1702	0	0	0
Spending auth from offsetting collections, disc (total)	1750	0	0	0
Spending authority from offsetting collections, mandatory:				
Collected	1800	47	25	25
Offsetting collections (previously unavailable)	1802	0	3	1
Capital transfer of spending authority from offsetting collections to general fund	1820	0	0	0
New and/or unobligated balance of spending authority from offsetting collections temporarily reduced	1823	-3	-1	0
Spending auth from offsetting collections, mand (total)	1850	44	27	26
Spending auth from offsetting collections, mand - Computed Totals	1850-20	44	27	26
Spending authority from offsetting collections [Text]	1850-40	44	24	25
Baseline Program [Text]	1850-50		24	25

Account Symbol and Title 14X4053 Helium Fund				
	Line	2015 Act	2016 CY	2017 BY
Policy Outlays:				
New Authority	1850-61	9	4	4
Balances (excl of EOY PY Bal)	1850-62	7		20
End of PY Balances	1850-63		20	0
Subtotal, outlays	1850-64	16	24	24
Baseline Outlays:				
New Authority	1850-81		4	4
Balances (excl of EOY PY Bal)	1850-82			20
End of PY Balances	1850-83		20	0
Subtotal, outlays	1850-84		24	24
Spending authority from offsetting collections [Text]	1850-40	0	3	1
Spending authority from offsetting collections [Text]	1850-50		3	1
Policy Outlays:				
New Authority	1850-61	0	3	1
Balances (excl of EOY PY Bal)	1850-62	0		0
End of PY Balances	1850-63		0	0
Subtotal, outlays	1850-64	0	3	1
Baseline Outlays:				
New Authority	1850-81		3	1
Balances (excl of EOY PY Bal)	1850-82		0	0
End of PY Balances	1850-83		0	0
Subtotal, outlays	1850-84		3	1
Budget authority (total)	1900	44	27	26
Total budgetary resources available	1930	161	51	53
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	148	27	28
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	14	10	7
Obligations incurred, unexpired accounts	3010	13	24	25
Outlays (gross)	3020	-16	-27	-25
Recoveries of prior year unpaid obligations, unexpired	3040	-1	0	0
Unpaid obligations, end of year	3050	10	7	7
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	14	10	7
Obligated balance, end of year	3200	10	7	7
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	44	27	26

Account Symbol and Title				
14X4053				
Helium Fund	Line	2015 Act	2016 CY	2017 BY
Outlays, gross:				
Outlays from new mandatory authority	4100	9	7	5
Outlays from mandatory balances	4101	7	20	20
Outlays, gross (total)	4110	16	27	25
Offsets against gross budget authority and outlays:				
Offsetting collections (collected) from:				
Non-Federal sources	4123	-47	-25	-25
Non-Federal sources (total)	4123-10	-47	-25	-25
Policy Program [Text]	4123-41	-47	-25	-25
Baseline Program [Text]	4123-71		-25	-25
Budget authority, net (mandatory)	4160	-3	2	1
Outlays, net (mandatory)	4170	-31	2	0
Budget authority, net (total)	4180	-3	2	1
Outlays, net (total)	4190	-31	2	0
Memorandum (non-add) entries:				
Unexpired unavailable balance, SOY: Offsetting collections	5090	0	3	1
Unexpired unavailable balance, EOY: Offsetting collections	5092	3	1	0
Unexpired unavailable balance, SOY: Appropriations	5096	0	0	0
Unexpired unavailable balance, EOY: Appropriations	5098	0	0	0
<b>INVESTMENT ACTIVITIES:</b>				
Physical assets:				
Major equipment:				
Other physical assets:				
Direct Federal programs:				
Budget Authority	1352-01	-3	2	1
Outlays	1352-02	-31	2	0
<b>Balance Sheet</b>				
<b>ASSETS:</b>				
Federal assets:				
Fund balances with Treasury	1101	230		
Other Federal assets:				
Inventories and related properties	1802	95		
Property, plant and equipment, net	1803	9		
Other assets	1901	179		
Total assets	1999	513		
<b>LIABILITIES:</b>				
Federal liabilities:				
Debt	2103	0		
Other	2105	289		
Total liabilities	2999	289		

Account Symbol and Title 14X4053 Helium Fund		Line	2015 Act	2016 CY	2017 BY
<b>NET POSITION:</b>					
Cumulative results of operations		3300	224		
Total liabilities and net position		4999	513		
<b>Object Classification</b>					
Reimbursable obligations:					
Personnel compensation:					
Full-time permanent		11.1	4	5	5
Civilian personnel benefits		12.1	1	1	1
Communications, utilities, and miscellaneous charges		23.3	3	4	4
Other services from non-Federal sources		25.2	4	6	7
Supplies and materials		26.0	1	2	2
Equipment		31.0	0	1	1
Grants, subsidies, and contributions		41.0	0	5	5
Total new obligations		99.9	13	24	25
<b>Employment Summary</b>					
Reimbursable civilian full-time equivalent employment		2001	57	57	57

# Abandoned Wells Remediation Fund



# ABANDONED WELLS REMEDIATION FUND

## Appropriations Language

(b) ABANDONED WELL REMEDIATION.—Section 349 of the Energy Policy Act of 2005 (42 U.S.C. 15907) is amended by adding at the end the following:

“(j) FEDERALLY DRILLED WELLS.—Out of any amounts in the Treasury not otherwise appropriated, \$10,000,000 for fiscal year 2014, \$36,000,000 for fiscal year 2015, and \$4,000,000 for fiscal year 2019 shall be made available to the Secretary, without further appropriation and to remain available until expended, to remediate, reclaim, and close abandoned oil and gas wells on current or former National Petroleum Reserve land.”.

## Appropriations Language Citations and Authorizations

**Public Law 113-40, Helium  
Stewardship Act of 2013**

Provides funding to remediate, reclaim and close abandoned oil and gas wells on current and former National Petroleum Reserve Land.

**Summary of Requirements**  
*(dollars in thousands)*

	2015 Actual		2016 Enacted		Fixed Costs	Transfers		2017 President's Budget		Requested Amount	Change from 2016			
	FTE	Amount	FTE	Amount		FTE	Amount	Program Change			FTE	Amount	FTE	Amount
								FTE	Amount					
Abandoned Wells Remediation	2	33,372	2	-	-	-	-	-	-	2	-	-		

*Note: The 2015 actual amount reflects sequester in 2015*

## Activity: Abandoned Wells Remediation Fund

### Program Overview

This permanent appropriation was enacted in the Helium Stewardship Act of 2013.

#### Program Components

The BLM is responsible for managing 136 wells within the 22.8 million acre National Petroleum Reserve in Alaska (NPR-A). All well sites have been thoroughly reviewed and grouped into three categories:

Wells Requiring No Additional BLM Action	71
Wells Currently In Use By USGS	18
Wells Currently Requiring BLM Action	47

18 of the 47 wells requiring BLM action will be remediated under current task orders and requests for proposals. The wells requiring no additional action include those wells that have previously been remediated by the BLM or other Federal agencies, those conveyed to the North Slope Borough under the Barrow Gas Field Transfer Act of 1984 (P.L. 98-366), and shallow test boreholes that present no subsurface or surface risks. The wells currently being used by the U.S. Geological Survey (USGS) are part of climate change monitoring studies, and the BLM will work with the USGS to establish a plan for the eventual disposition and remediation of these wells when they are no longer necessary for research.

There were 50 wells analyzed based on details from the 2013 Legacy Wells Summary Report (released May 2013) and put into an action plan within the 2013 Legacy Wells Strategic Plan (released September 2013), of which 3 have since been remediated. The 50 wells accounted for the potential surface and subsurface risks posed to human health, safety, and the environment. The plan presents a near-term strategy for addressing the highest priority wells. The strategy is dynamic and flexible, meaning that the order of remediation work will be adjusted as site conditions change and additional information becomes available.

#### Critical Factors

- The BLM will use an adaptive management approach and adjust to the dynamic situation on the ground in the NPR-A by continuing to conduct risk evaluations, monitor changing site conditions, evaluate strategic plan effectiveness, and develop new or updated actions if necessary to remediate legacy well sites.
- The BLM will continue to work with stakeholders, such as the North Slope Borough (NSB) and the Arctic Slope Regional Corporation, to coordinate well plugging and clean-up activities, determine future prioritization, and assure cost effective closure of legacy well sites. The BLM will coordinate with Barrow Gas Field staff and the Alaska Oil and Gas Conservation Commission (AOGCC) on technical concerns for each well, and with the NSB to identify research opportunities in the Simpson Peninsula. The BLM will coordinate any contaminant investigation of a potential release with the Alaska Department of Environmental Conservation (ADEC) and appropriate stakeholders.

## 2017 Program Performance

The September 2013 passage of the Helium Stewardship Act of 2013 (Helium Act) included a provision to fund BLM's legacy well cleanup efforts with \$50 million dollars over fiscal years 2014 to 2019. The BLM continues to follow the path outlined in the 2013 Legacy Wells Strategic Plan for the duration of available funding from this Abandoned Well Remediation Fund.

In fiscal year 2015, approximately \$10 million dollars of this allocation was spent remediating three wells at Umiat, and conducting surface clean-up of three wells on the Simpson Peninsula. Because the wells at Umiat are complete, the BLM plans to continue work in two separate geographic areas; Barrow and the Simpson Peninsula in 2016.

On December 4, 2015, the BLM awarded contracts to two Alaska Native-owned businesses for remediation of legacy wells in the NPR-A. The Indefinite Delivery Indefinite Quantity (IDIQ) contracts will enable the two companies to compete for individual task orders for the efficient cleanup of priority legacy well sites. The contracts will use the remaining \$40 million allocated under the Helium Act. With this IDIQ, BLM will be able to expeditiously award individual task orders and reduce overall costs.

The first task order was awarded to Marsh Creek, LLC, to complete the remediation of four legacy wells near Barrow, Alaska. The legacy wells are: Avak #1, Barrow Core Rig Test #2, Iko Bay #1, and South Barrow #3. On-site work is expected to begin the end of January or beginning of February 2016, depending on weather conditions.

The BLM has also issued 2 requests for proposals (RFPs); the first to perform various levels of remediation of 11 wells in the vicinity of Cape Simpson. The legacy wells are: Simpson Core Tests #13, #14, #14A, #15, #26, #27, #28, #29, #30, #30A, and #31. Proposals were received on January 13, 2016. The second RFP addresses the 3 remaining wells in Barrow and includes: Arcon Barrow Core Test #1, South Barrow #1, and South Barrow #2.

The BLM will review contractor bids for these proposals in January and February 2016. If the proposals allow BLM to fund the remediation of the 18 wells identified in the task orders, there will be 29 remaining wells identified in the 2013 Legacy Wells Strategic Plan that will still require remediation.

The 2017 budget request for BLM's Oil and Gas Management program includes a \$2.8 million increase for addressing Alaska legacy wells that will supplement permanent funds provided in the Helium Stewardship Act.

## Budget Schedules

Account Symbol and Title 14X2640 Abandoned Well Remediation Fund	Line	2015 Act	2016 CY	2017 BY
<b>Program and Financing (P) (\$ in Millions)</b>				
Obligations by program activity:				
Abandoned Well Remediation Fund (Direct)	0001	9	15	10
Total new obligations (object class 25.2)	0900	9	15	10
Budgetary resources:				
Unobligated balance:				
Unobligated balance brought forward, Oct 1	1000	10	34	19
Budget authority:				
Appropriations, mandatory:				
Appropriation	1200	36	0	0
Appropriations and/or unobligated balance of appropriations permanently reduced	1230	-3	0	0
Appropriations, mandatory (total)	1260	33	0	0
Appropriations, mandatory - Computed Totals	1260-20	33	0	0
Appropriation [Abandoned well remediation fund]	1260-40	33	0	0
Baseline Civilian Pay	1260-50		0	0
Baseline Non-Pay	1260-50		0	0
Policy Outlays:				
New Authority	1260-61	0	0	0
Balances (excl of EOY PY Bal)	1260-62	8	0	0
End of PY Balances	1260-63		8	8
Subtotal, outlays	1260-64	8	8	8
Baseline Outlays:				
New Authority	1260-81		0	0
Balances (excl of EOY PY Bal)	1260-82			0
End of PY Balances	1260-83		8	8
Subtotal, outlays	1260-84		8	8
Total budgetary resources available	1930	43	34	19
Memorandum (non-add) entries:				
Unexpired unobligated balance, end of year	1941	34	19	9
Change in obligated balance:				
Unpaid obligations:				
Unpaid obligations, brought forward, Oct 1	3000	0	1	8
Obligations incurred, unexpired accounts	3010	9	15	10
Outlays (gross)	3020	-8	-8	-8
Unpaid obligations, end of year	3050	1	8	10

Account Symbol and Title				
14X2640				
Abandoned Well Remediation Fund	Line	2015 Act	2016 CY	2017 BY
Memorandum (non-add) entries:				
Obligated balance, start of year	3100	0	1	8
Obligated balance, end of year	3200	1	8	10
Budget authority and outlays, net:				
Mandatory:				
Budget authority, gross	4090	33	0	0
Outlays, gross:				
Outlays from mandatory balances	4101	8	8	8
Budget authority, net (mandatory)	4160	33	0	0
Outlays, net (mandatory)	4170	8	8	8
Budget authority, net (total)	4180	33	0	0
Outlays, net (total)	4190	8	8	8
<b>INVESTMENT ACTIVITIES:</b>				
Physical assets:				
Construction and rehabilitation:				
Research and development facilities:				
Direct Federal Programs:				
Budget Authority	1312-01	33	0	0
Outlays	1312-02	8	8	8
<b>Object Classification</b>				
Direct obligations:				
Other services from non-Federal sources	25.2	9	15	10
<b>Employment Summary</b>				
Direct civilian full-time equivalent employment	1001	2	2	2

# Administrative Provisions



# ADMINISTRATIVE PROVISIONS

## Appropriations Language

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$10,000: *Provided*, That notwithstanding Public Law 90–620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016.*)

## Appropriation Language Citations

**44 U.S.C. 501** provides that all executive, congressional, and judicial printing must be done at the GPO, except for printing in field plants operated by executive departments or independent offices if approved by the Joint Committee on Printing.

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# Appendices



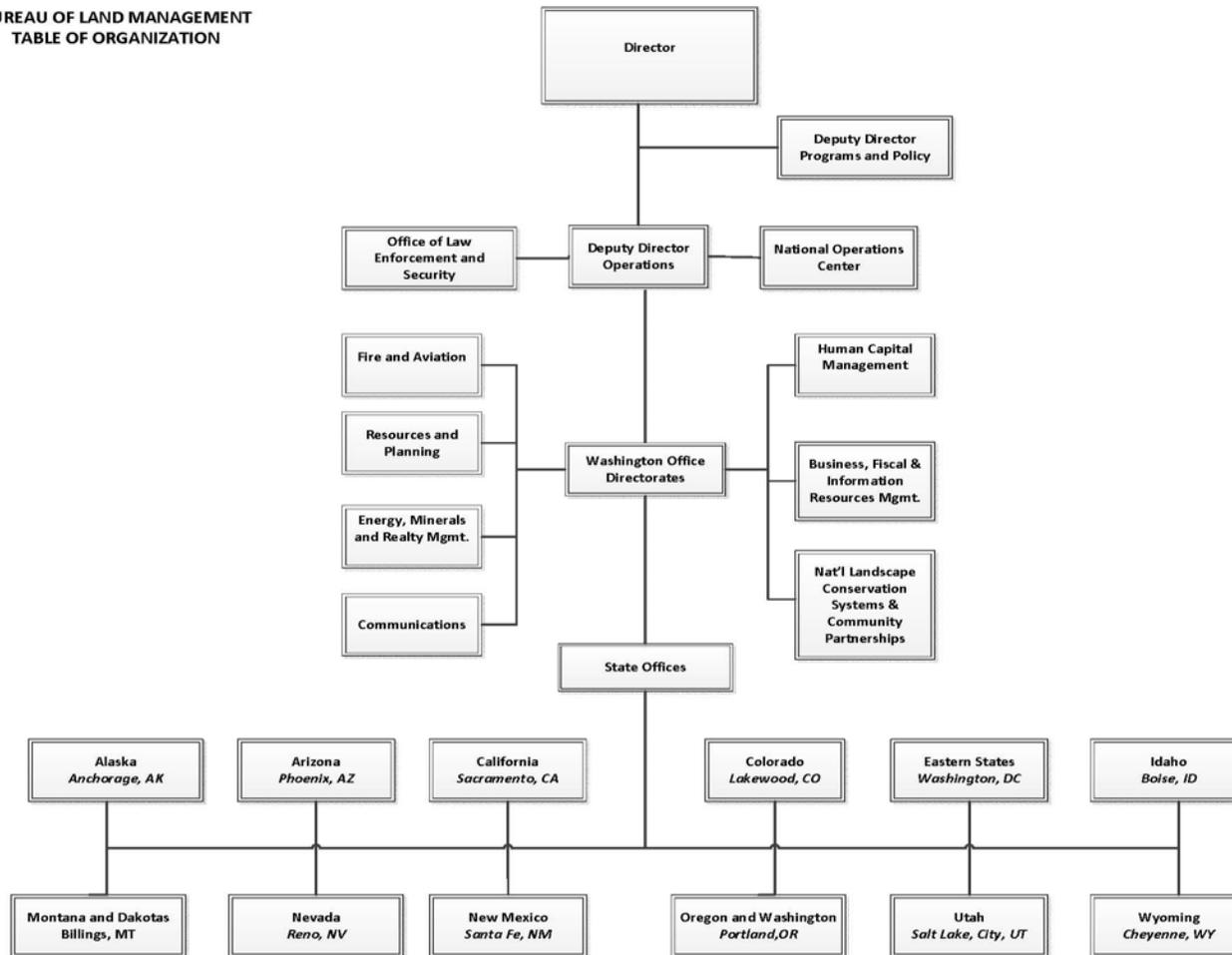
# EMPLOYEE COUNT BY GRADE

## Employee Count by Grade (Total Employment)

	Prior Year Actuals (2015)	Current Year Estimate (2016)	Budget Year Estimate (2017)
Executive Level V .....	1	1	1
SES .....	18	18	18
<b>Subtotal</b> .....	<b>19</b>	<b>19</b>	<b>19</b>
SL - 00 .....	0	0	0
ST - 00 .....	0	0	0
<b>Subtotal</b> .....	<b>0</b>	<b>0</b>	<b>0</b>
GS/GM -15 .....	92	92	92
GS/GM -14 .....	341	352	363
GS/GM -13 .....	922	927	934
GS -12 .....	1,516	1,527	1,538
GS -11 .....	2,512	2,519	2,526
GS -10 .....	59	59	59
GS - 9 .....	1,087	1,099	1,106
GS - 8 .....	245	246	247
GS - 7 .....	1,074	1,074	1,074
GS - 6 .....	511	511	511
GS - 5 .....	562	562	562
GS - 4 .....	432	432	432
GS - 3 .....	266	266	266
GS - 2 .....	34	34	34
GS - 1 .....	0	0	0
<b>Subtotal</b> .....	<b>9,653</b>	<b>9,700</b>	<b>9,744</b>
Other Pay Schedule Systems .....	475	477	481
<b>Total employment (actuals &amp; estimates)</b> .....	<b>10,147</b>	<b>10,196</b>	<b>10,244</b>
* Number of actual employees, whether employees are full or part-time.			
<b>Total FTE usage (actual &amp; projected)</b> .....	<b>9,451</b>	<b>9,641</b>	<b>9,727</b>

# TABLE OF ORGANIZATION

BUREAU OF LAND MANAGEMENT  
TABLE OF ORGANIZATION



**From:** Feldgus, Steve  
**To:** [Patrick Wilkinson \(p2wilkin@blm.gov\)](mailto:p2wilkin@blm.gov)  
**Subject:** FW: Natural Resources Democrats: Weekly Memos  
**Date:** Monday, February 29, 2016 2:29:36 PM  
**Attachments:** [FC 03-01-16 DOI FY17 Budget Oversight Hearing Memo.pdf](#)  
[EMR 03-02-16 BLM-BOEM-BSEE FY17 Memo.pdf](#)

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And here are our memos for the hearings this week...

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**From:** Gallagher, Peter  
**Sent:** Monday, February 29, 2016 1:34 PM  
**To:** Natural Resources Dems All LAs  
**Subject:** Natural Resources Democrats: Weekly Memos

Good Afternoon LA's,

Attached are this week's hearing memos from the Natural Resources Democrats. Includes:

- Full Committee Oversight Hearing with Secretary Jewell on **Tuesday, March 1<sup>st</sup> at 10:00 AM in Longworth 1324** titled, "Examining the Department of the Interior's Spending Priorities and the President's Fiscal Year 2017 Budget Proposal."
- Water, Power and Oceans Subcommittee Legislative Hearing on **Tuesday, March 1<sup>st</sup> at 2:00 PM in Longworth 1334** on the following bill:
  - [H.R. 4576](#), (Rep. Amata Radewagen), a bill to implement the Conventions on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean, to implement the Convention on the Conservation and Management of High Seas Fisheries Resources in the South Pacific Ocean, and for other purposes. "Ensuring Access to Pacific Fisheries Act"
- Energy and Mineral Resources Subcommittee Oversight Hearing on **Wednesday, March 2<sup>nd</sup> at 10:00 AM in Longworth 1324** titled, "The Impact of the President's FY 2017 Budget on the Energy and Mineral Leasing and Production Missions of the Bureau of Ocean Energy Management (BOEM), the Bureau of Safety and Environmental Enforcement (BSEE), and the Bureau of Land Management (BLM)."

As a reminder, the Natural Resources Democratic Staff will be holding our weekly LA briefing **today at 4:00 PM in Longworth 1334.**

Thanks,

**Peter Gallagher**  
Clerk

House Committee on Natural Resources  
Ranking Member Raúl Grijalva (D-AZ)  
Washington, DC 20515  
202.225.6065

**Connect with the Committee Democrats:**

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FEBRUARY 29, 2016

MEMORANDUM

**TO: DEMOCRATIC MEMBERS AND STAFF  
COMMITTEE ON NATURAL RESOURCES**

**FROM: DEMOCRATIC COMMITTEE STAFF (5-6065)**

**RE: DEPARTMENT OF THE INTERIOR SPENDING AND THE PRESIDENT’S FISCAL YEAR 2017  
BUDGET PROPOSAL**

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Tomorrow, **Tuesday, March 1, 2016, at 10:00am, in room 1324** of the Longworth House Office Building, the Committee on Natural Resources will hold an oversight hearing entitled: “*Examining the Department of the Interior’s Spending Priorities and the President’s Fiscal Year 2017 Budget Proposal.*”

WITNESS

The Honorable Sally Jewell, Secretary, Department of the Interior

OVERVIEW

The Department of the Interior (DOI) is responsible for the stewardship of 20 percent of the Nation’s lands, oversees the development of 21 percent of the nation’s energy supplies, manages the water supply in 17 western states, and maintains relationships with 566 federally recognized Tribes. The 2017 budget request is \$13.4 billion, an increase of 1.9% over the 2016 enacted level. The Department expects to generate \$10.2 billion in revenue for the U.S. Treasury in the coming fiscal year. The budget request also includes revenue and saving legislation estimated to generate more than \$4.5 billion, if enacted.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT (OSM)

	FY 2015 <i>Actual</i>	FY 2016 <i>Enacted</i>	FY 2017 <i>Request</i>	Change from FY16 to FY17
<i>(millions)</i>	\$150.147	\$240.556	\$157.925	-\$82.631

OSM is responsible for ensuring that coal mining is conducted in a manner that protects communities and the environment, restoring the land to beneficial use after mining, and mitigating the effects of past mining. The large apparent decrease in the FY2017 request is due to the inclusion of an additional \$90 million in the FY2016 Omnibus for the remediation of abandoned mine land (AML) sites that would help support economic and community development in coal communities. The FY2017 budget proposal includes \$200 million per year over five years for identical purposes under the POWER+ legislative proposal.

*Selected Budget Proposals*

- **POWER+** would provide \$1 billion of unappropriated AML Reclamation funds over 5 years to revitalize economically depressed Appalachian communities. Currently the AML Reclamation Fund has an unappropriated balance of roughly \$2.5 billion. Mr. Cartwright is the lead Democratic cosponsor of Rep. Hal Rogers’ RECLAIM Act (H.R. 4456), which would enact this proposal.
- Establishment of a hardrock mining displaced materials fee to fund **reclamation of abandoned hardrock mines**, similar to the existing system for abandoned coal mines. The fee would raise an estimated \$200 million per year, and is included in Ranking Member Grijalva’s Hardrock Mining Reform and Reclamation Act (H.R. 963).
- **Terminate permanent AML appropriations** to states/tribes that have completed their reclamation projects (“certified” states), saving the taxpayer \$520 million over 10 years. The recent transportation bill (FAST Act; P.L. 114-94) lifted the existing cap on payments to certified states and tribes, and also provided a \$241.9 million payment to Wyoming to cover the money that state would have received had the recent caps not been in place.
- Transfer an additional \$375 million to the **United Mine Workers of America Health and Retirement Funds** in order to ensure the long-term solvency of those plans.

*Republican Response Expected*

The Majority will continue to attack the proposed Stream Protection Rule (SPR), which OSM published in the Federal Register on July 27, 2015. The House passed the STREAM Act, which would block the rule, along partisan lines in January of this year, with Republicans relying on inflated industry-estimates of coal job losses to make their case (such as projecting more coal miner job losses in Appalachia than the current number of coal miners in that region). While the Majority held 12 hearings investigating the development of the SPR prior to its issuance, they have held no hearings on it since it was released. Also, OSM has calculated that the SPR would only cause a net loss of 10 jobs.

The Natural Resources Majority has also been critical of the POWER+ plan, likening it to “plant[ing] orchards on reclaimed coal mines”, but that was before the Chairman of the Appropriations Committee introduced H.R. 4456.

**Staff Contact: Steve Feldgus (6-9971)**

**BUREAU OF OCEAN ENERGY MANAGEMENT (BOEM)**

	FY 2015 <i>Actual</i>	FY 2016 <i>Enacted</i>	FY 2017 <i>Request</i>	Change from FY16 to FY17
<i>(millions)</i>	\$169.770	\$170.857	\$175.138	+\$4.281

The Bureau of Ocean Energy Management manages the development of the nation’s offshore resources, including management of oil and gas lease sales and oversight of renewable energy siting on the Outer Continental Shelf (OCS).

*Selected Budget Proposals*

- **Risk Management Program** – BOEM is requesting an additional \$2.9 million to expand its risk management program, which is used to protect taxpayers from being on the hook for offshore decommissioning costs.
- **Staffing for Resource Development** – BOEM is requesting an increase of \$867,000 to hire additional personnel for overseeing conventional energy development and conducting environmental reviews.
- **Renewable Energy** – BOEM is requesting a decrease of \$412,000 in its renewable energy program to accommodate other priorities. The reduced funding would result in fewer task force meetings and stakeholder workshops, and negatively affect data gathering and analysis.

*Republican Response Expected*

Republicans continue to complain about the lack of access to OCS resources and have sought assurances from Secretary Jewell that the Arctic and Atlantic lease sales in the **Draft Proposed 2017-2022 Offshore Leasing Program (DPP)** will be kept in the final program. They are also likely to highlight the number of sales per year (a meaningless metric), or the declining number of acres under lease or active rigs in the Gulf, which have been declining in shallow-water in recent years due to the drop in oil prices. However, activity in the deepwater Gulf of Mexico remains robust, and oil production from the Gulf of Mexico in 2015 reached the highest level since before the *Deepwater Horizon* explosion. The Energy Information Administration projects continued production increases, building to a record level in 2017.

The Majority will protest the administration’s proposal to end **Gulf of Mexico Energy Security Act (GOMESA)** revenue sharing to states. GOMESA currently provides for Louisiana, Texas, Mississippi, and Alabama to share up to \$375 million in offshore revenues each year, starting in FY 2017. Some environmental groups have also opposed the Administration’s proposal since the GOMESA revenues in Louisiana would fund coastal restoration. BP’s Clean Water Act penalties for the *Deepwater Horizon* will also fund Gulf Coast restoration under the RESTORE Act.

The Majority will also likely complain about the slow pace of permitting **seismic surveys** in the Atlantic.

**Staff Contact: Steve Feldgus (6-9971)**

**BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT (BSEE)**

	FY 2015 <i>Actual</i>	FY 2016 <i>Enacted</i>	FY 2017 <i>Request</i>	Change from FY16 to FY17
<i>(millions)</i>	\$204.625	\$204.671	\$204.867	+\$0.196

BSEE is responsible, primarily, for permitting and regulating offshore oil and gas activities and conducting oil spill response research. BSEE was created in the aftermath of the *Deepwater Horizon* incident, and has been provided funding in recent years to increase its inspection and permitting capabilities above those of the former Minerals Management Service.

*Selected Budget Proposal*

- **Offshore Inspections** – Currently, BSEE charges inspection fees for production platforms once a year, regardless of how many times a platform is inspected. The FY2017 budget proposes to change that from a per-year fee to a per-inspection fee.

*Republican Response Expected*

In the immediate aftermath of the *Deepwater Horizon*, Republicans criticized the Administration in general, and BSEE in particular, for slow-walking the permitting of new offshore drilling on the Outer Continental Shelf. As BSEE staffed up and companies got used to new environmental and safety standards, the pace of permitting increased significantly, and those complaints are now rarely heard. However, Republicans still claim that offshore production is down as part of their broader (and incorrect) argument that all the increase in domestic oil and gas production has occurred on state and private lands, and production has gone down on federal lands.

In fact, from 2008 to 2014, onshore federal oil production went up 45 percent. Offshore, there was a decline in oil production after the peak year of 2009, but production has rebounded and in 2015 reached the highest level since before the *Deepwater Horizon* explosion. The Energy Information Administration predicts that offshore oil production will hit record levels in 2017.

Republicans will also attack two proposed regulations that BSEE issued in the past year:

Well Control – instituting new standards for blowout preventers, the critical last-resort safety device for drilling operations that failed during the *Deepwater Horizon*.

Arctic Standards – strengthening regulations to account for the unique and challenging conditions in the Arctic Ocean.

The Majority will likely tout inflated industry cost estimates of the Well Control rule.

**Staff Contact: Steve Feldgus (6-9971)**

**U.S. GEOLOGICAL SURVEY (USGS)**

	FY 2015 <i>Actual</i>	FY 2016 <i>Enacted</i>	FY 2017 <i>Request</i>	Change from FY16 to FY17
(millions)	\$1,045	\$1,062	\$1,168.8	+\$106.8

The mission of the USGS is to provide reliable scientific information to describe and understand the Earth, minimize loss of life and property from natural disasters, support the sustainable stewardship of land and water, and manage biological, energy, and mineral resources.

*Selected Budget Proposals*

- **Energy & Mineral Resources, and Environmental Health** – The FY2017 budget includes increases of \$1 million to identify and evaluate new sources of critical minerals, \$2 million to study the environmental impacts of uranium mining near the Grand Canyon, \$559,000 to study the

environmental impacts of mining for other elements, and \$1.15 million to study the impacts of unconventional oil and gas development.

- **Natural Hazards** – The USGS is requesting an additional \$10.7 million to support their natural hazards programs, including \$800,000 to expand seismic monitoring in the Central and Eastern United States, \$700,000 to study induced seismicity, \$2.1 million for resilient coastal landscapes and communities, and \$3.5 million for helping vulnerable Arctic and island communities prepare for climate change impacts.
- **Climate and Land-Use Change** – The USGS proposes a budget increase of \$31.5 million above FY2016 levels for climate change and land use science: \$5.6 million of that increase would go to the Climate Variability program to establish the Great Lakes Climate Science Center, promote climate science partnerships with tribes, and conduct drought and glacier research; \$25.6 million of the increase goes to the Land Use Change program, with a \$15.4 million increase to support development of the next Landsat satellite.
- **Water Resources Information** – The USGS proposes a budget increase of \$17.3 million to provide improved scientific information on our nation’s water quality and availability, and enhanced water monitoring to anticipate and respond to water-related emergencies such as floods and droughts.

*Republican Response Expected*

Republicans are likely to express their concerns over the lack of U.S. critical minerals production. While the nation does import a significant portion of its mineral needs, the USGS funding is critical for the evaluation of current U.S. mineral supplies, including alternative sources, as well as expected production and demand.

Republicans may also question the high level of funding requested for all programs, especially those related to climate change.

**Staff Contact for Water Programs: Matt Muirragui (6-1902)**  
**Staff Contact for Other USGS Programs: Steve Feldgus (6-9971)**

**BUREAU OF LAND MANAGEMENT (BLM)**

	FY 2015 <i>Actual</i>	FY 2016 <i>Enacted</i>	FY 2017 <i>Request</i>	Change from FY16 to FY17
(millions)	\$1,138.6	\$1,252.4	\$1,259.4	+\$7

BLM manages more than 247 million acres of land and 700 million acres of subsurface mineral estate under the principles of multiple use and sustained yield. On its lands, BLM oversees oil and gas and renewable energy development, grazing, wildlife, recreation, timber harvesting, and more. BLM also manages the National Conservation Lands, which are managed primarily for conservation rather than multiple use.

## *Selected Budget Proposals*

- **Oil and Gas Management** – BLM requests a \$20.6 million increase in their Oil and Gas Management budget, offset by the proposal to charge **onshore inspection fees**, as is currently done offshore, which would raise approximately \$48 million. BLM proposes increases to implement **new oil and gas measurement regulations** (\$13.1M), improve their **IT system** (\$2.2M), address **abandoned federal wells** in the National Petroleum Reserve–Alaska (\$2.8M) **permit processing** (\$3M), and provide higher salaries for certain technical employees (\$2.6M).
- **Oil and Gas Reforms** – The budget continues longstanding Administration proposals to raise revenues by adjusting onshore royalty rates, enacting a non-producing lease fee, reform the royalty valuation process, repeal royalty relief, and more. Combined, the reforms are estimated to raise \$2.5 billion over 10 years.
- **America’s Great Outdoors** – BLM’s budget request supports the administration’s commitment to long-term, community driven conservation and stewardship of public lands by including a \$2.0 million program increase for the Recreation Resources Management program, which will enable the agency to implement its National Recreation Strategy, promoting recreation opportunities through partnering with local communities and improving access to information and visitor accessibility. Additionally, the budget requests a \$1.1 million program increase for Culture Resource Management.
- **Building a Landscape Level of Understanding of Our Resources** – In order to understand and mitigate the impacts of climate change, BLM is focused on moving toward a science-driven, landscape-level approach to planning and management. To support this work the budget includes a \$6.9 million increase for Resource Management Planning and Assessment, in addition to a \$4.3 million increase to support the Assessment, Inventory, and Monitoring (AIM) Strategy. AIM is a system of data collection protocols and field based implementation tools will ensure that BLM decision making is guided by accurate data and the best available science.
- **National Conservation Lands** – The National Conservation Lands is a collection of over 27 million acres of public land managed by the BLM for their unique contribution to the nation’s cultural, historical, and natural heritage. Since Congress formally established the system in 2009, this network of iconic landscapes and rich cultural treasures has been chronically underfunded and short staffed. To celebrate the 15th Anniversary of the National Conservation Lands, BLM is requesting a program increase of \$13.6 million, which would bring program funding to a historic high \$50.1 million. This will ensure adequate funding to meet the facilities and operational maintenance backlog, sufficient oversight, and increased visitor services. National Conservation Lands, while only comprising a small portion of the land managed by the agency, receives over one-third of all visitors to BLM land.
- **Land Acquisition** – BLM proposes \$88.7 million for land acquisition funded through the Land and Water Conservation Fund. This includes \$44.0 million in discretionary appropriations and \$44.8 million in mandatory funding allocated from the administration’s request for \$900 million in funding from the Land and Water Conservation Fund.
- **Sage Grouse Conservation** -- Spurred by a March 2010 decision by the Fish and Wildlife Service, BLM began a formal land use planning process to plan and implement sage grouse conservation. In conjunction with state and local partners, BLM has amended or revised 98 land

use plans since 2011. To coordinate and guarantee the ongoing success of this work, the budget request adds 45.0 million to BLM wildlife conservation efforts, including sage-grouse. With this increase, BLM resources dedicated to sage grouse will total \$79.2 million.

### *Republican Response Expected*

When it comes to energy, the Majority will focus on their idea that BLM is effectively conducting a “war on fossil fuels”, offering few acres for oil and gas leasing and attempting to bury producers under new fees and regulations. While the number of leases and drilling permits are lower than under the Bush Administration, which prioritized drilling over all other uses of public lands, BLM still offers millions of acres for lease each year and approves thousands of drilling permits. Oil and gas companies, meanwhile, hold nearly 22 million acres under lease that are not producing oil and gas, and over 7,532 unused drilling permits. Furthermore, despite Republican claims that oil production is down on public lands, from 2008 to 2014 oil production from onshore public lands went up 45 percent.

BLM issued a number of proposed and final regulations in the past year, all of which are likely to be brought up at the hearing:

- **Hydraulic Fracturing** – BLM’s final hydraulic fracturing rule was published on March 26, 2015, and was immediately subject a lawsuit by several Western states and the oil and gas industry. On September 30, 2015, the District Court of Wyoming issued a preliminary injunction blocking implementation of the rule. The case is currently under appeal.
- **Royalty Rates** – On April 21, 2015, BLM published an Advance Notice of Proposed Rulemaking (ANPR) on reforming certain aspects of the onshore oil and gas fiscal system. The ANPR requested comment on options for raising the onshore royalty rate from where it has been for nearly a century, changing rental rates and minimum bids that have not been adjusted in 25 years, adjusting bonding levels in place since 1960, and increasing civil penalties for violators. In the recently published methane venting and flaring rule, BLM proposed to change the onshore royalty rate regulation to provide more flexibility to raise those rates in the future without having to complete another rulemaking.
- **Measurement and Site Security** – BLM published proposed updates to their regulations regarding oil and gas site security, oil measurement, and gas measurement on July 13, September 30, and October 13, 2015, respectively. These regulations are often referred to as “Onshore Orders 3, 4, and 5”, which reference the current rules they are replacing. These regulations would help ensure that companies are paying the proper amount of royalties they owe the American people, and address dozens of recommendations issued over the past decade from the Government Accountability Office, the DOI Office of Inspector General, and a federal advisory committee.
- **Methane Venting and Flaring** – On February 8, 2016, BLM published a proposed rule designed to limit the amount of natural gas vented, flared, and lost through leakage. BLM estimated that between 2009 and 2014, onshore oil and gas operators lost 375 million cubic feet of natural gas, enough to meet the gas needs of 5.1 million households for a year.
- **Coal Leasing** – Although not a regulatory proposal, the recent decision to pause new federal coal leases while a programmatic environmental impact statement on the federal coal program is conducted will almost certainly be a major topic for Republican attacks. While the Majority will

portray this as an attack on jobs and energy, the fact is that coal companies currently have approximately 20 years of federal coal under lease, so the moratorium will have little if any short-term impact.

The Majority will point out that the budget request does not include specific language to increase the expediency of federal land conveyances while at the same time bemoaning the requested increase in funds for the BLM and DOI. This is a red herring. BLM has the authority to convey Federal land identified for disposal through the Federal Land Policy and Management Act; its ability to do so is only hampered by finite and limited resources and staff. The majority's focus on the lack of specific language directed at selling off or conveying Federal land is a distraction from the real issue: chronic underfunding presents more management challenges than any perceived lack of authority.

The National Conservation Lands, formerly the National Landscape Conservation System (NLCS), are an additional thorn in the side of committee Republicans. They claim that any focus on conservation of BLM lands perverts the multiple-use mission of the agency and will push for the elimination of the entire NLCS. NLCS was formally established by Congress in 2009 and represents only 10% of the total 258 million acres managed by BLM. Despite the Majority's claims, not all BLM lands are suitable for mineral extraction and industrial development. Conservation and recreation are important components of multiple-use, and the NLCS needs steady funding, not to be ignored or disbanded.

BLM's initiative to implement landscape level planning is under attack by the Majority. They perceive the holistic approach that examines complete, connected ecosystems as an attempt to emphasize conservation and limit options for the extractive industry. In reality, changes to planning methods are driven by a commitment to science, transparency, and accountability. BLM planning decisions involve robust public participation and reflect interaction and dialogue between local land managers and a variety of stakeholders.

The Majority will focus a lot of attention on Sage Grouse conservation efforts, the Endangered Species Act, and litigation-driven settlements. They claim that the settlements and their policy outcomes require more transparency. Additionally, they recommend a cap on the costs of litigation. Much like their calls to limit landscape level planning, these attacks on citizen law-suits would lead to less public involvement in agency decision making and limit accountability.

**Staff Contact for Energy: Steve Feldgus (6-9971)**

**Staff Contact for Other BLM Programs: Brandon Bragato (6-4627)**

### **LAND AND WATER CONSERVATION FUND (LWCF)**

Every year, \$900 million in royalties paid by energy companies drilling for oil and gas on the Outer Continental Shelf are put into the Land and Water Conservation Fund (LWCF). The money is intended to create and protect national parks, national forests, national wildlife refuges and areas around rivers and lakes. The LWCF also provides block grants for state and local parks and recreation projects. The LWCF program has permanently protected nearly five million acres of public lands including some of America's most treasured assets such as Grand Canyon National Park, the Appalachian National Scenic Trail, and the White Mountain National Forest.

The LWCF state assistance program provides matching grants to help states and local communities protect parks and recreation resources. LWCF funding has benefited nearly every county in America by providing \$3.9 billion in state grants, leveraging more than \$7 billion in nonfederal matching funds and supporting over 41,000 projects. Yet, nearly every year, Congress diverts much of this funding to uses other than conservation.

The Administration’s request is for \$475 million in discretionary funding and \$425 million in mandatory funding for the LWCF for full funding at the \$900 million level. Of the permanent funds, \$141.2 million is proposed for NPS and is comprised of \$56.2 million for federal acquisition projects and administration, \$10.0 million for American Battlefield Protection Program grants, \$45.0 million for State Conservation grants, and \$30.0 million for Urban Parks and Recreation Recovery fund grants and administration.

- **The National Park Service** requests a discretionary increase of \$18.3 million from LWCF. The FY 2017 budget proposes \$141.2 million in Land and Water Conservation mandatory funds for NPS. Of this amount, \$66.2 million is for federal land acquisition and \$45.0 million would be directed to the LWCF State Conservation Grants program. The Land and Water Conservation Fund would also support \$30.0 million in mandatory funding for the Urban Park and Recreation Fund account.
- **The Bureau of Land Management** requests \$88.7 million, including \$43.9 million in discretionary appropriations and \$44.8 million in permanent funding. This is an increase of 532,900 in discretionary appropriations from 2016 enacted.
- **The Fish and Wildlife Service** requests \$58.5 million, The 2017 budget proposal for programs funded through the LWCF includes \$137.6 million for Federal land acquisition, composed of \$58.7 million in current funding and \$79 million in proposed permanent funding, a total increase of \$69.1 million above the 2016 level.
- **The United States Forest Service**, in the Department of Agriculture, in addition to \$65.7 million request in discretionary funding for Land Acquisition (+ \$2.2 million for FY16 enacted), USFS requests \$62.3 million in mandatory funding for a total of \$128 million for the Land Acquisition Program. The USFS is also requesting \$62.3 million in discretionary funding (same as FY 2016) and \$37.7 million in mandatory funds for a total of \$100 million for the Forest Legacy program to conserve critical landscapes.

**Staff Contact: Brandon Bragato (6-4627)**

**NATIONAL PARK SERVICE (NPS)**

	FY 2015 <i>Actual</i>	FY 2016 <i>Enacted</i>	FY 2017 <i>Request</i>	Change from FY16 to FY17
<i>(millions)</i>	\$2,616,470	\$2,851,285	\$3,101,450	+250,165

NPS manages 409 park units, 23 national scenic and national historic trails, and 60 wild and scenic rivers. In addition to hosting annually over 300 million visitors across the National Park System, the agency maintains the National Register of Historic Places and provides technical and financial assistance that leads the conservation and stewardship of shared cultural, historic, and natural resources.

### *Selected Budget Proposals*

- **National Park Service Centennial** – The FY 2017 request builds on the funding previously provided, particularly the funding to address the deferred maintenance backlog, with a discretionary increase of \$190.5 million to invest in the second century of the NPS. This includes discretionary increases of \$150.5 million in operations and construction. The other increases for operations would support the Every Kid in a Park Initiative, including \$11.5 million to transport more than one million students from Title 1 elementary schools in urban areas to nearby national parks and \$8.5 million to support park-level youth engagement coordinators.
- **Civil Rights Initiative** – NPS requests an increase of \$50 million for the Civil Right Initiative. This includes \$10 million to improve high priority resources associated with Civil Rights movement, \$6 million for the documentation and interpretation of civil rights history, and \$1.5 million to address operations issues at sites associated with the Civil Rights movement. The request also includes \$30 million for competitive historic preservation grants and \$2.5 million for Historically Black Colleges and Universities to document stories associated with the Civil Rights Movement.
- **Cultural Resources Challenge** – The \$25.7 million increase requested includes \$700,000 to digitize the National Register of Historic Places, \$2 million for grants to tribal historic preservation offices, and \$3 million to improve culture resource documentation at individual park units.
- **Historic Preservation Fund** – This appropriation, which supports Historic Preservation Offices in states, territories, and tribal lands for the preservation of historically and culturally significant sites, is proposed to be funded at \$87.4 million in FY 2017, an increase of \$22.0 over the FY 2016 enacted level. Of the \$25.7 million requested across the budget for a Cultural Resource Challenge, the HPF account includes increases of \$2.0 million to support grants to tribes, \$3.0 million to support grants to Historically Black Colleges and Universities, and \$17.0 million to support competitive grants for the sites and stories of Civil Rights in America. The increases proposed for grants to HBCUs as well as the competitive grants are also part of the Civil Rights Initiative which seeks to preserve, document, and interpret the stories of the Civil Rights Movement and the African-American experience.
- **Centennial Challenge** – This appropriation, requested at \$35.0 million, an increase of \$20 million, would provide a federal match to leverage partner donations for signature projects and programs at national parks in anticipation and support of the upcoming Centennial. This program would be instrumental in garnering partner support to prepare park sites across the country for the Centennial, and the second century of the NPS. All federal funds must be matched on a 50/50 basis.
- **Construction** – The FY 2017 request includes \$252.0 million for the construction appropriation, which funds construction projects, equipment replacement, management, planning, operations, and special projects. This is \$59.1 million above FY 2016 enacted,

including \$0.3 million in fixed costs increases, and \$4.0 million to support the replacement of service-wide public safety and emergency communications equipment. The remaining \$54.7 million supports the Centennial Initiative. The budget funds \$153.3 million for line-item construction projects, a \$37.1 million program increase compared to FY 2016. The budget provides funding for the highest priority construction projects critical to visitor and employee health and safety or ecosystem restoration. Of the funding increases proposed in Construction under the Centennial Initiative, \$4.3 million would also support the Civil Rights Initiative by completing high priority facility projects at NPS sites related to the Civil Rights movement and the African American experience, including Selma to Montgomery NHT. Complementary funding proposals to address deferred maintenance requirements are discussed separately as part of the Centennial initiative. Overall, the budget proposal—including discretionary and mandatory—would allow NPS to ensure that all 7,186 highest priority non-transportation assets are restored and maintained in good condition over 10 years.

*Republican Response Expected*

The majority will claim NPS’s focus on land acquisition is diverting resources away from widely visited parks and detracting from the agency’s ability to buy down the operations and facilities maintenance backlog. This ignores the fact that federal land acquisition improves management efficiency and is primarily through the LWCF, a program and funding stream dedicated to Federal land acquisition. It also ignores that approximately half of maintenance backlog (approx. \$6 billion) is comprised of transportation projects that require funds from the Federal Highway and Transportation Act. The majority’s singular focus on land acquisition is a distraction from the real problem. Congress cannot continue to shrink agency budgets and expect better outcomes.

**Staff Contact: Brandon Bragato (6-4627)**

**BUREAU OF RECLAMATION (BOR)**

	FY 2015 <i>Actual</i>	FY 2016 <i>Enacted</i>	FY 2017 <i>Request</i>	Change from FY16 to FY17
<i>(millions)</i>	\$1,146	\$1,322	\$1,157	-165

BOR is primarily responsible for managing water infrastructure across the 17 Western states, including 475 dams, 337 reservoirs, 53 hydroelectric power plants and other associated infrastructure. Reclamation is the largest supplier and manager of water in the Western United States and the nation’s second largest producer of hydroelectric power.

*Budget Proposal*

The President’s proposed FY 2017 budget for Reclamation totals \$1.157 billion in gross budget authority. The budget is partially offset by discretionary receipts in the Central Valley Project Restoration Fund (\$55.6 million) resulting in net discretionary budget authority of \$1.05 billion.

- **Water and Related Resources Account** – BOR is requesting \$813.4 million for its Water & Related Resources account – its principal operating account. Of this \$813 million, \$429.8 million is requested for operations, maintenance and rehabilitation of its existing water infrastructure facilities, \$224.6 million is requested for water and energy management activities, \$120.7 million is requested for fish and wildlife management activities, and \$38.1 million is requested for land

management activities. Some budget proposal highlights in the Water and Related Resources account include \$61.4 million for the WaterSMART Program to increase water supplies largely through conservation and recycling, \$27.3 million for Endangered Species Act Recovery Implementation programs, and \$38.1 million for rural water projects that deliver potable water to tribal and other rural communities.

- **San Joaquin River Restoration Fund** – BOR is requesting \$36.0 million for the San Joaquin River Restoration Fund. This fund was established to implement a settlement agreement aiming to restore and maintain fish populations in the San Joaquin River.
- **Central Valley Project Restoration Fund** – BOR is requesting \$55.6 million for the Restoration Fund, which is offset by payments from Central Valley Project beneficiaries (mainly power users). This fund is used for fish and wildlife restoration activities in the Central Valley Project area of California.
- **California Bay-Delta Restoration Fund** – BOR is requesting \$36 million to support a variety of actions identified in the 2009 Interim Federal Action Plan to address California’s current water supply and ecological crisis in the Bay-Delta. These actions include water conservation projects (\$3 million), legal and permitting requirements associated with the “California Water Fix” (\$3 million), Yolo Bypass habitat restoration and fish passage (\$4.6 million), environmental monitoring of the Bay-Delta (\$6 million), investigation of Pelagic Organism Decline (\$5.3 million), monitoring and research reviewing the Biological Opinions affecting Central Valley Project operations (\$4 million), and activities to manage and reduce the presence of salt and selenium in the San Joaquin River (\$3.8 million).
- **Indian Water Rights Settlements Account** – BOR is requesting \$106.1 million to implement Indian water rights settlements. These settlements are the Navajo-Gallup Settlement in New Mexico (\$87 million), the Crow Settlement in Montana (\$12.7 million), and the Aamodt Settlement in New Mexico (\$6.3 million).
- **Policy and Administration** – BOR is requesting \$59 million for its Policy and Administration account. This account finances all of Reclamation’s centralized management functions including overall program and personnel policy management, information technology and telecommunication services, building security, legal reviews and opinions, and environmental and occupational health management.

### *Republican Response Expected*

The Majority often criticizes BOR for spending money on programs to mitigate adverse environmental impacts caused by BOR’s projects and operations. The Majority will also likely argue that this year’s budget request does not do enough to increase water supplies for people suffering drought and is symbolic of the Administration’s unwillingness to increase water supplies for people in order to provide scarce water for endangered fish. In reality, the Administration is requesting funding for programs to increase water supplies, including \$23.3 million for WaterSMART grants and \$21.5 million for the Title XVI water recycling program. Both programs develop new water supplies on a faster timeline than traditional Reclamation water development projects. Further, the often cited Endangered Species Act has little impact on available water supplies. The lack of available water is due to historic dry conditions and other long-standing flow requirements to protect water quality for human use. The Majority has also

claimed that Reclamation’s endless environmental “study” is delaying and preventing the construction of water storage projects, when in reality the enormous costs associated with surface storage projects and limited appropriated dollars are the primary impediment.

**Staff Contact: Matthew Muirragui (6-1902)**

**INSULAR AFFAIRS**

	FY 2015 Actual	FY 2016 Enacted	FY 2017 Requested	Change From FY16 to FY17
(thousands)	102,441	103,441	102,717	-724

The Office of Insular Affairs (OIA) carries out the Secretary’s responsibilities for U.S.-affiliated insular areas. These include the territories of Guam, American Samoa, the U.S. Virgin Islands (USVI), and the Commonwealth of the Northern Mariana Islands (CNMI), as well as three Freely Associated States (FAS): the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI) and the Republic of Palau (Palau).

OIA’s budget is divided into two major categories of funding – current and permanent appropriations. Most of OIA’s budget reflects mandatory commitments to U.S.-affiliated insular areas and is permanently appropriated. In 2017, these commitments include an estimated \$288 million for fiscal payments to Guam and the U.S. Virgin Islands and \$262 million for payments under the Compacts of Free Association. Current appropriations of \$102.7 million are requested in 2017, a decrease of \$724,000 from the 2016 level. The current appropriations request includes \$75 million in discretionary funding and \$27.7 million in mandatory funding.

**Staff Contact: Brian Modeste (x5-6065)**

**U.S. FISH AND WILDLIFE SERVICE (FWS)**

	FY 2015 <i>Actual</i>	FY 2016 <i>Enacted</i>	FY 2017 <i>Request</i>	Change from FY16 to FY17
(millions)	\$1,439,764	\$1,508,368	\$1,562,899	+54.531

The mission of the U.S. Fish and Wildlife Service is to work with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. FWS is responsible for the management of over 150 million acres of public lands making up 561 National Wildlife Refuges and other conservation units. FWS is also responsible for the protection and recovery of 2,216 plant and animals species (1,569 domestic; 647 foreign) listed as threatened or endangered under the Endangered Species Act (ESA). In addition, FWS administers the Migratory Bird Treaty Act, manages the Federal fish hatchery system, and operates a host of other conservation programs.

### *Major Programmatic Changes*

- **Ecological Services** – FWS requests \$252.3 million – an increase of \$16.4 million – to improve the performance of conservation, recovery, and listing/delisting of species listed under the Endangered Species Act. Significant funding increases for this program are necessary to achieve recovery and delisting, as some listed species receive as little as \$100 per year in conservation funding from the agency.
- **National Wildlife Refuge System** – FWS requests \$506.6 million – an increase of \$22.8 million – to improve management of National Wildlife Refuges. This includes additions for science, visitor services, law enforcement, and maintenance. Refuges contribute \$2.4 billion to the economy and support more than 35,000 jobs across the country.
- **Land and Water Conservation Fund** – the Administration’s proposal to fully fund LWCF would result in \$58.7 million discretionary and \$79 million mandatory for the Service’s land acquisition program. It would also provide \$55 million for cooperative endangered species recovery partnerships with states, tribes, and localities.

### *Budget Proposals*

- **Landscape Level Conservation** – FWS is requesting \$65.9 million – an increase of \$9.5 million – to improve science and planning necessary to conserve vulnerable ecosystems. This approach is preferable to species specific strategies because healthy landscapes are necessary to support a variety of fish, wildlife, and plant communities. Particularly in the face of climate change, federal-state collaborations like FWS’ 22 Landscape Conservation Cooperatives are important to increase the resiliency of both natural and built environments. FWS also requests \$3.7 million for a new monitoring efforts at National Wildlife Refuges to support the LCCs.
- **Urban Wildlife Conservation** – FWS is requesting \$7.5 million for its Urban Wildlife Conservation Program, which focuses on improving visitor service and community outreach at National Wildlife Refuges near major metropolitan areas. This program is important to help urban youth, particularly black and Latino communities, build knowledge of and appreciate for wildlife conservation. As part of this program, the Southern California Urban Wildlife Refuge Project has served nearly 7,000 students in the Los Angeles and San Diego areas.
- **Cooperative Recovery** – FWS is requesting \$9.7 million – an increase of \$2.8 million – for Cooperative Recovery of threatened and endangered species. FWS has faced criticism in the past from those who feel the agency is too focused on single-species conservation efforts that do not adequately engage stakeholders, particularly under the endangered species program. Cooperative Recovery initiatives attempt to address that criticism and take a more proactive approach to conservation that seeks to engage states, localities, tribes, and others in an effort to avoid species listings.
- **Maintenance Backlog** – The Service is requesting \$59.4 million – an increase of \$6.1 million – to reduce its maintenance backlog. The request includes an increase of \$3 million for hatchery deferred maintenance. The request does not include any funding for repair or restoration work at Malheur National Wildlife Refuge in Oregon, which likely sustained millions of dollars in damage during the illegal occupation by armed militants earlier this year.

*Republican Response Expected*

The Majority will continue to complain about the excessive costs of protecting and restoring endangered species, building and maintaining a world-class system of National Wildlife Refuges, and preventing illegally harvested wildlife and invasive species from entering our country. Particularly with respect to the ESA, recovering species and not just keeping them on life support will require a significant increase in funding for the Service. Unfortunately, Republicans seem interested on in delisting species, not recovering them.

Committee Republicans are likely to reiterate familiar allegations that the ESA is holding up economic development and stifling job growth, particularly in the West (greater sage grouse, lesser prairie chicken), but increasingly in the Midwest (northern long-eared bat) and South (freshwater mussels). The reality is that ESA consultation, permitting, and recovery/delisting could be accomplished much more quickly and efficiently with additional resources (such as those FWS requests in its budget proposal). Republicans will instead blame conservation groups for filing lawsuits to add species to the list. In particular, they will rail against the 2011 multidistrict litigation (MDL) settlement, which set deadlines for making listing determinations for a number of species. Ironically, the MDL settlement has actually helped FWS prioritize work and avoid additional lawsuits. There may also be a discussion about the impact of recent court cases on FWS' proposal to delist the gray wolf.

Republicans will also criticize any proposed land acquisition by FWS, particularly any that creates new Wildlife Refuges or expands existing ones. Like National Monuments – but unlike National Parks – Refuges can be created or enlarged by executive action without Congressional approval. This is an important authority to ensure timely protection of important wildlife habitat but is despised by Committee Republicans. We also expect criticism of the Department's recent decision to release a conservation plan for the Alaska National Wildlife Refuge that reaffirms the current prohibition on fossil fuel development, as well as its refusal to allow a road to be built through the Izembek National Wildlife Refuge.

On international wildlife issues, Republicans may attack the Administration's proposals to more strictly enforce the ban on ivory imports under the African Elephant Conservation Act and to implement a ban on domestic ivory trade under the ESA. Both of these actions were recommendations on the Presidential Wildlife Trafficking Task Force, and are critical to reducing poaching and trafficking of elephant ivory. FWS has gone out of its way to accommodate ivory owners, including by allowing a de minimis exception for items containing 200 grams of ivory or less, allowing for the importation of a limited number of sport hunted trophies, and creating a passport for musical instruments. However, a small and vocal group of stakeholders led by the National Rifle Association continues to fight the proposed rule.

**Staff Contact: Matt Strickler (x5-6065)**

**INDIAN AFFAIRS PROGRAMS**

	FY 2015 <i>Actual</i>	FY 2016 <i>Enacted</i>	FY 2017 <i>Request</i>	Change from FY16 to FY17
<i>(millions)</i>	\$2,601.498	\$2,796.120	\$2,933.715	+137.6

*Indian Affairs Programs:* Indian Affairs provides services directly or through contracts, grants, or compacts to a service population of more than 5.2 million American Indians and Alaska Native people and 567 federally recognized tribes in the 48 contiguous United States and Alaska. While the role of the organization has changed significantly in the last four decades in response to a greater emphasis on Indian self-determination, tribes still look to Indian Affairs for a broad spectrum of services.

Within this budget request, the term "Indian Affairs" is meant to include the BIA, the Bureau of Indian Education (BIE), and the Office of the Assistant Secretary-Indian Affairs (AS-IA). The extensive scope of Indian Affairs programs is authorized by numerous treaties, court decisions, and legislation and covers virtually the entire range of federal, state, and local government services. Programs administered through Indian Affairs include social services, natural resources management, economic development, law enforcement and detention services, administration of tribal courts, implementation of land and water claim settlements, replacement and repair of schools, repair and maintenance of roads and bridges, repair of structural deficiencies on high hazard dams, and land consolidation activities. Programs administered by either tribes or Indian Affairs through the BIE include an education system consisting of 183 schools and dormitories located in 23 states, and 32 tribal colleges, universities, tribal technical colleges, and post-secondary schools.

### *Budget Proposals*

- **Opportunities for Native Youth (Generation Indigenous)** – Continues the \$1.1 billion investment in Indian education to support a comprehensive multi-year transformation of the Bureau of Indian Education, with a \$49.4 million increase to improve outcomes in the classroom; provide improved instructional services and teacher quality; promote enhanced language and cultural programs; expand multi-generational programs to advance early childhood development; enhance broadband and digital access.
- **Supporting Indian Families and Protecting Indian Country** – An increase of \$21 million to support child welfare, family stability, and strengthening tribal communities as a whole. BIA will continue to expand the Tiwahe initiative, which addresses interrelated issues associated with child welfare, domestic violence, substance abuse, poverty, and incarceration.
- **Tribal Nation Building** - An increase of \$12 million to address long-standing concerns with quality of data in Indian Country. An additional \$1.3 million in aid Small and Needy Tribes, \$1 million to help tribes adopt uniform commercial codes, and \$4 million to establish One-Stop Tribal Support Center to make it easier for tribes to find and use services available to them across the Federal government.
- **Contract Support Costs (CSC)** - \$278 million to fully fund estimated Contract Support Costs for FY2017, with a proposal reclassify CSC as mandatory spending beginning in 2018.
- **Supporting Climate Resilience in Indian Country** - An increase of \$15.1 million across Trust-Natural Resources programs to develop and access science, tools, training, and planning, and to implement actions that build resilience into resource management, infrastructure, and community development activities. Funding will also support Alaska Native Villages in the arctic and other critically vulnerable communities in evaluating options for the long-term resilience of their communities.

- **Sustainable Stewardship of Trust Resources** – An increase of \$6.9 million for Trust Real Estate Services activities to bolster the stewardship of trust resources. Expanded capacity will address probate, land title and records processing, geospatial support needs, and database management. A \$2 million increase to address subsistence management in Alaska. \$10 million to provide the Yurok Tribe in Northern California funds to acquire lands as authorized in the Hoopa-Yurok Settlement Act.
  
- **Indian Water Rights** – An additional \$37.9 million to strengthen Indian Affairs' capacity to meet its trust responsibilities and more effectively partner with tribes on water issues, including an additional \$12.9 million to increase support for settlement negotiations and sustainable water management and \$25 million for implementation of enacted settlements and meeting enforcement dates.

*Republican Response Expected*

The majority will criticize the proposal to reclassify Contract Support Costs (CSC) from discretionary to mandatory beginning in fiscal year 2018, claiming that the Administration has not proposed any offsets for this new spending and is creating a new entitlement. They will also push for more conventional energy resource leasing on Indian lands as opposed to renewable energy development. Finally, the majority will argue that the increase of 286 new employees for the Bureau of Indian Affairs, half of which will be dedicated within the Bureau of Indian Education (BIE), are not required and will not result in any meaningful change. This is despite the widespread acknowledgement as to the desperate state of Indian Programs, specifically the Indian education system, and to the need for qualified personnel and educators to address the issues.

**Staff contact: Chris Kaumo (x5-6065)**

**FEBRUARY 29, 2016**

**TO: DEMOCRATIC MEMBERS AND STAFF,  
SUBCOMMITTEE ON ENERGY AND MINERAL RESOURCES**

**FROM: ENERGY AND MINERAL RESOURCES SUBCOMMITTEE STAFF (x5-6065)**

**RE: HEARING ON FY17 BUDGETS FOR BOEM, BSEE, AND BLM**

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The Subcommittee on Energy and Mineral Resources will hold an oversight hearing on **Wednesday, March 2, 2015, at 10:00 a.m., in Longworth House Office Building Room 1324** entitled, *“The Impact of the President’s FY 2017 Budget on the Energy and Mineral Leasing and Production Missions of the Bureau of Ocean Energy Management (BOEM), the Bureau of Safety and Environmental Enforcement (BSEE), and the Bureau of Land Management (BLM).”*

**WITNESSES**

Mr. Brian Salerno  
Director  
Bureau of Safety and Environmental Enforcement

Ms. Abigail Ross Hopper  
Director  
Bureau of Ocean Energy Management

Mr. Neil Kornze  
Director  
Bureau of Land Management

**BACKGROUND**

This hearing will focus on the three agencies that are responsible for leasing, permitting, and overseeing oil and gas and mining operations on federal lands: BLM (onshore), and BOEM and BSEE (offshore). The Majority has been highly critical of the amount of access to federal lands that energy and mining companies have been given, the pace of permitting, and the number of regulations that have been proposed. They will likely claim that most if not all of the growth in U.S. oil and gas production has occurred on private lands, and that the Administration’s policies have resulted in declining leasing, permitting, and production numbers on federal lands. For oil production, this is demonstrably untrue, while trends in leasing and permitting are primarily the result of geologic and economic factors, not federal policies.

## BUREAU OF OCEAN ENERGY MANAGEMENT (BOEM)

	FY 2015 <i>Actual</i>	FY 2016 <i>Enacted</i>	FY 2017 <i>Request</i>	Change from FY16 to FY17
(millions)	\$169.770	\$170.857	\$175.138	+\$4.281

### Proposals in the BOEM Budget

- **Risk Management Program** – BOEM is requesting an additional \$2.9 million to expand its financial risk management program, which is used to protect taxpayers from being on the hook for offshore decommissioning costs. The funding will be used to procure additional technical expertise to further develop the risk management protocols necessary to better understand the financial situation for companies operating offshore, and identify those that are at risk of bankruptcy. The FY 2017 increase would be on top of \$2.5 million received in FY2016 for this initiative, and would allow BOEM’s risk management program to be fully operational.
- **Staffing for Resource Development** – BOEM is requesting \$867,000 million to hire more exploration and development plan reviewers across the bureau, and to hire an additional environmental specialist.
- **Renewable Energy** – BOEM is requesting a decrease of \$412,000 in its renewable energy program to accommodate other priorities. The reduced funding would result in fewer task force meetings and stakeholder workshops, and negatively affect data gathering and analysis. However, BOEM states that the reduction, “is not expected to substantively impact program outcomes.”
- **Special Pay Authority** – In order to better compete against industry in attracting and retaining technical employees, in FY 2015 the Office of Personnel Management (OPM) approved special pay rates for BOEM petroleum engineers, geologists, and geophysicists in the Gulf of Mexico Region. BOEM is requesting an additional \$1.632 million in FY 2017 to cover increased salaries.
- **Offsetting Collections** – BOEM currently receives a portion of offshore lease rents (paid by non-producing leases) to cover its annual budget. With the number of nonproducing leases on the Outer Continental Shelf (OCS) projected to decline due to low oil and gas prices and shorter primary lease terms, BOEM projects a shortfall of roughly \$4.5 million. BOEM proposes to offset most of this through a \$4 million proposed increase in direct appropriations.

### Ongoing BOEM Priorities

- **Conventional Energy** – BOEM currently administers just under 5,000 active oil and gas leases covering over 27 million acres, with approximately 4.7 million acres of those producing oil or gas. These leases generated nearly \$4.4 billion dollars of revenue, and accounted for about 16 percent of the nation’s total domestic oil production and 4 percent of the nation’s total domestic natural gas production. BOEM’s conventional energy responsibilities also extend to conducting economic evaluations of offshore resources to ensure taxpayers receive fair market value, and keeping an inventory of oil and gas reserves.

- **Renewable Energy** – BOEM is charged with overseeing the development of U.S. offshore renewable energy resources, including offshore wind energy and hydrokinetic technologies such as wave and ocean current energy. To date, BOEM has issued 11 commercial offshore wind leases, covering over 1.1 million acres, on the Atlantic coast. In 2014, BOEM issued its first marine hydrokinetic technology lease, off of Florida’s coast, and issued a transmission right-of-way grant to support the Block Island Wind Farm, currently being constructed in state waters off the coast of Rhode Island. In 2015, BOEM issued the first wind energy research lease, off the coast of Virginia.
- **Environmental Studies** – BOEM’s Environmental Studies Program partners with other Federal agencies, academic institutions, and the private sector to conduct scientific research to inform OCS policy decisions. BOEM conducts studies in all regions of the OCS, and is in fact one of the largest federal funders of scientific studies in the Arctic Ocean.

### **Hot Issues**

- **2017-2022 Offshore Leasing Plan** – In January 2016, BOEM released the 2017-2022 Draft Proposed Offshore Oil and Gas Leasing Program, which contained three lease sales in Alaska, one lease sale in the Atlantic, and 10 region-wide lease sales in the Gulf of Mexico. These lease sales encompass 317 million acres containing over 77% of the total oil and gas resources on the OCS, with 120 million acres in the Arctic Ocean and 100 million acres in the Atlantic.

The proposals to lease in the Atlantic and Arctic have been highly controversial, although low oil prices and Shell’s decision in 2016 to suspend exploration activities on its leases in the Arctic have significantly dampened industry interest in new leases sales there for the time being. On the Atlantic seaboard, over 100 local governments from New Jersey to Florida have expressed formal opposition to offshore drilling, as have Republican Members of Congress from Florida, South Carolina, North Carolina, and New Jersey.<sup>1</sup> Chairman Bishop and inland Republicans, however, strongly support leasing on the Atlantic and Arctic coasts, and have complained that Secretary Jewell has not committed to keeping those lease sales in the final program.

The next step in the process is the issuance of the Proposed Program, which is expected in the upcoming weeks.

- **Atlantic Seismic** – In July 2014, BOEM signed a record of decision to allow seismic testing off the Eastern seaboard. Although the programmatic EIS for these activities has been completed, individual permit applications still require specific NEPA review and Incidental Harassment Authorizations from NOAA. Groups and municipalities opposed to Atlantic offshore drilling are also opposed to Atlantic seismic.
- **Current Lease Sales** – Although the 2012-2017 Five Year Program included two scheduled lease sales in the Arctic Ocean, in October 2015 the Department of the Interior announced that it

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<sup>1</sup> Oceana maintains a website with comprehensive details of statements, letters, editorials, and resolutions of opposition to offshore drilling and offshore seismic at <http://usa.oceana.org/seismic-airgun-testing/grassroots-opposition-atlantic-drilling>.

was cancelling those two sales due to low industry interest. A third lease sale in the Alaska Region is still tentatively scheduled for 2017 in Cook Inlet near Anchorage.

BOEM held two lease sales in 2015, offering over 63 million acres in the Gulf of Mexico, but industry only bid on 1.1 million acres. The Western Gulf Lease Sale, held in August, had the fewest bids for an auction in that region since area-wide lease sales began in 1983. The Majority may try to use these stats to indicate that new or proposed regulations are driving companies out of the Gulf or chilling investment. However, press reports from both 2015 lease sales clearly indicated that companies were reacting to low oil prices, not government policies.

**BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT (BSEE)**

	FY 2015 <i>Actual</i>	FY 2016 <i>Enacted</i>	FY 2017 <i>Request</i>	Change from FY16 to FY17
<i>(millions)</i>	\$204.625	\$204.671	\$204.867	+\$0.196

**Proposals in the BSEE Budget**

- **Inspection Fees** – BSEE currently collects \$65 million, or nearly a third of its budget, through inspection fees levied on production platforms and drilling rigs. Active drilling rigs are inspected approximately once a month, and a fee is charged for each inspection. In contrast, production platforms are charged a single annual fee based on the number of wells, not the number of inspections. BSEE is proposing to move to a per-inspection fee for production platforms, which would incentivize operators to keep platforms in regulatory compliance, as high-violation facilities are inspected more often.
- **Special Pay Authority** – As with BOEM, OPM also approved special pay rates for certain BSEE employees in the Gulf of Mexico Region. BSEE is requesting an additional \$3.9 million in FY 2017 to cover increased salaries.
- **Offsetting Collections** – As with BOEM, BSEE keeps a share of offshore rental receipts as part of its annual budget. Unlike BOEM, BSEE also gets a significant amount of revenue from inspection and other fees, which are also expected to decline in FY 2017 due to reduced activity from lower oil prices. The BSEE FY17 budget proposes to offset these decreases through a \$7.5 million increase in appropriated funding.

**Ongoing BSEE Priorities**

- **Permitting** – Complaints from Republicans and the oil and gas industry about whether BSEE is issuing enough drilling permits in a timely manner have faded in recent years, but BSEE is still proposing improvements to their permitting system. One of its initiatives is a system, called ePermits, for companies to enter permit applications electronically, with a goal of automatically flagging missing or incorrect information and reducing permit processing time by up to 40 percent. Development of the system is expected to continue throughout FY 2017, with completion expected in FY 2018.

- **Risk-Based Inspections** – In order to more efficiently use its inspection resources on the OCS, in December 2015 BSEE launched a pilot risk-based inspection program for production facilities. The pilot program is expected to continue until May 2016, at which point BSEE expects to assess whether or not to expand the program across all operations on the OCS.
- **Real-Time Data** – BSEE is moving towards using real-time monitoring of offshore activities to increase the efficiency and effectiveness of its inspection program. The proposed Arctic Safety and Well Control Rules include provisions that would require operators to make real-time monitoring data available to BSEE on request.
- **Near-Miss Reporting** – In May 2015, BSEE launched SafeOCS, a voluntary and confidential near-miss reporting system operated by the Bureau of Transportation Statistics.
- **Best Available and Safest Technology (BAST) and Emerging Technologies** – In November 2015, BSEE issued a document on how the agency will determine the BAST for use on the OCS. BSEE’s new Engineering Technology Assessment Center will assist with BAST determinations and assessing new technologies, as will the Ocean Energy Safety Institute, an academic center managed by Texas A&M.

## Hot Issues

- **Well Control Rule** – Prior to allowing companies to resume offshore deepwater drilling after the *Deepwater Horizon*, the Department of the Interior instituted a number of safety reforms, including establishing new casing and cementing requirements, mandating independent third-party verification of blowout preventer functionality, requiring the ability to promptly respond to a deepwater blowout (such as through access to a deepwater capping stack), and more. In recognition of those steps, the Commissioners from the National Commission on the *Deepwater Horizon* Oil Spill and Offshore Drilling gave the Administration a grade of “B” in their 2012 and 2013 Report Cards; in contrast, Congress received grades of “D” and “D+”, with the Commissioners saying that “Congress has provided neither leadership nor support” for efforts to make offshore drilling safer.

BSEE proposed the most significant safety reforms since that initial burst of activity in April 2015, when it proposed the Well Control Rule. Key features of the proposed rule included:

- Incorporation of new industry standards for blowout preventers (BOPs);
- Double blind shear rams in all BOPs (it was the failure of the blind shear ram during the *Deepwater Horizon* blowout that resulted in the uncontrolled release of oil into the water);
- More rigorous third-party certification of BOP shearing capacity;
- Potentially requiring BOPs to be able to shear anything that might be in its way (comment was specifically requested on this proposal);
- Additional reviews of BOP maintenance and repair records;
- Potentially changing the BOP testing frequency from once every two weeks to once every three weeks;
- A requirement for real-time monitoring of all deepwater and high-pressure/high-temperature drilling;

- Criteria for the testing of subsea containment equipment;
- Additional guidelines for cementing and the use of centralizers; and
- Requiring companies to maintain a “safe drilling margin” throughout drilling.

The oil and gas industry has pushed back significantly on the proposed rule, particularly on the safe drilling margin requirement, which they have said is impractical as written. The Majority will probably quote the industry’s cost estimate of \$32 billion for the rule, which is significantly inflated from BSEE’s cost estimate of \$880 million before benefits are factored in (BSEE estimates that the proposed rule would have net benefits of \$656 million over 10 years). BSEE recently sent the final Well Control Rule to the Office of Management and Budget where it is currently undergoing review, and press reports indicate that the rule has been modified to address some of industry’s concerns.<sup>2</sup>

- **Arctic Operations & Regulation** – In 2015, Shell conducted drilling operations in the Arctic for the first time since 2012. Instead of their 2012 strategy of drilling one well in the Chukchi Sea and one in the Beaufort Sea, Shell proposed to drill two wells nine miles apart in the Chukchi. However, because of a 2013 Fish and Wildlife Service regulation that requires operations to be spaced at least 15 miles apart to protect walruses, Shell was only able to drill one well. On September 28, 2015, Shell announced that it had found insufficient quantities of oil in that well, and that it was “cease[ing] further exploration activity in offshore Alaska for the foreseeable future.” Shell also blamed the high costs of the project, and “the challenging and unpredictable federal regulatory environment in offshore Alaska” for their decision to abandon the region. Later in the year, BSEE denied requests by Shell and Statoil to extend their Arctic leases.

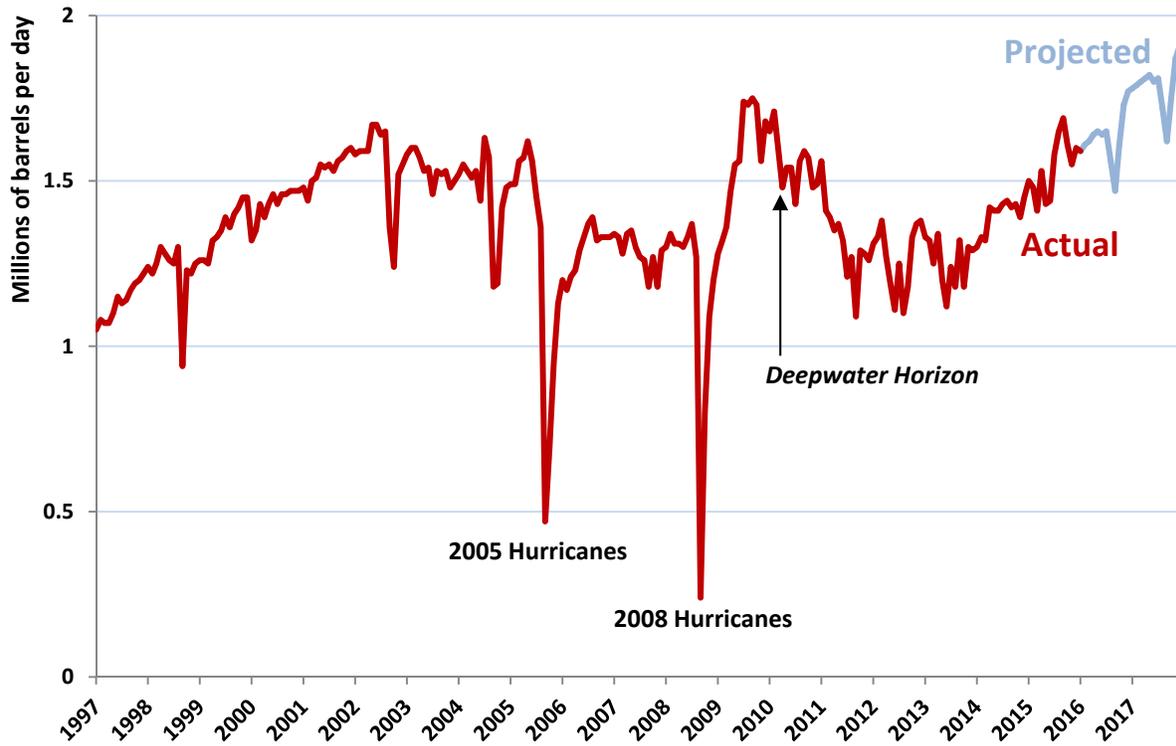
The Majority is likely to claim that the “uncertainty” or potential expense caused by BSEE’s proposed Arctic Safety Rule is the primary reason that Shell has pulled out and other companies have not moved forward in the Arctic. However, the Arctic Safety Rule would largely just codify the rules under which Shell operated in 2012 and 2015, so it is unlikely that Shell was significantly deterred based on that. As with activity onshore and in the Gulf of Mexico, the price of oil (and Shell’s relatively-dry well) is the fundamental reason for low industry interest in the Arctic at this time.

- **Production** – Although BSEE is primarily a regulatory agency, it also maintains OCS oil and gas production statistics, which makes it a target for Republican complaints that offshore production has fallen in recent years due to Administration policies. While offshore oil production did fall in the aftermath of the *Deepwater Horizon*, it has rebounded sharply in recent years, with production in the third quarter of 2015 at the highest point since the first quarter of 2010. EIA projects oil production will increase to record levels 2017. Offshore natural gas production is a different story – it has been decreasing fairly consistently since 2001 in large part due to the resource base of the Gulf of Mexico and the economics of natural gas production, although 2015 saw the first year-on-year rise since 2009.

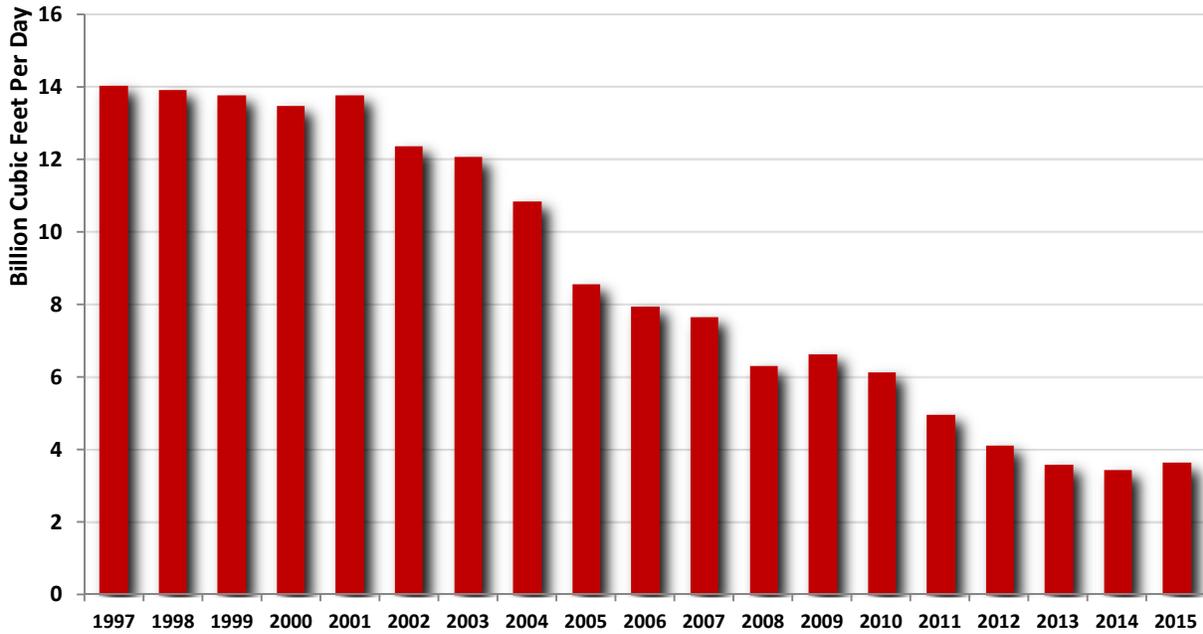
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<sup>2</sup> Wall Street Journal, “Obama Administration to Tweak Proposed Offshore Drilling Rule”, February 9, 2016.

**Oil Production - Federal Gulf of Mexico**



**Natural Gas Production - Federal Gulf of Mexico**



## **BUREAU OF LAND MANAGEMENT (BLM)**

<i>(millions)</i>	FY 2015 <i>Actual</i>	FY 2016 <i>Enacted</i>	FY 2017 <i>Request</i>	Change from FY16 to FY17
<i>Energy &amp; Minerals Management</i>	\$147.354	\$166.604	\$138.068	-\$28.536
<i>Abandoned Mine Lands</i>	\$16.987	\$19.946	\$20.036	+\$0.090
<i>Mining Law Administration</i>	\$39.696	\$39.696	\$39.696	0

The apparent decrease in the FY 2017 request for Energy and Minerals Management is due to the proposal to offset \$48 million of appropriations through the collection of onshore inspection fees. Including additional permit processing fees expected in FY2017, the budget actually requests an increase of \$28 million in resources for Oil and Gas Management. The Mining Law Administration program is also fully offset by mining claim fees, which brought in \$57.3 million in FY15 and are expected to be around \$55 million in FY16 and FY17.

### **Energy & Mineral Proposals in the BLM Budget**

- **Implementing Regulations** – BLM is requesting an additional \$13 million to help implement new regulations that are expected to be final by FY 2017, including site security, oil and gas measurement, venting and flaring, and hydraulic fracturing (pending the outcome of the legal battle over this rule).
- **Hardrock Mining** – The FY17 budget again proposes to reform the hardrock mining system on federal lands by instituting a leasing and royalty system, and charging a per-ton fee to the mining industry in order to fund the reclamation of abandoned hardrock mines. The royalty would raise an estimated \$8 million per year, and the fee would raise an estimated \$200 million per year. Both a royalty and the fee are included in Ranking Member Grijalva’s Hardrock Mining Reform and Reclamation Act (H.R. 963).
- **Database Upgrades** – BLM is requesting \$2.1 million to complete Phase II of upgrades to its Automated Fluid Minerals Support System, the database the agency uses to track oil and gas information on public and Indian lands. BLM is currently completing Phase I of these upgrades.
- **Special Pay** – As with BOEM and BSEE, OPM approved special pay rates for technical personnel in certain field offices in order to help BLM better compete with industry. BLM is requesting \$2.6 million in FY 2017 to cover these increased salaries.
- **Alaska Legacy Wells** – The “legacy wells” are 136 wells that were drilled in the NPR-A between 1944 and 1982 by the U.S. Navy and the U.S. Geological Survey (USGS) for exploratory and scientific purposes. Some of those wells are still in use by the USGS, but others were abandoned without proper remediation. The Helium Stewardship Act of 2013 included \$50 million for BLM to begin closing and cleaning up these wells, and BLM is requesting an additional \$2.8 million in FY 2017 in order to remediate additional wells.
- **Inspection Fee** – As it has in recent years, BLM is once again proposing to institute an inspection fee for onshore oil and gas operations. The fee would be charged yearly and would be

based on the number of wells on an inspectable site, starting at \$700 for a site with no wells up to \$9,800 for a site with 50 or more. The fee would raise an estimated \$48 million, and BLM would use part of that to increase their inspection budget by \$6.9 million.

- **Oil and Gas Reforms** – The budget continues longstanding Administration proposals to raise revenues by adjusting onshore royalty rates, enacting a non-producing lease fee, reform the royalty valuation process, repeal royalty relief, and more. Combined, the reforms are estimated to raise \$2.5 billion over 10 years. In lieu of legislative changes, the Department is preparing an Advance Notice of Proposed Rulemaking on onshore royalty rates, which is expected to be published in the coming months.
- **Geothermal Payments to Counties** – The FY17 budget again proposes to repeal the EPACT 2005 provision that provides counties a 25% share of the revenues obtained from geothermal activities within their borders.<sup>3</sup> In FY2014, counties received \$4.1 million from this provision.

### **Ongoing BLM Priorities**

- **Renewable Energy** – The BLM’s renewable energy program is driven by the President’s goal of approving 20,000 MW of renewable energy projects on public lands by 2020. The agency has approved 57 renewable energy projects since 2009 with a total capacity of 15,134 MW. The BLM typically sites renewable energy projects on public lands by issuing rights-of-way on a first-come first-served basis, but recently has begun moving to competitive bidding: in June 2014, a competitive auction in the Dry Lake (NV) Solar Energy Zone (SEZ) brought in over \$5.8 million in high bids. The advantage of the SEZ concept for developers was demonstrated when BLM announced the approval of three projects in the Dry Lake SEZ in June 2015, less than 10 months after the applications were submitted, which is about half of the time it has taken non-SEZ projects. BLM anticipates finalizing a rule to FY 2016 to allow for competitive renewable energy leasing on selected lands.
- **Inspection and Enforcement** – Several years ago, BLM implemented a new risk-based inspection system to respond to recommendations from GAO<sup>4</sup> and the Interior Department’s Office of Inspector General.<sup>5</sup> Each year since FY 2011, BLM has published a strategy that informs field offices how to prioritize inspections based on a series of risk factors, such as the history of violations by an operator, the volume of oil and gas produced, and the number of years since the last inspection of a site. Prioritization based on risk is particularly important since BLM is only able to inspect approximately one-quarter to one-third of all producing leases in any given year.
- **Master Leasing Plans (MLPs)** – The MLP concept was introduced as part of the 2010 Onshore Leasing Reforms, and is designed to allow for a more in-depth look at the potential for oil and gas leasing and development than would be found in a Resource Management Plan (RMP), and identify and address potential conflicts before leasing occurs. MLPs are strongly supported by a

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<sup>3</sup> §224, P.L. 109-58

<sup>4</sup> U.S. Government Accountability Office, “*OIL AND GAS MANAGEMENT: Interior’s Oil and Gas Production Verification Efforts Do Not Provide Reasonable Assurance of Accurate Measurement of Production Volumes*”, GAO-10-313, March 2010.

<sup>5</sup> Ref. 4.

number of environmental groups, while typically being castigated by industry and Republicans as one additional layer of analysis to slow down the leasing process. The first MLP was issued in June 2014 as part of the Lander (WY) RMP, and six MLPs were completed in FY 2015.

## **Hot Issues**

- **Coal Leasing** – Approximately 40 percent of coal mined in the United States is federal coal, primarily coming from the Powder River Basin of Wyoming and Montana. The recent decision to pause new federal coal leases while a programmatic environmental impact statement on the federal coal program is conducted will almost certainly be a major topic for Republican attacks. While the Majority will portray this as an attack on jobs and energy, the fact is that coal companies currently have approximately 20 years of federal coal under lease, so the moratorium will have little if any short-term impact. Furthermore, the decision was made in response to reports from the Government Accountability Office and DOI Office of Inspector General that raised questions as to whether taxpayers were receiving their fair share for the development of federal coal.<sup>6</sup>

Contrary to the Republican assertion that there is a “war on coal” being waged by the Obama Administration, coal’s troubles are largely market-driven, as persistently low natural gas prices have led power plants to move away from coal. The latest monthly data from the Energy Information Administration shows that 34 percent of U.S. electricity comes from natural gas, while only 29 percent comes from coal<sup>7</sup>; since January 2001, coal use is down 50 percent, while natural gas use has increased 140 percent. As a result, coal production in 2015 is expected to be 10 percent lower than in 2014, and at the lowest level since 1986. While the 2015 federal coal production numbers are not available yet, from 2012 to 2014 federal coal production fell 25 percent.

- **“Keep It In The Ground”** – Recent protests at BLM lease sales by groups affiliated with the Keep It In The Ground movement have coincided with the postponement of several oil and gas lease sales. BLM states that the postponements are designed to allow them to find auction rooms large enough to accommodate the protestors. The activists, however, claim they are succeeding in their goal of stopping oil and gas leasing, while Republicans believe that the Department is violating the Mineral Leasing Act by not holding lease sales in each state on a quarterly basis.
- **Oil and Gas Leasing and Permitting** – The Majority will be very vocal about what they see as intentional restrictions on oil and gas development on public lands. Because the top priority for the BLM during the Bush Administration was leasing public lands and issuing drilling permits, the Majority has no shortage of statistics that show a decrease of onshore oil and gas activity, whether they look at the number or acreage of leases offered, issued, and held, or the numbers of drilling permits applied for or received.

However, the Bush Administration’s prioritization of oil and gas leasing and drilling above all other uses of public lands resulted in significant conflicts, huge numbers of protested leases,

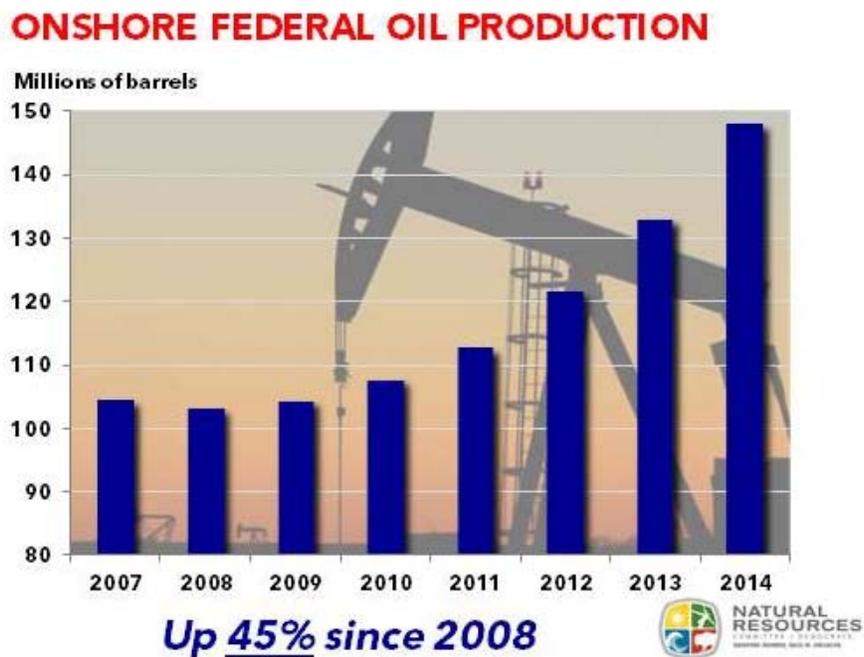
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<sup>6</sup> U.S. Government Accountability Office, “*COAL LEASING: BLM Could Enhance Appraisal Process, More Explicitly Consider Coal Exports, and Provide More Public Information*”, GAO-14-140, December 2013; Department of the Interior Office of the Inspector General, CR-EV-BLM-0001-2012, *Coal Management Program, U.S. Department of the Interior*.

<sup>7</sup> Data for November 2015 from EIA’s Electricity Data Browser.

rushed environmental reviews, a Government Accountability Office report that found that environmental obligations were being neglected,<sup>8</sup> and an oil and gas program that former BLM Director Bob Abbey testified was “on the verge of collapse.”<sup>9</sup>

BLM still approves more permits than companies use in a given year—as of the end of FY 2015, **companies held 7,543 unused drilling permits**, up over 1,600 from the previous year—there are 34.6 million acres of federal land under lease with 21.9 million acres (63%) not producing any oil or gas, and onshore production on federal lands has increased by 45 percent since President Obama took office.



- **Methane Venting and Flaring** – On February 8, 2016, BLM published a proposed rule designed to limit the amount of natural gas vented, flared, and lost through leakage. BLM estimated that between 2009 and 2014, onshore oil and gas operators lost 375 million cubic feet of natural gas, enough to meet the gas needs of 5.1 million households for a year. Republicans and industry have argued that the rule is unnecessary and duplicative, and that it will only serve to drive operators off of federal lands.
- **Royalty Rates** – On April 21, 2015, BLM published an Advance Notice of Proposed Rulemaking (ANPR) on reforming certain aspects of the onshore oil and gas fiscal system. The ANPR requested comment on options for raising the onshore royalty rate from where it has been for nearly a century, changing rental rates and minimum bids that have not been adjusted in 25 years, adjusting bonding levels in place since 1960, and increasing civil penalties for violators. In the recently published methane venting and flaring rule, BLM proposed to change the onshore

<sup>8</sup> U.S. Government Accountability Office, “*Increased Permitting Activity Has Lessened BLM’s Ability to Meet Its Environmental Protection Responsibilities*”, GAO-05-418, June 2005.

<sup>9</sup> Subcommittee on Energy and Mineral Resources Oversight Hearing, March 20, 2012, p. 31.

royalty rate regulation to provide more flexibility to raise those rates in the future without having to complete another rulemaking.

- **Measurement and Site Security** – BLM published proposed updates to their regulations regarding oil and gas site security, oil measurement, and gas measurement on July 13, September 30, and October 13, 2015, respectively. These regulations are often referred to as “Onshore Orders 3, 4, and 5”, which reference the current rules they are replacing. These regulations would help ensure that companies are paying the proper amount of royalties they owe the American people, and address dozens of recommendations issued over the past decade from the Government Accountability Office, the DOI Office of Inspector General, and a federal advisory committee.
- **Hydraulic Fracturing** – BLM’s final hydraulic fracturing rule was published on March 26, 2015, and was immediately subject a lawsuit by several Western states and the oil and gas industry. On September 30, 2015, the District Court of Wyoming issued a preliminary injunction blocking implementation of the rule. The case is currently under appeal.

**Staff Contact: Steve Feldgus (x5-6065)**

**From:** Lincoln, Jack  
**To:** [Natural Resources Repubs EMR LAs](#); [Natural Resources Repub EMR Schedulers](#); [Natural Resources Republican Press](#); [Natural Resources Dems EMR LAs](#); [Natural Resources Dem EMR Schedulers](#); [Taft, Tammy](#); [Cox, William](#); [Digest, Committee](#); [Hall, Dan](#); [Johnson, Edward](#); ["edward.tilton@boem.gov"](mailto:edward.tilton@boem.gov); ["ryan.underwood@bsee.gov"](mailto:ryan.underwood@bsee.gov); ["jcmoran@blm.gov"](mailto:jcmoran@blm.gov)  
**Cc:** [All Staff Natural Resources Cmte](#)  
**Subject:** Hearing Memo and Testimony -- Sub Ov Hrg on 03.02.16  
**Date:** Monday, February 29, 2016 5:38:00 PM  
**Attachments:** [Hearing Memo -- Ov Hrg on 03.02.16.pdf](#)

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Good evening everyone,

Attached is the hearing memo for Wednesday's Subcommittee oversight hearing titled *"The Impact of the President's FY 2017 Budget on the Energy and Mineral Leasing and Production Missions of the Bureau of Ocean Energy Management (BOEM), the Bureau of Safety and Environmental Enforcement (BSEE), and the Bureau of Land Management (BLM)."*

Testimony for Thursday can be found [HERE](#) when made available. Please check back periodically.

Please contact the Energy and Mineral Resources Subcommittee with any questions at 5-9297.

## **Jack Lincoln**

Clerk

Committee on Natural Resources

Subcommittee on Energy and Mineral Resources

1324 Longworth House Office Building

Washington, D.C. 20515

# Subcommittee on Energy and Mineral Resources

Doug Lamborn, Chairman  
Hearing Memorandum

February 29, 2016

**To:** All, Subcommittee on Energy and Mineral Resource Committee Members

**From:** Majority Committee Staff  
Subcommittee on Energy and Mineral Resources, x5-9297

**Hearing:** Oversight Hearing entitled “*The Impact of the President’s FY 2017 Budget on the Energy and Mineral Leasing and Production Missions of the Bureau of Ocean Energy Management, the Bureau of Safety and Environmental Enforcement, and the Bureau of Land Management*”

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The subcommittee hearing will take place on **Wednesday, March 2<sup>nd</sup> at 10:00a.m. in Room 1324 Longworth House Office Building.** This hearing will focus on the FY 2017 budget proposals put forward by Bureau of Ocean Energy Management (BOEM), the Bureau of Safety and Environmental Enforcement (BSEE), and the Bureau of Land Management (BLM) – the three major federal agencies at the Department of the Interior charged with overseeing the safe and expedient exploration and production of domestic resources on both offshore and onshore federal lands.

## Policy Overview

- Four years ago, President Obama told the American people that “we can’t drill our way to lower gas prices.” In reality, that is exactly what has happened.
- While energy production has seen a slight increase over the past year, it still pales in comparison to the production growth rates on state and private lands. There is potential to do much better.
- Leasing on federal lands is at an all-time low – especially given the most recent cancelations of both onshore and offshore lease sales. This will only lead to future production shortfalls and lost revenue for the federal government.
- In the current price environment, vast regulatory uncertainty can make or break future energy development on public lands and threatens to pull back the great strides made towards an energy independent future.
- Reducing the burden of onerous and overly prescriptive federal regulations will attract more investment in federal energy resources.
- Federal agencies are failing to meet their statutory duties to continue to lease federal lands to maintain our nation’s energy superiority for future generations.

## Witnesses Invited

*Ms. Abby Hopper*

Director, Bureau of Ocean Energy Management  
U.S. Department of the Interior  
Washington, D.C.

*Vice Admiral Brian Salerno (USCG, Ret.)*

Director, Bureau of Safety and Environmental Enforcement  
U.S. Department of the Interior  
Washington, D.C.

*Mr. Neil Kornze*

Director, Bureau of Land Management  
U.S. Department of the Interior  
Washington, D.C.

## Hearing Focus

This hearing will focus on the spending priorities outlined in the President's FY17 budget for BOEM, BSEE, and the BLM and how their projected activities will impact the safe and efficient development of both oil and gas and renewable energy on our nation's public lands.

While energy production surges forward on state and private lands, the Administration is holding back leasing on lands that are not being utilized to their full and intended potential. The benefits of surging domestic crude production are undeniable: U.S. crude

Rotary Rig Count						
2/26/2016						
Location	Week	+/-	Week Ago	+/-	Year Ago	
Land	473	-14	487	-735	1208	
Inland Waters	2	0	2	-6	8	
Offshore	27	2	25	-24	51	
United States Total	502	-12	514	-765	1267	
Gulf Of Mexico	27	2	25	-22	49	
Canada	175	-31	206	-155	330	
North America	677	-43	720	-920	1597	

supplies are nearing a record high<sup>1</sup>, dependence on foreign oil is the lowest we have seen in decades,<sup>2</sup> and perhaps most importantly, our boost to the world supply means that American families are paying less at the pump and spending less to pay their energy bills. While the President in years past has stated that we cannot “drill our way to lower prices,” indeed that is exactly what has occurred. In 2015, gasoline prices were the lowest they have been since 2009 – and that is due to increased crude supply, lowering the global price of crude.<sup>3</sup>

<sup>1</sup> [https://www.eia.gov/petroleum/weekly/archive/2016/160224/includes/analysis\\_print.cfm](https://www.eia.gov/petroleum/weekly/archive/2016/160224/includes/analysis_print.cfm)

<sup>2</sup> <http://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=p&s=mtntus2&f=a>

<sup>3</sup> <http://www.eia.gov/todayinenergy/detail.cfm?id=24452>

The United States' federal energy resources are a critical component of our domestic energy portfolio - yet this production is being far outpaced by energy production on state and private lands. While federal crude production increased in 2015 by 11%, it is still below production in 2010. Since 2010, production on state and private lands has grown by 114%, while production on federal lands has decreased by .1%. (See chart below; data compiled from CRS). Increasingly, companies look to state and private lands for energy development due to the federal government's choice to lease less acreage for energy development and further restrict that development with increased regulatory red tape. This Administration's actions have done little to reinvigorate investment in federal leasing.

U.S. Crude Oil Production: Federal and Non-Federal Areas FY2010-FY2014 (Barrels per day)					
Fiscal Year	U.S. Total	Non-Federal	Total Federal (% of U.S. Total)	Federal Offshore	Federal Onshore
2015	9,415,000	7,437,000	1,978,000 (21)	1,485,000	493,000
2014	8,324,000	6,545,000	1,779,000 (21)	1,372,400	406,200
2013	7,261,200	5,583,300	1,677,900 (23)	1,303,300	374,600
2012	6,249,000	4,603,500	1,645,500 (26)	1,302,800	342,700
2011	5,550,200	3,775,700	1,774,400 (32)	1,454,300	320,100
2010	5,446,500	3,466,300	1,980,200 (36)	1,685,200	295,000

The pending Draft 5-year plan proposes the lowest number of lease sales in history – and recent statements by Department employees cast doubt over whether or not the final plan will actually include areas of the Atlantic that enjoy bipartisan support. The Administration has canceled two Arctic lease sales under the current 5-year plan as well. The BLM has leased over 50% less acreage per year than the Clinton Administration, and canceled or postponed no less than ten onshore lease sales in 2015 alone.

Additionally, the onslaught of regulations promulgated by BOEM, BSEE and the BLM (well-control, venting and flaring, hydraulic fracturing, onshore orders 3, 4, 5, offshore air regulations, offshore bonding, Arctic rule, to name a few) when compiled with the current price environment are preventing private investment in leasing and development on federal lands.

The BSEE's well-control rule is a case study into how prescriptive federal regulations could potentially impair projected federal production increases and future leasing activity. The rule, currently under review at the Office of Management and Budget (OMB) prior to finalization, includes provisions such as setting a strict drilling margin to which companies must adhere. The path by which a company may deviate from this specific provision of the rule is yet unclear – casting greater uncertainty over future projects. According to data submitted by during the public comment period, roughly 110 wells (or 63%) of the 175 deepwater wells drilled in the

Gulf of Mexico since 2010 have deviated from this specific drilling margin contained in the proposed rule<sup>4</sup> and therefore would not have been in compliance with this newly proposed regulation. All wells were drilled safely and without encountering significant well control incidents. These wells, which have contributed to the increased offshore production lauded by DOI, could not have been drilled under the prescriptive requirements of the well-control rule. This is why an independent Quest study<sup>5</sup> found that if enacted, 20 fewer exploration wells and 29 fewer development wells will be drilled annually under the proposed well-control rule, leading to an overall 15% decline in offshore production.

Rather than demonstrating a commitment to reversing this trend in the FY17 budget, the budget put forward by BOEM, BSEE and BLM, clearly show expected shortfalls in revenues derived from leasing – and an increased burden on taxpayers to foot the bill for these shortfalls. This hearing will provide an opportunity to ensure that BOEM, BSEE and BLM are held accountable for their funding requests they have made and that this funding is allocated in such a way that addresses the multiple-use mission of federal lands that allows for the expedient and safe leasing and development of our nation’s energy resources.

**Bureau of Ocean Energy Management (BOEM)**

FY16 President’s Request           \$171 million  
 FY16 Enacted                           \$171million  
**FY17 President’s Request           \$175 million**

BOEM is charged with overseeing the planning for development of our nation’s outer continental shelf resources. Its duties include leasing activities, review and approval of exploration and development plans, seismic permitting, environmental studies including NEPA analysis, and resource evaluation. As of February 2016, BOEM oversees 4,985 active leases in the OCS – down from 5,961 in February 2015. This total leased acreage represents less than 2% of our nation’s 1.71 billion OCS acreage. The greatest loss in active leases is from those in the Gulf of Mexico, losing 896 active leases over the last year alone (5,311 in 2015; 4,415 in 2016;).

BOEM has requested \$175.1 million for FY17, an increase of \$4.3 million over FY16’s enacted amount; \$97 million of this request is from offsetting collections from rental receipts and cost recovery fees. This includes:

As of February 1, 2016								
Planning Areas by Region <sup>1</sup>	Total Blocks	Total Acres	Number of Active Leases <sup>2,6</sup>	Acreage of Active Leases	Number of Producing Leases <sup>3</sup>	Acreage of Producing Leases	Number of Non-Producing Leases <sup>3,4</sup>	Acreage of Non-Producing Leases
<b>Gulf of Mexico</b>								
Western	5,240	28,576,813	899	5,103,082	90	501,434	809	4,601,648
Central	12,409	66,446,351	3,471	18,390,758	801	3,887,608	2,670	14,503,150
Eastern	11,526	64,563,679	48	264,030	0	0	48	264,030
<b>Region Subtotal</b>	<b>29,175</b>	<b>159,586,843</b>	<b>4,415</b>	<b>23,757,870</b>	<b>891</b>	<b>4,389,042</b>	<b>3,524</b>	<b>19,368,828</b>
<b>Pacific<sup>5</sup></b>								
Southern California	16,164	89,028,609	43	217,669	43	217,669	0	0
<b>Region Subtotal</b>	<b>16,164</b>	<b>89,028,609</b>	<b>43</b>	<b>217,669</b>	<b>43</b>	<b>217,669</b>	<b>0</b>	<b>0</b>
<b>Alaska<sup>3</sup></b>								
Beaufort Sea	11,876	65,075,663	77	387,943	3	10,424	74	377,519
Chukchi sea	11,472	62,594,455	450	2,547,725	0	0	450	2,547,725
Cook Inlet	1,093	5,356,420	0	0	0	0	0	0
<b>Region Subtotal</b>	<b>24,441</b>	<b>133,026,538</b>	<b>527</b>	<b>2,935,668</b>	<b>3</b>	<b>10,424</b>	<b>524</b>	<b>2,925,244</b>
<b>Totals</b>	<b>69,780</b>	<b>381,641,990</b>	<b>4,985</b>	<b>27,447,976</b>	<b>968</b>	<b>4,752,793</b>	<b>4,048</b>	<b>22,695,183</b>
<i>Updated Monthly</i>								

<sup>4</sup> <http://www.regulations.gov/#!documentDetail;D=BSEE-2015-0002-0154>; p. 4.

<sup>5</sup> <http://www.api.org/~media/files/news/2015/15-july/bsee%20proposed%20well%20control%20rule%20cost%20and%20economic%20analysis.pdf>

- \$2,895,000 (+15 FTEs) to administer a new offshore oil and gas and renewable liability program and hire subject matter experts in insurance risk, legal and credit analysis areas – associated with new bonding regulations.
- \$867,000 million (+3 FTEs) for resource evaluation and development activities, citing an anticipated increase in workload due to new regulations.
- \$1.6 million (+0 FTEs) for special pay authorizations to hire and keep skilled candidates and remain competitive with industry hiring practices.

*Projected Rental Revenue Losses covered by Taxpayer Dollars*

Currently, a significant portion of BOEM’s budget derives from offsetting receipts in the form of offshore rental fees – fees that a company pays to hold an active offshore lease prior to commercial development. Unfortunately, the number of active leases managed by BOEM has fallen by 976 since last year alone which resulted in a net decline in rental receipt revenues which offset appropriations. BOEM’s FY17 budget forecasts significant shortfalls in future rental receipts (see chart<sup>6</sup>). While BOEM claims the predominant reason for such shortfalls is current price volatility in the oil market, the onslaught of federal regulations and uncertainty in the offshore arena under this Administration has undoubtedly contributed to these projected revenue shortfalls. A forecast that predicts fewer offshore active leases goes hand-in-hand with a shrinking workload for the bureau and therefore obvious budgetary reductions. Yet, the bureau proposes to maintain funding through greater appropriations of taxpayer dollars to subsidize this loss in offshore activity. Specifically, offsetting revenue in FY17 for BOEM and BSEE is projected to be \$15.9 million below FY16 levels and the Department requests taxpayer dollars to fill this void.

*Increased Spending for New Red Tape*

BOEM also requests a net increase of \$4.2 million for management of its conventional energy programs – anticipating that “regulations designed to promote environmentally responsible development”<sup>7</sup> will create additional workload. The number of active leases has significantly fallen since last year. While most of those leases are in the Gulf of Mexico, the figure undoubtedly includes Arctic leases returned by Statoil and Conoco due to a price environment made more difficult by the impending Arctic regulations. BOEM also utilizes this funding for resource assessment activities through the acquisition of seismic data and for the lease sale planning process – though several scheduled lease sales in the Arctic have been canceled reducing the overall lease sale planning workload. Additionally, BOEM has yet to issue one seismic permit of the pending eight applications predominately due to interagency permitting delays with NOAA.

**Table 22: Comparison of Offsetting Rental Receipt Projections**

Comparison of Offsetting Rental Receipt Projections (dollars in millions)										
	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
FY 2016 Baseline	142.36	142.36	142.36	142.36	142.36	142.36	142.36	142.36	142.36	142.36
2016 President's Budget (\$78.69/bbl)	142.36	142.86	131.16	112.82	111.00	116.38	110.93	108.36	108.86	98.32
<i>Surplus/Shortfall (vs. 2016 Baseline)</i>	<i>0.00</i>	<i>0.50</i>	<i>-11.20</i>	<i>-29.54</i>	<i>-31.36</i>	<i>-25.98</i>	<i>-31.43</i>	<i>-34.00</i>	<i>-33.50</i>	<i>-44.04</i>
2017 President's Budget (\$49.08/bbl)	131.94	126.41	109.34	86.27	79.45	79.37	70.05	64.19	61.47	60.06
<i>Surplus/Shortfall (vs. 2016 Baseline)</i>	<i>-10.42</i>	<i>-15.95</i>	<i>-33.02</i>	<i>-56.09</i>	<i>-62.91</i>	<i>-62.99</i>	<i>-72.31</i>	<i>-78.17</i>	<i>-80.89</i>	<i>-82.30</i>

FY15 offshore energy leasing activities by BOEM generated revenue to the U.S. Treasury in the form of bonus bids, with oil and gas leasing activities generated \$642 million and wind leasing activities generated \$9 million.

**Bureau of Safety and Environmental Enforcement (BSEE)**

FY16 President’s Request	\$204.7 million
FY16 Enacted	\$204.7 million
<b>FY17 President’s Request</b>	<b>\$204.9 million</b>

BSEE is charged with enforcing the safety and environmental regulations which govern production of resources from the OCS. Its duties include permitting review and approvals, research, inspections, and oil spill response. In 2015, BSEE approved 12 applications for permits to drill new wells in shallow water and 69 in deepwater in the Gulf of Mexico.<sup>8</sup> Of the 4,985 active leases on the OCS, 968 producing leases account for 16% of total U.S. crude oil production and 5% of total U.S. natural gas production.<sup>9</sup>

The BSEE request reflects a net increase of roughly \$200,000 over FY16 levels; though given projected decreases in offshore rental receipts, BSEE proposes to increase their direct appropriation of taxpayer dollars by \$ 7.9 million. Funding priorities include: \$3.9 million (+0 FTEs) for continued special pay dispensation to attract and retain highly skilled professionals and remain competitive with industry hiring practices, and \$15 million for continued oil spill research conducted at the National Oil Spill Response Research and Renewable Energy Test Facility in New Jersey, which is appropriated from the Oil Spill Liability Trust Fund.

*New Regulations on Future Offshore Drilling, Proposals to Eliminate Gulf Revenue Sharing*

BSEE’s highly contentious well control rule was recently sent to the Office of Management and Budget for final review – and as drafted offers little certainty to private enterprise making investment decisions for future operations in the Gulf of Mexico and beyond. Additionally, the pending Arctic Rule has only compounded existing concerns on price volatility with regulatory uncertainty. A report by Baker Hughes shows that a year ago this week the rig count in the Gulf of Mexico was at 51, today it is at 27.<sup>10</sup> Recent announcements that companies have relinquished their Arctic leases are indicative of the impact that regulatory uncertainty has in the current price environment. BSEE’s budget projects fewer companies to invest in offshore leasing in the future – leading to declines in rental revenues in future years. BSEE relies on this revenue to offset budgetary expenses, which is why BSEE’s FY17 budget proposes to ask taxpayers to foot the bill for these projected shortfalls.

*Elimination of GOMESA Revenue Sharing*

Once again in FY17, the Administration proposes to eliminate revenue sharing currently promised to four Gulf states under the Gulf of Mexico Energy Security Act (GOMESA). At the state level, this revenue is dedicated to hurricane protection efforts, coastal restoration, and other

<sup>8</sup> <http://www.bsee.gov/Exploration-and-Production/Permits/Status-of-Gulf-of-Mexico-Well-Permits/>

<sup>9</sup> FY16 Bureau of Safety and Environmental Enforcement Budget Justification, page 3.

<sup>10</sup> <http://phx.corporate-ir.net/phoenix.zhtml?c=79687&p=irol-reports>

conservation efforts. The Administration proposes to end this funding and instead direct this revenue towards establishment of a \$2 billion Coastal Climate Resilience program. The program would put the federal government in control of allocating funds to states and local governments to adapt to climate change.

### **Bureau of Land Management (BLM)**

FY16 President's Request	\$1.35 billion
FY16 Enacted	\$1.25 billion
<b>FY17 President's Request</b>	<b>\$1.26 billion</b>

The BLM and its 9,641 employees manage approximately 245 million acres of land, and 700 million acres of sub-surface mineral estate.<sup>11</sup> The BLM defines its mandate as “manag[ing] the national public lands for multiple use and sustained yield,” which “requires the agency to take into consideration the diversity of interests and values associated with the Nation’s natural and cultural resources when making land use decisions.”<sup>12</sup>

The BLM seeks a \$7.1 million increase in spending and an increase of 86 employees – this however does not fully capture the spending BLM is seeking for discrete programs within its jurisdiction, for instance:

- An increase of \$15.2 million and 25 FTE to “provide effective oversight of onshore oil and gas operations” and to support implementation of new rules and regulations.<sup>13</sup>
- An increase of \$14.2 million for sage grouse conservation, to “implement actions to reduce threats to Greater Sage-Grouse habitats.”<sup>14</sup>
- No change in the \$11.0 million of funding for the BLM’s coal program – despite a secretarial order imposing a moratorium on new leases.<sup>15</sup>

### *Cost-Prohibitive Regulations will accelerate the Trend of Decreased Leased Acreage*

The BLM requests \$80.6 million for its Oil and Gas Management sub-activity – the account responsible for leasing, inspections, and regulatory activity on BLM managed land.<sup>16</sup> This request is \$20.6 million more than FY16’s enacted amount, and would allow for 351 employees.

The BLM currently has 13 final and proposed rulemakings ongoing.<sup>17</sup> However, this list fails to capture regulations that are currently judicially enjoined – such as the federal hydraulic fracturing rule. For FY17, the BLM seeks a \$13.1 million increase solely to fund the imposition of its aggressive regulatory agenda, which includes rules such as the “Waste Prevention” rule

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<sup>11</sup> BLM 2017 Budget Justification at I-1, I-2.

<sup>12</sup> BLM 2017 Budget Justification at I-1.

<sup>13</sup> BLM 2017 Budget Justification at VII-101.

<sup>14</sup> BLM 2017 Budget Justification at VII-66.

<sup>15</sup> BLM 2017 Budget Justification at VII-114.

<sup>16</sup> BLM 2017 Budget Justification at VII-99.

<sup>17</sup> See Agenda Rule List – Fall 2015: Department of the Interior, *available at*

[http://www.reginfo.gov/public/do/eAgendaMain?operation=OPERATION\\_GET\\_AGENCY\\_RULE\\_LIST&currentPub=true&agencyCode=&showStage=active&agencyCd=1000&Image58.x=36&Image58.y=12&Image58=Submit/](http://www.reginfo.gov/public/do/eAgendaMain?operation=OPERATION_GET_AGENCY_RULE_LIST&currentPub=true&agencyCode=&showStage=active&agencyCd=1000&Image58.x=36&Image58.y=12&Image58=Submit/)

estimated by the BLM to cost operators between \$117 and \$174 million annually.<sup>18</sup> For operators, 5 of the most costly proposed and finalized rules will lead to one-time costs of \$156.6 million and annual costs from \$222.6 to \$279.6 million (*see chart below*).

*Five of the More Costly Regulations to be Finalized or Enforced in FY17*

<b>Regulation Name</b>	<b>BLM Estimated Costs</b>
Onshore Order 3	\$121.5 M (one-time) + \$13.5 M (annually) <sup>19</sup>
Onshore Order 4	\$2.1 M (one-time) + \$.6 M (annually) <sup>20</sup>
Onshore Order 5	\$33 M (one-time) + \$46 M (annually) <sup>21</sup>
Waste Prevention	\$117 M to 174 M (annually) <sup>22</sup>
Federal Hydraulic Fracturing	\$45.5 M (annually) <sup>23</sup>
<b>TOTAL COSTS</b>	<b>\$156.6 M (one-time) + 222.6 M to 279.6 M (annually)</b>

In FY15, the BLM held 23 lease sales, offering 1,654 parcels that totaled 5.5 million acres.<sup>24</sup> Of those acres, only 823,763 received bids on a total of 877 parcels. In total, the BLM netted \$179 million in bids.<sup>25</sup> This represents a drop in bid upon acres of 95,615, and a corresponding loss of \$23 million in revenue.<sup>26</sup> Although these numbers fail to capture those leases that were obtained non-competitively, they do reflect the trend that has continued throughout the Obama administration – a steady annual decrease in leased acreage, as witnessed by the precipitous decline in total leased acreage from 47.2 million to 34.6 million.<sup>27</sup>

Furthermore, the negative trend of the number of active leases and leased acreage will likely continue through FY16. Already, the administration has postponed several lease sales for FY16 due to the erroneous claim that it requires larger venues to accommodate protesters who actively seek the disruption of such sales.<sup>28</sup> These questionable postponements are likely to continue, despite the BLM’s authority to seek judicial relief against those who “organize or participate in any scheme, arrangement, plan, or agreement to circumvent or defeat the provisions” of the mineral leasing act.<sup>29</sup> Additionally, there is no need for the BLM to hold

<sup>18</sup> BLM, Regulatory Impact Analysis for Waste Prevention, Production Subject to Royalties, and Resource Conservation, at 4-5.

<sup>19</sup> 80 Fed. Reg. 40792

<sup>20</sup> 80 Fed. Reg. at 58965.

<sup>21</sup> 80 Fed. Reg. at 61685.

<sup>22</sup> BLM, Regulatory Impact Analysis for Waste Prevention, Production Subject to Royalties, and Resource Conservation, at 4-5.

<sup>23</sup> 80 Fed. Reg. at 16208.

<sup>24</sup> BLM, Recent Oil & Gas Lease Sales, *available at* [http://www.blm.gov/wo/st/en/prog/energy/oil\\_and\\_gas/recent\\_lease\\_sales.html](http://www.blm.gov/wo/st/en/prog/energy/oil_and_gas/recent_lease_sales.html) (numbers obtained by adding the results for the fiscal year ending September 30, 2015).

<sup>25</sup> *Id.*

<sup>26</sup> *Id.* (numbers calculated by adding the results for the fiscal year ending September 30, 2014).

<sup>27</sup> BLM, Total number of Acres Under Leas As of the Last Day of the Fiscal Year, [http://www.blm.gov/style/medialib/blm/wo/MINERALS\\_REALTY\\_AND\\_RESOURCE\\_PROTECTION\\_/energy/oil\\_gas\\_statistics/data\\_sets.Par.67327.File.dat/numberofacresleasedlastday.pdf](http://www.blm.gov/style/medialib/blm/wo/MINERALS_REALTY_AND_RESOURCE_PROTECTION_/energy/oil_gas_statistics/data_sets.Par.67327.File.dat/numberofacresleasedlastday.pdf).

<sup>28</sup> See Dec. 16, 2015 letter from Chairman Rob Bishop, *et al*, to Janice Schneider, Asst. Sec. of the U.S. Dep’t of the Interior, *available at* [http://naturalresources.house.gov/uploadedfiles/blm\\_letter\\_12\\_16\\_15.pdf](http://naturalresources.house.gov/uploadedfiles/blm_letter_12_16_15.pdf).

<sup>29</sup> 30 U.S.C. § 195.

physical auctions, as they have been authorized to conduct lease sales online.<sup>30</sup> Each of these postponements, and cancelled sales, represent lost revenues for the American people to the tune of \$220 per acre bid.<sup>31</sup>

These imposing regulations and questionable leasing practices will continue to dissuade producers from federal land, leading to a decrease in federal royalties returned to American taxpayers. This is a trend that must stop, as the BLM received \$366 million less from oil in FY 2015 than the amount returned in FY14.<sup>32</sup>

### *Same Funding Levels for Coal Management despite Unlawful Ban on New Leases*

The current 2016 funding levels for BLM's coal management program represented an increase of \$1.3 million over 2015 levels to \$11.0 million.<sup>33</sup> For FY17, the BLM requests a maintained funding level despite a "Secretarial Order that place[d] a pause on new [federal coal] leasing."<sup>34</sup> This order is being justified by a BLM review of:

The appropriate leasing mechanisms to determine how, when and where to lease;  
How to account for the environmental and public health impacts of the coal program; and  
How to ensure the sale of these public resources results in a fair return.<sup>35</sup>

Essentially, the BLM has halted new lease sales indeterminately until it finishes the programmatic environmental impact statement that will review the previous questions.

This unprecedented pause on new lease sales will result in immediate losses on federal revenues. For instance, in FY15, the BLM received \$20.9 million in bids for three new leases of federal land for coal.<sup>36</sup>

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<sup>30</sup> See Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015, Pub. L. No. 113-291, § 3022, 128 Stat. 3292, at 3762.

<sup>31</sup> Calculated by dividing total receipts by acreage receiving bids.

<sup>32</sup> Numbers obtained from Office of Natural Resources Revenue, Statistical Information, *available at* <http://statistics.onrr.gov/ReportTool.aspx>.

<sup>33</sup> BLM 2017 Budget Justification at VII-113.

<sup>34</sup> BLM 2017 Budget Justification at VII-114.

<sup>35</sup> BLM 2017 Budget Justification at VII-114.

<sup>36</sup> See BLM, Successful Competitive Lease Sales Since 1990, Utah, Colorado, Eastern States, *available at* <http://www.blm.gov/ut/st/en/prog/energy/coal/coaltables.html>; [http://www.blm.gov/co/st/en/BLM\\_Programs/minerals/coal\\_table.html](http://www.blm.gov/co/st/en/BLM_Programs/minerals/coal_table.html); <http://www.blm.gov/es/st/en/prog/minerals/coal/tables.html>.

**From:** Feldgus, Steve  
**To:** [Anderson, James](#)  
**Subject:** FW: Hearing Memo and Testimony -- Sub Ov Hrg on 03.02.16  
**Date:** Monday, February 29, 2016 6:02:01 PM  
**Attachments:** [Hearing Memo -- Ov Hrg on 03.02.16.pdf](#)

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**From:** Lincoln, Jack  
**Sent:** Monday, February 29, 2016 5:38 PM  
**To:** Natural Resources Repubs EMR LAs; Natural Resources Repub EMR Schedulers; Natural Resources Republican Press; Natural Resources Dems EMR LAs; Natural Resources Dem EMR Schedulers; Taft, Tammy; Cox, William; Digest, Committee; Hall, Dan; Johnson, Edward; 'edward.tilton@boem.gov'; 'ryan.underwood@bsee.gov'; 'jcmoran@blm.gov'  
**Cc:** All Staff\_Natural Resources Cmte  
**Subject:** Hearing Memo and Testimony -- Sub Ov Hrg on 03.02.16

Good evening everyone,

Attached is the hearing memo for Wednesday's Subcommittee oversight hearing titled *"The Impact of the President's FY 2017 Budget on the Energy and Mineral Leasing and Production Missions of the Bureau of Ocean Energy Management (BOEM), the Bureau of Safety and Environmental Enforcement (BSEE), and the Bureau of Land Management (BLM)."*

Testimony for Thursday can be found [HERE](#) when made available. Please check back periodically.

Please contact the Energy and Mineral Resources Subcommittee with any questions at 5-9297.

## **Jack Lincoln**

Clerk

Committee on Natural Resources

Subcommittee on Energy and Mineral Resources

1324 Longworth House Office Building

Washington, D.C. 20515

# Subcommittee on Energy and Mineral Resources

Doug Lamborn, Chairman  
Hearing Memorandum

February 29, 2016

**To:** All, Subcommittee on Energy and Mineral Resource Committee Members

**From:** Majority Committee Staff  
Subcommittee on Energy and Mineral Resources, x5-9297

**Hearing:** Oversight Hearing entitled “*The Impact of the President’s FY 2017 Budget on the Energy and Mineral Leasing and Production Missions of the Bureau of Ocean Energy Management, the Bureau of Safety and Environmental Enforcement, and the Bureau of Land Management*”

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The subcommittee hearing will take place on **Wednesday, March 2<sup>nd</sup> at 10:00a.m. in Room 1324 Longworth House Office Building.** This hearing will focus on the FY 2017 budget proposals put forward by Bureau of Ocean Energy Management (BOEM), the Bureau of Safety and Environmental Enforcement (BSEE), and the Bureau of Land Management (BLM) – the three major federal agencies at the Department of the Interior charged with overseeing the safe and expedient exploration and production of domestic resources on both offshore and onshore federal lands.

## Policy Overview

- Four years ago, President Obama told the American people that “we can’t drill our way to lower gas prices.” In reality, that is exactly what has happened.
- While energy production has seen a slight increase over the past year, it still pales in comparison to the production growth rates on state and private lands. There is potential to do much better.
- Leasing on federal lands is at an all-time low – especially given the most recent cancelations of both onshore and offshore lease sales. This will only lead to future production shortfalls and lost revenue for the federal government.
- In the current price environment, vast regulatory uncertainty can make or break future energy development on public lands and threatens to pull back the great strides made towards an energy independent future.
- Reducing the burden of onerous and overly prescriptive federal regulations will attract more investment in federal energy resources.
- Federal agencies are failing to meet their statutory duties to continue to lease federal lands to maintain our nation’s energy superiority for future generations.

## Witnesses Invited

*Ms. Abby Hopper*

Director, Bureau of Ocean Energy Management  
U.S. Department of the Interior  
Washington, D.C.

*Vice Admiral Brian Salerno (USCG, Ret.)*

Director, Bureau of Safety and Environmental Enforcement  
U.S. Department of the Interior  
Washington, D.C.

*Mr. Neil Kornze*

Director, Bureau of Land Management  
U.S. Department of the Interior  
Washington, D.C.

## Hearing Focus

This hearing will focus on the spending priorities outlined in the President's FY17 budget for BOEM, BSEE, and the BLM and how their projected activities will impact the safe and efficient development of both oil and gas and renewable energy on our nation's public lands.

While energy production surges forward on state and private lands, the Administration is holding back leasing on lands that are not being utilized to their full and intended potential. The benefits of surging domestic crude production are undeniable: U.S. crude

Rotary Rig Count						
2/26/2016						
Location	Week	+/-	Week Ago	+/-	Year Ago	
Land	473	-14	487	-735	1208	
Inland Waters	2	0	2	-6	8	
Offshore	27	2	25	-24	51	
United States Total	502	-12	514	-765	1267	
Gulf Of Mexico	27	2	25	-22	49	
Canada	175	-31	206	-155	330	
North America	677	-43	720	-920	1597	

supplies are nearing a record high<sup>1</sup>, dependence on foreign oil is the lowest we have seen in decades,<sup>2</sup> and perhaps most importantly, our boost to the world supply means that American families are paying less at the pump and spending less to pay their energy bills. While the President in years past has stated that we cannot “drill our way to lower prices,” indeed that is exactly what has occurred. In 2015, gasoline prices were the lowest they have been since 2009 – and that is due to increased crude supply, lowering the global price of crude.<sup>3</sup>

<sup>1</sup> [https://www.eia.gov/petroleum/weekly/archive/2016/160224/includes/analysis\\_print.cfm](https://www.eia.gov/petroleum/weekly/archive/2016/160224/includes/analysis_print.cfm)

<sup>2</sup> <http://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=p&s=mtntus2&f=a>

<sup>3</sup> <http://www.eia.gov/todayinenergy/detail.cfm?id=24452>

The United States' federal energy resources are a critical component of our domestic energy portfolio - yet this production is being far outpaced by energy production on state and private lands. While federal crude production increased in 2015 by 11%, it is still below production in 2010. Since 2010, production on state and private lands has grown by 114%, while production on federal lands has decreased by .1%. (See chart below; data compiled from CRS). Increasingly, companies look to state and private lands for energy development due to the federal government's choice to lease less acreage for energy development and further restrict that development with increased regulatory red tape. This Administration's actions have done little to reinvigorate investment in federal leasing.

U.S. Crude Oil Production: Federal and Non-Federal Areas FY2010-FY2014 (Barrels per day)					
Fiscal Year	U.S. Total	Non-Federal	Total Federal (% of U.S. Total)	Federal Offshore	Federal Onshore
2015	9,415,000	7,437,000	1,978,000 (21)	1,485,000	493,000
2014	8,324,000	6,545,000	1,779,000 (21)	1,372,400	406,200
2013	7,261,200	5,583,300	1,677,900 (23)	1,303,300	374,600
2012	6,249,000	4,603,500	1,645,500 (26)	1,302,800	342,700
2011	5,550,200	3,775,700	1,774,400 (32)	1,454,300	320,100
2010	5,446,500	3,466,300	1,980,200 (36)	1,685,200	295,000

The pending Draft 5-year plan proposes the lowest number of lease sales in history – and recent statements by Department employees cast doubt over whether or not the final plan will actually include areas of the Atlantic that enjoy bipartisan support. The Administration has canceled two Arctic lease sales under the current 5-year plan as well. The BLM has leased over 50% less acreage per year than the Clinton Administration, and canceled or postponed no less than ten onshore lease sales in 2015 alone.

Additionally, the onslaught of regulations promulgated by BOEM, BSEE and the BLM (well-control, venting and flaring, hydraulic fracturing, onshore orders 3, 4, 5, offshore air regulations, offshore bonding, Arctic rule, to name a few) when compiled with the current price environment are preventing private investment in leasing and development on federal lands.

The BSEE's well-control rule is a case study into how prescriptive federal regulations could potentially impair projected federal production increases and future leasing activity. The rule, currently under review at the Office of Management and Budget (OMB) prior to finalization, includes provisions such as setting a strict drilling margin to which companies must adhere. The path by which a company may deviate from this specific provision of the rule is yet unclear – casting greater uncertainty over future projects. According to data submitted by during the public comment period, roughly 110 wells (or 63%) of the 175 deepwater wells drilled in the

Gulf of Mexico since 2010 have deviated from this specific drilling margin contained in the proposed rule<sup>4</sup> and therefore would not have been in compliance with this newly proposed regulation. All wells were drilled safely and without encountering significant well control incidents. These wells, which have contributed to the increased offshore production lauded by DOI, could not have been drilled under the prescriptive requirements of the well-control rule. This is why an independent Quest study<sup>5</sup> found that if enacted, 20 fewer exploration wells and 29 fewer development wells will be drilled annually under the proposed well-control rule, leading to an overall 15% decline in offshore production.

Rather than demonstrating a commitment to reversing this trend in the FY17 budget, the budget put forward by BOEM, BSEE and BLM, clearly show expected shortfalls in revenues derived from leasing – and an increased burden on taxpayers to foot the bill for these shortfalls. This hearing will provide an opportunity to ensure that BOEM, BSEE and BLM are held accountable for their funding requests they have made and that this funding is allocated in such a way that addresses the multiple-use mission of federal lands that allows for the expedient and safe leasing and development of our nation’s energy resources.

**Bureau of Ocean Energy Management (BOEM)**

FY16 President’s Request           \$171 million  
 FY16 Enacted                           \$171million  
**FY17 President’s Request           \$175 million**

BOEM is charged with overseeing the planning for development of our nation’s outer continental shelf resources. Its duties include leasing activities, review and approval of exploration and development plans, seismic permitting, environmental studies including NEPA analysis, and resource evaluation. As of February 2016, BOEM oversees 4,985 active leases in the OCS – down from 5,961 in February 2015. This total leased acreage represents less than 2% of our nation’s 1.71 billion OCS acreage. The greatest loss in active leases is from those in the Gulf of Mexico, losing 896 active leases over the last year alone (5,311 in 2015; 4,415 in 2016;).

BOEM has requested \$175.1 million for FY17, an increase of \$4.3 million over FY16’s enacted amount; \$97 million of this request is from offsetting collections from rental receipts and cost recovery fees. This includes:

As of February 1, 2016								
Planning Areas by Region <sup>1</sup>	Total Blocks	Total Acres	Number of Active Leases <sup>2,6</sup>	Acreage of Active Leases	Number of Producing Leases <sup>3</sup>	Acreage of Producing Leases	Number of Non-Producing Leases <sup>3,4</sup>	Acreage of Non-Producing Leases
<b>Gulf of Mexico</b>								
Western	5,240	28,576,813	899	5,103,082	90	501,434	809	4,601,648
Central	12,409	66,446,351	3,471	18,390,758	801	3,887,608	2,670	14,503,150
Eastern	11,526	64,563,679	48	264,030	0	0	48	264,030
<b>Region Subtotal</b>	<b>29,175</b>	<b>159,586,843</b>	<b>4,415</b>	<b>23,757,870</b>	<b>891</b>	<b>4,389,042</b>	<b>3,524</b>	<b>19,368,828</b>
<b>Pacific<sup>5</sup></b>								
Southern California	16,164	89,028,609	43	217,669	43	217,669	0	0
<b>Region Subtotal</b>	<b>16,164</b>	<b>89,028,609</b>	<b>43</b>	<b>217,669</b>	<b>43</b>	<b>217,669</b>	<b>0</b>	<b>0</b>
<b>Alaska<sup>5</sup></b>								
Beaufort Sea	11,876	65,075,663	77	387,943	3	10,424	74	377,519
Chukchi sea	11,472	62,594,455	450	2,547,725	0	0	450	2,547,725
Cook Inlet	1,093	5,356,420	0	0	0	0	0	0
<b>Region Subtotal</b>	<b>24,441</b>	<b>133,026,538</b>	<b>527</b>	<b>2,935,668</b>	<b>3</b>	<b>10,424</b>	<b>524</b>	<b>2,925,244</b>
<b>Totals</b>	<b>69,780</b>	<b>381,641,990</b>	<b>4,985</b>	<b>27,447,976</b>	<b>968</b>	<b>4,752,793</b>	<b>4,048</b>	<b>22,695,183</b>
<i>Updated Monthly</i>								

<sup>4</sup> <http://www.regulations.gov/#!documentDetail;D=BSEE-2015-0002-0154>; p. 4.

<sup>5</sup> <http://www.api.org/~media/files/news/2015/15-july/bsee%20proposed%20well%20control%20rule%20cost%20and%20economic%20analysis.pdf>

- \$2,895,000 (+15 FTEs) to administer a new offshore oil and gas and renewable liability program and hire subject matter experts in insurance risk, legal and credit analysis areas – associated with new bonding regulations.
- \$867,000 million (+3 FTEs) for resource evaluation and development activities, citing an anticipated increase in workload due to new regulations.
- \$1.6 million (+0 FTEs) for special pay authorizations to hire and keep skilled candidates and remain competitive with industry hiring practices.

*Projected Rental Revenue Losses covered by Taxpayer Dollars*

Currently, a significant portion of BOEM’s budget derives from offsetting receipts in the form of offshore rental fees – fees that a company pays to hold an active offshore lease prior to commercial development. Unfortunately, the number of active leases managed by BOEM has fallen by 976 since last year alone which resulted in a net decline in rental receipt revenues which offset appropriations. BOEM’s FY17 budget forecasts significant shortfalls in future rental receipts (see chart<sup>6</sup>). While BOEM claims the predominant reason for such shortfalls is current price volatility in the oil market, the onslaught of federal regulations and uncertainty in the offshore arena under this Administration has undoubtedly contributed to these projected revenue shortfalls. A forecast that predicts fewer offshore active leases goes hand-in-hand with a shrinking workload for the bureau and therefore obvious budgetary reductions. Yet, the bureau proposes to maintain funding through greater appropriations of taxpayer dollars to subsidize this loss in offshore activity. Specifically, offsetting revenue in FY17 for BOEM and BSEE is projected to be \$15.9 million below FY16 levels and the Department requests taxpayer dollars to fill this void.

*Increased Spending for New Red Tape*

BOEM also requests a net increase of \$4.2 million for management of its conventional energy programs – anticipating that “regulations designed to promote environmentally responsible development”<sup>7</sup> will create additional workload. The number of active leases has significantly fallen since last year. While most of those leases are in the Gulf of Mexico, the figure undoubtedly includes Arctic leases returned by Statoil and Conoco due to a price environment made more difficult by the impending Arctic regulations. BOEM also utilizes this funding for resource assessment activities through the acquisition of seismic data and for the lease sale planning process – though several scheduled lease sales in the Arctic have been canceled reducing the overall lease sale planning workload. Additionally, BOEM has yet to issue one seismic permit of the pending eight applications predominately due to interagency permitting delays with NOAA.

**Table 22: Comparison of Offsetting Rental Receipt Projections**

Comparison of Offsetting Rental Receipt Projections (dollars in millions)										
	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
FY 2016 Baseline	142.36	142.36	142.36	142.36	142.36	142.36	142.36	142.36	142.36	142.36
2016 President's Budget (\$78.69/bbl)	142.36	142.86	131.16	112.82	111.00	116.38	110.93	108.36	108.86	98.32
<i>Surplus/Shortfall (vs. 2016 Baseline)</i>	<i>0.00</i>	<i>0.50</i>	<i>-11.20</i>	<i>-29.54</i>	<i>-31.36</i>	<i>-25.98</i>	<i>-31.43</i>	<i>-34.00</i>	<i>-33.50</i>	<i>-44.04</i>
2017 President's Budget (\$49.08/bbl)	131.94	126.41	109.34	86.27	79.45	79.37	70.05	64.19	61.47	60.06
<i>Surplus/Shortfall (vs. 2016 Baseline)</i>	<i>-10.42</i>	<i>-15.95</i>	<i>-33.02</i>	<i>-56.09</i>	<i>-62.91</i>	<i>-62.99</i>	<i>-72.31</i>	<i>-78.17</i>	<i>-80.89</i>	<i>-82.30</i>

FY15 offshore energy leasing activities by BOEM generated revenue to the U.S. Treasury in the form of bonus bids, with oil and gas leasing activities generated \$642 million and wind leasing activities generated \$9 million.

**Bureau of Safety and Environmental Enforcement (BSEE)**

FY16 President’s Request	\$204.7 million
FY16 Enacted	\$204.7 million
<b>FY17 President’s Request</b>	<b>\$204.9 million</b>

BSEE is charged with enforcing the safety and environmental regulations which govern production of resources from the OCS. Its duties include permitting review and approvals, research, inspections, and oil spill response. In 2015, BSEE approved 12 applications for permits to drill new wells in shallow water and 69 in deepwater in the Gulf of Mexico.<sup>8</sup> Of the 4,985 active leases on the OCS, 968 producing leases account for 16% of total U.S. crude oil production and 5% of total U.S. natural gas production.<sup>9</sup>

The BSEE request reflects a net increase of roughly \$200,000 over FY16 levels; though given projected decreases in offshore rental receipts, BSEE proposes to increase their direct appropriation of taxpayer dollars by \$ 7.9 million. Funding priorities include: \$3.9 million (+0 FTEs) for continued special pay dispensation to attract and retain highly skilled professionals and remain competitive with industry hiring practices, and \$15 million for continued oil spill research conducted at the National Oil Spill Response Research and Renewable Energy Test Facility in New Jersey, which is appropriated from the Oil Spill Liability Trust Fund.

*New Regulations on Future Offshore Drilling, Proposals to Eliminate Gulf Revenue Sharing*

BSEE’s highly contentious well control rule was recently sent to the Office of Management and Budget for final review – and as drafted offers little certainty to private enterprise making investment decisions for future operations in the Gulf of Mexico and beyond. Additionally, the pending Arctic Rule has only compounded existing concerns on price volatility with regulatory uncertainty. A report by Baker Hughes shows that a year ago this week the rig count in the Gulf of Mexico was at 51, today it is at 27.<sup>10</sup> Recent announcements that companies have relinquished their Arctic leases are indicative of the impact that regulatory uncertainty has in the current price environment. BSEE’s budget projects fewer companies to invest in offshore leasing in the future – leading to declines in rental revenues in future years. BSEE relies on this revenue to offset budgetary expenses, which is why BSEE’s FY17 budget proposes to ask taxpayers to foot the bill for these projected shortfalls.

*Elimination of GOMESA Revenue Sharing*

Once again in FY17, the Administration proposes to eliminate revenue sharing currently promised to four Gulf states under the Gulf of Mexico Energy Security Act (GOMESA). At the state level, this revenue is dedicated to hurricane protection efforts, coastal restoration, and other

<sup>8</sup> <http://www.bsee.gov/Exploration-and-Production/Permits/Status-of-Gulf-of-Mexico-Well-Permits/>

<sup>9</sup> FY16 Bureau of Safety and Environmental Enforcement Budget Justification, page 3.

<sup>10</sup> <http://phx.corporate-ir.net/phoenix.zhtml?c=79687&p=irol-reports>

conservation efforts. The Administration proposes to end this funding and instead direct this revenue towards establishment of a \$2 billion Coastal Climate Resilience program. The program would put the federal government in control of allocating funds to states and local governments to adapt to climate change.

### **Bureau of Land Management (BLM)**

FY16 President's Request	\$1.35 billion
FY16 Enacted	\$1.25 billion
<b>FY17 President's Request</b>	<b>\$1.26 billion</b>

The BLM and its 9,641 employees manage approximately 245 million acres of land, and 700 million acres of sub-surface mineral estate.<sup>11</sup> The BLM defines its mandate as “manag[ing] the national public lands for multiple use and sustained yield,” which “requires the agency to take into consideration the diversity of interests and values associated with the Nation’s natural and cultural resources when making land use decisions.”<sup>12</sup>

The BLM seeks a \$7.1 million increase in spending and an increase of 86 employees – this however does not fully capture the spending BLM is seeking for discrete programs within its jurisdiction, for instance:

- An increase of \$15.2 million and 25 FTE to “provide effective oversight of onshore oil and gas operations” and to support implementation of new rules and regulations.<sup>13</sup>
- An increase of \$14.2 million for sage grouse conservation, to “implement actions to reduce threats to Greater Sage-Grouse habitats.”<sup>14</sup>
- No change in the \$11.0 million of funding for the BLM’s coal program – despite a secretarial order imposing a moratorium on new leases.<sup>15</sup>

### *Cost-Prohibitive Regulations will accelerate the Trend of Decreased Leased Acreage*

The BLM requests \$80.6 million for its Oil and Gas Management sub-activity – the account responsible for leasing, inspections, and regulatory activity on BLM managed land.<sup>16</sup> This request is \$20.6 million more than FY16’s enacted amount, and would allow for 351 employees.

The BLM currently has 13 final and proposed rulemakings ongoing.<sup>17</sup> However, this list fails to capture regulations that are currently judicially enjoined – such as the federal hydraulic fracturing rule. For FY17, the BLM seeks a \$13.1 million increase solely to fund the imposition of its aggressive regulatory agenda, which includes rules such as the “Waste Prevention” rule

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<sup>11</sup> BLM 2017 Budget Justification at I-1, I-2.

<sup>12</sup> BLM 2017 Budget Justification at I-1.

<sup>13</sup> BLM 2017 Budget Justification at VII-101.

<sup>14</sup> BLM 2017 Budget Justification at VII-66.

<sup>15</sup> BLM 2017 Budget Justification at VII-114.

<sup>16</sup> BLM 2017 Budget Justification at VII-99.

<sup>17</sup> See Agenda Rule List – Fall 2015: Department of the Interior, *available at*

[http://www.reginfo.gov/public/do/eAgendaMain?operation=OPERATION\\_GET\\_AGENCY\\_RULE\\_LIST&currentPub=true&agencyCode=&showStage=active&agencyCd=1000&Image58.x=36&Image58.y=12&Image58=Submit/](http://www.reginfo.gov/public/do/eAgendaMain?operation=OPERATION_GET_AGENCY_RULE_LIST&currentPub=true&agencyCode=&showStage=active&agencyCd=1000&Image58.x=36&Image58.y=12&Image58=Submit/)

estimated by the BLM to cost operators between \$117 and \$174 million annually.<sup>18</sup> For operators, 5 of the most costly proposed and finalized rules will lead to one-time costs of \$156.6 million and annual costs from \$222.6 to \$279.6 million (*see chart below*).

*Five of the More Costly Regulations to be Finalized or Enforced in FY17*

<b>Regulation Name</b>	<b>BLM Estimated Costs</b>
Onshore Order 3	\$121.5 M (one-time) + \$13.5 M (annually) <sup>19</sup>
Onshore Order 4	\$2.1 M (one-time) + \$.6 M (annually) <sup>20</sup>
Onshore Order 5	\$33 M (one-time) + \$46 M (annually) <sup>21</sup>
Waste Prevention	\$117 M to 174 M (annually) <sup>22</sup>
Federal Hydraulic Fracturing	\$45.5 M (annually) <sup>23</sup>
<b>TOTAL COSTS</b>	<b>\$156.6 M (one-time) + 222.6 M to 279.6 M (annually)</b>

In FY15, the BLM held 23 lease sales, offering 1,654 parcels that totaled 5.5 million acres.<sup>24</sup> Of those acres, only 823,763 received bids on a total of 877 parcels. In total, the BLM netted \$179 million in bids.<sup>25</sup> This represents a drop in bid upon acres of 95,615, and a corresponding loss of \$23 million in revenue.<sup>26</sup> Although these numbers fail to capture those leases that were obtained non-competitively, they do reflect the trend that has continued throughout the Obama administration – a steady annual decrease in leased acreage, as witnessed by the precipitous decline in total leased acreage from 47.2 million to 34.6 million.<sup>27</sup>

Furthermore, the negative trend of the number of active leases and leased acreage will likely continue through FY16. Already, the administration has postponed several lease sales for FY16 due to the erroneous claim that it requires larger venues to accommodate protesters who actively seek the disruption of such sales.<sup>28</sup> These questionable postponements are likely to continue, despite the BLM’s authority to seek judicial relief against those who “organize or participate in any scheme, arrangement, plan, or agreement to circumvent or defeat the provisions” of the mineral leasing act.<sup>29</sup> Additionally, there is no need for the BLM to hold

<sup>18</sup> BLM, Regulatory Impact Analysis for Waste Prevention, Production Subject to Royalties, and Resource Conservation, at 4-5.

<sup>19</sup> 80 Fed. Reg. 40792

<sup>20</sup> 80 Fed. Reg. at 58965.

<sup>21</sup> 80 Fed. Reg. at 61685.

<sup>22</sup> BLM, Regulatory Impact Analysis for Waste Prevention, Production Subject to Royalties, and Resource Conservation, at 4-5.

<sup>23</sup> 80 Fed. Reg. at 16208.

<sup>24</sup> BLM, Recent Oil & Gas Lease Sales, *available at*

[http://www.blm.gov/wo/st/en/prog/energy/oil\\_and\\_gas/recent\\_lease\\_sales.html](http://www.blm.gov/wo/st/en/prog/energy/oil_and_gas/recent_lease_sales.html) (numbers obtained by adding the results for the fiscal year ending September 30, 2015).

<sup>25</sup> *Id.*

<sup>26</sup> *Id.* (numbers calculated by adding the results for the fiscal year ending September 30, 2014).

<sup>27</sup> BLM, Total number of Acres Under Leas As of the Last Day of the Fiscal Year,

[http://www.blm.gov/style/medialib/blm/wo/MINERALS\\_REALTY\\_AND\\_RESOURCE\\_PROTECTION\\_/energy/oil\\_gas\\_statistics/data\\_sets.Par.67327.File.dat/numberofacresleasedlastday.pdf](http://www.blm.gov/style/medialib/blm/wo/MINERALS_REALTY_AND_RESOURCE_PROTECTION_/energy/oil_gas_statistics/data_sets.Par.67327.File.dat/numberofacresleasedlastday.pdf).

<sup>28</sup> See Dec. 16, 2015 letter from Chairman Rob Bishop, *et al*, to Janice Schneider, Asst. Sec. of the U.S. Dep’t of the Interior, *available at* [http://naturalresources.house.gov/uploadedfiles/blm\\_letter\\_12\\_16\\_15.pdf](http://naturalresources.house.gov/uploadedfiles/blm_letter_12_16_15.pdf).

<sup>29</sup> 30 U.S.C. § 195.

physical auctions, as they have been authorized to conduct lease sales online.<sup>30</sup> Each of these postponements, and cancelled sales, represent lost revenues for the American people to the tune of \$220 per acre bid.<sup>31</sup>

These imposing regulations and questionable leasing practices will continue to dissuade producers from federal land, leading to a decrease in federal royalties returned to American taxpayers. This is a trend that must stop, as the BLM received \$366 million less from oil in FY 2015 than the amount returned in FY14.<sup>32</sup>

### *Same Funding Levels for Coal Management despite Unlawful Ban on New Leases*

The current 2016 funding levels for BLM's coal management program represented an increase of \$1.3 million over 2015 levels to \$11.0 million.<sup>33</sup> For FY17, the BLM requests a maintained funding level despite a "Secretarial Order that place[d] a pause on new [federal coal] leasing."<sup>34</sup> This order is being justified by a BLM review of:

The appropriate leasing mechanisms to determine how, when and where to lease;  
How to account for the environmental and public health impacts of the coal program; and  
How to ensure the sale of these public resources results in a fair return.<sup>35</sup>

Essentially, the BLM has halted new lease sales indeterminately until it finishes the programmatic environmental impact statement that will review the previous questions.

This unprecedented pause on new lease sales will result in immediate losses on federal revenues. For instance, in FY15, the BLM received \$20.9 million in bids for three new leases of federal land for coal.<sup>36</sup>

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<sup>30</sup> See Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015, Pub. L. No. 113-291, § 3022, 128 Stat. 3292, at 3762.

<sup>31</sup> Calculated by dividing total receipts by acreage receiving bids.

<sup>32</sup> Numbers obtained from Office of Natural Resources Revenue, Statistical Information, *available at* <http://statistics.onrr.gov/ReportTool.aspx>.

<sup>33</sup> BLM 2017 Budget Justification at VII-113.

<sup>34</sup> BLM 2017 Budget Justification at VII-114.

<sup>35</sup> BLM 2017 Budget Justification at VII-114.

<sup>36</sup> See BLM, Successful Competitive Lease Sales Since 1990, Utah, Colorado, Eastern States, *available at* <http://www.blm.gov/ut/st/en/prog/energy/coal/coaltables.html>; [http://www.blm.gov/co/st/en/BLM\\_Programs/minerals/coal\\_table.html](http://www.blm.gov/co/st/en/BLM_Programs/minerals/coal_table.html); <http://www.blm.gov/es/st/en/prog/minerals/coal/tables.html>.

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**Subject:** BLM Budget Testimony (3/2/2016)  
**Date:** Monday, February 29, 2016 7:03:41 PM  
**Attachments:** [EMR\\_BLM\\_Budget\\_Testimony.docx](#)  
[03.02.16\\_Disclosure\\_Form.doc](#)

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All --

Attached is the BLM's statement for Wednesday's Energy and Mineral Resources Subcommittee hearing on the President's FY 2017 budget request. Also attached is the requested disclosure form.

Thanks,  
Ben

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**Statement of Neil G. Kornze, Director  
Bureau of Land Management, U.S. Department of the Interior  
House Natural Resources Committee**

**Subcommittee on Energy and Mineral Resources**

**FY 2017 Budget Request for Bureau of Land Management Energy and Minerals Programs**

Mr. Chairman and Members of the Subcommittee, thank you for inviting me to provide a statement on the President's Fiscal Year 2017 budget request for the Bureau of Land Management (BLM), particularly as it relates to energy and minerals. The BLM manages nearly 250 million acres of land and 700 million acres of subsurface estate. That's more than 10 percent of the Nation's surface and nearly a third of its minerals. The BLM manages this vast portfolio on behalf of the American people under the dual framework of multiple use and sustained yield – including the management of renewable and conventional energy development, livestock grazing, timber production, hunting, fishing, recreation, and conservation. This means thoughtful development in the right places to drive economic opportunities for local communities while protecting natural, cultural and historic areas that are simply too special to develop.

While broadly speaking, the BLM's mission has not changed in the 40 years since Congress passed the Federal Land Policy and Management Act, carrying out that mission has grown ever more complex. As a result, the BLM has opened a new chapter in how the national public lands are managed on behalf of the American people. While maintaining a local focus, the BLM is working on a landscape-scale to successfully address complex regional challenges. For instance, the BLM has undertaken unprecedented efforts to conserve Greater Sage-grouse; to devise new approaches to prevent and respond to wildfire; to make land-use planning efforts more timely, science-driven and adaptable; and to promote responsible energy development on public lands while also managing for a wide range of other uses. To encourage these resource stewardship and development objectives, the BLM increasingly shifts from a reactive, project-by-project resource planning approach to more predictable and effective management of its lands and resources. The goal is to provide greater certainty for project developers when it comes to energy permitting and better outcomes for conservation through more effective and efficient project planning.

The BLM's work contributes significantly to the economic and financial health of the country and to the States where BLM lands and resources are found. For example, activities associated with BLM-managed lands and minerals contributed an estimated \$114 billion to the Nation's economic output, supporting nearly 450,000 jobs, in FY 2014. And, while the BLM receives just over \$1.0 billion in annual discretionary appropriations to support programs nationwide, this work has contributed to the collection and distribution of more than \$5.0 billion to the U.S. Treasury and to State and local governments in recent years.

Our FY 2017 budget continues our tradition of serving the American public by supporting economic development and jobs in traditional and emerging industries, conserving our natural resources, reducing our dependence on foreign energy, protecting our Nation's cultural heritage, and preserving some of our Nation's most cherished places.

## **BLM Budget Request**

The FY 2017 budget requests \$1.3 billion for BLM operations and activities, more than \$7 million above the BLM's FY 2016 enacted level. The budget proposes \$1.1 billion for the Management of Lands and Resources appropriation, an increase of \$2.9 million above the 2016 enacted level. The change in total program resources from 2016 to 2017 is somewhat larger, as the budget proposes offsetting user fees in the Rangeland Management and Oil and Gas Management programs which reduce requested funds by \$64.5 million. The budget requests \$107.0 million for the Oregon and California Grant Lands appropriation. The budget also proposes \$44.0 million in discretionary funding for Land Acquisition, to complement \$44.8 million proposed in mandatory Land Acquisition funding.

While managing for a wide range of uses, the BLM made significant progress in 2015 promoting responsible energy development on public lands. The BLM facilitated substantial capital investments by industry in clean energy development, advanced modern safety and production-measurement regulations, made progress developing master leasing plans for oil and gas areas, and made critical investments in technological upgrades to facilitate key aspects of its workload in its Oil and Gas Management program.

**Renewable Energy** – The BLM continues its national leadership role in the production of clean, American-made renewable energy. Since 2009, the BLM has approved 57 renewable energy projects on public lands, including 34 utility-scale solar facilities, 11 wind farms, and 12 geothermal plants, with associated transmission corridors and infrastructure to connect with established power grids. In 2015 alone, the BLM approved five solar energy projects that, if fully built, will bring an additional 977 megawatts of electric generation capacity online with the potential to create approximately 5,600 construction and operations jobs. In addition, the BLM approved six transmission projects to help unlock wind and solar resources that cannot be currently accessed due to lack of infrastructure to bring energy to the grid. Among those are the SunZia transmission project in Arizona and New Mexico that has the potential to add up to 3,000 megawatts of renewable electrical capacity in the Southwest. These approvals put the BLM 75 percent of the way to the President's Climate Action Plan goal of approving projects that will generate 20,000 megawatts of renewable energy by 2020.

The BLM also made progress developing a competitive leasing process to help spur solar and wind energy development on public lands. The proposed regulations will enable the agency to better manage development of these renewable energy sources, improving efficiency for developers while providing reassurance that lands not suitable for development will be protected.

The BLM budget request maintains funding for Renewable Energy at essentially the 2016 enacted level, providing the BLM with the necessary resources to continue to aggressively facilitate and support solar, wind, and geothermal energy development and the important capital investments they represent. A top program priority is the continued implementation of the Western Solar Plan, which covers six western States and provides for a more efficient and predictable permitting process by focusing development in solar energy zones with the highest resource potential and fewest conflicts. Evidence of the value of these zones can be found in the three new projects in the Dry Lake Solar Energy Zone in Nevada that were approved in 2015.

**Conventional Energy** – The safe and effective management of the BLM Oil and Gas Program continues to be an Administration priority as noted by this budget’s continued strong support for further strengthening the management of onshore oil and gas development. The current measurement regulations, which underpin collection of revenue owed to the taxpayer, date to the late 1980s and must be updated to reflect advancements in measurement technology, industry standards and practices, and applicable legal requirements that have taken place since promulgation of the original regulations. The recently finalized hydraulic fracturing rule along with the methane waste prevention rule currently under development will help protect the health and safety of the public and the environment while also preventing the waste of valuable taxpayer-owned resources. The 2017 budget request includes a program increase of \$15.2 million to support implementation of these rules and regulations and to complete modernization of BLM’s Automated Fluid Minerals Support System.

Both the regulatory and oversight reforms and the technology investments address recent Government Accountability Office (GAO) and Office of Inspector General (OIG) audit recommendations to improve program oversight, better account for revenues, increase efficiency and protect natural resources. The budget also includes a program increase of \$2.6 million for oil and gas special pay costs to improve BLM’s ability to recruit and retain high caliber oil and gas program staff essential to BLM’s ability to provide effective oversight and meet workload and industry demand. The budget request includes an increase of \$2.8 million to enhance BLM’s capability to address high-priority legacy wells that pose environmental hazards in the National Petroleum Reserve-Alaska. These legacy well cleanup funds supplement permanent mandatory funds provided by the Helium Stewardship Act of 2013.

As with prior budget requests, the 2017 budget continues to request authority to charge onshore inspection fees similar to those already in place for offshore oil and gas inspections. Such authority will reduce the net cost to taxpayers of operating BLM’s oil and gas program and allow the BLM to be more responsive to industry demand and increased inspection workload in the future while reducing the need for current discretionary appropriations that could otherwise be directed toward other priority programs. This proposed fee would bring onshore oil and gas inspections and oversight in line with offshore oil and gas management, where inspection and related activities are funded through precisely the type of operator fee the BLM is proposing.

**Coal** – Federal coal resources will continue to be an important component of the Nation’s energy mix. The BLM has a responsibility to all Americans to ensure the coal resources it manages are administered in a responsible way to help meet our energy needs while ensuring taxpayers receive a fair return for the sale of these public resources. As a result of comments expressed during the five listening sessions held in 2015 and recommendations from OIG/GAO audits, in January 2016, the Secretary issued Secretarial Order 3338 that places a pause on new leasing (with certain limited exceptions) until the BLM completes a full programmatic review of the program. A programmatic environmental impact statement will provide a vehicle to undertake a comprehensive review of the Federal coal program and consider whether and how the program may be improved and modernized to foster the orderly development of BLM administered coal on Federal lands while considering the impact on important stewardship values and ensuring a fair return to the American public.

## **Legislative Proposals**

**Establishing a BLM Foundation** – The budget request includes a legislative proposal to establish a congressionally chartered non-profit foundation for the BLM. A foundation would strengthen the BLM’s efforts to link Americans to their public lands through an organization that would raise and spend private funds and foster constructive partnerships in support of the BLM’s mission. The foundation would operate in a manner similar to the National Park Foundation, the National Fish and Wildlife Foundation, and the National Forest Foundation, all of which were approved by Congress.

**Oil & Gas Management Reforms** – The Administration proposes a package of legislative reforms to bolster and backstop administrative actions being taken to strengthen the management of Interior’s onshore oil and gas programs. These actions are focused on improving the return to taxpayers from the leasing of these Federal resources and on improving transparency and oversight. Proposed statutory and administrative changes fall into three general categories: advancing royalty reforms, encouraging diligent development of oil and gas leases, and improving revenue collection processes.

Royalty reforms include evaluating minimum royalty rates for oil, gas, and similar products; adjusting the onshore royalty rate; analyzing a price-based tiered royalty rate; and repealing legislatively mandated royalty relief. Diligent development requirements include shorter primary lease terms, stricter enforcement of lease terms, and monetary incentives to get leases into production, for example, through a new per-acre fee on nonproducing leases. Revenue collection improvements include simplification of the royalty valuation process and permanent repeal of Interior’s authority to accept in-kind royalty payments.

**Hardrock Mining Reform** – The 2017 budget includes two legislative proposals to reform hardrock mining on public and private lands by addressing abandoned mine land hazards and providing a better return to the taxpayer from hardrock mineral production on public lands. The first component of this reform addresses abandoned hardrock mines across the country through a new Abandoned Mine Lands fee on hardrock mineral production. The second legislative proposal institutes a leasing process under the Mineral Leasing Act of 1920 for certain minerals – gold, silver, lead, zinc, copper, uranium, and molybdenum – currently covered by the General Mining Law of 1872. Under this proposal, mining for these metals on Federal lands would be governed by the new leasing process and subject to annual rental payments and a royalty of not less than five percent of gross proceeds.

## **Conclusion**

The President’s FY 2017 budget request for the BLM provides sustainable benefits across the West and for the Nation as a whole. It protects unique wildlife habitat and ecosystem functions that are also essential sources for clean water, clean air, carbon sequestration, nutrient cycling and cultural preservation; strengthens oversight of onshore oil and gas development while providing increased efficiencies in developing these economic resources; and maintains working landscapes for grazing, timber and recreation. I am incredibly proud of the work done by BLM employees every day to ensure the agency is engaging with and listening to our partners and the communities we serve. I look forward to continuing our close partnership with this subcommittee as we strive to provide BLM’s professionals with the tools and resources they

need to succeed and to make our public lands an even larger contributor to the success of communities across the United States.

Thank you for the opportunity to present this testimony. I will be glad to answer any questions.

**COMMITTEE ON NATURAL RESOURCES**  
**114<sup>th</sup> Congress Disclosure Form**  
**As required by and provided for in House Rule XI, clause 2(g)(5)**

*“The Impact of the President’s FY 2017 Budget on the Energy and Mineral Leasing and Production Missions of the Bureau of Ocean Energy Management (BOEM), the Bureau of Safety and Environmental Enforcement (BSEE), and the Bureau of Land Management (BLM).”*

March 2, 2016

**For Individuals:**

Name: Neil G. Kornze  
Address: Contact Patrick Wilkinson, 1849 C Street NW Room 5665, Washington DC, 20240  
Email Address: Contact Patrick Wilkinson, p2wilkin@blm.gov  
Phone Number: Contact Patrick Wilkinson, (202) 912-7429

\* \* \* \* \*

**For Witnesses Representing Organizations:**

Name:  
Name of Organization(s) You are Representing at the Hearing:  
Business Address:  
Business Email Address:  
Business Phone Number:

\* \* \* \* \*

**For Nongovernment Witnesses ONLY:**

1. Please attach/include current curriculum vitae or resume.
2. Please list any federal grants or contracts (including subgrants or subcontracts) related to the subject matter of the hearing that were received in the current year and previous two calendar years by you or the organization(s) you represent at this hearing, including the source and amount of each grant or contract.

3. Please list any contracts or payments originating with a foreign government related to the subject matter of the hearing that were received in the current year and previous two calendar years by you or the organization(s) you represent at this hearing, including the amount and country of origin of each contract or payment.

**From:** Wickstrom, Loren  
**To:** [Gibbens, Lisa](#); [Marohl, Chris](#); [Kaitlyn Kline](#)  
**Subject:** See attached agenda  
**Date:** Tuesday, April 05, 2016 11:20:00 AM  
**Attachments:** [NDPC BLM Face to Face Quarterly Meeting Agenda 4.5.16 \(1\).docx](#)

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NDPC meeting Agenda today

--

Loren Wickstrom  
Field Manager  
BLM - North Dakota Field Office  
99 23rd Avenue West, Suite A  
Dickinson, ND 58601  
701-227-7713 Office  
701-227-7701 fax  
701-590-1832 Cell  
[lwickstr@blm.gov](mailto:lwickstr@blm.gov)

**NDPC:BLM Face to Face Quarterly Meeting**

**Tuesday, April 5, 2016**

**10:00am Mountain / 11:00am Central**

**Marathon Oil Dickinson Office**

**OR**

**Teleconference: Dial  .557.7746; Passcode  680#**

**Agenda Topics:**

Flaring Sundry Decision Update

AFMS II Update

BLM HF Rule Update

BLM Venting & Flaring Rule Discussion

BLM Onshore Orders Update

APD Process and Backlog

Staffing Update

**From:** Wickstrom, Loren  
**To:** [Cameron, Jon \(Hoeven\)](#); [Shirley Meyer](#)  
**Subject:** Attached Agenda NDPC / BLM - EOM  
**Date:** Tuesday, April 05, 2016 11:34:12 AM  
**Attachments:** [NDPC BLM Face to Face Quarterly Meeting Agenda 4.5.16 \(1\).docx](#)

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**NDPC:BLM Face to Face Quarterly Meeting**

**Tuesday, April 5, 2016**

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**Teleconference: Dial  .557.7746; Passcode 325680#**

**Agenda Topics:**

Flaring Sundry Decision Update

AFMS II Update

BLM HF Rule Update

BLM Venting & Flaring Rule Discussion

BLM Onshore Orders Update

APD Process and Backlog

Staffing Update

**From:** Pool, Jamie  
**To:** [Bragato, Brandon](#)  
**Cc:** [Gruber, Benjamin \(begrunder@blm.gov\)](#); [Jill Ralston \(jralston@blm.gov\)](#)  
**Subject:** Re: NDAA Issues  
**Date:** Monday, April 18, 2016 10:00:22 AM  
**Attachments:** [St. George Armory Public Land Order 6840.pdf](#)  
[St. George Map \(3\).pdf](#)  
[St.GeorgeLandTransferPaper \(3\).docx](#)

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Hi Brandon,

Apologies for the delay. Attached is the requested background information on the St. George Armory withdrawal. The land was under a 20 year withdrawal (FLPMA only allows for 20 year terms on withdrawals), and the withdrawal expired in 2011. The Utah National Guard is requesting that the lands be transferred to them rather than getting a new withdrawal every 20 years. I'll give you a call now.

Jamie

On Thu, Apr 14, 2016 at 4:30 PM, Bragato, Brandon <[Brandon.Bragato@mail.house.gov](mailto:Brandon.Bragato@mail.house.gov)> wrote:

Any update on the St. George issue? HASC has given me a deadline of tomorrow at noon to object to, or otherwise comment, on the proposal to transfer that land to Utah National Guard.

---

**From:** Bragato, Brandon  
**Sent:** Wednesday, April 13, 2016 12:02 PM  
**To:** Gruber, Benjamin ([begrunder@blm.gov](mailto:begrunder@blm.gov)); Pool, Jamie; [Jill Ralston \(jralston@blm.gov\)](mailto:jralston@blm.gov)  
**Subject:** NDAA Issues

Thanks again for chatting with me. Attached is the proposed language for St. George. I've also attached the proposed amendment for UTTR. I'm trying to track down the maps.  
Brandon

--

Jamie Pool  
U.S. Department of the Interior  
Bureau of Land Management  
Legislative Affairs Division (WO 620)  
(202) 912-7138  
[jpool@blm.gov](mailto:jpool@blm.gov)

**DEPARTMENT OF THE INTERIOR****Bureau of Land Management****43 CFR Public Land Order 6840****[UT-042-4214-10; UTU-65099]****Withdrawal of Public Land for  
Department of the Army, Corps of  
Engineers; Utah****AGENCY:** Bureau of Land Management,  
Interior.**ACTION:** Public land order.

**SUMMARY:** This order withdraws 70 acres of public land from surface entry and mining for a period of 20 years for the Department of the Army, Corps of Engineers, for defense purposes to protect a National Guard armory, organizational maintenance shop, small arms range, and a limited training area. The land has been and will remain open to the mineral leasing laws.

**EFFECTIVE DATE:** March 29, 1991.

**FOR FURTHER INFORMATION CONTACT:**  
Michael L. Barnes, Utah State Office,  
P.O. Box 45155, Salt Lake City, Utah  
84146-0155, 801-539-4119.

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Subject to valid existing rights, the following described public land is hereby withdrawn from settlement, sale, location, or entry under the general land laws, including the United States mining laws (30 U.S.C. ch. 2), but not from leasing under the mineral leasing laws, and reserved for the Department of the Army, Corps of Engineers to protect National Guard facilities:

**Salt Lake Meridian****T. 43 S., R. 15 W.,**

Sec. 21, W $\frac{1}{2}$ E $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ .

The area described contains 70 acres in Washington County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the land under lease, license, or permit, of governing the disposal of their mineral or vegetative resources other than those under the mining laws.

3. This withdrawal will expire 20 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f), the Secretary determines that the withdrawal shall be extended.

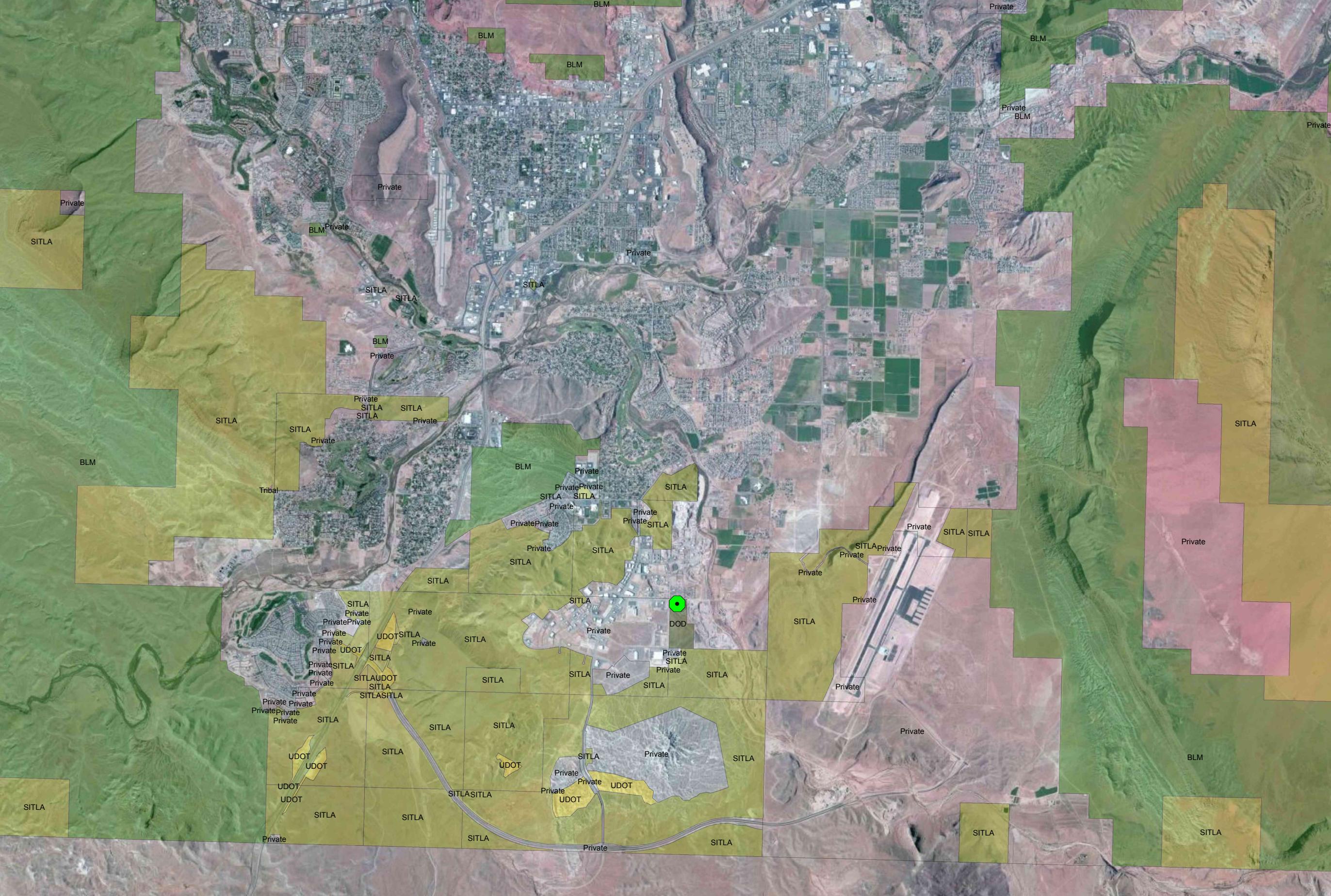
Dated: March 25, 1991.

Dave O'Neal,

*Assistant Secretary of the Interior.*

[FR Doc. 91-7503 Filed 3-28-91; 8:45 am]

BILLING CODE 4310-00-01



## ST. GEORGE READINESS CENTER LAND TRANSFER

PREPARED BY: The Utah Army National Guard, Construction and Facilities Management Office (CFMO), LTC Matt Price, (801) 432-4440

DATE PREPARED: December 2013

**BACKGROUND:** The St. George Readiness Center (Armory) and Maintenance Shop were built in 1995 on 70 acres of federal land which was withdrawn from the Bureau of Land Management (BLM) in 1991 for the purpose of constructing these facilities. The withdrawal was for a period of 20 years and expired in 2011. The Utah National Guard has recently initiated another withdrawal application. Artillery and Military Intelligence units are stationed at the St. George facility.

**REQUESTED ACTION:** That legislative action be initiated to transfer ownership of the federal land to the State of Utah (Utah State Armory Board). This action will ensure the St. George Readiness Center stays under the control of the state of Utah for use by the National Guard. The St. George Readiness Center is strategically important to the Utah National Guard for the following reasons:

- **Separate Electricity Grid.** Since St. George is on a separate electrical grid from Draper, data critical to the day-to-day operations of the Utah National Guard is backed-up on computers located at the St. George facility.
- **Continuity of Operations (COOP).** St. George is designated as the COOP site for data operations for the Utah National Guard in the event of natural disaster along the Wasatch Front. Through an agreement with the Arizona National Guard, Arizona personnel will make St. George operational in the event a natural disaster prevents Draper personnel from getting to St. George. St. George is also a back-up site for Arizona National Guard data operations.
- **Sensitive Compartmented Information Facility (SCIF).** Department of the Army (DA) has funded construction of a SCIF on the St. George property which is currently under construction. SCIF operations at St. George will become an integral part of this expanding strategic mission of the U.S. military.
- **Troop Strength.** In an environment of military down-sizing, states which can recruit to maintain their authorized strength compete more favorably with other states to retain their troop structure. St. George growth forecasts make having a Readiness Center in St. George critical to the future of the Utah National Guard.

Mr. Walt Phelps, Land and Realty Supervisor at the BLM Salt Lake City Office, has been briefed by The Utah National Guard regarding this action.

**From:** Hall, Steven  
**To:** [Bair, Betsy \(Gardner\)](#); [noah\\_koerper@bennet.senate.gov](mailto:noah_koerper@bennet.senate.gov); [Whitney, John \(Bennet\)](#); [Brian Meinhart](#)  
**Cc:** [Courtney Whiteman](#)  
**Subject:** Statewide RAC meeting  
**Date:** Monday, April 18, 2016 12:23:39 PM  
**Attachments:** [2016 Statewide RAC Agenda 4-18.docx](#)

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Good morning! I wanted to send along the latest agenda for next week's statewide RAC meeting. For our session on Congressional relations, I thought we could discuss the following:

- A brief introduction of each of you
- What your role is
- An example of your working relationship with the BLM (one good and one where we could improve)
- Thoughts on the role of the RACs in public lands management in Colorado.

Thank you and please don't hesitate to call me with any questions or concerns you might have.

Steven Hall  
BLM Colorado Communications Director  
303.239.3672  
[sbhall@blm.gov](mailto:sbhall@blm.gov)

*[Click here to follow us on social media!](#)*

## **Statewide BLM Colorado Resource Advisory Council Meeting**

April 25 – 27, 2016

Hotel Colorado, Glenwood Springs, Colorado

### **Monday, April 25, 2016**

- 12 p.m.                    **New members and RAC chairs arrive**
- 12 – 12:45 p.m.        **RAC 101 for new members**  
*(Optional for all members and recommended for first-time RAC members)*  
Facilitated by District Managers, public affairs specialists and RAC chairs
- 1 p.m.                    **Statewide RAC meeting convenes**
- 1 – 1:15 p.m.           **Welcome**  
Ruth Welch, BLM Colorado State Director
- 1:15 – 2 p.m.           **RAC member introductions**
- 2 – 3 p.m.                **Department of Natural Resources update**  
Bob Randall, Deputy Director, Colorado Department of Natural Resources
- 3 – 3:10 p.m.           **Break**
- 3:10 – 4:30 p.m.       **Panel: Congressional relations with the BLM**  
Senator Gardner’s office – Betsy Bair, Regional Director  
Senator Bennet’s Office – Noah Koerper, Regional Director, or John Whitney,  
Regional Director  
Congressman Tipton’s Office – Brian Meinhart, Regional Director  
Steven Hall, Communications Director (facilitator)
- 4:30 p.m.                **Adjourn**
- 6 p.m. – 8 p.m.         **Dinner and meet and greet**  
Glenwood Canyon Brewpub  
402 7th St.  
Glenwood Springs, CO 81601

### **Tuesday, April 26, 2015**

- 8 – 8:15 a.m.           **Good morning and Colorado overview**  
Ruth Welch
- 8:15 – 10:15 a.m.      **Colorado’s RACs: Where we are and moving forward**  
Ruth Welch and Steven Hall (facilitator)
- 10:15 – 10:30 a.m.    **Break**

10:30 – 11:30 a.m.      **Update – Sage-Grouse (Greater and Gunnison)**  
Brian St. George, Deputy State Director, Resources and Fire

11:30 a.m. – 12:30 p.m. **Lunch** (*on your own*)

12:30 – 1:30 p.m.      **Update – Tres Rios and South Park Master Leasing Plans**  
Barb Sharrow, Acting Southwest District Manager  
Tom Heinlein, Front Range District Manager  
Southwest Oil and Gas Sub-RAC member – TBD  
Front Range RAC member – TBD

1:30 – 2:15 p.m.      **Update – Planning 2.0**  
Megan Stouffer, Branch Chief, Planning and Assessment

2:15 – 2:30 p.m.      **Break**

2:30 – 3:30 p.m.      **Discussion – BLM recreation strategy implementation**  
Brian St. George

3:30 – 4:30 p.m.      **Review of Recreation RAC function**  
Joe Meyer, Northwest District Manager  
RAC members – TBD

4:30 – 5 p.m.          **Statewide RAC close-out**

**Wednesday, April 27, 2015**

8 a.m.                  **Individual RAC meetings begin**

8 – 8:30 a.m.        **Public comment periods**

8:30 a.m. – 12 p.m.   **Individual RAC meetings**

**From:** Ripchensky, Darla (Energy)  
**To:** [Patrick Wilkinson \(p2wilkin@blm.gov\)](mailto:p2wilkin@blm.gov)  
**Cc:** [Abbey, Tristan \(Energy\)](#); [Knudson, Kip \(Energy\)](#); [Gray, Spencer \(Energy\)](#); [Teich-McGoldrick, Stephanie \(Energy\)](#)  
**Subject:** Questions for the Record Submitted to Dep. Asst. Sec. Leiter from the 4/14/16 SENR Cmte PLFM Subcmte Hearing  
**Date:** Monday, April 18, 2016 6:12:27 PM  
**Attachments:** [QFRs for Ms. Leiter from the 4-14-16 SENR Cmte PLFM Subcmte Hrg.docx](#)

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Good afternoon, Patrick. Attached are Questions for the Record which have been submitted to Deputy Assistant Secretary Leiter by various Members of the Energy Committee's PLFM Subcommittee from last Thursday's hearing regarding the Bureau of Land Management's proposed rule entitled "Waste Prevention, Production Subject to Royalties, and Resources Conservation" published in the *Federal Register* on February 8, 2016. I respectfully request that you provide Deputy Assistant Secretary Leiter's responses to these questions directly to me by **Thursday, May 5, 2016** for inclusion in the official hearing record.

Please do not hesitate to contact me if you have any questions. Thank you for your assistance with this request.

Sincerely,

Darla Ripchensky, PMP  
Chief Clerk  
U.S. Senate Committee on Energy and Natural Resources  
304 Dirksen Senate Office Building  
Washington, DC 20510  
202.224.3607

**U.S. Senate Committee on Energy and Natural Resources**  
**Subcommittee on Public Lands, Forests and Mining**  
**Hearing on April 14, 2016: The Bureau of Land Management's proposed rule**  
**entitled "Waste Prevention, Production Subject to Royalties, and Resources**  
**Conservation" published in the *Federal Register* on February 8, 2016**  
**Questions for the Record Submitted to Deputy Assistant Secretary Amanda Leiter**

**Questions from Senator John Barrasso**

**Question 1:** In your testimony, you state:

“Several States, including Colorado, North Dakota, and Wyoming, as well as the U.S. Environmental Protection Agency (EPA), have also taken steps to limit venting, flaring, or leaks of natural gas. The BLM has worked to ensure that its proposed regulations would not impose conflicting or redundant requirements. In developing the proposed rule, the BLM looked to the States’ requirements and worked closely with the EPA to align the agencies’ proposals as much as possible, consistent with each agency’s specific statutory authorities and responsibilities.”

- A) Please provide the Committee with documentation from EPA showing EPA’s input into the development of BLM’s proposed rule.
- B) Please provide an explanation for why BLM structured many of its monitoring, reporting, and record-keeping requirements differently than EPA and the states.

**Questions from Senator Bill Cassidy, M.D.**

**Question 1:** Under the Mineral Leasing Act (MLA), the Bureau of Land Management (BLM) only has the authority to minimize waste.

- A) Does the BLM have the authority to regulate air quality?

**Question 2:** The EPA has also proposed a series of methane rules, which are currently being reviewed by the Office of Management and Budget and the Office of Information and Regulatory Affairs.

- A) Since the BLM’s proposal incorporates aspects from the EPA’s proposed rule, how is BLM going to ensure that its proposal does not create confusion and uncertainty when implementing these regulations?
- B) Could duplicative regulatory requirements make compliance more challenging?
- C) Is there a scenario where projects will need to comply with different state and federal regulatory requirements, specifically from BLM and EPA?

**U.S. Senate Committee on Energy and Natural Resources**  
**Subcommittee on Public Lands, Forests and Mining**  
**Hearing on April 14, 2016: The Bureau of Land Management's proposed rule**  
**entitled "Waste Prevention, Production Subject to Royalties, and Resources**  
**Conservation" published in the *Federal Register* on February 8, 2016**  
**Questions for the Record Submitted to Deputy Assistant Secretary Amanda Leiter**

- D) BLM has said that staff reviewed varying state programs in drafting the BLM's venting and flaring proposal.
  - a. Which states have a program to meet the BLM's proposal?
  - b. Which states exceed BLM's proposal?

**Question 3:** There are many marginal wells on BLM lands.

- A) How could this rule impact those marginal well economies?
- B) Will marginal wells become less economic due to the proposal?
- C) Could the regulatory requirements of this proposal be more expensive than the gas produced from marginal wells, consequently becoming less economic?
- D) In the event that the cost to comply is greater than the energy produced, could this proposal cause production to be shut in?

**Question 4:** According to the EPA, methane emissions are down 83 percent since 2011 from hydraulic fracturing at natural gas wells. And since 2005, total methane emissions from natural gas production are down 38 percent.

- A) Is the increased use of natural gas a contributing factor in the reduction of greenhouse gas emissions (GHG)?
- B) Is it the leading factor?
- C) Does the Administration believe domestic natural gas exploration, production and use will continue to reduce GHG emissions?

**Question 5:** Has BLM undertaken an analysis of the potential economic impacts on the communities and regions from the combination of it and EPA's proposed rules where jobs and businesses depend upon exploration and production for oil and gas on BLM land? If not, please explain why?

**U.S. Senate Committee on Energy and Natural Resources**  
**Subcommittee on Public Lands, Forests and Mining**  
**Hearing on April 14, 2016: The Bureau of Land Management's proposed rule**  
**entitled "Waste Prevention, Production Subject to Royalties, and Resources**  
**Conservation" published in the *Federal Register* on February 8, 2016**  
**Questions for the Record Submitted to Deputy Assistant Secretary Amanda Leiter**

**Questions from Senator Elizabeth Warren**

**Question 1:** BLM's proposed rule aims to reduce natural gas leaks on federal land.

- A) What information is available about the number of natural gas leaks on federal land?
- B) How much methane is currently emitted from natural gas leaks on federal land?
- C) Please describe the current requirements for oil and gas operators to inspect for leaks on federal land.
- D) How does BLM's proposed rule improve on the current process to reduce leaks, cut down on emissions, and protect taxpayers?

**Question 2:** Please describe how an inflexible royalty rate structure prevents BLM from best protecting the interests of the public.

**From:** Morrison, Lisa  
**To:** [sherri.gamel@mail.house.gov](mailto:sherri.gamel@mail.house.gov); [jordan.kittleson@mail.house.gov](mailto:jordan.kittleson@mail.house.gov); [martha\\_ruiz-martinez@roberts.senate.gov](mailto:martha_ruiz-martinez@roberts.senate.gov); [margaret\\_gabelmann@moran.senate.gov](mailto:margaret_gabelmann@moran.senate.gov)  
**Cc:** [Donna Hummel](#); [Andrea Nelson](#)  
**Subject:** Fwd: BLM News Release: BLM to Hold Federal Oil and Gas Lease Sale on April 20, 2016  
**Date:** Tuesday, April 19, 2016 11:49:05 AM  
**Attachments:** [041816\\_OGLeaseSale\\_final.docx](#)

---

Hi. FYI Below. Please let me know if you have any questions! Lisa

## **For Immediate Release**

**April 18, 2016**

## **For Additional Information**

**Donna Hummel, 505.954.2018**

### **BLM to Hold Federal Oil and Gas Lease Sale on April 20, 2016**

Santa Fe, NM – On April 20, 2016, the Bureau of Land Management (BLM) will hold its quarterly oil and gas lease sale in Santa Fe, New Mexico. A total of 11 parcels will be offered containing 2,306 subsurface acres of public lands - 5 parcels in Oklahoma containing 1,426 acres and 6 in Kansas containing 880 acres.

The oral auction will take place at the Courtyard Marriot in Santa Fe, New Mexico - 3347 Cerrillos Road. The sale will begin promptly at 9 a.m. Only oral bids offered at the sale will be accepted. Parcels will be awarded to qualified bidders offering the highest acceptable bid. The minimum acceptable bid is \$2 per acre.

The lease sale notice can be found at [www.blm.gov/nm/oilandgas](http://www.blm.gov/nm/oilandgas) (click on Lease Sales on the right side of the page).

Leases are awarded for a period of 10 years, and as long thereafter as there is production in paying quantities from the lease. The revenue from the sale of Federal leases, as well as any royalties collected from the production of those leases, is shared between the Federal Government and the State in which the lease is located - fifty-two percent goes to the Federal Treasury and 48 percent is returned to the state.

-BLM-

Donna Hummel  
Chief, Office of Communications  
Bureau of Land Management  
New Mexico State Office  
301 Dinosaur Trail  
Santa Fe, NM 87508  
505/954-2018 (office)  
505/660-8528 (cell)  
505/954-2010 (fax)

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Lisa Rivera Morrison  
Deputy Chief  
Office of Communications  
Bureau of Land Management  
New Mexico State Office  
(505) 954-2023 work; (505) 920-6532 cell



# BLM News Release

US DEPARTMENT OF THE INTERIOR ■ BUREAU OF LAND MANAGEMENT  
NEW MEXICO STATE OFFICE ■ 301 DINOSAUR TRAIL ■ SANTA FE, NM 87508  
Donna Hummel ■ Communications Chief ■ 505.954.2018

**For Immediate Release**  
**April 18, 2016**

**For Additional Information**  
**Donna Hummel, 505.954.2018**

## **BLM to Hold Federal Oil and Gas Lease Sale on April 20, 2016**

Santa Fe, NM – On April 20, 2016, the Bureau of Land Management (BLM) will hold its quarterly oil and gas lease sale in Santa Fe, New Mexico. A total of 11 parcels will be offered containing 2,306 subsurface acres of Federal minerals - 5 parcels in Oklahoma containing 1,426 acres and 6 in Kansas containing 880 acres.

The oral auction will take place at the Courtyard Marriot in Santa Fe, New Mexico - 3347 Cerrillos Road. The sale will begin promptly at 9 a.m. Only oral bids offered at the sale will be accepted. Parcels will be awarded to qualified bidders offering the highest acceptable bid. The minimum acceptable bid is \$2 per acre.

The lease sale notice can be found at [www.blm.gov/nm/oilandgas](http://www.blm.gov/nm/oilandgas) (click on Lease Sales on the right side of the page).

Leases are awarded for a period of 10 years, and as long thereafter as there is production in paying quantities from the lease. The revenue from the sale of Federal leases, as well as any royalties collected from the production of those leases, is shared between the Federal Government and the State in which the lease is located - fifty-two percent goes to the Federal Treasury and 48 percent is returned to the state.

-BLM-

The BLM manages more than 245 million acres of public land, the most of any Federal agency. This land, known as the National System of Public Lands, is primarily located in 12 Western states, including Alaska. The BLM also administers 700 million acres of sub-surface mineral estate throughout the nation. The BLM's mission is to manage and conserve the public lands for the use and enjoyment of present and future generations under our mandate of multiple-use and sustained yield. In Fiscal Year 2013, the BLM generated \$4.7 billion in receipts from public lands.

**From:** Morrison, Lisa  
**To:** [Sanchez, Joshua \(Tom Udall\)](#); [Dominguez, Patricia \(Heinrich\)](#); [Maestas, Nicholas](#)  
**Subject:** Fwd: BLM News Release: BLM to Hold Federal Oil and Gas Lease Sale on April 20, 2016  
**Date:** Tuesday, April 19, 2016 5:57:22 PM  
**Attachments:** [041816\\_OGLeaseSale\\_final.docx](#)

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FYI Below. Please let me know if you have any questions! Lisa

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# BLM News Release

US DEPARTMENT OF THE INTERIOR ■ BUREAU OF LAND MANAGEMENT  
NEW MEXICO STATE OFFICE ■ 301 DINOSAUR TRAIL ■ SANTA FE, NM 87508  
Donna Hummel ■ Communications Chief ■ 505.954.2018

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**From:** Blevins, Brent  
**To:** ["Wilkinson, Patrick"](#)  
**Cc:** [Jill Ralston](#); [Benjamin Gruber](#)  
**Subject:** Updated discussion draft  
**Date:** Wednesday, April 20, 2016 11:24:46 AM  
**Attachments:** [LOCAL\\_managementAct\\_xml.pdf](#)

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Hello all,

Please find attached the discussion draft on which we will be holding our hearing. For your purposes, I believe the most significant changes will pertain to LWCF provisions we have added. I'm happy to chat with you regarding any follow-up. Any word on who you will be sending to testify? Thank you.

Brent Blevins  
Subcommittee on Federal Lands  
U.S. House Committee on Natural Resources  
1324 Longworth House Office Building  
(202) 226-4775

**[DISCUSSION DRAFT]**

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R.** \_\_\_\_\_

To improve coordination and cooperation between the Forest Service, the Bureau of Land Management, local communities, and Indian tribes regarding the management and use of National Forest System lands and public lands, and for other purposes.

---

IN THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_ introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

---

**A BILL**

To improve coordination and cooperation between the Forest Service, the Bureau of Land Management, local communities, and Indian tribes regarding the management and use of National Forest System lands and public lands, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Locally-elected Officials Cooperating with Agencies in  
6       Land Management Act of 2016”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.

TITLE I—IMPROVED COOPERATION AND COORDINATION WITH LOCAL COMMUNITIES

- Sec. 101. Federal land management agency participation in business meetings of governing body of greatly affected local communities.
- Sec. 102. Improved Federal land management agency coordination with governing body of affected local communities.
- Sec. 103. Expanded advisory role for resource advisory committees.
- Sec. 104. Study and local consultation requirements as condition of Federal land acquisition.
- Sec. 105. Improved cooperation regarding shared Forest Service roads.
- Sec. 106. Federal land management agency day-use recreation facilities receiving significant use by residents of local communities.
- Sec. 107. Local participation in recreation fee setting under Federal Lands Recreation Enhancement Act.

TITLE II—AGENCY MANAGEMENT IMPROVEMENTS

- Sec. 201. Improved certainty regarding duration of Federal land management agency line officer assignments.
- Sec. 202. Schedules for implementation of community wildfire protection plans.
- Sec. 203. Clarification of Secretary of the Interior authority to make minor boundary adjustments to National Park System units.
- Sec. 204. Protection of survey monuments on Federal land.

TITLE III—TRIBAL FORESTRY

- Sec. 301. Protection of tribal forest assets through use of stewardship end result contracting and other authorities.
- Sec. 302. Management of Indian forest land authorized to include related National Forest System lands and public lands.
- Sec. 303. Tribal forest management demonstration project.

TITLE IV—LAND AND WATER CONSERVATION FUND

- Sec. 401. Requirements related to allocation of Fund amounts for Federal purposes.

3 **SEC. 2. DEFINITIONS.**

4 In this Act:

5 (1) AFFECTED LOCAL COMMUNITY.—The term  
6 “affected local community” means a political sub-  
7 division of a State whose boundaries contain—

8 (A) Federal land; or

1 (B) in the case of section 5, non-Federal  
2 lands that are proposed to be acquired by the  
3 United States for management as Federal land.

4 (2) COMMUNITY WILDFIRE PROTECTION  
5 PLAN.—The term “community wildfire protection  
6 plan” has the meaning given that term in section  
7 101(3) of the Healthy Forests Restoration Act of  
8 2003 (16 U.S.C. 6511(3)).

9 (3) FEDERAL LAND.—The term “Federal land”  
10 means—

11 (A) land of the National Forest System (as  
12 defined in section 11(a) of the Forest and  
13 Rangeland Renewable Resources Planning Act  
14 of 1974 (16 U.S.C. 1609(a))) administered by  
15 the Secretary of Agriculture, acting through the  
16 Chief of the Forest Service; and

17 (B) public lands (as defined in section 103  
18 of the Federal Land Policy and Management  
19 Act of 1976 (43 U.S.C. 1702)), the surface of  
20 which is administered by the Secretary of the  
21 Interior, acting through the Director of the Bu-  
22 reau of Land Management.

23 (4) FEDERAL LAND MANAGEMENT AGENCY.—  
24 The term “Federal land management agency”

1 means the Forest Service or the Bureau of Land  
2 Management Agency.

3 (5) FOREST MANAGEMENT ACTIVITY.—The  
4 term “forest management activity” means a project  
5 or activity carried out by the Secretary on Federal  
6 land in concert with the resource management plan  
7 covering the Federal land.

8 (6) GREATLY AFFECTED LOCAL COMMUNITY.—  
9 The term “greatly affected local community” means  
10 a political subdivision—

11 (A) whose boundaries contain 50,000 or  
12 more acres of Federal land; or

13 (B) in which Federal land makes up 33  
14 percent or more of the total land and waters in-  
15 cluded within its boundaries.

16 (7) INDIAN TRIBE.—The term “Indian tribe”  
17 has the meaning given the term in section 4 of the  
18 Indian Self-Determination and Education Assistance  
19 Act (25 U.S.C. 450b).

20 (8) POLITICAL SUBDIVISION.—The term “polit-  
21 ical subdivision” means any county, municipality,  
22 city, town, or township of a State created pursuant  
23 to State law.

24 (9) RESOURCE ADVISORY COMMITTEE.—The  
25 term “resource advisory committee” has the mean-

1       ing given that term in section 201(3) of the Secure  
2       Rural Schools and Community Self-Determination  
3       Act of 2000 (16 U.S.C. 7121(3)).

4           (10) RESOURCE MANAGEMENT PLAN.—The  
5       term “resource management plan” means—

6           (A) a land and resource management plan  
7       prepared for a unit of the National Forest Sys-  
8       tem under section 6 of the Forest and Range-  
9       land Renewable Resources Planning Act of  
10      1974 (16 U.S.C. 1604); or

11          (B) a land use plan prepared for a unit of  
12      the public lands under section 202 of the Fed-  
13      eral Land Policy and Management Act of 1976  
14      (43 U.S.C. 1712).

15          (11) SECRETARY.—The term “Secretary”  
16      means—

17          (A) the Secretary of Agriculture, acting  
18      through the Chief of the Forest Service, with  
19      respect to land of the National Forest System  
20      described in paragraph (3)(A); and

21          (B) the Secretary of the Interior, acting  
22      through the Director of the Bureau of Land  
23      Management, with respect to public lands de-  
24      scribed in paragraph (3)(B).

1           (12) STATE.—The term “State” means each of  
2           the several States and the Commonwealth of Puerto  
3           Rico.

4   **TITLE I—IMPROVED COOPERA-**  
5   **TION AND COORDINATION**  
6   **WITH LOCAL COMMUNITIES**

7   **SEC. 101. FEDERAL LAND MANAGEMENT AGENCY PARTICI-**  
8           **PATION IN BUSINESS MEETINGS OF GOV-**  
9           **ERNING BODY OF GREATLY AFFECTED**  
10          **LOCAL COMMUNITIES.**

11          (a) ATTENDANCE AT BUSINESS MEETINGS.—At the  
12 request of the governing body of a greatly affected local  
13 community, a Federal land management agency shall seek  
14 to enter into an agreement with the governing body of the  
15 greatly affected local community pursuant to which one  
16 or more employees of the Federal land management agen-  
17 cy will attend designated business meetings of the gov-  
18 erning body, as an agenda item of the business meeting,  
19 for the purposes of—

20           (1) reporting on ongoing and proposed Federal  
21           land management agency activities within or affect-  
22           ing the greatly affected local community; and

23           (2) responding to concerns raised by members  
24           of the governing body and members of the public at-  
25           tending the meeting.

1 (b) EXCEPTION.—Subsection (a) does not require a  
2 Federal land management agency to enter into an agree-  
3 ment under such subsection with the governing body of  
4 a greatly affected local community if less than 25 percent  
5 of the Federal land within the boundaries of the greatly  
6 affected local community is under the jurisdiction of that  
7 Federal land management agency. However, the Federal  
8 land management agency may still elect to enter into such  
9 an agreement under such circumstances.

10 **SEC. 102. IMPROVED FEDERAL LAND MANAGEMENT AGEN-**  
11 **CY COORDINATION WITH GOVERNING BODY**  
12 **OF AFFECTED LOCAL COMMUNITIES.**

13 (a) COORDINATION REQUIRED.—Subject to the un-  
14 derstanding that a Federal land management agency has  
15 supremacy regarding management decisions for Federal  
16 land, as written in statute, a Federal land management  
17 agency shall coordinate with the governing body of an af-  
18 fected local community regarding any forest management  
19 activity or other major action, including travel manage-  
20 ment, of the Federal land management agency that would  
21 have a significant impact on the affected local community.

22 (c) OFFER OF COOPERATING AGENCY STATUS.—As  
23 part of the environmental review process for any forest  
24 management activity or other major action, including trav-  
25 el management with significant impact on local commu-

1 nities, of a Federal land management agency, the Sec-  
2 retary shall extend an offer, in writing, to the governing  
3 body of each affected local community that may have an  
4 interest in the activity or action to designate the governing  
5 body as a “cooperating agency” under the regulations con-  
6 tained in part 1500 of title 40, Code of Federal Regula-  
7 tions.

8 **SEC. 103. EXPANDED ADVISORY ROLE FOR RESOURCE AD-**  
9 **VISORY COMMITTEES.**

10 (a) PRIMARY ADVISORY BODY REGARDING FOREST  
11 MANAGEMENT ACTIVITIES.—Section 205(b) of the Secure  
12 Rural Schools and Community Self-Determination Act of  
13 2000 (16 U.S.C. 7125(b)) is amended by striking para-  
14 graph (2) and inserting the following new paragraph:

15 “(2) to serve as the primary advisory body for  
16 the Secretary concerned regarding forest manage-  
17 ment activities on Federal land.”.

18 (b) TEMPORARY REDUCTION IN COMPOSITION OF  
19 COMMITTEES.—Section 205(d) of the Secure Rural  
20 Schools and Community Self-Determination Act of 2000  
21 (16 U.S.C. 7125(d)) is amended—

22 (1) in paragraph (1), by striking “Each” and  
23 inserting “Except during the period specified in  
24 paragraph (6), each”; and

1           (2) by adding at the end the following new  
2 paragraph:

3           “(6) TEMPORARY REDUCTION IN MINIMUM  
4 NUMBER OF MEMBERS.—

5           “(A) TEMPORARY REDUCTION.—During  
6 the period beginning on the date of the enact-  
7 ment of this paragraph and ending on Sep-  
8 tember 30, 2020, a resource advisory committee  
9 established under this section may be comprised  
10 of nine or more members, of which—

11           “(i) at least three shall be representa-  
12 tive of interests described in subparagraph  
13 (A) of paragraph (2);

14           “(ii) at least three shall be representa-  
15 tive of interests described in subparagraph  
16 (B) of paragraph (2); and

17           “(iii) at least three shall be represent-  
18 ative of interests described in subpara-  
19 graph (C) of paragraph (2).

20           “(B) ADDITIONAL REQUIREMENTS.—In  
21 appointing members of a resource advisory com-  
22 mittee from the three categories described in  
23 paragraph (2), as provided in subparagraph  
24 (A), the Secretary concerned shall ensure bal-  
25 anced and broad representation in each cat-

1           egory. In the case of a vacancy on a resource  
2           advisory committee, the vacancy shall be filled  
3           within 90 days after the date on which the va-  
4           cancy occurred. Appointments to a new re-  
5           source advisory committee shall be made within  
6           90 days after the date on which the decision to  
7           form the new resource advisory committee was  
8           made.

9           “(C) CHARTER.—A charter for a resource  
10          advisory committee with 15 members that was  
11          filed on or before the date of the enactment of  
12          this paragraph shall be considered to be filed  
13          for a resource advisory committee described in  
14          this paragraph. The charter of a resource advi-  
15          sory committee shall be reapproved before the  
16          expiration of the existing charter of the re-  
17          source advisory committee. In the case of a new  
18          resource advisory committee, the charter of the  
19          resource advisory committee shall be approved  
20          within 90 days after the date on which the deci-  
21          sion to form the new resource advisory com-  
22          mittee was made.”.

23          (c) CONFORMING CHANGE TO PROJECT APPROVAL  
24          REQUIREMENTS.—Section 205(e)(3) of the Secure Rural  
25          Schools and Community Self-Determination Act of 2000

1 (16 U.S.C. 7125(e)(3)) is amended by adding at the end  
2 the following new sentence: “In the case of a resource ad-  
3 visory committee consisting of fewer than 15 members, as  
4 authorized by subsection (d)(6), a project may be proposed  
5 to the Secretary concerned upon approval by a majority  
6 of the members of the committee, including at least one  
7 member from each of the three categories described in  
8 subsection (d)(2).”.

9 (d) EXPANDING LOCAL PARTICIPATION ON COMMIT-  
10 TEES.—Section 205(d) of the Secure Rural Schools and  
11 Community Self-Determination Act of 2000 (16 U.S.C.  
12 7125(d)) is amended—

13 (1) in paragraph (3), by inserting before the pe-  
14 riod at the end the following: “, consistent with the  
15 requirements of paragraph (4)”;

16 (2) by striking paragraph (4) and inserting the  
17 following new paragraph:

18 “(4) GEOGRAPHIC DISTRIBUTION.—The mem-  
19 bers of a resource advisory committee shall reside  
20 within the county or counties in which the committee  
21 has jurisdiction or an adjacent county.”.

22 (e) BI-ANNUAL PRESENTATIONS.—Section 205 of the  
23 Secure Rural Schools and Community Self-Determination  
24 Act of 2000 (16 U.S.C. 7125) is amended by adding at  
25 the end the following new subsection:

1 “(g) BI-ANNUAL PRESENTATIONS.—The Secretary  
2 concerned shall ensure that each resource advisory com-  
3 mittee receives a presentation, at least twice a year, by  
4 local line officers of the Federal land management agency  
5 concerned for the purposes of—

6 “(1) explaining forest management priorities  
7 for Federal land within the jurisdiction of the com-  
8 mittee; and

9 “(2) soliciting the advice and recommendations  
10 of the committee.”.

11 **SEC. 104. STUDY AND LOCAL CONSULTATION REQUIRE-**  
12 **MENTS AS CONDITION OF FEDERAL LAND AC-**  
13 **QUISITION.**

14 (a) STUDY REQUIRED.—Prior to the acquisition of  
15 non-Federal land by the Secretary for administration as  
16 Federal land, the Secretary shall conduct a study to evalu-  
17 ate—

18 (1) the potential impacts of Federal acquisition  
19 of the non-Federal land on lost property tax reve-  
20 nues;

21 (2) other economic impacts of the land acquisi-  
22 tion on affected local communities; and

23 (3) such other factors as are agreed to in con-  
24 sultation with the governing bodies of such affected  
25 local communities.

1 (b) CONSULTATION WITH AFFECTED LOCAL COM-  
2 MUNITIES REQUIRED.—As a condition on the acquisition  
3 of non-Federal land by the Secretary for administration  
4 as Federal land, the Secretary shall—

5 (1) consult with the governing body of each af-  
6 fected local community whose boundaries contain the  
7 non-Federal land for the purpose of soliciting the  
8 input of the affected local community in the prepa-  
9 ration of the report required by subsection (a); and

10 (2) request a written response from the gov-  
11 erning body of the affected local community indi-  
12 cating the position of the governing body on the po-  
13 tential land acquisition, which shall accompany the  
14 project submittal list provided to Congress.

15 (c) DISCRETION AND DEFERENCE.—The decision re-  
16 garding whether or not to proceed with a proposed acqui-  
17 sition of non-Federal land for administration as Federal  
18 land remains the responsibility of the Secretary, but the  
19 Secretary shall give considerable deference to the position  
20 of the governing body of each affected local community  
21 whose boundaries contain the non-Federal land when mak-  
22 ing the decision.

1 **SEC. 105. IMPROVED COOPERATION REGARDING SHARED**  
2 **FOREST SERVICE ROADS.**

3 In the case of any Forest Service road that extends  
4 from or through, or is directly connected to, a road under  
5 the jurisdiction of an affected local community, the Sec-  
6 retary shall obtain the concurrence of the governing body  
7 of the affected local community regarding any manage-  
8 ment direction for the Forest Service road.

9 **SEC. 106. FEDERAL LAND MANAGEMENT AGENCY DAY-USE**  
10 **RECREATION FACILITIES RECEIVING SIG-**  
11 **NIFICANT USE BY RESIDENTS OF LOCAL**  
12 **COMMUNITIES.**

13 In the case of a day-use recreation facility on Federal  
14 land that is managed by the Secretary and receives signifi-  
15 cant use by local residents, as determined by either the  
16 Secretary or the governing body of the affected local com-  
17 munity, the Secretary may enter into a memorandum of  
18 understanding with the governing body of the affected  
19 local community to jointly determine and assign manage-  
20 ment responsibilities for the recreation facility.

21 **SEC. 107. LOCAL PARTICIPATION IN RECREATION FEE SET-**  
22 **TING UNDER FEDERAL LANDS RECREATION**  
23 **ENHANCEMENT ACT.**

24 Section 803 of the Federal Lands Recreation En-  
25 hancement Act (16 U.S.C. 6802) is further amended by  
26 adding at the end the following new subsection:

1 “(i) SUBMISSION OF RECREATION FEE PROPOSALS  
2 TO LOCAL GOVERNMENTS.—

3 “(1) SUBMISSION TO LOCAL GOVERNMENTS  
4 AND REQUEST FOR COMMENTS.—Before establishing  
5 or increasing a recreation fee, the Secretaries shall  
6 provide affected local governments with—

7 “(A) a written notice of the proposed  
8 recreation fee, including the amount of the fee  
9 or increase; and

10 “(B) a request for comments from the af-  
11 fected local government regarding the merits of  
12 the recreation fee or increase and the economic  
13 impact of the recreation fee or increase on the  
14 local community.

15 “(2) TIME FOR SUBMISSION OF COMMENTS.—  
16 The period provided for submission of local com-  
17 ments under paragraph (1)(B) to the Secretaries  
18 may run concurrently with the period for public no-  
19 tice required by section 804(b).

20 “(3) INCLUSION OF COMMENTS.—The Secre-  
21 taries shall submit to Congress all comments re-  
22 ceived from affected local governments in response  
23 to the notice provided under paragraph (1).

24 “(4) AFFECTED LOCAL GOVERNMENTS DE-  
25 FINED.—In this subsection, the term ‘affected local

1 government’ means the governing body of a political  
2 subdivision of a State—

3 “(A) whose boundaries contain all or part  
4 of the Federal recreational lands and waters to  
5 be subject to the new or increased recreation  
6 fee; or

7 “(B) that the Secretary determines may be  
8 economically impacted by the new or increased  
9 fee.”.

## 10 **TITLE II—AGENCY** 11 **MANAGEMENT IMPROVEMENTS**

### 12 **SEC. 201. IMPROVED CERTAINTY REGARDING DURATION** 13 **OF FEDERAL LAND MANAGEMENT AGENCY** 14 **LINE OFFICER ASSIGNMENTS.**

15 (a) FOREST SERVICE.—Section 3 of the Act of Feb-  
16 ruary 1, 1905 (16 U.S.C. 554) is amended by adding at  
17 the end the following new sentence: “The duration of an  
18 assignment at a Forest Service duty station should be a  
19 minimum of three years, subject to such exceptions as the  
20 Secretary of Agriculture may prescribe.”.

21 (b) BUREAU OF LAND MANAGEMENT.—Section 301  
22 of the Federal Land Policy and Management Act of 1976  
23 (43 U.S.C. 1731) is amended by adding at the end the  
24 following new subsection:



1 **SEC. 203. CLARIFICATION OF SECRETARY OF THE INTE-**  
2 **RIOR AUTHORITY TO MAKE MINOR BOUND-**  
3 **ARY ADJUSTMENTS TO NATIONAL PARK SYS-**  
4 **TEM UNITS.**

5 Section 100506(e)(5) of title 54, United States Code,  
6 is amended—

7 (1) in the matter preceding subparagraph (A),  
8 by striking “paragraph (1)(A)” both places it ap-  
9 pears and inserting “paragraph (1)”; and

10 (2) in subparagraph (A), by inserting before the  
11 period at the end the following: “, regardless of the  
12 method by which the acreage is proposed to be  
13 added to the System unit”.

14 **SEC. 204. PROTECTION OF SURVEY MONUMENTS ON FED-**  
15 **ERAL LAND.**

16 In managing surface-disturbing activities on Federal  
17 land, the Secretary shall take all necessary and reasonable  
18 actions to protect and maintain survey monuments located  
19 on the impacted Federal land. Such actions may include—

20 (1) identifying and protecting survey monu-  
21 ments before the commencement of surface-dis-  
22 turbing activities;

23 (2) monitoring surface-disturbing activities to  
24 prevent or minimize damage to survey monuments  
25 during the activities;

1 (3) inspecting survey monuments and evalu-  
2 ating the extent of any damage to survey monu-  
3 ments after the conclusions of surface-disturbing ac-  
4 tivities; and

5 (4) rehabilitating or reestablishing survey  
6 monuments damaged by surface-disturbing activities.

## 7 **TITLE III—TRIBAL FORESTRY**

### 8 **SEC. 301. PROTECTION OF TRIBAL FOREST ASSETS** 9 **THROUGH USE OF STEWARDSHIP END RE-** 10 **SULT CONTRACTING AND OTHER AUTHORI-** 11 **TIES.**

12 (a) PROMPT CONSIDERATION OF TRIBAL RE-  
13 QUESTS.—Section 2(b) of the Tribal Forest Protection  
14 Act of 2004 (25 U.S.C. 3115a(b)) is amended—

15 (1) in paragraph (1), by striking “Not later  
16 than 120 days after the date on which an Indian  
17 tribe submits to the Secretary” and inserting “In re-  
18 sponse to the submission by an Indian tribe of”; and

19 (2) by adding at the end the following new  
20 paragraph:

21 “(4) TIME PERIODS FOR CONSIDERATION.—

22 “(A) INITIAL RESPONSE.—Not later than  
23 120 days after the date on which the Secretary  
24 receives a tribal request under paragraph (1),

1 the Secretary shall provide an initial response  
2 to the Indian tribe regarding—

3 “(i) whether the request may meet the  
4 selection criteria described in subsection  
5 (c); and

6 “(ii) the likelihood of the Secretary  
7 entering into an agreement or contract  
8 with the Indian tribe under paragraph (2)  
9 for activities described in paragraph (3).

10 “(B) NOTICE OF DENIAL.—Notice under  
11 subsection (d) of the denial of a tribal request  
12 under paragraph (1) shall be provided not later  
13 than 1 year after the date on which the Sec-  
14 retary received the request.

15 “(C) COMPLETION.—Not later than 2  
16 years after the date on which the Secretary re-  
17 ceives a tribal request under paragraph (1),  
18 other than a tribal request denied under sub-  
19 section (d), the Secretary shall—

20 “(i) complete all environmental re-  
21 views necessary in connection with the  
22 agreement or contract and proposed activi-  
23 ties under the agreement or contract; and

1 “(ii) enter into the agreement or con-  
2 tract with the Indian tribe under para-  
3 graph (2).”.

4 (b) CONFORMING AND TECHNICAL AMENDMENTS.—  
5 Section 2 of the Tribal Forest Protection Act of 2004 (25  
6 U.S.C. 3115a) is amended—

7 (1) in subsections (b)(1) and (f)(1), by striking  
8 “section 347 of the Department of the Interior and  
9 Related Agencies Appropriations Act, 1999 (16  
10 U.S.C. 2104 note; Public Law 105–277) (as amend-  
11 ed by section 323 of the Department of the Interior  
12 and Related Agencies Appropriations Act, 2003 (117  
13 Stat. 275))” and inserting “section 604 of the  
14 Healthy Forests Restoration Act of 2003 (16 U.S.C.  
15 6591e)”; and

16 (2) in subsection (d), by striking “subsection  
17 (b)(1), the Secretary may” and inserting “para-  
18 graphs (1) and (4)(B) of subsection (b), the Sec-  
19 retary shall”.

20 **SEC. 302. MANAGEMENT OF INDIAN FOREST LAND AUTHOR-**  
21 **IZED TO INCLUDE RELATED NATIONAL FOR-**  
22 **EST SYSTEM LANDS AND PUBLIC LANDS.**

23 Section 305 of the National Indian Forest Resources  
24 Management Act (25 U.S.C. 3104) is amended by adding  
25 at the end the following new subsection:

1           “(c) INCLUSION OF CERTAIN NATIONAL FOREST  
2 SYSTEM LAND AND PUBLIC LAND.—

3           “(1) AUTHORITY.—At the request of an Indian  
4 tribe, the Secretary concerned may treat Federal  
5 forest land as Indian forest land for purposes of  
6 planning and conducting forest land management  
7 activities under this section if the Federal forest  
8 land is located within, or mostly within, a geographic  
9 area that presents a feature or involves cir-  
10 cumstances principally relevant to that Indian tribe,  
11 such as Federal forest land ceded to the United  
12 States by treaty, Federal forest land within the  
13 boundaries of a current or former reservation, or  
14 Federal forest land adjudicated to be tribal home-  
15 lands.

16           “(2) REQUIREMENTS.—As part of the agree-  
17 ment to treat Federal forest land as Indian forest  
18 land under paragraph (1), the Secretary concerned  
19 and the Indian tribe making the request shall—

20           “(A) provide for continued public access  
21 applicable to the Federal forest land prior to  
22 the agreement, except that the Secretary con-  
23 cerned may limit or prohibit such access as  
24 needed;

1           “(B) continue sharing revenue generated  
2           by the Federal forest land with State and local  
3           governments either—

4                   “(i) on the terms applicable to the  
5                   Federal forest land prior to the agreement,  
6                   including, where applicable, 25-percent  
7                   payments or 50-percent payments; or

8                   “(ii) at the option of the Indian tribe,  
9                   on terms agreed upon by the Indian tribe,  
10                  the Secretary concerned, and State and  
11                  county governments participating in a rev-  
12                  enue sharing agreement for the Federal  
13                  forest land;

14                  “(C) comply with applicable prohibitions  
15                  on the export of unprocessed logs harvested  
16                  from the Federal forest land;

17                  “(D) recognize all right-of-way agreements  
18                  in place on Federal forest land prior to com-  
19                  mencement of tribal management activities; and

20                  “(E) ensure that all commercial timber re-  
21                  moved from the Federal forest land is sold on  
22                  a competitive bid basis.

23                  “(3) LIMITATION.—Treating Federal forest  
24                  land as Indian forest land for purposes of planning  
25                  and conducting management activities pursuant to

1 paragraph (1) shall not be construed to designate  
2 the Federal forest land as Indian forest lands for  
3 any other purpose.

4 “(4) DEFINITIONS.—In this subsection:

5 “(A) FEDERAL FOREST LAND.—The term  
6 ‘Federal forest land’ means—

7 “(i) National Forest System lands;  
8 and

9 “(ii) public lands (as defined in sec-  
10 tion 103(e) of the Federal Land Policy and  
11 Management Act of 1976 (43 U.S.C.  
12 1702(e))), including Coos Bay Wagon  
13 Road Grant lands reconveyed to the  
14 United States pursuant to the first section  
15 of the Act of February 26, 1919 (40 Stat.  
16 1179), and Oregon and California Railroad  
17 Grant lands.

18 “(B) SECRETARY CONCERNED.—The term  
19 ‘Secretary concerned’ means—

20 “(i) the Secretary of Agriculture, with  
21 respect to the Federal forest land referred  
22 to in subparagraph (A)(i); and

23 “(ii) the Secretary of the Interior,  
24 with respect to the Federal forest land re-  
25 ferred to in subparagraph (A)(ii).”.

1 **SEC. 303. TRIBAL FOREST MANAGEMENT DEMONSTRATION**  
2 **PROJECT.**

3 The Secretary may carry out demonstration projects  
4 by which an Indian tribe may contract to perform adminis-  
5 trative, management, and other functions of programs of  
6 the Tribal Forest Protection Act of 2004 (25 U.S.C.  
7 3115a et seq.) through contracts entered into under the  
8 Indian Self-Determination and Education Assistance Act  
9 (25 U.S.C. 450 et seq.).

10 **TITLE IV—LAND AND WATER**  
11 **CONSERVATION FUND**

12 **SEC. 401. REQUIREMENTS RELATED TO ALLOCATION OF**  
13 **FUND AMOUNTS FOR FEDERAL PURPOSES.**

14 (a) AUTHORIZED ALLOTMENT PURPOSES.—Section  
15 200306(a) of title 54, United States Code, is amended—

16 (1) by redesignating paragraphs (3) and (4) as  
17 paragraphs (5) and (5), respectively; and

18 (2) by inserting after paragraph (2) the fol-  
19 lowing new paragraphs:

20 “(3) IMPROVED PUBLIC ACCESS.—

21 “(A) IN GENERAL.—Amounts shall be al-  
22 lotted for the purpose of securing or enhancing  
23 public access on existing Federal lands for  
24 hunting, recreational fishing, or recreational  
25 shooting where public access for those activities  
26 is impracticable. The amount so allotted for a

1 fiscal year may be all amounts appropriated  
2 from the Fund pursuant to this section for that  
3 fiscal year, but in no case less than 33 percent  
4 of such amounts.

5 “(B) DEFINITIONS.—For this paragraph:

6 “(i) HUNTING.—The term ‘hunting’  
7 means use of a firearm, bow, or other au-  
8 thorized means in the lawful—

9 “(I) pursuit, shooting, capture,  
10 collection, trapping, or killing of wild-  
11 life;

12 “(II) attempt to pursue, shoot,  
13 capture, collect, trap, or kill wildlife.

14 “(ii) RECREATIONAL FISHING.—The  
15 term ‘recreational fishing’ means the law-  
16 ful—

17 “(I) pursuit, capture, collection,  
18 or killing of fish; or

19 “(II) attempt to pursue, capture,  
20 collect, or kill fish.

21 “(iii) RECREATIONAL SHOOTING.—  
22 The term ‘recreational shooting’ means  
23 any form of sport, training, competition, or  
24 pastime, whether formal or informal, that

1 involves the discharge of a rifle, handgun,  
2 or shotgun, or the use of a bow.

3 “(4) FACILITATION OF LAND EXCHANGES.—  
4 Amounts shall be allotted for covering costs related  
5 to the facilitation of land exchanges between the  
6 United States and local governments, States, and  
7 other entities. Authorized costs that may be covered  
8 include the reasonable costs of appraisals, surveys,  
9 title activities, and legal fees associated with the fa-  
10 cilitation of exchanges.”.

11 (b) ACQUISITION RESTRICTIONS.—Section  
12 200306(b) of title 54, United States Code, is amended—

13 (1) by striking “Appropriations from the Fund”  
14 and inserting the following:

15 “(1) AUTHORIZATION OF ACQUISITION RE-  
16 QUIRED.—Appropriations from the Fund”; and

17 (2) by adding at the end the following new  
18 paragraphs:

19 “(2) ABUTMENT OF OTHER FEDERAL LAND RE-  
20 QUIRED.—

21 “(A) IN GENERAL.—A parcel of non-Fed-  
22 eral land, water, or an interest in land or water  
23 acquired with appropriations from the Fund  
24 pursuant to this section shall abut Federal land  
25 or water on not less than 75 percent of the par-

1 cel's border and, except as provided in sub-  
2 section (a)(2)(B)(ii), shall not be subject to size  
3 restrictions.

4 “(B) SPECIAL RULE FOR NATIONAL WILD-  
5 LIFE REFUGE SYSTEM.—In the case of areas  
6 described in clauses (ii), (iii), and (iv) of sub-  
7 section (a)(2)(C), the restriction specified in  
8 subparagraph (A) also applies to any acquisi-  
9 tion of land, water, or an interest in land or  
10 water carried out using funds made available  
11 under section 12 of the Migratory Bird Con-  
12 servation Act (16 U.S.C. 715k) or any other  
13 provision of law.

14 “(3) GEOGRAPHIC LIMITATION.—In addition to  
15 the limitation in subsection (a)(2)(B)(iii), not more  
16 than 15 percent of all acreage acquired with funds  
17 appropriated from the Fund pursuant to this section  
18 for any fiscal year shall be located west of the 100th  
19 meridian.”.

**From:** Pool, Jamie  
**To:** [Darla \(Energy\)](#); [Murfitt, Lucy \(Energy\)](#); [spencer\\_gray@energy.senate.gov](mailto:spencer_gray@energy.senate.gov); [David Brooks](#); [Lane, Michelle \(Energy\)](#)  
**Cc:** [Patrick Wilkinson](#); [Jill Ralston](#)  
**Subject:** BLM Written Testimony (4/21 Legislative Hearing before Subcommittee on Public Lands, Forests, and Mining)  
**Date:** Wednesday, April 20, 2016 11:38:32 AM  
**Attachments:** [BLM Statement S. 2383 \(FINAL\).docx](#)  
[BLM statement S. 2018 Glennallen AK Reversionary Interest \(FINAL\).docx](#)  
[BLM statement S2379 R&PP Udall Park \(FINAL\).docx](#)

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All --

Attached is the BLM's written testimony for tomorrow's legislative hearing before the Senate Committee on Energy and Natural Resources' Subcommittee on Public Lands, Forests, and Mining on the following three bills:

- S. 2383, Utah Test and Training Range Encroachment Prevention and Temporary Closure Act;
- S. 2018, to convey, without consideration, the reversionary interests of the United States in and to certain non-Federal land in Glennallen, Alaska; and
- S. 2379, to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City.

Our testimony on the other four bills of interest to the BLM is forthcoming, and we will send as soon as possible.

Thanks,  
Jamie

--

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Bureau of Land Management  
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**Statement of  
Mike Pool  
Acting Deputy Director for Operations  
Department of the Interior, Bureau of Land Management  
Senate Energy and Natural Resources Committee  
Subcommittee on Public Lands, Forests, & Mining  
S. 2383, Utah Test and Training Range Encroachment Prevention and  
Temporary Closure Act  
April 21, 2016**

Thank you for the opportunity to present testimony on S. 2383, the Utah Test and Training Range Encroachment Prevention and Temporary Closure Act, which would allow the U.S. Air Force (USAF) to periodically use and close to public access approximately 703,621 acres of public lands (“shared use area”) surrounding the Utah Test and Training Range (UTTR) in Box Elder, Juab, and Tooele Counties, Utah. The Administration supports the appropriate and responsible use of public lands for military purposes, and appreciates the efforts of Senator Hatch and the Subcommittee to begin addressing the concerns we raised in testimony on the House version of this bill. We look forward to continuing that discussion, but our testimony today is based on the currently introduced version of the bill. While we believe that the bill’s concept of short, periodic closures would serve the public interest better than the alternative of complete withdrawal, reservation, and closure of the lands at issue, the Administration opposes several provisions in the bill that would prevent the effective management of these lands. We would like the opportunity to work with the Subcommittee and Senator Hatch to address these significant concerns.

S. 2383 would also direct the exchange of approximately 70,650 acres of State-owned school trust land and approximately 13,886 acres of State-owned school trust mineral estate in Box Elder, Juab, and Tooele Counties, Utah, for approximately 98,253 acres of public lands in Beaver, Box Elder, Millard, Juab, and Tooele Counties, Utah. The Administration supports the completion of major land exchanges that further the public interest, consolidate ownership of scattered tracts of land to make them more manageable, and enhance resource protection. The Administration also supports the concept of this particular exchange, which would make management of the proposed shared use area more efficient during periodic closures. We have several concerns with the land exchange provisions in this bill, however. For example, some of the public lands proposed for exchange with the State contain a number of important resources and uses, including general habitat for the Greater Sage-Grouse, a historic mining district with several sites eligible for inclusion on the National Register of Historic Places, and lands withdrawn for public water reserves. We would like to work with the Subcommittee and the sponsor to resolve these concerns.

Finally, S. 2383 would recognize the existence and validity of certain unsubstantiated claims of road rights-of-way in Box Elder, Juab, and Tooele Counties, Utah, and require the conveyance of easements across Federal lands for the current disturbed widths of these purported roads plus any additional acreage the respective counties determine is necessary. The resolution of these disputed claims is not necessary for the management of the periodic closures around the UTTR.

For this and many other reasons, the Administration strongly opposes the resolution of these right-of-way claims in the manner laid out in this bill.

## **Background**

### ***Public Land Withdrawals***

Public lands are managed by the Department of the Interior (DOI) through the Bureau of Land Management (BLM). Public land withdrawals are formal lands actions that set aside, withhold, or reserve public land by statute or administrative order for public purposes. Withdrawals are established for a wide variety of purposes, e.g., power site reserves, military reservations, administrative facilities, recreation sites, national parks, reclamation projects, and wilderness areas. Withdrawals are most often used to preserve sensitive environmental values and major Federal investments in facilities or other improvements, to support national security, and to provide for public health and safety. Withdrawals of public lands for military use require joint actions by DOI and the Department of Defense (DoD). DoD has a number of installations, training areas, and ranges that are located partially or wholly on temporarily or permanently withdrawn public lands. Many of these withdrawals support installations that are critical to the readiness of our country's Armed Forces. Nationwide, approximately 16 million acres of public lands are currently withdrawn for military purposes.

### ***Utah Test & Training Range***

The UTTR is a military testing and training area located in Utah's West Desert, approximately 80 miles west of Salt Lake City, Utah. The lands in this area are principally salt desert shrub lands located within the valley bottoms of the Great Basin. Prominent features surrounding the UTTR include the Bonneville Salt Flats, the Great Salt Lake, and the Pony Express and Emigrant Trails. The Fish Springs National Wildlife Refuge, located south of the UTTR and adjacent to Dugway Proving Ground, is an example of the springs and wetlands that sporadically occur in this desert landscape.

Most of the lands that comprise the UTTR – 1,690,695 acres – are public lands withdrawn between 1940 and 1959 for use by the Armed Forces. According to the USAF, the range contains the largest block of overland contiguous special use airspace (approximately 12,574 square nautical miles measured from surface or near surface) within the continental United States. It is divided into North and South ranges, with Interstate 80 dividing the two sections. The UTTR's large airspace, exceptionally long supersonic corridors, extensive shoot box, large safety footprint area, varying terrain, and remote location make it an important asset for both training and test mission capabilities.

### ***Utah School and Institutional Trust Lands Administration***

The Utah School and Institutional Trust Lands Administration (SITLA) manages approximately 3.4 million acres of land and 4.5 million acres of mineral estate within the State of Utah. Many of these parcels are interspersed with public lands managed by the BLM, including in the areas under consideration in this bill. Although State trust lands support select public institutions, trust lands are not public lands. State trust lands generate revenue to support designated State institutions, including public schools, hospitals, teaching colleges, and universities.

### ***Public Land Exchanges***

Under FLPMA, the BLM's mission is to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations. FLPMA provides the BLM with a clear multiple-use and sustained yield mandate that the agency implements through its land use planning process.

Among other purposes, land exchanges allow the BLM to acquire environmentally-sensitive lands while transferring public lands into non-Federal ownership for local needs and the consolidation of scattered tracts. The BLM conducts land exchanges pursuant to Section 206 of FLPMA, which provides the agency with the authority to undertake such exchanges, or when given specific direction by Congress. To be eligible for exchange under Section 206 of FLPMA, BLM-managed lands must have been identified as potentially available for disposal through the land use planning process. Extensive public involvement is critically important for such exchanges to be successful. The Administration notes that the process of identifying lands as potentially available for exchange does not include the clearance of impediments to disposal or exchange, such as the presence of threatened and endangered species, cultural or historic resources, mining claims, oil and gas leases, rights-of-way, and grazing permits. Under FLPMA, this clearance must occur before the exchange can be completed.

The BLM manages 22.8 million acres of public lands within the State of Utah for a wide range of uses, including energy production, recreation, livestock grazing, and conservation. In the recent past, the BLM has completed three large-scale exchanges with the State of Utah at the direction of Congress through the Utah Recreational Land Exchange Act of 2009 (P.L. 111-53), the Utah West Desert Land Exchange Act of 2000 (P.L. 106-301), and the Utah Schools and Land Exchange Act of 1998 (P.L. 105-335). Through these exchanges, over 296,000 acres of Federal land were conveyed to the State of Utah, and the United States acquired over 596,000 acres from the State.

### ***Revised Statute 2477***

Revised Statute (R.S.) 2477 was enacted as part of the Mining Law of 1866 to promote the settlement and development of the West. R.S. 2477 was the primary authority under which many existing State and county highways were constructed and operated over Federal lands and did not require notification to the United States because the roads were automatically conveyed as a matter of law once certain conditions were met. In 1976, Congress repealed R.S. 2477 through the passage of FLPMA as part of a national policy shift to retain public lands in Federal ownership unless disposal "will serve the national interest." The repeal of R.S. 2477 did not affect valid rights in existence when Congress passed FLPMA.

Between 2005 and 2012, the State of Utah and 22 counties in Utah filed 31 lawsuits under the Quiet Title Act, alleging title to over 12,000 claimed R.S. 2477 rights-of-way. All of the cases are in Federal district court in Utah, and all but two are currently pending. Included in the pending lawsuits are two filed by Juab County, involving 671 claimed R.S. 2477 rights-of-way, one filed by Box Elder County involving 191 claimed rights-of-way, and one filed by Tooele County involving 692 claimed rights-of-way.

## **S. 2383, Utah Test and Training Range Encroachment Prevention and Temporary Closure Act**

### ***Utah Test & Training Range (Title I)***

Title I of S. 2383 would authorize the USAF to periodically use and close to public access approximately 703,621 acres of public lands (“shared use area”) surrounding the UTTR in Box Elder, Juab, and Tooele Counties, Utah. (Note, the text of the bill mentions 625,643 acres of BLM-managed land, but the BLM calculates that the legislative map’s “Proposed Exchange Expansion Areas” actually total 703,621 acres.) Specifically, the bill directs the Secretary of the Interior and the Secretary of the Air Force to enter into a Memorandum of Agreement (MOA) that provides for continued management of the shared use area by the BLM and for limited use by the USAF.

Under the legislation, a draft MOA would be required within 90 days of enactment of the bill, followed by a 30-day public comment period. Also under the bill, the MOA would have to be finalized within 180 days of enactment. The lands in the shared use area would remain eligible for county payments under the DOI Payments in Lieu of Taxes (PILT) program, but would be subject to use by the USAF. These federal payments to local governments that help offset losses in property taxes due to non-taxable Federal lands within their boundaries are not generally made for military installations. With respect to civilian land uses, the BLM Resource Management Plans in existence on the date of enactment would continue to apply to the shared use area, and the BLM would be required to take over administration of existing grazing leases and permits on lands currently owned by the State of Utah that would become Federal land under the land exchange provisions of the bill.

The bill would allow any BLM-issued grazing leases or permits in effect on the date of enactment and covering the shared use area to continue at current stocking levels, subject to reasonable increases or decreases and reasonable regulations, policies, and practices. In addition, the legislation would withdraw the shared use area from all forms of appropriation under the public land, mining, mineral leasing, and geothermal leasing laws. Valid existing rights would be preserved. S. 2383 would also allow the Secretary of the Air Force to prevent the Secretary of the Interior from issuing any new use permits or rights-of-way in the shared use area if the Secretary of the Air Force were to find such uses to be incompatible with current or projected military requirements. The USAF would be responsible to take action if any USAF activity causes a safety hazard on the public lands.

Under Title I, the Secretary of the Air Force could close the shared use area to the public for up to 100 hours annually, subject to various time and seasonal limitations, public notification requirements, and consultation with a community resource group to be established within 60 days of enactment of the bill. The community resource group, which would be exempt from the provisions of the Federal Advisory Committee Act (FACA), would include representatives of the USAF, Indian Tribes in the vicinity of the lands at issue, local county commissioners, recreational groups, livestock grazers, and the Utah Department of Agriculture and Food. The bill would also release the United States from liability for any injury or damage suffered in the course of any authorized nondefense-related activity on the specified public lands.

### *Analysis*

The Administration believes that the bill's concept of short, periodic closures would serve the public interest better than the alternative of complete withdrawal, reservation, and closure of the shared use area, but we oppose several provisions in the bill because they would prevent the effective management of these lands. These provisions include the grant of USAF authority to prevent the issuance of new use permits and rights-of-way in the shared use area; limitations on resource management planning; treatment of current land uses; timeframes for completing actions required under the bill; permanent withdrawal of the shared use area from appropriation under various laws; and more technical matters.

The Administration opposes the provision that would allow the USAF to preclude the approval of any new use authorizations or rights-of-way in the shared use area because we believe that current processes sufficiently protect USAF interests. This is particularly true with respect to future rights-of-way that may be needed for electricity transmission projects through this area. In the past, consultation and cooperation between the BLM and the USAF have resulted in conditions and stipulations on new uses. For example, as part of the approval process for the Kiewit Mine Project in Tooele County, the BLM placed height restrictions on tailings piles and required intermittent shutdowns of mining and blasting to accommodate USAF testing events approximately eight times per year. The Administration believes that the USAF and DOI could continue to resolve any resource use conflicts through consultation and interdepartmental cooperation.

The Administration also opposes any limits on the BLM's ability to amend or revise its Resource Management Plans (RMPs) with respect to lands in the shared use area. Since BLM RMPs form the basis for every action and approved use on the public lands, they are periodically revised as changing conditions and resource demands require. Any limits on the planning process would undermine the collaborative process by which local, state, and tribal governments, the public, user groups, and industry work with the BLM to identify appropriate multiple uses of the public lands. Furthermore, the shared use area contains major recreational sites that are enjoyed by the public and have been developed at significant expense. At a minimum, access to these sites would be discontinued when the shared use area is closed. In addition, the Administration notes that many of the timeframes outlined in the bill are not feasible, especially given the detailed coordination that would be necessary to draft and finalize the MOA.

The withdrawal under the bill would prohibit many uses that may not be incompatible with military requirements. Currently, the BLM has discretion on whether and under what conditions to authorize these activities. The BLM and USAF currently work together to ensure compatibility between these types of resource use activities and national defense requirements. The Administration believes that this cooperative arrangement should continue.

Finally, the Administration believes that there should be an opportunity for periodic review of the withdrawal and shared use arrangement established under the bill, and provisions related to termination of the withdrawal and the shared use arrangement if they were to become unnecessary. Furthermore, while the USAF would be responsible for implementing the closures, it is unclear how the 703,621-acre shared use area could be reliably closed for only hours at a

time. We look forward to working with the Subcommittee and the sponsor to address these concerns.

### ***Land Exchange (Title II)***

Title II of the bill would require the exchange of approximately 70,650 acres of State-owned land and 13,886 acres of State-owned mineral estate in Box Elder, Juab, and Tooele Counties, Utah, for 98,253 acres of public lands in Beaver, Box Elder, Millard, Juab, and Tooele Counties, Utah. The purpose of many of these exchanges would be to consolidate ownership of scattered State parcels within the shared use area discussed above, to transfer a number of public lands to the State for economic development, and – in the event that the public lands are of greater value than the State parcels – to equalize the exchange by acquiring additional environmentally sensitive State lands.

The land exchanges would be completed subject to valid existing rights, and appraisals would be conducted. The Secretary of the Interior would be required to reimburse the State of Utah for 50 percent of the appraisal costs. If the value of the public lands proposed for exchange exceeds the value of the State lands, the State must convey additional parcels of trust land in Washington County, Utah. One parcel of this State land, located near the Arizona-Utah border, contains critical habitat for the Federally-endangered Holmgren milk-vetch and is within the West-15 Preserve established by the U.S. Fish and Wildlife Service in 2006 for preservation of the plant species.

The remainder of the potential State parcels are located within the wilderness areas or National Conservation Areas in Washington County, Utah, established by the Omnibus Public Land Management Act of 2009 (P.L. 111-11). These additional parcels must be conveyed in a specific order until their appraised value matches that of the public lands proposed for exchange. If the value of the State lands proposed for exchange exceeds the value of the public lands, however, the Secretary of the Interior must make a cash equalization payment to the State, in accordance with the land exchange provisions of FLPMA.

### ***Analysis***

The Administration supports the completion of major land exchanges that consolidate ownership of scattered tracts of land, thereby easing BLM and State land management tasks and enhancing resource protection. We have several concerns with the land exchange provisions in this bill, however, and we would like the opportunity to work with the Subcommittee and the sponsor on amendments and other technical modifications to address these issues.

First, the public lands proposed for exchange with the State contain a number of important resources and uses, which include general habitat for the Greater Sage-Grouse, a historic mining district with several sites eligible for the National Register of Historic Places, wildlife guzzlers, portions of active BLM grazing allotments, off-highway vehicle recreational trails and access points, various utility and railroad rights-of-way, withdrawals for public water reserves, and lands withdrawn for a Solar Energy Zone. The Administration would like the opportunity to work with the Subcommittee and the sponsor on language and boundary modifications to ensure the protection of these resources and uses.

Furthermore, the Administration notes that the public lands proposed for exchange have not yet been analyzed under the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the National Historic Preservation Act (NHPA), or the FLPMA public interest determination. The Administration strongly supports these important review requirements because they provide for public engagement, opportunities to consider environmental and cultural impacts, and mitigation opportunities, and they help to ensure that unknown or unforeseen issues are not overlooked. As a result, the Administration would like the opportunity to work with the Subcommittee and the sponsor on language clarifying that these exchanges are subject to all parts of the FLPMA Section 206 land exchange process and other important environmental laws.

In addition, the public lands proposed for exchange exceed the State lands by more than 12,000 acres, and more than 14,000 of the State's acreage is mineral estate that will likely be nominal in value. This leads to an apparent value difference from the onset of the exchange. The addition of State land to equalize values would require the completion of additional appraisals near the end of the exchange, making it nearly impossible to meet the 1-year time frame directed under the bill. This would cause the prior appraisals to become outdated.

On the other hand, the Administration notes that if the public lands are of lower value than the State lands, any cash equalization payment made by the Secretary of the Interior to the State would be capped at 25 percent of the total value of the lands transferred out of Federal ownership, as required by the bill's reference to Section 206(b) of FLPMA. Even with this limitation, however, such a payment could significantly affect the BLM's other resource priorities. It is typical in administrative exchanges between governmental entities that all costs of the exchange, including but not limited to surveys and clearances, are split equally between the two parties. We trust that is the intention of S. 2383, but it is not specified and we recommend that this be made clear.

The Administration would like the opportunity to work with the Subcommittee and the sponsor on language ensuring adequate time for conducting appraisals, boundary modifications to reduce the need for a potential cash equalization payment, and amendments to provide consistency with FLPMA and other laws and to address other minor and technical concerns. Furthermore, the bill and its provisions are open-ended with no sunset date. To avoid unexchanged lands being held indefinitely without any certainty as to their status, we believe a 10-year sunset provision would be reasonable.

Additionally, the Administration opposes an appraisal taking into account the encumbrance created by mining claims for purposes of determining the value of the parcel of Federal land. It is BLM policy that in instances in which Federal land would be conveyed subject to mining claims, the appraisal would disregard the presence of the claims. Finally, the Administration is committed to continuing its adherence to the Uniform Appraisal Standards for Federal Land Acquisition and Uniform Standards of Professional Appraisal Practice and recommends the appraisal process be managed within DOI by the Office of Valuation Services.

### ***Highway Rights-of-Way (Title III)***

Title III of S. 2383 would recognize the existence and validity of certain claims of road rights-of-way in Box Elder, Juab, and Tooele Counties, Utah. It would also require conveyance to the respective county and the State of Utah as joint tenants with undivided interests of easements across Federal lands for the current disturbed widths of the purported roads plus any additional acreage the respective county determines is necessary for maintenance, repair, signage, administration, and use.

### ***Analysis***

The Administration strongly opposes Title III for the following reasons. First, it is difficult for the BLM to evaluate the potential impacts of Title III's validation of claimed roads on the public lands based only on the official transportation maps for Box Elder, Tooele, and Juab counties referenced in the bill, which we have not yet received for review. It is unclear whether purported roads included on these maps coincide with the State and county claims included in the pending Quiet Title Act lawsuits, but other maps provided to the BLM show that they do. It is also unclear whether the official maps include additional purported roads that would be recognized under this bill. In order to fully evaluate the impacts of S. 2383 on the public lands, copies of these maps should be made available for analysis.

Second, regardless of whether the purported roads included on the official maps referenced in S. 2383 fully coincide with the State's and counties' pending R.S. 2477 claims, the Administration does not believe that R.S. 2477 rights-of-way asserted by State and county governments should be automatically recognized as valid and existing rights-of-way. In establishing the validity of an R.S. 2477 claim through the judicial process, the burden of proof is on the claimant to demonstrate that they have satisfied the applicable legal standard.

In contrast, S. 2383 would recognize all county assertions as valid and establish perpetual rights over public lands without applying that legal test. We are also troubled that the bill would give the counties complete discretion to decide whether additional Federal land outside of the current disturbed width is necessary for maintenance or other purposes. S. 2383 would not limit the widths or acreages that could be claimed as easements, and it is ambiguous as to whether the Secretary of the Interior would retain the authority to impose reasonable stipulations and conditions on these easements.

Such reasonable stipulations and conditions, which the BLM can impose under its current right-of-way authority under Title V of FLPMA, may be appropriate, for example, to ensure the continued management and protection of sensitive and critical resources within the area of these claimed highways. Courts have determined that BLM can similarly reasonably regulate R.S. 2477 rights-of-way. Therefore, while we support the identification of reasonable alternatives to Federal court adjudication of claimed R.S. 2477 rights-of-way, the Administration strongly opposes this bill's approach to these claims.

Third, Title III would likely validate many claimed rights-of-way that cross areas of environmental significance. For example, the BLM is aware of approximately 35 claimed rights-of-way located in the Deep Creeks, North Stansbury, Fish Springs, and Rockwell Wilderness Study Areas (WSAs), and eight claimed rights-of-way located in the Cedar Mountain Wilderness

Area, which was designated in 2006 (P.L. 109-163). Furthermore, recognizing the validity of claimed rights-of-way that have not yet been litigated would limit the BLM's ability to manage travel and transportation in an approximately 814,000-acre area designated as priority sage-grouse habitat.

**Conclusion**

Thank you for the opportunity to provide testimony on S. 2383, the Utah Test and Training Range Encroachment Prevention and Temporary Closure Act. The Administration is committed to supporting military missions and training needs, while protecting natural resources and other traditional uses of the public lands. I would be happy to answer your questions.

**Statement of  
Mike Pool  
Acting Deputy Director  
Bureau of Land Management  
Department of the Interior  
Senate Energy & Natural Resources Committee  
Subcommittee on Public Lands, Forests & Mining  
S. 2018, Conveyance of Reversionary Interest, Glennallen, Alaska  
April 21, 2016**

Thank you for inviting the Department of the Interior to testify on S. 2018, which provides for the conveyance of the Federal government's reversionary interest in certain land located in the City of Glennallen, Alaska, to SEND North, a not-for-profit organization located in Anchorage, Alaska. While the Department supports the goal of conveying the reversionary interest to SEND North, we cannot support S. 2018 in its current form. The Department could support S. 2018 if it were amended to ensure the payment of fair market value for the conveyance of the reversionary interest.

**Background**

The Bureau of Land Management (BLM) regularly transfers public land to local governments and nonprofits for a variety of public purposes. These transfers are typically accomplished under the provisions of the Recreation and Public Purposes Act (R&PP) or through direction supplied through specific Acts of Congress. The R&PP Act is a statute frequently used by the BLM to help states, local communities, and nonprofit organizations obtain lands at no or low cost for important public purposes. Examples include parks, schools, hospitals and other health facilities, fire and law enforcement facilities, courthouses, social services facilities, and public works. Because these lands are transferred at far below market value, R&PP conveyances and many similarly legislated conveyances include a reversionary clause requiring that lands be used for public purposes or revert to the Federal government. Over the years, the BLM has addressed many requests to release the Federal government's reversionary interest in such lands and has consistently required the payment of fair market value for the reversionary interest.

In 1961, a 210-acre parcel of Federal land was patented to the Central Alaska Mission under the authority of the R&PP Act. The Mission came to Glennallen, Alaska, to assist the Glennallen community and the surrounding area with not-for-profit educational, medical, and religious services. The patent was subsequently transferred under the provisions of the R&PP Act to the non-profit organization SEND North.

The BLM is currently considering a request by SEND North to purchase at fair market value the Federal government's reversionary interest in the 210 acres patented in 1961. On April 7, 2016, the BLM published a Notice of Realty Action in the *Federal Register* providing an opportunity to comment on the proposed sale. The public comment period for this action will remain open until May 9, 2016. The proposed non-competitive direct sale is consistent with the BLM's East Alaska Resource Management Plan approved in September 2007. The BLM understands that

after acquiring the reversionary interest, SEND North would like to sell or transfer the parcels for commercial development without threat of reversion for breach of patent conditions.

**S. 2018**

S. 2018 would convey, without consideration, the reversionary interest of the United States in the land identified in the bill to SEND North, and requires the organization to pay all costs associated with the conveyance.

The BLM supports the goal of conveying the reversionary interest in this land to SEND North, but cannot support S. 2018 as currently written. The BLM recommends amending the legislation to ensure the payment of fair market value for the reversionary interest.

**Conclusion**

Thank you for the opportunity to testify. We look forward to working with the sponsor and the Committee to address the needs of the landowner and the city of Glennallen.

**Statement of  
Mike Pool  
Acting Deputy Director  
Bureau of Land Management  
Department of the Interior  
Senate Energy & Natural Resources Committee  
Subcommittee on Public Lands, Forests & Mining  
S. 2379, Udall Park Land Exchange Completion Act  
April 21, 2016**

Thank you for inviting the Department of the Interior to testify on S. 2379, the Udall Park Land Exchange Completion Act. The bill provides for the conveyance of the Federal government's reversionary interest in a 173-acre parcel of land known as Udall Park located in the city of Tucson, Arizona. While the Department supports the goal of conveying the reversionary interest to the City of Tucson, we cannot support S. 2379 in its current form. The Department could support S. 2379 if it were amended to ensure the payment of fair market value for the conveyance of the reversionary interest in this parcel to the City of Tucson.

**Background**

The Bureau of Land Management (BLM) regularly transfers public land to local governments and nonprofits for a variety of public purposes. These transfers are typically accomplished under the provisions of the Recreation and Public Purposes Act (R&PP) or through direction supplied through specific Acts of Congress. The R&PP Act is a statute frequently used by the BLM to help states, local communities, and nonprofit organizations obtain lands – at no or low cost – for important public purposes. Examples include parks, schools, hospitals and other health facilities, fire and law enforcement facilities, courthouses, social services facilities and public works. Because these lands are transferred at far below market value, R&PP conveyances and many similar legislated conveyances include a reversionary clause requiring that lands be used for public purposes or revert to the Federal government. Over the years, the BLM has addressed many requests to release the Federal government's reversionary interest in such lands, and has consistently required the payment of fair market value for the reversionary interest.

Udall Park is a popular, heavily used urban recreation park located in the eastern part of the City of Tucson (City). The 173-acre park was established in 1980, when the City entered into an R&PP Act lease with the BLM. Udall Park then was transferred to the City in 1989, under an R&PP Act patent. Both the lease and patent transferring title to the City included a reversionary clause prohibiting certain commercial uses of the property.

The BLM has authority to convey a reversionary interest retained by the Federal government under the R&PP Act at fair market value in accordance with uniform appraisal standards, under Sec. 203 of the Federal Land Policy and Management Act (FLPMA). In this case, the BLM has been exploring the possible conveyance of the reversionary interest in Udall Park to the City,

thus enabling the City to allow commercial uses of the land such as the installation of a cellular tower.

**S. 2379**

S. 2379 requires the Department of the Interior to convey to the City the reversionary interest of the United States in the Udall Park parcel for the purpose of enabling economic development of the parcel. Under the bill, the City is to pay the costs associated with the conveyance, but is not required to pay the fair market value of the reversionary interest.

The BLM supports the goal of conveying to the City the United States' reversionary interest in the Udall Park parcel, but cannot support S. 2379 as currently written. We recommend amending the legislation to ensure the payment of fair market value for the reversionary interest. The value of the reversionary interest in Udall Park would be established through an appraisal by the Department of the Interior's Office of Valuation Services, in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice. Upon receiving that appraisal, the City could make a decision on purchasing the reversionary interest on the parcel, thus owning the land outright.

**Conclusion**

Thank you for the opportunity to testify. We look forward to working with the sponsor and the Committee to address the needs of the City of Tucson.

**From:** Pool, Jamie  
**To:** [Darla \(Energy\)](#); [Murfitt, Lucy \(Energy\)](#); [spencer\\_gray@energy.senate.gov](mailto:spencer_gray@energy.senate.gov); [David Brooks](#); [Lane, Michelle \(Energy\)](#)  
**Cc:** [Patrick Wilkinson](#); [Jill Ralston](#)  
**Subject:** Re: BLM Written Testimony (4/21 Legislative Hearing before Subcommittee on Public Lands, Forests, and Mining)  
**Date:** Wednesday, April 20, 2016 5:03:52 PM  
**Attachments:** [BLM Statement - S 1167 Owyhee \(FINAL\).docx](#)  
[BLM Statement - S. 1699 Oregon Wildlands \(FINAL\).docx](#)  
[BLM Statement - S. 1423 Central Coast \(FINAL\).docx](#)  
[BLM Statement S. 2223 Black Hills \(FINAL\).docx](#)

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All --

Attached is the BLM's written testimony for tomorrow's legislative hearing before the Senate Committee on Energy and Natural Resources' Subcommittee on Public Lands, Forests, and Mining on the following four bills:

- S. 1167, Owyhee Wilderness Areas Boundary Modifications Act;
- S. 1699, Oregon Wildlands Act;
- S. 1423, Central Coast Heritage Protection Act; and
- S. 2223, Black Hills National Cemetery Boundary Expansion Act

We are sending the requested paper copies of all seven statements now.

Thanks,  
Jamie

On Wed, Apr 20, 2016 at 11:38 AM, Pool, Jamie <[jpool@blm.gov](mailto:jpool@blm.gov)> wrote:

All --

Attached is the BLM's written testimony for tomorrow's legislative hearing before the Senate Committee on Energy and Natural Resources' Subcommittee on Public Lands, Forests, and Mining on the following three bills:

- S. 2383, Utah Test and Training Range Encroachment Prevention and Temporary Closure Act;
- S. 2018, to convey, without consideration, the reversionary interests of the United States in and to certain non-Federal land in Glennallen, Alaska; and
- S. 2379, to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City.

Our testimony on the other four bills of interest to the BLM is forthcoming, and we will send as soon as possible.

Thanks,  
Jamie

--

Jamie Pool  
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Bureau of Land Management  
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**Statement of  
Mike Pool  
Acting Deputy Director for Operations  
Bureau of Land Management  
U.S. Department of the Interior  
Senate Energy and Natural Resources Committee  
Subcommittee on Public Lands, Forests, and Mining  
S. 1167, Owyhee Wilderness Areas Boundary Modifications Act  
April 21, 2016**

Thank you for inviting the Department of the Interior to testify on S. 1167, the Owyhee Wilderness Areas Boundary Modifications Act. This bill would modify the boundaries of the Pole Creek, Owyhee River, and North Fork Owyhee Wilderness Areas; authorize the use of motorized vehicles for livestock monitoring, herding, and gathering in six wilderness areas in Idaho; and require the Secretary of the Interior to submit a report describing livestock grazing management activities that were authorized in these six areas prior to their designation as wilderness in 2009.

The BLM acknowledges the dedicated efforts of stakeholders to collaborate on issues concerning wilderness management in this region of Idaho. Generally, the BLM supports stakeholder-driven efforts to refine management boundaries, provided those solutions further the purposes of the original enabling legislation and represent a balanced approach to enhancing manageability. The Administration, however, strongly opposes S. 1167, because of broad management changes that would lift essential protections from wilderness areas. In particular, we oppose provisions for the use of motorized vehicles in wilderness areas because the language undermines the longstanding definition and spirit of wilderness as established in the Wilderness Act of 1964. We would like the opportunity to work with the sponsor and Subcommittee on other concerns detailed below.

**Background**

The Omnibus Public Land Management Act of 2009 (OPLMA; Public Law 111-11, Subtitle F) designated six wilderness areas in southwest Idaho – the Big Jacks Creek Wilderness (approximately 52,826 acres), the Bruneau-Jarbridge Rivers Wilderness (approximately 89,996 acres), the Little Jacks Creek Wilderness (approximately 50,929 acres), the North Fork Owyhee Wilderness (approximately 43,413 acres), the Owyhee River Wilderness (approximately 267,328 acres), and the Pole Creek Wilderness (approximately 12,533 acres), in accordance with the provisions of the Wilderness Act (16 U.S.C. 1131 et seq.). These six wilderness areas lie within the Northern Basin and Range, an elevated plateau with mountains separated by canyons draining into the Pacific Ocean via the Snake and Columbia rivers. These provisions were derived in part from legislation introduced by Senator Crapo and developed based on the recommendations of the Owyhee Initiative, a collaborative stakeholder group. In April 2015, the BLM finalized the Owyhee Canyonlands Wilderness and Wild and Scenic Rivers Management Plan. This plan establishes the management framework for the BLM’s management of these six Idaho wilderness areas.

Under section 1503(b)(3) of OPLMA, livestock grazing in these six wilderness areas is “allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers necessary, consistent with section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)) and the guidelines described in Appendix A of House Report 101-405.” Since passage of OPLMA, however, the Owyhee Initiative and certain other stakeholders have expressed concerns with the BLM’s implementation of OPLMA, specifically related to cross-country, motorized herding in wilderness areas, which the BLM has determined to be inconsistent with the Wilderness Act of 1964, OPLMA, and Appendix A of House Report 101-405.

### **S. 1167**

S. 1167 would modify the boundaries of the Pole Creek, Owyhee River, and North Fork Owyhee Wilderness Areas; authorize the use of motorized vehicles for livestock monitoring, herding, and gathering in six wilderness areas in the State of Idaho; and require the Secretary of the Interior to submit a report describing livestock grazing management activities that were authorized in these six areas prior to their designation as wilderness in 2009.

#### ***Owyhee Wilderness Areas Boundary Modifications (Section 2)***

Section 2 of the bill would adjust the designated boundaries of the Pole Creek, Owyhee River, and North Fork Owyhee Wilderness Areas. The BLM supports some, but opposes other adjustments identified in this section, as described in detail below.

Under Section 2, the Noon Creek Cherrystem of the North Fork Owyhee Wilderness Area would be extended an additional 0.84 miles to the historically used corrals at Big Springs Camp. The BLM opposes this boundary modification because public motorized access to this site could result in negative impacts to wilderness characteristics and vandalism or damage to existing range improvements at the Big Springs Camp. The BLM currently has discretionary authority to allow motorized administrative access to this site for livestock grazing permittees.

In addition, Section 2 of the bill would shift the northeastern boundary of the Owyhee River Wilderness from a section line to the existing Dickshooter Road, removing about one section of land from the wilderness area and opening about one mile of the road to motorized travel. While the proposed change may improve certain aspects of the manageability of the area, the BLM would like to work with the sponsor to assess whether the cherrystem to the Kincaid Reservoir is necessary. The BLM already has discretionary authority to allow motorized administrative access to the Kincaid Reservoir for livestock grazing permittees. We also encourage the sponsor and Subcommittee to consider balancing the removal of the protected status of this general area with possible new protections elsewhere in the Owyhee region in order to maintain the careful balance established in the original legislation.

Section 2 of the bill also proposes one modification to the boundary of the Pole Creek Wilderness along the Mud Flat Road. The BLM supports this modification, which would allow for legal use of a historic and popular motorized vehicle pullout and car camping site from the wilderness, thereby allowing the BLM to concentrate vehicle use in an already disturbed area and reducing impacts to other areas with wilderness characteristics.

Finally, the BLM has identified some minor technical errors in the maps referenced in this legislation and would like to provide the sponsor and Subcommittee with updated maps that reflect the latest data.

***Use of Motorized Vehicles for Livestock Monitoring, Herding & Grazing (Section 3)***

Section 3 of the bill would authorize the use of motorized vehicles for livestock monitoring, herding, and gathering in the six wilderness areas in the State of Idaho that were designated in OPLMA. While the BLM acknowledges the collaborative work of stakeholders in this region, the BLM opposes this section of the bill because the language undermines the longstanding definition and spirit of wilderness as established in the Wilderness Act of 1964.

***Report on Livestock Grazing Management Activities (Section 4)***

Section 4 of the bill would require the Secretary of the Interior to submit a report to Congress describing all livestock grazing management activities that were authorized in the six wilderness areas in the State of Idaho designated by OPLMA. The BLM notes that an extensive list of wilderness range improvement projects and the operations associated with those facilities has already been developed as mandated by Congress in Section 1503(b)(3)(B) of OPLMA and this inventory was included as Appendix D of the 2015 Owyhee Canyonlands Wilderness and Wild and Scenic Rivers Management Plan. Therefore, the BLM recommends deleting this section of the bill.

**Conclusion**

Thank you again for the opportunity to testify on S. 1167, the Owyhee Wilderness Areas Boundary Modifications Act. While we appreciate the sponsor's work on this legislation, the Administration strongly opposes the bill as it is currently written. We look forward to working with the sponsor and the Subcommittee on these management issues.

**Statement of  
Mike Pool  
Acting Deputy Director for Operations  
Bureau of Land Management  
U.S. Department of the Interior  
Senate Committee on Energy and Natural Resources  
Subcommittee on Public Lands, Forests, & Mining  
S. 1699, Oregon Wildlands Act  
April 21, 2016**

Thank you for inviting the Department of the Interior to testify on S. 1699, the Oregon Wildlands Act. S. 1699 would establish two new national recreation areas on forest lands in western Oregon (Title I), protect over 280 miles of Oregon rivers on lands administered by the BLM and Forest Service with new designation as recreational, scenic, or wild rivers under the Wild and Scenic Rivers Act (Title II), and establish new conservation designations in western Oregon (Title III).

The Department has previously testified on many of the concepts contained in the provisions of this bill and believes this legislation is a continuation of the ongoing discussion about the management of western Oregon lands. The Department appreciates Senator Wyden's longstanding work on these issues. Overall, the Department supports many of the goals of the bill, and supports Titles II and III. We would like to work with Senator Wyden and the Subcommittee on substantive, clarifying, and technical amendments to Title I to resolve our outstanding concerns and would also like the opportunity to provide updated maps that are more closely tailored to the designations in this bill.

**Background**

***Current BLM Management of Lands in Western Oregon***

The O&C Lands Act of 1937 placed 2.2 million checkerboard acres of Oregon and California Railroad and Coos Bay Wagon Road grant lands (the O&C Lands) under the jurisdiction of the Department of the Interior. Under the O&C Lands Act, the Department of the Interior manages the O&C lands for "the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities." The Act also provides that the 18 O&C counties receive yearly payments equal to 50 or 75 percent of receipts from timber harvests on O&C lands in these counties.

Timber harvests and the associated payments to counties decreased significantly in the mid-1990s, after the historic highs experienced in the late 1980s. The decrease was caused, in part, by the need for management measures to address the conservation and recovery of threatened and endangered species such as the northern spotted owl, coho salmon, and marbled murrelet. The 1994 Northwest Forest Plan was developed by Federal agencies and scientists in consultation with the public and industry to be a balanced, long-term management plan striving

for a predictable and sustainable supply of timber along with protection of fish and wildlife habitat for 24.5 million acres of Federal forest in western Oregon, western Washington, and northern California, most of which is managed by the U.S. Forest Service. The BLM's western Oregon Resource Management Plans were amended in 1995 (1995 RMPs) to incorporate the Northwest Forest Plan management guidelines and land use allocations.

In addition to the O&C lands in western Oregon, the BLM manages 212,000 acres of public domain forests and other acquired lands within the boundary of the Northwest Forest Plan. The Department of the Interior continues to manage the O&C lands under the 1995 RMPs and the guidance of the Northwest Forest Plan, along with management recommendations derived from the 2011 Northern Spotted Owl recovery plan and 2012 Final Critical Habitat Rule, as well as a number of court decisions. These and other BLM-managed lands in western Oregon also provide outstanding recreational opportunities, with over 5 million people visiting each year to enjoy hiking, camping, hunting, and fishing.

### ***Resource Management Plan Revision***

In March of 2012, the BLM began the planning process to revise the 1995 RMPs that govern management of the O&C lands. The BLM has spent over four years engaging the public, key stakeholders, cooperators, and tribes conducting extensive public scoping and providing numerous opportunities for all parties to provide public input through design workshops, public meetings, and other venues as part of the National Environmental Policy Act (NEPA) process. The BLM has used this input, along with lessons learned from 20 years of experience implementing the Northwest Forest Plan, as well as threatened and endangered species recovery plans and critical habitat designations from both the U.S. Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS), to craft the recently published Proposed RMP/Final Environmental Impact Statement. A final Record of Decision is expected in the coming months.

### **Oregon National Recreation Areas (Title I)**

Title I of S. 1699 establishes the Rogue Canyon and Molalla National Recreation Areas on nearly 119,000 acres of intermixed O&C lands and public domain forests in western Oregon and provides guidance for the management of each area. Although the Department shares S. 1699's goals to protect, conserve, and enhance the unique recreational and natural resources of these areas, we have concerns with the language of Title I and the impacts if it were to be implemented as written.

As discussed briefly above, the BLM's management of O&C lands and public domain forests is currently governed by a number of statutory requirements, including the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the Clean Water Act, the O&C Lands Act of 1937, the Federal Land Policy and Management Act (FLPMA), and the relevant implementing regulations and plans. Under this framework, the BLM manages these lands for forest production in conformance with the principles of sustained yield and for other multiple uses.

The Department notes that it is unclear how this title would affect the timber sale program that is proposed in conjunction with the recently published Proposed RMP/Final Environmental Impact Statement for the O&C lands. We would like the opportunity to work with Senator Wyden and the Subcommittee on clarifying this aspect of the bill.

We also believe that the management language for the proposed recreation areas is unclear and may impact existing commercial timber production activity that relies on rights-of-way held by adjacent private forest landowners and existing commercial recreational activity. Because of the size of the proposed areas, some of the bill's language may also limit access to existing trailheads and scenic opportunities. We would like to work with the sponsor and Subcommittee on language to clarify the use of existing permanent roads and the bill's effect on ongoing commercial activity.

Finally, we note that the maps for each of the proposed recreation areas were created for previous iterations of the legislation and may contain designations or other features unrelated to this bill. Consequently, the Department would like the opportunity to provide updated maps that display the proposed areas in greater detail using the latest data. We would also like the opportunity to discuss boundary modifications for manageability.

#### **Additional Wild & Scenic River Designations & Technical Corrections (Title II)**

Title II of S. 1699 would protect over 280 miles of Oregon rivers on lands managed by the BLM and Forest Service with designation as recreational, scenic, or wild rivers under the Wild and Scenic Rivers Act. As we have previously testified, the Department strongly supports the provisions of this title, which would conserve these unique places for future generations.

#### ***Additions to Rogue Wild & Scenic River***

Section 201 of S. 1699 would extend the existing Rogue Wild and Scenic River by adding approximately 120 miles of 37 tributaries to the National Wild and Scenic Rivers System. In addition, this section withdraws 16 miles of 6 other Rogue River tributaries from land laws, mining laws, and mineral leasing laws and prohibits the Federal Energy Regulatory Commission (FERC) from licensing new water resource projects and associated facilities along these tributaries. The Department supports these designations but recommends a minor technical correction to the amended language for the original Rogue River designation.

#### ***Corrections to the Wild and Scenic Rivers Act***

Section 202 of the bill pertains to lands managed by the Forest Service, and the Department defers to the Department of Agriculture on this provision.

#### ***Wasson Creek & Franklin Creek Designations***

Section 203 of S. 1699 would designate portions of both Franklin Creek and Wasson Creek as components of the Wild and Scenic Rivers System. In previous testimonies, the Department of Agriculture has supported legislation to designate Franklin and Wasson Creeks as components to

the Wild and Scenic River System. Our understanding is that USDA continues to support these designations.

Additionally, the Department supports the designations that would be managed by the BLM, including approximately 4.2 miles of Wasson Creek.

### ***Molalla Wild & Scenic River***

At an elevation of 4,800 feet, the Molalla River flows undammed for 49 miles west and north until it joins the Willamette River, providing drinking water for local communities and important spawning habitat for several fish species. Within an hour's drive of the metropolitan areas of Portland and Salem, the Molalla watershed provides significant recreational opportunities for fishing, canoeing, mountain biking, horseback riding, hiking, hunting, camping, and swimming and draws over 65,000 visitors annually.

Section 204 of the bill proposes to designate 15.1 miles of the Molalla River and 6.2 miles of the Table Rock Fork of the Molalla as components of the National Wild and Scenic Rivers System. The Department supports these designations.

### ***Additional Wild & Scenic River Designations***

The Department of the Interior defers to the Department of Agriculture on the Elk River provisions (section 205[a]) which affect lands administered by the Forest Service.

Section 205(b) of the bill would protect over 50 miles of Oregon rivers with new designation as either recreational or scenic rivers under the Wild and Scenic Rivers Act. The Department supports these designations.

### **Wilderness Areas (Title III)**

The BLM also manages many extraordinary lands in western Oregon that are proposed for conservation designation under this legislation. Title III of S. 1699 would expand the Wild Rogue Wilderness Area in southwestern Oregon and designate the Devil's Staircase Wilderness Area in southwestern Oregon. As we have previously testified, the Department supports this title, which would conserve and protect these special places that are treasured both locally and nationally. The Department notes that the maps for each of the proposed wilderness areas were created for previous legislation and may not reflect current land status data. For clarity, we would like the opportunity to provide updated maps of the proposed designations.

### ***Wild Rogue Wilderness***

Over millions of years, the Rogue River, one of the initial eight rivers recognized in the 1968 Wild and Scenic Rivers Act, has carved its way through western Oregon's mountains. Dense, old-growth forests flank the Rogue, providing habitat for forest-dependent species. The cold, clear waters of the river provide a home for Pacific salmon, steelhead trout, and green sturgeon. Recreationists drawn to the Rogue River watershed are a critical economic engine for local economies and include fishing, rafting and boat tours, and hiking and backpacking.

The bill (Section 301) proposes to enlarge the existing Wild Rogue Wilderness by adding nearly 60,000 acres of land administered by the BLM.

The BLM supports this section of the bill. This wild and rugged area is largely untrammeled and has been influenced primarily by the forces of nature with outstanding opportunities for primitive recreation or solitude. The BLM would like to work with the sponsor to ensure that the bill language is consistent with how BLM manages other congressionally-designated Wilderness Areas.

### ***Devil's Staircase Wilderness***

The proposed Devil's Staircase Wilderness near the coast of southwestern Oregon is an example of what much of this land looked like hundreds of years ago. This area is a multi-storied forest of Douglas fir and western hemlock that towers over underbrush of giant ferns and provides critical habitat for the threatened northern spotted owl and marbled murrelet. The remote and rugged nature of this area provides a truly wild experience for any hiker.

Section 302 of Title III proposes to designate over 30,000 acres as wilderness. In previous testimonies, the Department of Agriculture has supported legislation to designate Devil's Staircase as Wilderness. Our understanding is that the Department of Agriculture continues to support this designation. The Department supports the transfer of administrative jurisdiction of 49 acres to the Forest Service. Additionally, the Department supports the designations that would be managed by the BLM, including approximately 6,830 acres of the proposed Devil's Staircase Wilderness. The BLM would like to work with the sponsor to ensure that the bill language is consistent with how BLM manages other congressionally-designated Wilderness Areas.

### **Conclusion**

S. 1699 would establish two new national recreation areas on forest lands in western Oregon, protect over 280 miles of Oregon rivers with new designation as recreational, scenic, or wild rivers under the Wild and Scenic Rivers Act, and establish new conservation designations in western Oregon. The Department supports the goals of protecting, conserving, and enhancing the unique recreational and natural resources of the proposed national recreation areas, and also fully supports the conservation designations that would be made under Titles II and III. The Department looks forward to continuing to work with the sponsor, the Subcommittee, and stakeholders to address the specific concerns noted in our testimony with regard to the bill as drafted, to reconcile differences, and to accomplish our shared stewardship goals for BLM-managed lands in western Oregon.

**Statement of  
Mike Pool  
Acting Deputy Director for Operations  
Bureau of Land Management  
U.S. Department of the Interior  
Senate Energy and Natural Resources Committee  
Subcommittee on Public Lands, Forests, and Mining  
S. 1423, Central Coast Heritage Protection Act  
April 21, 2016**

Thank you for inviting the Department of the Interior to testify on S. 1423, the Central Coast Heritage Protection Act. This bill would designate three wilderness areas within the Carrizo Plain National Monument managed by the Bureau of Land Management (BLM). S. 1423 would also establish the Black Mountain Scenic Area on lands managed by the BLM and the U.S. Forest Service (USFS), and designate or expand nine wilderness areas within the Los Padres National Forest, two of which would include some BLM-managed public lands. The BLM supports S. 1423 and would welcome the opportunity to work with Senator Boxer and the Subcommittee to address various technical concerns discussed below.

**Background**

The Carrizo Plain National Monument (Monument), which includes over 206,000 acres of public lands, was designated by President Bill Clinton on January 17, 2001. The Monument, located only a few hours from Los Angeles, in San Luis Obispo and Kern Counties, California, is home to diverse communities of wildlife and plant species, including the critically endangered San Joaquin kit fox, giant kangaroo rat, and blunt-nosed leopard lizard. The Chumash, Salinian, and Yokuts Tribes have called this area home for at least the last 10,000 years. The Monument provides many recreational opportunities, such as hiking, camping, and hunting and – due to its remoteness – provides visitors outstanding opportunities to be alone with nature. Lands within the Monument boundary are cooperatively managed by the BLM, the California Department of Fish and Wildlife (CDFW) and The Nature Conservancy (TNC) through a Memorandum of Understanding established to ensure that the three entities manage their respective lands in a complementary fashion.

Under the Monument's 2010 Resource Management Plan (RMP), the BLM currently manages approximately 62,455 acres of public lands for the protection of wilderness characteristics. The decision to manage these public lands for wilderness characteristics under the RMP occurred as part of a 10-year collaborative planning effort with strong public support. Within the Monument, the BLM also manages the approximately 17,984-acre Caliente Wilderness Study Area (WSA) in a manner that does not impair its suitability for potential future preservation by Congress as wilderness, as provided for under the Federal Land Policy and Management Act or the Wilderness Act.

**S. 1423**

***Wilderness (Sections 3-5, 7)***

S. 1423 would designate three new wilderness areas within the Carrizo Plain National Monument – the Caliente Mountain Wilderness (approximately 35,600 acres), the Soda Lake Wilderness

(approximately 13,300 acres), and the Temblor Range Wilderness (approximately 12,500 acres). These proposed additions to the National Wilderness Preservation System will protect fragile ecosystems and provide important habitat for a diversity of plant and animal life. These proposed wilderness areas also serve as unique and irreplaceable outdoor research laboratories. For example, the proposed Soda Lake Wilderness is the largest remaining natural alkali wetland in southern California and is the only closed basin within the coastal mountains. These lands have retained their primeval character and have been influenced primarily by the forces of nature, and provide outstanding opportunities for solitude as well as primitive and unconfined recreation experiences.

The BLM supports the designation of these wilderness areas but would like the opportunity to work with the sponsor and Subcommittee on minor boundary adjustments to ensure that the boundaries are consistent with existing WSAs and areas managed for wilderness characteristics under the 2010 Carrizo Plain RMP. Finally, the BLM understands that the sponsor intends to amend the map references in the bill and reference the maps entitled “Proposed Caliente Mountain Wilderness”, “Proposed Soda Lake Wilderness”, and “Proposed Temblor Range Wilderness”, dated June 3, 2014. The June 3, 2014, maps inform the position of the BLM on this legislation.

The bill would also designate or expand nine additional wilderness areas within the Los Padres National Forest. We defer to the U.S. Department of Agriculture regarding provisions in the bill concerning lands and interests managed by the USFS; however, the proposed addition to the Garcia Wilderness Area would include approximately 120 acres of BLM-managed public lands, and the proposed addition to the Machesna Mountain Wilderness Area would include approximately 530 acres of BLM-managed public lands. The BLM supports the proposed wilderness designations of BLM-managed lands in the Garcia and Machesna Mountain Wildernesses. The BLM notes that the BLM-managed Machesna WSA does not appear to be included in the proposed wilderness additions. Incorporating this WSA into the designations may enhance manageability of the area.

#### ***Wild & Scenic Rivers (Section 6)***

Section 6 of S. 1423 pertains to lands managed by the USFS. The BLM defers to the U.S. Department of Agriculture regarding these provisions.

#### ***Scenic Areas (Section 8)***

Section 8 of the bill would designate two scenic areas – the Condor Ridge Scenic Area (approximately 18,600 acres) in the Los Padres National Forest and the Black Mountain Scenic Area (approximately 15,800 acres) on lands administered by the USFS and the BLM, including the approximately 160-acre Black Mountain WSA. The BLM supports this section of the bill, but would like the opportunity to work with the sponsor to address some technical concerns, including the addition of a reference to the Secretary of the Interior.

#### ***National Trails (Section 9)***

Section 9 of the bill would establish the Condor National Recreation Trail. The BLM has not reviewed a detailed map for the trail, but we understand that the majority of the trail traverses the Los Padres National Forest with a small segment that traverses BLM-managed public lands. The

BLM generally supports the designation of this trail, but we would like the opportunity to more closely review the proposed route and work with the sponsor and Subcommittee to address other technical concerns, including correction of a citation to the National Trails System Act.

***Miscellaneous Provisions (Sections 10-12)***

Sections 10 and 11 of the bill pertain to lands managed by the USFS. The BLM defers to the U.S. Department of Agriculture regarding these provisions. The BLM supports Section 12, which addresses use by members of Native American tribes.

**Conclusion**

Thank you again for the opportunity to testify on S. 1423, the Central Coast Heritage Protection Act. The BLM supports the conservation goals of the bill. We look forward to continuing to work with the sponsor and the Subcommittee to address the technical concerns outlined above as this bill moves through the legislative process.

**Statement of  
Mike Pool  
Acting Deputy Director  
Bureau of Land Management  
Department of the Interior  
Senate Energy and Natural Resources Committee  
Subcommittee on Public Lands and Forests  
S. 2223, Black Hills National Cemetery Boundary Expansion Act  
April 21, 2016**

Thank you for inviting the Department of the Interior to testify on S. 2223, the Black Hills National Cemetery Boundary Expansion Act, which transfers administrative jurisdiction of approximately 200 acres of public land currently managed by the Department's Bureau of Land Management (BLM) to the Department of Veterans Affairs' (VA) National Cemetery Administration (NCA) for inclusion in the Black Hills National Cemetery in Meade County, South Dakota. The Department of the Interior supports S. 2223.

**Background**

The Black Hills National Cemetery is located three miles southeast of Sturgis, South Dakota, near the Black Hills. Established in 1948, the cemetery currently encompasses 106 acres and has had over 20,000 interments. The BLM understands that the NCA would use the additional land provided under S. 2223 to expand the Black Hills National Cemetery to provide burial space for future needs. The BLM and the NCA have discussed such a transfer for several years, but the BLM has determined that no general authority exists for the agency to grant a perpetual transfer of jurisdiction as required by the NCA for a cemetery.

**S. 2223**

S. 2223 directs the Secretary of the Interior to transfer administrative jurisdiction of approximately 200 acres of public land to the Secretary of Veterans Affairs to be incorporated into the existing Black Hills National Cemetery, subject to valid existing rights. The Secretary of Veterans Affairs would be required to pay all survey costs and other reasonable costs associated with the transfer. The Federal land to be transferred would be withdrawn from all forms of appropriation under the public land laws, including the mining, mineral leasing, and geothermal leasing laws. Under the bill, should the NCA ever determine that it no longer needs any portion of the additional land, the Secretary of the Interior could restore the unneeded land to the public domain. The Secretary of Veterans Affairs would be responsible for costs of any decontamination necessary for restoration to public land status.

The Department of the Interior supports S. 2223 and the transfer of administrative jurisdiction. We note that the expansion area is currently part of the Fort Meade Recreation Area / Area of Critical Environmental Concern (ACEC) and that the Centennial Trail runs along the northern boundary of the expansion area. We suggest adding bill language to provide a 100-foot setback boundary from the centerline of the trail. The Administration would also like to work with the sponsor and the Committee to clarify the provisions related to decontamination and restoration of the land to public land status.

**Conclusion**

Thank you again for the opportunity to testify in support of S. 2223, the Black Hills National Cemetery Boundary Expansion Act. We appreciate the work of the South Dakota congressional delegation on this legislation, and we look forward to collaborating with them and the Committee to meet the needs of the Black Hills National Cemetery.

**From:** Morrison, Lisa  
**To:** [sherri.gamel@mail.house.gov](mailto:sherri.gamel@mail.house.gov); [jordan.kittleson@mail.house.gov](mailto:jordan.kittleson@mail.house.gov); [martha\\_ruiz-martinez@roberts.senate.gov](mailto:martha_ruiz-martinez@roberts.senate.gov); [margaret\\_gabelmann@moran.senate.gov](mailto:margaret_gabelmann@moran.senate.gov); [julia\\_clay@inhofe.senate.gov](mailto:julia_clay@inhofe.senate.gov); [jeff\\_underwood@lankford.senate.gov](mailto:jeff_underwood@lankford.senate.gov)  
**Cc:** [Donna Hummel](#); [Andrea Nelson](#)  
**Subject:** Fwd: BLM News Release: BLM Oil and Gas Lease Sale Nets \$51,521 from Parcels in Oklahoma and Kansas  
**Date:** Wednesday, April 20, 2016 6:06:54 PM  
**Attachments:** [042016\\_NMSO\\_O&G\\_Lease\\_Sale\\_Results\\_final.docx](#)

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FYI. Please let me know if you have any questions! Lisa

**For Immediate Release**  
20, 2016

April

**For Additional Information**  
Donna Hummel 505-954-2018

### **BLM Oil and Gas Lease Sale Nets \$51,521 from Parcels in Oklahoma and Kansas**

**Santa Fe, NM– Santa Fe, NM–** A Bureau of Land Management (BLM) oil and gas lease auction today netted \$51,521 in revenues including rental and administrative fees from the sale of 11 Federal leases in the States of Oklahoma and Kansas.

BLM oil and gas leases are awarded for a period of 10 years and for as long thereafter as there is production in paying quantities. The revenue from the sale of these Federal leases, as well as the 12.5 percent royalties collected from the production of those leases, is shared between the Federal Government and the States of Oklahoma and Kansas. Fifty-two percent of the revenue generated goes to the Federal Government and 48 percent to the state where leasing occurs.

The State of Oklahoma will receive about \$2,677.44 on five Federal lease totaling 1,426.29 acres and Kansas will receive \$19,545.60 on six Federal leases totaling 880 acres.

The Mineral Leasing Act of 1920 and the 1987 Federal Onshore Oil and Gas Leasing Reform Act authorize leasing of Federal oil and gas resources. The 1987 law requires each BLM state office to conduct oil and gas lease sales on at least a

quarterly basis. BLM lease sales are competitive and conducted by oral bidding.

For information about upcoming lease sales, visit: [www.blm.gov/nm/oilandgas](http://www.blm.gov/nm/oilandgas).

-BLM-

Donna Hummel  
Chief, Office of Communications  
Bureau of Land Management  
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Follow us on [Facebook](#), [Twitter](#), [YouTube](#), & [Flickr](#)

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Lisa Rivera Morrison  
Deputy Chief  
Office of Communications  
Bureau of Land Management  
New Mexico State Office  
(505) 954-2023 work; (505) 920-6532 cell



# BLM News Release

US DEPARTMENT OF THE INTERIOR ■ BUREAU OF LAND MANAGEMENT  
NEW MEXICO STATE OFFICE ■ 301 Dinosaur Trail ■ SANTA FE, NM 87508  
Donna Hummel ■ Office of Communications Chief ■ 505.954.2018

**For Immediate Release**

April 20, 2016

**For Additional Information**

Donna Hummel 505-954-2018

## **BLM Oil and Gas Lease Sale Nets \$51,521 from Parcels in Oklahoma and Kansas**

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For information about upcoming lease sales, visit: [www.blm.gov/nm/oilandgas](http://www.blm.gov/nm/oilandgas).

-BLM-

*The BLM manages more than 245 million acres of public land, the most of any Federal agency. This land, known as the National System of Public Lands, is primarily located in 12 Western states, including Alaska. The BLM also administers 700 million acres of sub-surface mineral estate throughout the nation. The BLM's mission is to manage and conserve the public lands for the use and enjoyment of present and future generations under our mandate of multiple-use and sustained yield. In Fiscal Year 2015, the BLM generated \$4.1 billion in receipts from activities occurring on public lands.*

**From:** Blom, Benjamin  
**To:** [Hermann, Maya \(Heinrich\)](#)  
**Subject:** Re: Idaho bill  
**Date:** Thursday, April 21, 2016 9:55:37 AM  
**Attachments:** [BLM Statement - S 1167 Owyhee \(FINAL\).docx](#)

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Maya,

I did receive approval to send over the written testimony. See attached. I will call you now.

Ben

Ben Blom

Legislative Specialist (90-day detail)  
Washington Office  
Bureau of Land Management  
Office: (202) 912-7434  
Cell: (707) 498-8404  
[bblom@blm.gov](mailto:bblom@blm.gov)

On Thu, Apr 21, 2016 at 9:28 AM, Hermann, Maya (Heinrich)

<[Maya\\_Hermann@heinrich.senate.gov](mailto:Maya_Hermann@heinrich.senate.gov)> wrote:

Thanks Ben, sorry I missed you. I should be at my desk for the next hour or so, so please try again when you're done with your call.

Thanks,

Maya

**From:** Blom, Benjamin [mailto:[bblom@blm.gov](mailto:bblom@blm.gov)]  
**Sent:** Thursday, April 21, 2016 9:24 AM  
**To:** Hermann, Maya (Heinrich)  
**Subject:** Re: Idaho bill

Hello Maya,

I just tried giving you a call at your office. I have a 930 call that I have to sit in on. I will try you again after that.

Sorry to hear that you haven't received the testimony yet. We sent copies of the testimony to committee staff late afternoon yesterday (5 PM), so David Brooks has a copy. Unfortunately, it's our policy not to share testimony before the hearing.

If you're unable to get a copy from David, I will see what I can do.

Ben

Ben Blom

Legislative Specialist (90-day detail)

Washington Office

Bureau of Land Management

Office: (202) 912-7434

Cell: (707) 498-8404

[bbloom@blm.gov](mailto:bbloom@blm.gov)

On Thu, Apr 21, 2016 at 8:19 AM, Hermann, Maya (Heinrich)  
<[Maya\\_Hermann@heinrich.senate.gov](mailto:Maya_Hermann@heinrich.senate.gov)> wrote:

Hi Ben,

I have some follow up questions on the Idaho bill—would you mind giving me a call this morning? My direct is 202-228-1383.

Also, the committee staff still hasn't circulated the testimony on that particular bill—is that something you can forward to me directly?

Thank you!

Maya

---

Maya Hermann

Legislative Assistant | Office of U.S. Senator Martin Heinrich of New Mexico

Web: [Heinrich.Senate.Gov](http://Heinrich.Senate.Gov)

Email: [maya\\_hermann@heinrich.senate.gov](mailto:maya_hermann@heinrich.senate.gov)

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303 Hart Office Building, Washington, D.C. 20510

CONNECT: [@MartinHeinrich](https://twitter.com/MartinHeinrich) | [fb.com/MartinHeinrich](https://www.facebook.com/MartinHeinrich)

**Statement of  
Mike Pool  
Acting Deputy Director for Operations  
Bureau of Land Management  
U.S. Department of the Interior  
Senate Energy and Natural Resources Committee  
Subcommittee on Public Lands, Forests, and Mining  
S. 1167, Owyhee Wilderness Areas Boundary Modifications Act  
April 21, 2016**

Thank you for inviting the Department of the Interior to testify on S. 1167, the Owyhee Wilderness Areas Boundary Modifications Act. This bill would modify the boundaries of the Pole Creek, Owyhee River, and North Fork Owyhee Wilderness Areas; authorize the use of motorized vehicles for livestock monitoring, herding, and gathering in six wilderness areas in Idaho; and require the Secretary of the Interior to submit a report describing livestock grazing management activities that were authorized in these six areas prior to their designation as wilderness in 2009.

The BLM acknowledges the dedicated efforts of stakeholders to collaborate on issues concerning wilderness management in this region of Idaho. Generally, the BLM supports stakeholder-driven efforts to refine management boundaries, provided those solutions further the purposes of the original enabling legislation and represent a balanced approach to enhancing manageability. The Administration, however, strongly opposes S. 1167, because of broad management changes that would lift essential protections from wilderness areas. In particular, we oppose provisions for the use of motorized vehicles in wilderness areas because the language undermines the longstanding definition and spirit of wilderness as established in the Wilderness Act of 1964. We would like the opportunity to work with the sponsor and Subcommittee on other concerns detailed below.

**Background**

The Omnibus Public Land Management Act of 2009 (OPLMA; Public Law 111-11, Subtitle F) designated six wilderness areas in southwest Idaho – the Big Jacks Creek Wilderness (approximately 52,826 acres), the Bruneau-Jarbridge Rivers Wilderness (approximately 89,996 acres), the Little Jacks Creek Wilderness (approximately 50,929 acres), the North Fork Owyhee Wilderness (approximately 43,413 acres), the Owyhee River Wilderness (approximately 267,328 acres), and the Pole Creek Wilderness (approximately 12,533 acres), in accordance with the provisions of the Wilderness Act (16 U.S.C. 1131 et seq.). These six wilderness areas lie within the Northern Basin and Range, an elevated plateau with mountains separated by canyons draining into the Pacific Ocean via the Snake and Columbia rivers. These provisions were derived in part from legislation introduced by Senator Crapo and developed based on the recommendations of the Owyhee Initiative, a collaborative stakeholder group. In April 2015, the BLM finalized the Owyhee Canyonlands Wilderness and Wild and Scenic Rivers Management Plan. This plan establishes the management framework for the BLM’s management of these six Idaho wilderness areas.

Under section 1503(b)(3) of OPLMA, livestock grazing in these six wilderness areas is “allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers necessary, consistent with section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)) and the guidelines described in Appendix A of House Report 101-405.” Since passage of OPLMA, however, the Owyhee Initiative and certain other stakeholders have expressed concerns with the BLM’s implementation of OPLMA, specifically related to cross-country, motorized herding in wilderness areas, which the BLM has determined to be inconsistent with the Wilderness Act of 1964, OPLMA, and Appendix A of House Report 101-405.

### **S. 1167**

S. 1167 would modify the boundaries of the Pole Creek, Owyhee River, and North Fork Owyhee Wilderness Areas; authorize the use of motorized vehicles for livestock monitoring, herding, and gathering in six wilderness areas in the State of Idaho; and require the Secretary of the Interior to submit a report describing livestock grazing management activities that were authorized in these six areas prior to their designation as wilderness in 2009.

#### ***Owyhee Wilderness Areas Boundary Modifications (Section 2)***

Section 2 of the bill would adjust the designated boundaries of the Pole Creek, Owyhee River, and North Fork Owyhee Wilderness Areas. The BLM supports some, but opposes other adjustments identified in this section, as described in detail below.

Under Section 2, the Noon Creek Cherrystem of the North Fork Owyhee Wilderness Area would be extended an additional 0.84 miles to the historically used corrals at Big Springs Camp. The BLM opposes this boundary modification because public motorized access to this site could result in negative impacts to wilderness characteristics and vandalism or damage to existing range improvements at the Big Springs Camp. The BLM currently has discretionary authority to allow motorized administrative access to this site for livestock grazing permittees.

In addition, Section 2 of the bill would shift the northeastern boundary of the Owyhee River Wilderness from a section line to the existing Dickshooter Road, removing about one section of land from the wilderness area and opening about one mile of the road to motorized travel. While the proposed change may improve certain aspects of the manageability of the area, the BLM would like to work with the sponsor to assess whether the cherrystem to the Kincaid Reservoir is necessary. The BLM already has discretionary authority to allow motorized administrative access to the Kincaid Reservoir for livestock grazing permittees. We also encourage the sponsor and Subcommittee to consider balancing the removal of the protected status of this general area with possible new protections elsewhere in the Owyhee region in order to maintain the careful balance established in the original legislation.

Section 2 of the bill also proposes one modification to the boundary of the Pole Creek Wilderness along the Mud Flat Road. The BLM supports this modification, which would allow for legal use of a historic and popular motorized vehicle pullout and car camping site from the wilderness, thereby allowing the BLM to concentrate vehicle use in an already disturbed area and reducing impacts to other areas with wilderness characteristics.

Finally, the BLM has identified some minor technical errors in the maps referenced in this legislation and would like to provide the sponsor and Subcommittee with updated maps that reflect the latest data.

***Use of Motorized Vehicles for Livestock Monitoring, Herding & Grazing (Section 3)***

Section 3 of the bill would authorize the use of motorized vehicles for livestock monitoring, herding, and gathering in the six wilderness areas in the State of Idaho that were designated in OPLMA. While the BLM acknowledges the collaborative work of stakeholders in this region, the BLM opposes this section of the bill because the language undermines the longstanding definition and spirit of wilderness as established in the Wilderness Act of 1964.

***Report on Livestock Grazing Management Activities (Section 4)***

Section 4 of the bill would require the Secretary of the Interior to submit a report to Congress describing all livestock grazing management activities that were authorized in the six wilderness areas in the State of Idaho designated by OPLMA. The BLM notes that an extensive list of wilderness range improvement projects and the operations associated with those facilities has already been developed as mandated by Congress in Section 1503(b)(3)(B) of OPLMA and this inventory was included as Appendix D of the 2015 Owyhee Canyonlands Wilderness and Wild and Scenic Rivers Management Plan. Therefore, the BLM recommends deleting this section of the bill.

**Conclusion**

Thank you again for the opportunity to testify on S. 1167, the Owyhee Wilderness Areas Boundary Modifications Act. While we appreciate the sponsor's work on this legislation, the Administration strongly opposes the bill as it is currently written. We look forward to working with the sponsor and the Subcommittee on these management issues.

**From:** Hermann, Maya (Heinrich)  
**To:** [Blom, Benjamin \(bblom@blm.gov\)](mailto:bblom@blm.gov)  
**Subject:** Questions  
**Date:** Thursday, April 21, 2016 10:09:15 AM

---

Hi Ben,

Here are the questions I've prepared for my boss. If any of them cause any heartburn, certainly let me know and we can either take a different approach or submit something for the record instead. Thanks for your help!

Maya

---

Mr. Pool, I'm wondering if you can help us better understand the Congressional grazing guidelines that govern grazing in wilderness.

I want to read a short excerpt from the section on motorized vehicle use:

"Where practical alternatives do not exist, maintenance or other activities may be accomplished through the occasional use of motorized equipment.... The use of motorized equipment should be based on a rule of practical necessity and reasonableness.... Moreover, under the rule of reasonableness, occasional use of motorized equipment should be permitted where practical alternatives are not available and such use would not have a significant adverse impact on the natural environment."

To me, this means that the BLM can only allow motorized vehicle use where practical alternatives, like horseback, are not available. Can you explain how BLM interprets this language?

---

Does the BLM have a process for granting permission for motorized vehicle use to support grazing activities in wilderness?

Hoped-for answer: Yes, we use a minimum requirements analysis to determine whether a particular use is allowable under the Wilderness Act and the Congressional Grazing Guidelines.

Have the grazing permittees in the Owyhee Wilderness pursued this option to resolve this issue without legislation?

Hoped-for answer: No

---

**Maya Hermann**  
Legislative Assistant | Office of U.S. Senator Martin Heinrich of New Mexico

Web: [Heinrich.Senate.Gov](http://Heinrich.Senate.Gov)

Email: [maya\\_hermann@heinrich.senate.gov](mailto:maya_hermann@heinrich.senate.gov)

Phone: 202.224.5521

303 Hart Office Building, Washington, D.C. 20510

CONNECT: [@Martin Heinrich](#) | [fb.com/MartinHeinrich](#)

**From:** Hermann, Maya (Heinrich)  
**To:** ["Blom, Benjamin \(bblom@blm.gov\)"](mailto:bblom@blm.gov)  
**Subject:** RE: Questions  
**Date:** Thursday, April 21, 2016 10:23:29 AM

---

Should have also mentioned: on the UTTR bill, my boss may ask the following questions, which are hopefully pretty straightforward.

Was the BLM involved in selecting the parcels included in the land exchange in S. 2383?  
*Expected answer: no*

Are there any sensitive resources in the parcels that would be conveyed to the state under the legislation? *Expected answer: maybe, we'd like a chance to do a NEPA analysis*

Has the BLM consulted with affected tribes on whether they have any cultural resources or sacred sites on those parcels? *Expected answer: no, but if we get to do our usual exchange process, we would certainly consult with interested tribes.*

---

**From:** Hermann, Maya (Heinrich)  
**Sent:** Thursday, April 21, 2016 10:09 AM  
**To:** Blom, Benjamin (bblom@blm.gov)  
**Subject:** Questions

Hi Ben,

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Maya

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Have the grazing permittees in the Owyhee Wilderness pursued this option to resolve this issue without legislation?

Hoped-for answer: No

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**Maya Hermann**

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**From:** Blom, Benjamin  
**To:** [Chapman, Kyle \(Boxer\)](#)  
**Subject:** Testimony on S. 1423 (Central Coast Heritage Protection Act)  
**Date:** Thursday, April 21, 2016 11:45:26 AM  
**Attachments:** [BLM Statement - S. 1423 Central Coast \(FINAL\).docx](#)

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Kyle,

Attached is the final BLM testimony on S. 1423. As we discussed, this is not public information until the hearing actually begins (at which point it is available on our website: [http://www.blm.gov/wo/st/en/info/newsroom/newsroom\\_2.html](http://www.blm.gov/wo/st/en/info/newsroom/newsroom_2.html))

Please let me know if you have any questions.

Ben Blom

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**Statement of  
Mike Pool  
Acting Deputy Director for Operations  
Bureau of Land Management  
U.S. Department of the Interior  
Senate Energy and Natural Resources Committee  
Subcommittee on Public Lands, Forests, and Mining  
S. 1423, Central Coast Heritage Protection Act  
April 21, 2016**

Thank you for inviting the Department of the Interior to testify on S. 1423, the Central Coast Heritage Protection Act. This bill would designate three wilderness areas within the Carrizo Plain National Monument managed by the Bureau of Land Management (BLM). S. 1423 would also establish the Black Mountain Scenic Area on lands managed by the BLM and the U.S. Forest Service (USFS), and designate or expand nine wilderness areas within the Los Padres National Forest, two of which would include some BLM-managed public lands. The BLM supports S. 1423 and would welcome the opportunity to work with Senator Boxer and the Subcommittee to address various technical concerns discussed below.

**Background**

The Carrizo Plain National Monument (Monument), which includes over 206,000 acres of public lands, was designated by President Bill Clinton on January 17, 2001. The Monument, located only a few hours from Los Angeles, in San Luis Obispo and Kern Counties, California, is home to diverse communities of wildlife and plant species, including the critically endangered San Joaquin kit fox, giant kangaroo rat, and blunt-nosed leopard lizard. The Chumash, Salinian, and Yokuts Tribes have called this area home for at least the last 10,000 years. The Monument provides many recreational opportunities, such as hiking, camping, and hunting and – due to its remoteness – provides visitors outstanding opportunities to be alone with nature. Lands within the Monument boundary are cooperatively managed by the BLM, the California Department of Fish and Wildlife (CDFW) and The Nature Conservancy (TNC) through a Memorandum of Understanding established to ensure that the three entities manage their respective lands in a complementary fashion.

Under the Monument's 2010 Resource Management Plan (RMP), the BLM currently manages approximately 62,455 acres of public lands for the protection of wilderness characteristics. The decision to manage these public lands for wilderness characteristics under the RMP occurred as part of a 10-year collaborative planning effort with strong public support. Within the Monument, the BLM also manages the approximately 17,984-acre Caliente Wilderness Study Area (WSA) in a manner that does not impair its suitability for potential future preservation by Congress as wilderness, as provided for under the Federal Land Policy and Management Act or the Wilderness Act.

**S. 1423**

***Wilderness (Sections 3-5, 7)***

S. 1423 would designate three new wilderness areas within the Carrizo Plain National Monument – the Caliente Mountain Wilderness (approximately 35,600 acres), the Soda Lake Wilderness

(approximately 13,300 acres), and the Temblor Range Wilderness (approximately 12,500 acres). These proposed additions to the National Wilderness Preservation System will protect fragile ecosystems and provide important habitat for a diversity of plant and animal life. These proposed wilderness areas also serve as unique and irreplaceable outdoor research laboratories. For example, the proposed Soda Lake Wilderness is the largest remaining natural alkali wetland in southern California and is the only closed basin within the coastal mountains. These lands have retained their primeval character and have been influenced primarily by the forces of nature, and provide outstanding opportunities for solitude as well as primitive and unconfined recreation experiences.

The BLM supports the designation of these wilderness areas but would like the opportunity to work with the sponsor and Subcommittee on minor boundary adjustments to ensure that the boundaries are consistent with existing WSAs and areas managed for wilderness characteristics under the 2010 Carrizo Plain RMP. Finally, the BLM understands that the sponsor intends to amend the map references in the bill and reference the maps entitled “Proposed Caliente Mountain Wilderness”, “Proposed Soda Lake Wilderness”, and “Proposed Temblor Range Wilderness”, dated June 3, 2014. The June 3, 2014, maps inform the position of the BLM on this legislation.

The bill would also designate or expand nine additional wilderness areas within the Los Padres National Forest. We defer to the U.S. Department of Agriculture regarding provisions in the bill concerning lands and interests managed by the USFS; however, the proposed addition to the Garcia Wilderness Area would include approximately 120 acres of BLM-managed public lands, and the proposed addition to the Machesna Mountain Wilderness Area would include approximately 530 acres of BLM-managed public lands. The BLM supports the proposed wilderness designations of BLM-managed lands in the Garcia and Machesna Mountain Wildernesses. The BLM notes that the BLM-managed Machesna WSA does not appear to be included in the proposed wilderness additions. Incorporating this WSA into the designations may enhance manageability of the area.

#### ***Wild & Scenic Rivers (Section 6)***

Section 6 of S. 1423 pertains to lands managed by the USFS. The BLM defers to the U.S. Department of Agriculture regarding these provisions.

#### ***Scenic Areas (Section 8)***

Section 8 of the bill would designate two scenic areas – the Condor Ridge Scenic Area (approximately 18,600 acres) in the Los Padres National Forest and the Black Mountain Scenic Area (approximately 15,800 acres) on lands administered by the USFS and the BLM, including the approximately 160-acre Black Mountain WSA. The BLM supports this section of the bill, but would like the opportunity to work with the sponsor to address some technical concerns, including the addition of a reference to the Secretary of the Interior.

#### ***National Trails (Section 9)***

Section 9 of the bill would establish the Condor National Recreation Trail. The BLM has not reviewed a detailed map for the trail, but we understand that the majority of the trail traverses the Los Padres National Forest with a small segment that traverses BLM-managed public lands. The

BLM generally supports the designation of this trail, but we would like the opportunity to more closely review the proposed route and work with the sponsor and Subcommittee to address other technical concerns, including correction of a citation to the National Trails System Act.

***Miscellaneous Provisions (Sections 10-12)***

Sections 10 and 11 of the bill pertain to lands managed by the USFS. The BLM defers to the U.S. Department of Agriculture regarding these provisions. The BLM supports Section 12, which addresses use by members of Native American tribes.

**Conclusion**

Thank you again for the opportunity to testify on S. 1423, the Central Coast Heritage Protection Act. The BLM supports the conservation goals of the bill. We look forward to continuing to work with the sponsor and the Subcommittee to address the technical concerns outlined above as this bill moves through the legislative process.

**From:** Pool, Jamie  
**To:** [Cox, Ed \(Hatch\)](#)  
**Cc:** [Gruber, Benjamin](#)  
**Subject:** Re: Testimony  
**Date:** Thursday, April 21, 2016 12:14:01 PM  
**Attachments:** [BLM Statement S. 2383 \(FINAL\).docx](#)

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Hi Ed, here you go. We sent to the committee yesterday, but perhaps staff have not yet circulated it. We plan to release publicly when the hearing begins.

On Thu, Apr 21, 2016 at 12:02 PM, Cox, Ed (Hatch) <[Ed\\_Cox@hatch.senate.gov](mailto:Ed_Cox@hatch.senate.gov)> wrote:  
| Can you send me the testimony you all introduced for the UTTR hearing?

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Jamie Pool  
U.S. Department of the Interior  
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**Statement of  
Mike Pool  
Acting Deputy Director for Operations  
Department of the Interior, Bureau of Land Management  
Senate Energy and Natural Resources Committee  
Subcommittee on Public Lands, Forests, & Mining  
S. 2383, Utah Test and Training Range Encroachment Prevention and  
Temporary Closure Act  
April 21, 2016**

Thank you for the opportunity to present testimony on S. 2383, the Utah Test and Training Range Encroachment Prevention and Temporary Closure Act, which would allow the U.S. Air Force (USAF) to periodically use and close to public access approximately 703,621 acres of public lands (“shared use area”) surrounding the Utah Test and Training Range (UTTR) in Box Elder, Juab, and Tooele Counties, Utah. The Administration supports the appropriate and responsible use of public lands for military purposes, and appreciates the efforts of Senator Hatch and the Subcommittee to begin addressing the concerns we raised in testimony on the House version of this bill. We look forward to continuing that discussion, but our testimony today is based on the currently introduced version of the bill. While we believe that the bill’s concept of short, periodic closures would serve the public interest better than the alternative of complete withdrawal, reservation, and closure of the lands at issue, the Administration opposes several provisions in the bill that would prevent the effective management of these lands. We would like the opportunity to work with the Subcommittee and Senator Hatch to address these significant concerns.

S. 2383 would also direct the exchange of approximately 70,650 acres of State-owned school trust land and approximately 13,886 acres of State-owned school trust mineral estate in Box Elder, Juab, and Tooele Counties, Utah, for approximately 98,253 acres of public lands in Beaver, Box Elder, Millard, Juab, and Tooele Counties, Utah. The Administration supports the completion of major land exchanges that further the public interest, consolidate ownership of scattered tracts of land to make them more manageable, and enhance resource protection. The Administration also supports the concept of this particular exchange, which would make management of the proposed shared use area more efficient during periodic closures. We have several concerns with the land exchange provisions in this bill, however. For example, some of the public lands proposed for exchange with the State contain a number of important resources and uses, including general habitat for the Greater Sage-Grouse, a historic mining district with several sites eligible for inclusion on the National Register of Historic Places, and lands withdrawn for public water reserves. We would like to work with the Subcommittee and the sponsor to resolve these concerns.

Finally, S. 2383 would recognize the existence and validity of certain unsubstantiated claims of road rights-of-way in Box Elder, Juab, and Tooele Counties, Utah, and require the conveyance of easements across Federal lands for the current disturbed widths of these purported roads plus any additional acreage the respective counties determine is necessary. The resolution of these disputed claims is not necessary for the management of the periodic closures around the UTTR.

For this and many other reasons, the Administration strongly opposes the resolution of these right-of-way claims in the manner laid out in this bill.

## **Background**

### ***Public Land Withdrawals***

Public lands are managed by the Department of the Interior (DOI) through the Bureau of Land Management (BLM). Public land withdrawals are formal lands actions that set aside, withhold, or reserve public land by statute or administrative order for public purposes. Withdrawals are established for a wide variety of purposes, e.g., power site reserves, military reservations, administrative facilities, recreation sites, national parks, reclamation projects, and wilderness areas. Withdrawals are most often used to preserve sensitive environmental values and major Federal investments in facilities or other improvements, to support national security, and to provide for public health and safety. Withdrawals of public lands for military use require joint actions by DOI and the Department of Defense (DoD). DoD has a number of installations, training areas, and ranges that are located partially or wholly on temporarily or permanently withdrawn public lands. Many of these withdrawals support installations that are critical to the readiness of our country's Armed Forces. Nationwide, approximately 16 million acres of public lands are currently withdrawn for military purposes.

### ***Utah Test & Training Range***

The UTTR is a military testing and training area located in Utah's West Desert, approximately 80 miles west of Salt Lake City, Utah. The lands in this area are principally salt desert shrub lands located within the valley bottoms of the Great Basin. Prominent features surrounding the UTTR include the Bonneville Salt Flats, the Great Salt Lake, and the Pony Express and Emigrant Trails. The Fish Springs National Wildlife Refuge, located south of the UTTR and adjacent to Dugway Proving Ground, is an example of the springs and wetlands that sporadically occur in this desert landscape.

Most of the lands that comprise the UTTR – 1,690,695 acres – are public lands withdrawn between 1940 and 1959 for use by the Armed Forces. According to the USAF, the range contains the largest block of overland contiguous special use airspace (approximately 12,574 square nautical miles measured from surface or near surface) within the continental United States. It is divided into North and South ranges, with Interstate 80 dividing the two sections. The UTTR's large airspace, exceptionally long supersonic corridors, extensive shoot box, large safety footprint area, varying terrain, and remote location make it an important asset for both training and test mission capabilities.

### ***Utah School and Institutional Trust Lands Administration***

The Utah School and Institutional Trust Lands Administration (SITLA) manages approximately 3.4 million acres of land and 4.5 million acres of mineral estate within the State of Utah. Many of these parcels are interspersed with public lands managed by the BLM, including in the areas under consideration in this bill. Although State trust lands support select public institutions, trust lands are not public lands. State trust lands generate revenue to support designated State institutions, including public schools, hospitals, teaching colleges, and universities.

### ***Public Land Exchanges***

Under FLPMA, the BLM's mission is to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations. FLPMA provides the BLM with a clear multiple-use and sustained yield mandate that the agency implements through its land use planning process.

Among other purposes, land exchanges allow the BLM to acquire environmentally-sensitive lands while transferring public lands into non-Federal ownership for local needs and the consolidation of scattered tracts. The BLM conducts land exchanges pursuant to Section 206 of FLPMA, which provides the agency with the authority to undertake such exchanges, or when given specific direction by Congress. To be eligible for exchange under Section 206 of FLPMA, BLM-managed lands must have been identified as potentially available for disposal through the land use planning process. Extensive public involvement is critically important for such exchanges to be successful. The Administration notes that the process of identifying lands as potentially available for exchange does not include the clearance of impediments to disposal or exchange, such as the presence of threatened and endangered species, cultural or historic resources, mining claims, oil and gas leases, rights-of-way, and grazing permits. Under FLPMA, this clearance must occur before the exchange can be completed.

The BLM manages 22.8 million acres of public lands within the State of Utah for a wide range of uses, including energy production, recreation, livestock grazing, and conservation. In the recent past, the BLM has completed three large-scale exchanges with the State of Utah at the direction of Congress through the Utah Recreational Land Exchange Act of 2009 (P.L. 111-53), the Utah West Desert Land Exchange Act of 2000 (P.L. 106-301), and the Utah Schools and Land Exchange Act of 1998 (P.L. 105-335). Through these exchanges, over 296,000 acres of Federal land were conveyed to the State of Utah, and the United States acquired over 596,000 acres from the State.

### ***Revised Statute 2477***

Revised Statute (R.S.) 2477 was enacted as part of the Mining Law of 1866 to promote the settlement and development of the West. R.S. 2477 was the primary authority under which many existing State and county highways were constructed and operated over Federal lands and did not require notification to the United States because the roads were automatically conveyed as a matter of law once certain conditions were met. In 1976, Congress repealed R.S. 2477 through the passage of FLPMA as part of a national policy shift to retain public lands in Federal ownership unless disposal "will serve the national interest." The repeal of R.S. 2477 did not affect valid rights in existence when Congress passed FLPMA.

Between 2005 and 2012, the State of Utah and 22 counties in Utah filed 31 lawsuits under the Quiet Title Act, alleging title to over 12,000 claimed R.S. 2477 rights-of-way. All of the cases are in Federal district court in Utah, and all but two are currently pending. Included in the pending lawsuits are two filed by Juab County, involving 671 claimed R.S. 2477 rights-of-way, one filed by Box Elder County involving 191 claimed rights-of-way, and one filed by Tooele County involving 692 claimed rights-of-way.

## **S. 2383, Utah Test and Training Range Encroachment Prevention and Temporary Closure Act**

### ***Utah Test & Training Range (Title I)***

Title I of S. 2383 would authorize the USAF to periodically use and close to public access approximately 703,621 acres of public lands (“shared use area”) surrounding the UTTR in Box Elder, Juab, and Tooele Counties, Utah. (Note, the text of the bill mentions 625,643 acres of BLM-managed land, but the BLM calculates that the legislative map’s “Proposed Exchange Expansion Areas” actually total 703,621 acres.) Specifically, the bill directs the Secretary of the Interior and the Secretary of the Air Force to enter into a Memorandum of Agreement (MOA) that provides for continued management of the shared use area by the BLM and for limited use by the USAF.

Under the legislation, a draft MOA would be required within 90 days of enactment of the bill, followed by a 30-day public comment period. Also under the bill, the MOA would have to be finalized within 180 days of enactment. The lands in the shared use area would remain eligible for county payments under the DOI Payments in Lieu of Taxes (PILT) program, but would be subject to use by the USAF. These federal payments to local governments that help offset losses in property taxes due to non-taxable Federal lands within their boundaries are not generally made for military installations. With respect to civilian land uses, the BLM Resource Management Plans in existence on the date of enactment would continue to apply to the shared use area, and the BLM would be required to take over administration of existing grazing leases and permits on lands currently owned by the State of Utah that would become Federal land under the land exchange provisions of the bill.

The bill would allow any BLM-issued grazing leases or permits in effect on the date of enactment and covering the shared use area to continue at current stocking levels, subject to reasonable increases or decreases and reasonable regulations, policies, and practices. In addition, the legislation would withdraw the shared use area from all forms of appropriation under the public land, mining, mineral leasing, and geothermal leasing laws. Valid existing rights would be preserved. S. 2383 would also allow the Secretary of the Air Force to prevent the Secretary of the Interior from issuing any new use permits or rights-of-way in the shared use area if the Secretary of the Air Force were to find such uses to be incompatible with current or projected military requirements. The USAF would be responsible to take action if any USAF activity causes a safety hazard on the public lands.

Under Title I, the Secretary of the Air Force could close the shared use area to the public for up to 100 hours annually, subject to various time and seasonal limitations, public notification requirements, and consultation with a community resource group to be established within 60 days of enactment of the bill. The community resource group, which would be exempt from the provisions of the Federal Advisory Committee Act (FACA), would include representatives of the USAF, Indian Tribes in the vicinity of the lands at issue, local county commissioners, recreational groups, livestock grazers, and the Utah Department of Agriculture and Food. The bill would also release the United States from liability for any injury or damage suffered in the course of any authorized nondefense-related activity on the specified public lands.

## *Analysis*

The Administration believes that the bill's concept of short, periodic closures would serve the public interest better than the alternative of complete withdrawal, reservation, and closure of the shared use area, but we oppose several provisions in the bill because they would prevent the effective management of these lands. These provisions include the grant of USAF authority to prevent the issuance of new use permits and rights-of-way in the shared use area; limitations on resource management planning; treatment of current land uses; timeframes for completing actions required under the bill; permanent withdrawal of the shared use area from appropriation under various laws; and more technical matters.

The Administration opposes the provision that would allow the USAF to preclude the approval of any new use authorizations or rights-of-way in the shared use area because we believe that current processes sufficiently protect USAF interests. This is particularly true with respect to future rights-of-way that may be needed for electricity transmission projects through this area. In the past, consultation and cooperation between the BLM and the USAF have resulted in conditions and stipulations on new uses. For example, as part of the approval process for the Kiewit Mine Project in Tooele County, the BLM placed height restrictions on tailings piles and required intermittent shutdowns of mining and blasting to accommodate USAF testing events approximately eight times per year. The Administration believes that the USAF and DOI could continue to resolve any resource use conflicts through consultation and interdepartmental cooperation.

The Administration also opposes any limits on the BLM's ability to amend or revise its Resource Management Plans (RMPs) with respect to lands in the shared use area. Since BLM RMPs form the basis for every action and approved use on the public lands, they are periodically revised as changing conditions and resource demands require. Any limits on the planning process would undermine the collaborative process by which local, state, and tribal governments, the public, user groups, and industry work with the BLM to identify appropriate multiple uses of the public lands. Furthermore, the shared use area contains major recreational sites that are enjoyed by the public and have been developed at significant expense. At a minimum, access to these sites would be discontinued when the shared use area is closed. In addition, the Administration notes that many of the timeframes outlined in the bill are not feasible, especially given the detailed coordination that would be necessary to draft and finalize the MOA.

The withdrawal under the bill would prohibit many uses that may not be incompatible with military requirements. Currently, the BLM has discretion on whether and under what conditions to authorize these activities. The BLM and USAF currently work together to ensure compatibility between these types of resource use activities and national defense requirements. The Administration believes that this cooperative arrangement should continue.

Finally, the Administration believes that there should be an opportunity for periodic review of the withdrawal and shared use arrangement established under the bill, and provisions related to termination of the withdrawal and the shared use arrangement if they were to become unnecessary. Furthermore, while the USAF would be responsible for implementing the closures, it is unclear how the 703,621-acre shared use area could be reliably closed for only hours at a

time. We look forward to working with the Subcommittee and the sponsor to address these concerns.

### ***Land Exchange (Title II)***

Title II of the bill would require the exchange of approximately 70,650 acres of State-owned land and 13,886 acres of State-owned mineral estate in Box Elder, Juab, and Tooele Counties, Utah, for 98,253 acres of public lands in Beaver, Box Elder, Millard, Juab, and Tooele Counties, Utah. The purpose of many of these exchanges would be to consolidate ownership of scattered State parcels within the shared use area discussed above, to transfer a number of public lands to the State for economic development, and – in the event that the public lands are of greater value than the State parcels – to equalize the exchange by acquiring additional environmentally sensitive State lands.

The land exchanges would be completed subject to valid existing rights, and appraisals would be conducted. The Secretary of the Interior would be required to reimburse the State of Utah for 50 percent of the appraisal costs. If the value of the public lands proposed for exchange exceeds the value of the State lands, the State must convey additional parcels of trust land in Washington County, Utah. One parcel of this State land, located near the Arizona-Utah border, contains critical habitat for the Federally-endangered Holmgren milk-vetch and is within the West-15 Preserve established by the U.S. Fish and Wildlife Service in 2006 for preservation of the plant species.

The remainder of the potential State parcels are located within the wilderness areas or National Conservation Areas in Washington County, Utah, established by the Omnibus Public Land Management Act of 2009 (P.L. 111-11). These additional parcels must be conveyed in a specific order until their appraised value matches that of the public lands proposed for exchange. If the value of the State lands proposed for exchange exceeds the value of the public lands, however, the Secretary of the Interior must make a cash equalization payment to the State, in accordance with the land exchange provisions of FLPMA.

### ***Analysis***

The Administration supports the completion of major land exchanges that consolidate ownership of scattered tracts of land, thereby easing BLM and State land management tasks and enhancing resource protection. We have several concerns with the land exchange provisions in this bill, however, and we would like the opportunity to work with the Subcommittee and the sponsor on amendments and other technical modifications to address these issues.

First, the public lands proposed for exchange with the State contain a number of important resources and uses, which include general habitat for the Greater Sage-Grouse, a historic mining district with several sites eligible for the National Register of Historic Places, wildlife guzzlers, portions of active BLM grazing allotments, off-highway vehicle recreational trails and access points, various utility and railroad rights-of-way, withdrawals for public water reserves, and lands withdrawn for a Solar Energy Zone. The Administration would like the opportunity to work with the Subcommittee and the sponsor on language and boundary modifications to ensure the protection of these resources and uses.

Furthermore, the Administration notes that the public lands proposed for exchange have not yet been analyzed under the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the National Historic Preservation Act (NHPA), or the FLPMA public interest determination. The Administration strongly supports these important review requirements because they provide for public engagement, opportunities to consider environmental and cultural impacts, and mitigation opportunities, and they help to ensure that unknown or unforeseen issues are not overlooked. As a result, the Administration would like the opportunity to work with the Subcommittee and the sponsor on language clarifying that these exchanges are subject to all parts of the FLPMA Section 206 land exchange process and other important environmental laws.

In addition, the public lands proposed for exchange exceed the State lands by more than 12,000 acres, and more than 14,000 of the State's acreage is mineral estate that will likely be nominal in value. This leads to an apparent value difference from the onset of the exchange. The addition of State land to equalize values would require the completion of additional appraisals near the end of the exchange, making it nearly impossible to meet the 1-year time frame directed under the bill. This would cause the prior appraisals to become outdated.

On the other hand, the Administration notes that if the public lands are of lower value than the State lands, any cash equalization payment made by the Secretary of the Interior to the State would be capped at 25 percent of the total value of the lands transferred out of Federal ownership, as required by the bill's reference to Section 206(b) of FLPMA. Even with this limitation, however, such a payment could significantly affect the BLM's other resource priorities. It is typical in administrative exchanges between governmental entities that all costs of the exchange, including but not limited to surveys and clearances, are split equally between the two parties. We trust that is the intention of S. 2383, but it is not specified and we recommend that this be made clear.

The Administration would like the opportunity to work with the Subcommittee and the sponsor on language ensuring adequate time for conducting appraisals, boundary modifications to reduce the need for a potential cash equalization payment, and amendments to provide consistency with FLPMA and other laws and to address other minor and technical concerns. Furthermore, the bill and its provisions are open-ended with no sunset date. To avoid unexchanged lands being held indefinitely without any certainty as to their status, we believe a 10-year sunset provision would be reasonable.

Additionally, the Administration opposes an appraisal taking into account the encumbrance created by mining claims for purposes of determining the value of the parcel of Federal land. It is BLM policy that in instances in which Federal land would be conveyed subject to mining claims, the appraisal would disregard the presence of the claims. Finally, the Administration is committed to continuing its adherence to the Uniform Appraisal Standards for Federal Land Acquisition and Uniform Standards of Professional Appraisal Practice and recommends the appraisal process be managed within DOI by the Office of Valuation Services.

### ***Highway Rights-of-Way (Title III)***

Title III of S. 2383 would recognize the existence and validity of certain claims of road rights-of-way in Box Elder, Juab, and Tooele Counties, Utah. It would also require conveyance to the respective county and the State of Utah as joint tenants with undivided interests of easements across Federal lands for the current disturbed widths of the purported roads plus any additional acreage the respective county determines is necessary for maintenance, repair, signage, administration, and use.

### ***Analysis***

The Administration strongly opposes Title III for the following reasons. First, it is difficult for the BLM to evaluate the potential impacts of Title III's validation of claimed roads on the public lands based only on the official transportation maps for Box Elder, Tooele, and Juab counties referenced in the bill, which we have not yet received for review. It is unclear whether purported roads included on these maps coincide with the State and county claims included in the pending Quiet Title Act lawsuits, but other maps provided to the BLM show that they do. It is also unclear whether the official maps include additional purported roads that would be recognized under this bill. In order to fully evaluate the impacts of S. 2383 on the public lands, copies of these maps should be made available for analysis.

Second, regardless of whether the purported roads included on the official maps referenced in S. 2383 fully coincide with the State's and counties' pending R.S. 2477 claims, the Administration does not believe that R.S. 2477 rights-of-way asserted by State and county governments should be automatically recognized as valid and existing rights-of-way. In establishing the validity of an R.S. 2477 claim through the judicial process, the burden of proof is on the claimant to demonstrate that they have satisfied the applicable legal standard.

In contrast, S. 2383 would recognize all county assertions as valid and establish perpetual rights over public lands without applying that legal test. We are also troubled that the bill would give the counties complete discretion to decide whether additional Federal land outside of the current disturbed width is necessary for maintenance or other purposes. S. 2383 would not limit the widths or acreages that could be claimed as easements, and it is ambiguous as to whether the Secretary of the Interior would retain the authority to impose reasonable stipulations and conditions on these easements.

Such reasonable stipulations and conditions, which the BLM can impose under its current right-of-way authority under Title V of FLPMA, may be appropriate, for example, to ensure the continued management and protection of sensitive and critical resources within the area of these claimed highways. Courts have determined that BLM can similarly reasonably regulate R.S. 2477 rights-of-way. Therefore, while we support the identification of reasonable alternatives to Federal court adjudication of claimed R.S. 2477 rights-of-way, the Administration strongly opposes this bill's approach to these claims.

Third, Title III would likely validate many claimed rights-of-way that cross areas of environmental significance. For example, the BLM is aware of approximately 35 claimed rights-of-way located in the Deep Creeks, North Stansbury, Fish Springs, and Rockwell Wilderness Study Areas (WSAs), and eight claimed rights-of-way located in the Cedar Mountain Wilderness

Area, which was designated in 2006 (P.L. 109-163). Furthermore, recognizing the validity of claimed rights-of-way that have not yet been litigated would limit the BLM's ability to manage travel and transportation in an approximately 814,000-acre area designated as priority sage-grouse habitat.

**Conclusion**

Thank you for the opportunity to provide testimony on S. 2383, the Utah Test and Training Range Encroachment Prevention and Temporary Closure Act. The Administration is committed to supporting military missions and training needs, while protecting natural resources and other traditional uses of the public lands. I would be happy to answer your questions.

**From:** Butler, Aniela  
**To:** "[Patrick Wilkinson](#)"  
**Subject:** Invitation to testify before the House Subcommittee on Federal Lands  
**Date:** Thursday, April 21, 2016 3:29:21 PM  
**Attachments:** [image001.png](#)  
[Disclosure Form - 04.28.16.doc](#)  
[LOCAL Management Act Discussion Draft.pdf](#)  
[Invite\\_Mouritsen.pdf](#)  
[114th Testimony & Disclosure Requirements.pdf](#)

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Hello Patrick,

Attached is an invitation for Deputy Assistant Director Mouritsen to testify before the House Committee on Natural Resources, Subcommittee on Federal Lands, on Thursday, April 28, 2016 at 2:00 P.M. in the 1324 hearing room of the Longworth House Office Building.

Please note that the 'testimony and disclosure requirements' document' (attached) states that all materials must be received by the Committee at least 48 hours before the day of the hearing. Please forward the electronic copy of the testimony and the disclosure form in Word format, to me at this email address.

Feel free to contact me with any questions at [\(202\) 226-7736](tel:202-226-7736).

Please respond as soon as possible if she is able to testify.

Thank you very much,

**Aniela Butler**

Clerk

Committee on Natural Resources

Subcommittee on Federal Lands

1332 Longworth House Office Building

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**COMMITTEE ON NATURAL RESOURCES**  
**114<sup>th</sup> Congress Disclosure Form**  
**As required by and provided for in House Rule XI, clause 2(g)(5)**

*Legislative hearing on a discussion draft of the “Locally-elected Officials Cooperating with Agencies in Land Management Act” (LOCAL Management Act) on April 28, 2016*

**For Individuals:**

Name:  
Address:  
Email Address:  
Phone Number:

\* \* \* \* \*

**For Witnesses Representing Organizations:**

Name:  
Name of Organization(s) You are Representing at the Hearing:  
Business Address:  
Business Email Address:  
Business Phone Number:

\* \* \* \* \*

**For Nongovernment Witnesses ONLY:**

1. Please attach/include current curriculum vitae or resume.
  
2. Please list any federal grants or contracts (including subgrants or subcontracts) related to the subject matter of the hearing that were received in the current year and previous two calendar years by you or the organization(s) you represent at this hearing, including the source and amount of each grant or contract.
  
  
  
  
  
  
  
  
  
  
3. Please list any contracts or payments originating with a foreign government related to the subject matter of the hearing that were received in the current year and previous two calendar years by you or the organization(s) you represent at this hearing, including the amount and country of origin of each contract or payment.

[DISCUSSION DRAFT]

114TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To improve coordination and cooperation between the Forest Service, the Bureau of Land Management, local communities, and Indian tribes regarding the management and use of National Forest System lands and public lands, and for other purposes.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_ introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

**A BILL**

To improve coordination and cooperation between the Forest Service, the Bureau of Land Management, local communities, and Indian tribes regarding the management and use of National Forest System lands and public lands, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Locally-elected Officials Cooperating with Agencies in  
6 Land Management Act of 2016”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.

TITLE I—IMPROVED COOPERATION AND COORDINATION WITH LOCAL COMMUNITIES

- Sec. 101. Federal land management agency participation in business meetings of governing body of greatly affected local communities.
- Sec. 102. Improved Federal land management agency coordination with governing body of affected local communities.
- Sec. 103. Expanded advisory role for resource advisory committees.
- Sec. 104. Study and local consultation requirements as condition of Federal land acquisition.
- Sec. 105. Improved cooperation regarding shared Forest Service roads.
- Sec. 106. Federal land management agency day-use recreation facilities receiving significant use by residents of local communities.
- Sec. 107. Local participation in recreation fee setting under Federal Lands Recreation Enhancement Act.

TITLE II—AGENCY MANAGEMENT IMPROVEMENTS

- Sec. 201. Improved certainty regarding duration of Federal land management agency line officer assignments.
- Sec. 202. Schedules for implementation of community wildfire protection plans.
- Sec. 203. Clarification of Secretary of the Interior authority to make minor boundary adjustments to National Park System units.
- Sec. 204. Protection of survey monuments on Federal land.

TITLE III—TRIBAL FORESTRY

- Sec. 301. Protection of tribal forest assets through use of stewardship end result contracting and other authorities.
- Sec. 302. Management of Indian forest land authorized to include related National Forest System lands and public lands.
- Sec. 303. Tribal forest management demonstration project.

TITLE IV—LAND AND WATER CONSERVATION FUND

- Sec. 401. Requirements related to allocation of Fund amounts for Federal purposes.

3 **SEC. 2. DEFINITIONS.**

4 In this Act:

5 (1) AFFECTED LOCAL COMMUNITY.—The term  
6 “affected local community” means a political sub-  
7 division of a State whose boundaries contain—

8 (A) Federal land; or

1 (B) in the case of section 5, non-Federal  
2 lands that are proposed to be acquired by the  
3 United States for management as Federal land.

4 (2) COMMUNITY WILDFIRE PROTECTION  
5 PLAN.—The term “community wildfire protection  
6 plan” has the meaning given that term in section  
7 101(3) of the Healthy Forests Restoration Act of  
8 2003 (16 U.S.C. 6511(3)).

9 (3) FEDERAL LAND.—The term “Federal land”  
10 means—

11 (A) land of the National Forest System (as  
12 defined in section 11(a) of the Forest and  
13 Rangeland Renewable Resources Planning Act  
14 of 1974 (16 U.S.C. 1609(a))) administered by  
15 the Secretary of Agriculture, acting through the  
16 Chief of the Forest Service; and

17 (B) public lands (as defined in section 103  
18 of the Federal Land Policy and Management  
19 Act of 1976 (43 U.S.C. 1702)), the surface of  
20 which is administered by the Secretary of the  
21 Interior, acting through the Director of the Bu-  
22 reau of Land Management.

23 (4) FEDERAL LAND MANAGEMENT AGENCY.—  
24 The term “Federal land management agency”

1 means the Forest Service or the Bureau of Land  
2 Management Agency.

3 (5) FOREST MANAGEMENT ACTIVITY.—The  
4 term “forest management activity” means a project  
5 or activity carried out by the Secretary on Federal  
6 land in concert with the resource management plan  
7 covering the Federal land.

8 (6) GREATLY AFFECTED LOCAL COMMUNITY.—  
9 The term “greatly affected local community” means  
10 a political subdivision—

11 (A) whose boundaries contain 50,000 or  
12 more acres of Federal land; or

13 (B) in which Federal land makes up 33  
14 percent or more of the total land and waters in-  
15 cluded within its boundaries.

16 (7) INDIAN TRIBE.—The term “Indian tribe”  
17 has the meaning given the term in section 4 of the  
18 Indian Self-Determination and Education Assistance  
19 Act (25 U.S.C. 450b).

20 (8) POLITICAL SUBDIVISION.—The term “polit-  
21 ical subdivision” means any county, municipality,  
22 city, town, or township of a State created pursuant  
23 to State law.

24 (9) RESOURCE ADVISORY COMMITTEE.—The  
25 term “resource advisory committee” has the mean-

1       ing given that term in section 201(3) of the Secure  
2       Rural Schools and Community Self-Determination  
3       Act of 2000 (16 U.S.C. 7121(3)).

4           (10) RESOURCE MANAGEMENT PLAN.—The  
5       term “resource management plan” means—

6           (A) a land and resource management plan  
7       prepared for a unit of the National Forest Sys-  
8       tem under section 6 of the Forest and Range-  
9       land Renewable Resources Planning Act of  
10      1974 (16 U.S.C. 1604); or

11          (B) a land use plan prepared for a unit of  
12      the public lands under section 202 of the Fed-  
13      eral Land Policy and Management Act of 1976  
14      (43 U.S.C. 1712).

15          (11) SECRETARY.—The term “Secretary”  
16      means—

17          (A) the Secretary of Agriculture, acting  
18      through the Chief of the Forest Service, with  
19      respect to land of the National Forest System  
20      described in paragraph (3)(A); and

21          (B) the Secretary of the Interior, acting  
22      through the Director of the Bureau of Land  
23      Management, with respect to public lands de-  
24      scribed in paragraph (3)(B).

1           (12) STATE.—The term “State” means each of  
2           the several States and the Commonwealth of Puerto  
3           Rico.

4   **TITLE I—IMPROVED COOPERA-**  
5   **TION AND COORDINATION**  
6   **WITH LOCAL COMMUNITIES**

7   **SEC. 101. FEDERAL LAND MANAGEMENT AGENCY PARTICI-**  
8           **PATION IN BUSINESS MEETINGS OF GOV-**  
9           **ERNING BODY OF GREATLY AFFECTED**  
10          **LOCAL COMMUNITIES.**

11          (a) ATTENDANCE AT BUSINESS MEETINGS.—At the  
12 request of the governing body of a greatly affected local  
13 community, a Federal land management agency shall seek  
14 to enter into an agreement with the governing body of the  
15 greatly affected local community pursuant to which one  
16 or more employees of the Federal land management agen-  
17 cy will attend designated business meetings of the gov-  
18 erning body, as an agenda item of the business meeting,  
19 for the purposes of—

20           (1) reporting on ongoing and proposed Federal  
21           land management agency activities within or affect-  
22           ing the greatly affected local community; and

23           (2) responding to concerns raised by members  
24           of the governing body and members of the public at-  
25           tending the meeting.

1 (b) EXCEPTION.—Subsection (a) does not require a  
2 Federal land management agency to enter into an agree-  
3 ment under such subsection with the governing body of  
4 a greatly affected local community if less than 25 percent  
5 of the Federal land within the boundaries of the greatly  
6 affected local community is under the jurisdiction of that  
7 Federal land management agency. However, the Federal  
8 land management agency may still elect to enter into such  
9 an agreement under such circumstances.

10 **SEC. 102. IMPROVED FEDERAL LAND MANAGEMENT AGEN-**  
11 **CY COORDINATION WITH GOVERNING BODY**  
12 **OF AFFECTED LOCAL COMMUNITIES.**

13 (a) COORDINATION REQUIRED.—Subject to the un-  
14 derstanding that a Federal land management agency has  
15 supremacy regarding management decisions for Federal  
16 land, as written in statute, a Federal land management  
17 agency shall coordinate with the governing body of an af-  
18 fected local community regarding any forest management  
19 activity or other major action, including travel manage-  
20 ment, of the Federal land management agency that would  
21 have a significant impact on the affected local community.

22 (c) OFFER OF COOPERATING AGENCY STATUS.—As  
23 part of the environmental review process for any forest  
24 management activity or other major action, including trav-  
25 el management with significant impact on local commu-

1 nities, of a Federal land management agency, the Sec-  
2 retary shall extend an offer, in writing, to the governing  
3 body of each affected local community that may have an  
4 interest in the activity or action to designate the governing  
5 body as a “cooperating agency” under the regulations con-  
6 tained in part 1500 of title 40, Code of Federal Regula-  
7 tions.

8 **SEC. 103. EXPANDED ADVISORY ROLE FOR RESOURCE AD-**  
9 **VISORY COMMITTEES.**

10 (a) PRIMARY ADVISORY BODY REGARDING FOREST  
11 MANAGEMENT ACTIVITIES.—Section 205(b) of the Secure  
12 Rural Schools and Community Self-Determination Act of  
13 2000 (16 U.S.C. 7125(b)) is amended by striking para-  
14 graph (2) and inserting the following new paragraph:

15 “(2) to serve as the primary advisory body for  
16 the Secretary concerned regarding forest manage-  
17 ment activities on Federal land.”.

18 (b) TEMPORARY REDUCTION IN COMPOSITION OF  
19 COMMITTEES.—Section 205(d) of the Secure Rural  
20 Schools and Community Self-Determination Act of 2000  
21 (16 U.S.C. 7125(d)) is amended—

22 (1) in paragraph (1), by striking “Each” and  
23 inserting “Except during the period specified in  
24 paragraph (6), each”; and

1           (2) by adding at the end the following new  
2 paragraph:

3           “(6) TEMPORARY REDUCTION IN MINIMUM  
4 NUMBER OF MEMBERS.—

5           “(A) TEMPORARY REDUCTION.—During  
6 the period beginning on the date of the enact-  
7 ment of this paragraph and ending on Sep-  
8 tember 30, 2020, a resource advisory committee  
9 established under this section may be comprised  
10 of nine or more members, of which—

11           “(i) at least three shall be representa-  
12 tive of interests described in subparagraph  
13 (A) of paragraph (2);

14           “(ii) at least three shall be representa-  
15 tive of interests described in subparagraph  
16 (B) of paragraph (2); and

17           “(iii) at least three shall be represent-  
18 ative of interests described in subpara-  
19 graph (C) of paragraph (2).

20           “(B) ADDITIONAL REQUIREMENTS.—In  
21 appointing members of a resource advisory com-  
22 mittee from the three categories described in  
23 paragraph (2), as provided in subparagraph  
24 (A), the Secretary concerned shall ensure bal-  
25 anced and broad representation in each cat-

1           egory. In the case of a vacancy on a resource  
2           advisory committee, the vacancy shall be filled  
3           within 90 days after the date on which the va-  
4           cancy occurred. Appointments to a new re-  
5           source advisory committee shall be made within  
6           90 days after the date on which the decision to  
7           form the new resource advisory committee was  
8           made.

9           “(C) CHARTER.—A charter for a resource  
10          advisory committee with 15 members that was  
11          filed on or before the date of the enactment of  
12          this paragraph shall be considered to be filed  
13          for a resource advisory committee described in  
14          this paragraph. The charter of a resource advi-  
15          sory committee shall be reapproved before the  
16          expiration of the existing charter of the re-  
17          source advisory committee. In the case of a new  
18          resource advisory committee, the charter of the  
19          resource advisory committee shall be approved  
20          within 90 days after the date on which the deci-  
21          sion to form the new resource advisory com-  
22          mittee was made.”.

23          (c) CONFORMING CHANGE TO PROJECT APPROVAL  
24          REQUIREMENTS.—Section 205(e)(3) of the Secure Rural  
25          Schools and Community Self-Determination Act of 2000

1 (16 U.S.C. 7125(e)(3)) is amended by adding at the end  
2 the following new sentence: “In the case of a resource ad-  
3 visory committee consisting of fewer than 15 members, as  
4 authorized by subsection (d)(6), a project may be proposed  
5 to the Secretary concerned upon approval by a majority  
6 of the members of the committee, including at least one  
7 member from each of the three categories described in  
8 subsection (d)(2).”.

9 (d) EXPANDING LOCAL PARTICIPATION ON COMMIT-  
10 TEES.—Section 205(d) of the Secure Rural Schools and  
11 Community Self-Determination Act of 2000 (16 U.S.C.  
12 7125(d)) is amended—

13 (1) in paragraph (3), by inserting before the pe-  
14 riod at the end the following: “, consistent with the  
15 requirements of paragraph (4)”; and

16 (2) by striking paragraph (4) and inserting the  
17 following new paragraph:

18 “(4) GEOGRAPHIC DISTRIBUTION.—The mem-  
19 bers of a resource advisory committee shall reside  
20 within the county or counties in which the committee  
21 has jurisdiction or an adjacent county.”.

22 (e) BI-ANNUAL PRESENTATIONS.—Section 205 of the  
23 Secure Rural Schools and Community Self-Determination  
24 Act of 2000 (16 U.S.C. 7125) is amended by adding at  
25 the end the following new subsection:

1 “(g) BI-ANNUAL PRESENTATIONS.—The Secretary  
2 concerned shall ensure that each resource advisory com-  
3 mittee receives a presentation, at least twice a year, by  
4 local line officers of the Federal land management agency  
5 concerned for the purposes of—

6 “(1) explaining forest management priorities  
7 for Federal land within the jurisdiction of the com-  
8 mittee; and

9 “(2) soliciting the advice and recommendations  
10 of the committee.”.

11 **SEC. 104. STUDY AND LOCAL CONSULTATION REQUIRE-**  
12 **MENTS AS CONDITION OF FEDERAL LAND AC-**  
13 **QUISITION.**

14 (a) STUDY REQUIRED.—Prior to the acquisition of  
15 non-Federal land by the Secretary for administration as  
16 Federal land, the Secretary shall conduct a study to evalu-  
17 ate—

18 (1) the potential impacts of Federal acquisition  
19 of the non-Federal land on lost property tax reve-  
20 nues;

21 (2) other economic impacts of the land acquisi-  
22 tion on affected local communities; and

23 (3) such other factors as are agreed to in con-  
24 sultation with the governing bodies of such affected  
25 local communities.

1 (b) CONSULTATION WITH AFFECTED LOCAL COM-  
2 MUNITIES REQUIRED.—As a condition on the acquisition  
3 of non-Federal land by the Secretary for administration  
4 as Federal land, the Secretary shall—

- 5 (1) consult with the governing body of each af-  
6 fected local community whose boundaries contain the  
7 non-Federal land for the purpose of soliciting the  
8 input of the affected local community in the prepa-  
9 ration of the report required by subsection (a); and  
10 (2) request a written response from the gov-  
11 erning body of the affected local community indi-  
12 cating the position of the governing body on the po-  
13 tential land acquisition, which shall accompany the  
14 project submittal list provided to Congress.

15 (c) DISCRETION AND DEFERENCE.—The decision re-  
16 garding whether or not to proceed with a proposed acquisi-  
17 tion of non-Federal land for administration as Federal  
18 land remains the responsibility of the Secretary, but the  
19 Secretary shall give considerable deference to the position  
20 of the governing body of each affected local community  
21 whose boundaries contain the non-Federal land when mak-  
22 ing the decision.

1 **SEC. 105. IMPROVED COOPERATION REGARDING SHARED**  
2 **FOREST SERVICE ROADS.**

3 In the case of any Forest Service road that extends  
4 from or through, or is directly connected to, a road under  
5 the jurisdiction of an affected local community, the Sec-  
6 retary shall obtain the concurrence of the governing body  
7 of the affected local community regarding any manage-  
8 ment direction for the Forest Service road.

9 **SEC. 106. FEDERAL LAND MANAGEMENT AGENCY DAY-USE**  
10 **RECREATION FACILITIES RECEIVING SIG-**  
11 **NIFICANT USE BY RESIDENTS OF LOCAL**  
12 **COMMUNITIES.**

13 In the case of a day-use recreation facility on Federal  
14 land that is managed by the Secretary and receives signifi-  
15 cant use by local residents, as determined by either the  
16 Secretary or the governing body of the affected local com-  
17 munity, the Secretary may enter into a memorandum of  
18 understanding with the governing body of the affected  
19 local community to jointly determine and assign manage-  
20 ment responsibilities for the recreation facility.

21 **SEC. 107. LOCAL PARTICIPATION IN RECREATION FEE SET-**  
22 **TING UNDER FEDERAL LANDS RECREATION**  
23 **ENHANCEMENT ACT.**

24 Section 803 of the Federal Lands Recreation En-  
25 hancement Act (16 U.S.C. 6802) is further amended by  
26 adding at the end the following new subsection:

1       “(i) SUBMISSION OF RECREATION FEE PROPOSALS  
2 TO LOCAL GOVERNMENTS.—

3               “(1) SUBMISSION TO LOCAL GOVERNMENTS  
4 AND REQUEST FOR COMMENTS.—Before establishing  
5 or increasing a recreation fee, the Secretaries shall  
6 provide affected local governments with—

7                       “(A) a written notice of the proposed  
8 recreation fee, including the amount of the fee  
9 or increase; and

10                      “(B) a request for comments from the af-  
11 fected local government regarding the merits of  
12 the recreation fee or increase and the economic  
13 impact of the recreation fee or increase on the  
14 local community.

15               “(2) TIME FOR SUBMISSION OF COMMENTS.—  
16 The period provided for submission of local com-  
17 ments under paragraph (1)(B) to the Secretaries  
18 may run concurrently with the period for public no-  
19 tice required by section 804(b).

20               “(3) INCLUSION OF COMMENTS.—The Secre-  
21 taries shall submit to Congress all comments re-  
22 ceived from affected local governments in response  
23 to the notice provided under paragraph (1).

24               “(4) AFFECTED LOCAL GOVERNMENTS DE-  
25 FINED.—In this subsection, the term ‘affected local

1 government’ means the governing body of a political  
2 subdivision of a State—

3 “(A) whose boundaries contain all or part  
4 of the Federal recreational lands and waters to  
5 be subject to the new or increased recreation  
6 fee; or

7 “(B) that the Secretary determines may be  
8 economically impacted by the new or increased  
9 fee.”.

## 10 **TITLE II—AGENCY** 11 **MANAGEMENT IMPROVEMENTS**

### 12 **SEC. 201. IMPROVED CERTAINTY REGARDING DURATION** 13 **OF FEDERAL LAND MANAGEMENT AGENCY** 14 **LINE OFFICER ASSIGNMENTS.**

15 (a) FOREST SERVICE.—Section 3 of the Act of Feb-  
16 ruary 1, 1905 (16 U.S.C. 554) is amended by adding at  
17 the end the following new sentence: “The duration of an  
18 assignment at a Forest Service duty station should be a  
19 minimum of three years, subject to such exceptions as the  
20 Secretary of Agriculture may prescribe.”.

21 (b) BUREAU OF LAND MANAGEMENT.—Section 301  
22 of the Federal Land Policy and Management Act of 1976  
23 (43 U.S.C. 1731) is amended by adding at the end the  
24 following new subsection:



1 **SEC. 203. CLARIFICATION OF SECRETARY OF THE INTE-**  
2 **RIOR AUTHORITY TO MAKE MINOR BOUND-**  
3 **ARY ADJUSTMENTS TO NATIONAL PARK SYS-**  
4 **TEM UNITS.**

5 Section 100506(e)(5) of title 54, United States Code,  
6 is amended—

7 (1) in the matter preceding subparagraph (A),  
8 by striking “paragraph (1)(A)” both places it ap-  
9 pears and inserting “paragraph (1)”; and

10 (2) in subparagraph (A), by inserting before the  
11 period at the end the following: “, regardless of the  
12 method by which the acreage is proposed to be  
13 added to the System unit”.

14 **SEC. 204. PROTECTION OF SURVEY MONUMENTS ON FED-**  
15 **ERAL LAND.**

16 In managing surface-disturbing activities on Federal  
17 land, the Secretary shall take all necessary and reasonable  
18 actions to protect and maintain survey monuments located  
19 on the impacted Federal land. Such actions may include—

20 (1) identifying and protecting survey monu-  
21 ments before the commencement of surface-dis-  
22 turbing activities;

23 (2) monitoring surface-disturbing activities to  
24 prevent or minimize damage to survey monuments  
25 during the activities;

1 (3) inspecting survey monuments and evalu-  
2 ating the extent of any damage to survey monu-  
3 ments after the conclusions of surface-disturbing ac-  
4 tivities; and

5 (4) rehabilitating or reestablishing survey  
6 monuments damaged by surface-disturbing activities.

## 7 **TITLE III—TRIBAL FORESTRY**

### 8 **SEC. 301. PROTECTION OF TRIBAL FOREST ASSETS** 9 **THROUGH USE OF STEWARDSHIP END RE-** 10 **SULT CONTRACTING AND OTHER AUTHORI-** 11 **TIES.**

12 (a) PROMPT CONSIDERATION OF TRIBAL RE-  
13 QUESTS.—Section 2(b) of the Tribal Forest Protection  
14 Act of 2004 (25 U.S.C. 3115a(b)) is amended—

15 (1) in paragraph (1), by striking “Not later  
16 than 120 days after the date on which an Indian  
17 tribe submits to the Secretary” and inserting “In re-  
18 sponse to the submission by an Indian tribe of”; and

19 (2) by adding at the end the following new  
20 paragraph:

21 “(4) TIME PERIODS FOR CONSIDERATION.—

22 “(A) INITIAL RESPONSE.—Not later than  
23 120 days after the date on which the Secretary  
24 receives a tribal request under paragraph (1),

1 the Secretary shall provide an initial response  
2 to the Indian tribe regarding—

3 “(i) whether the request may meet the  
4 selection criteria described in subsection  
5 (c); and

6 “(ii) the likelihood of the Secretary  
7 entering into an agreement or contract  
8 with the Indian tribe under paragraph (2)  
9 for activities described in paragraph (3).

10 “(B) NOTICE OF DENIAL.—Notice under  
11 subsection (d) of the denial of a tribal request  
12 under paragraph (1) shall be provided not later  
13 than 1 year after the date on which the Sec-  
14 retary received the request.

15 “(C) COMPLETION.—Not later than 2  
16 years after the date on which the Secretary re-  
17 ceives a tribal request under paragraph (1),  
18 other than a tribal request denied under sub-  
19 section (d), the Secretary shall—

20 “(i) complete all environmental re-  
21 views necessary in connection with the  
22 agreement or contract and proposed activi-  
23 ties under the agreement or contract; and

1 “(ii) enter into the agreement or con-  
2 tract with the Indian tribe under para-  
3 graph (2).”.

4 (b) CONFORMING AND TECHNICAL AMENDMENTS.—  
5 Section 2 of the Tribal Forest Protection Act of 2004 (25  
6 U.S.C. 3115a) is amended—

7 (1) in subsections (b)(1) and (f)(1), by striking  
8 “section 347 of the Department of the Interior and  
9 Related Agencies Appropriations Act, 1999 (16  
10 U.S.C. 2104 note; Public Law 105–277) (as amend-  
11 ed by section 323 of the Department of the Interior  
12 and Related Agencies Appropriations Act, 2003 (117  
13 Stat. 275))” and inserting “section 604 of the  
14 Healthy Forests Restoration Act of 2003 (16 U.S.C.  
15 6591e)”; and

16 (2) in subsection (d), by striking “subsection  
17 (b)(1), the Secretary may” and inserting “para-  
18 graphs (1) and (4)(B) of subsection (b), the Sec-  
19 retary shall”.

20 **SEC. 302. MANAGEMENT OF INDIAN FOREST LAND AUTHOR-**  
21 **IZED TO INCLUDE RELATED NATIONAL FOR-**  
22 **EST SYSTEM LANDS AND PUBLIC LANDS.**

23 Section 305 of the National Indian Forest Resources  
24 Management Act (25 U.S.C. 3104) is amended by adding  
25 at the end the following new subsection:

1           “(c) INCLUSION OF CERTAIN NATIONAL FOREST  
2 SYSTEM LAND AND PUBLIC LAND.—

3           “(1) AUTHORITY.—At the request of an Indian  
4 tribe, the Secretary concerned may treat Federal  
5 forest land as Indian forest land for purposes of  
6 planning and conducting forest land management  
7 activities under this section if the Federal forest  
8 land is located within, or mostly within, a geographic  
9 area that presents a feature or involves cir-  
10 cumstances principally relevant to that Indian tribe,  
11 such as Federal forest land ceded to the United  
12 States by treaty, Federal forest land within the  
13 boundaries of a current or former reservation, or  
14 Federal forest land adjudicated to be tribal home-  
15 lands.

16           “(2) REQUIREMENTS.—As part of the agree-  
17 ment to treat Federal forest land as Indian forest  
18 land under paragraph (1), the Secretary concerned  
19 and the Indian tribe making the request shall—

20           “(A) provide for continued public access  
21 applicable to the Federal forest land prior to  
22 the agreement, except that the Secretary con-  
23 cerned may limit or prohibit such access as  
24 needed;

1           “(B) continue sharing revenue generated  
2           by the Federal forest land with State and local  
3           governments either—

4                   “(i) on the terms applicable to the  
5                   Federal forest land prior to the agreement,  
6                   including, where applicable, 25-percent  
7                   payments or 50-percent payments; or

8                   “(ii) at the option of the Indian tribe,  
9                   on terms agreed upon by the Indian tribe,  
10                  the Secretary concerned, and State and  
11                  county governments participating in a rev-  
12                  enue sharing agreement for the Federal  
13                  forest land;

14                  “(C) comply with applicable prohibitions  
15                  on the export of unprocessed logs harvested  
16                  from the Federal forest land;

17                  “(D) recognize all right-of-way agreements  
18                  in place on Federal forest land prior to com-  
19                  mencement of tribal management activities; and

20                  “(E) ensure that all commercial timber re-  
21                  moved from the Federal forest land is sold on  
22                  a competitive bid basis.

23                  “(3) LIMITATION.—Treating Federal forest  
24                  land as Indian forest land for purposes of planning  
25                  and conducting management activities pursuant to

1 paragraph (1) shall not be construed to designate  
2 the Federal forest land as Indian forest lands for  
3 any other purpose.

4 “(4) DEFINITIONS.—In this subsection:

5 “(A) FEDERAL FOREST LAND.—The term  
6 ‘Federal forest land’ means—

7 “(i) National Forest System lands;  
8 and

9 “(ii) public lands (as defined in sec-  
10 tion 103(e) of the Federal Land Policy and  
11 Management Act of 1976 (43 U.S.C.  
12 1702(e))), including Coos Bay Wagon  
13 Road Grant lands reconveyed to the  
14 United States pursuant to the first section  
15 of the Act of February 26, 1919 (40 Stat.  
16 1179), and Oregon and California Railroad  
17 Grant lands.

18 “(B) SECRETARY CONCERNED.—The term  
19 ‘Secretary concerned’ means—

20 “(i) the Secretary of Agriculture, with  
21 respect to the Federal forest land referred  
22 to in subparagraph (A)(i); and

23 “(ii) the Secretary of the Interior,  
24 with respect to the Federal forest land re-  
25 ferred to in subparagraph (A)(ii).”.

1 **SEC. 303. TRIBAL FOREST MANAGEMENT DEMONSTRATION**  
2 **PROJECT.**

3 The Secretary may carry out demonstration projects  
4 by which an Indian tribe may contract to perform adminis-  
5 trative, management, and other functions of programs of  
6 the Tribal Forest Protection Act of 2004 (25 U.S.C.  
7 3115a et seq.) through contracts entered into under the  
8 Indian Self-Determination and Education Assistance Act  
9 (25 U.S.C. 450 et seq.).

10 **TITLE IV—LAND AND WATER**  
11 **CONSERVATION FUND**

12 **SEC. 401. REQUIREMENTS RELATED TO ALLOCATION OF**  
13 **FUND AMOUNTS FOR FEDERAL PURPOSES.**

14 (a) AUTHORIZED ALLOTMENT PURPOSES.—Section  
15 200306(a) of title 54, United States Code, is amended—

16 (1) by redesignating paragraphs (3) and (4) as  
17 paragraphs (5) and (5), respectively; and

18 (2) by inserting after paragraph (2) the fol-  
19 lowing new paragraphs:

20 “(3) IMPROVED PUBLIC ACCESS.—

21 “(A) IN GENERAL.—Amounts shall be al-  
22 lotted for the purpose of securing or enhancing  
23 public access on existing Federal lands for  
24 hunting, recreational fishing, or recreational  
25 shooting where public access for those activities  
26 is impracticable. The amount so allotted for a

1 fiscal year may be all amounts appropriated  
2 from the Fund pursuant to this section for that  
3 fiscal year, but in no case less than 33 percent  
4 of such amounts.

5 “(B) DEFINITIONS.—For this paragraph:

6 “(i) HUNTING.—The term ‘hunting’  
7 means use of a firearm, bow, or other au-  
8 thorized means in the lawful—

9 “(I) pursuit, shooting, capture,  
10 collection, trapping, or killing of wild-  
11 life;

12 “(II) attempt to pursue, shoot,  
13 capture, collect, trap, or kill wildlife.

14 “(ii) RECREATIONAL FISHING.—The  
15 term ‘recreational fishing’ means the law-  
16 ful—

17 “(I) pursuit, capture, collection,  
18 or killing of fish; or

19 “(II) attempt to pursue, capture,  
20 collect, or kill fish.

21 “(iii) RECREATIONAL SHOOTING.—  
22 The term ‘recreational shooting’ means  
23 any form of sport, training, competition, or  
24 pastime, whether formal or informal, that

1 involves the discharge of a rifle, handgun,  
2 or shotgun, or the use of a bow.

3 “(4) FACILITATION OF LAND EXCHANGES.—  
4 Amounts shall be allotted for covering costs related  
5 to the facilitation of land exchanges between the  
6 United States and local governments, States, and  
7 other entities. Authorized costs that may be covered  
8 include the reasonable costs of appraisals, surveys,  
9 title activities, and legal fees associated with the fa-  
10 cilitation of exchanges.”.

11 (b) ACQUISITION RESTRICTIONS.—Section  
12 200306(b) of title 54, United States Code, is amended—

13 (1) by striking “Appropriations from the Fund”  
14 and inserting the following:

15 “(1) AUTHORIZATION OF ACQUISITION RE-  
16 QUIRED.—Appropriations from the Fund”; and

17 (2) by adding at the end the following new  
18 paragraphs:

19 “(2) ABUTMENT OF OTHER FEDERAL LAND RE-  
20 QUIRED.—

21 “(A) IN GENERAL.—A parcel of non-Fed-  
22 eral land, water, or an interest in land or water  
23 acquired with appropriations from the Fund  
24 pursuant to this section shall abut Federal land  
25 or water on not less than 75 percent of the par-

1           cel’s border and, except as provided in sub-  
2           section (a)(2)(B)(ii), shall not be subject to size  
3           restrictions.

4           “(B) SPECIAL RULE FOR NATIONAL WILD-  
5           LIFE REFUGE SYSTEM.—In the case of areas  
6           described in clauses (ii), (iii), and (iv) of sub-  
7           section (a)(2)(C), the restriction specified in  
8           subparagraph (A) also applies to any acquisi-  
9           tion of land, water, or an interest in land or  
10          water carried out using funds made available  
11          under section 12 of the Migratory Bird Con-  
12          servation Act (16 U.S.C. 715k) or any other  
13          provision of law.

14          “(3) GEOGRAPHIC LIMITATION.—In addition to  
15          the limitation in subsection (a)(2)(B)(iii), not more  
16          than 15 percent of all acreage acquired with funds  
17          appropriated from the Fund pursuant to this section  
18          for any fiscal year shall be located west of the 100th  
19          meridian.”.

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**Committee on Natural Resources**  
**Washington, DC 20515**

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DAVID WATKINS  
DEMOCRATIC STAFF DIRECTOR

April 21, 2016

Karen Mouritsen  
Deputy Assistant Director, Energy, Minerals and Realty Management  
Bureau of Land Management  
1849 C Street NW  
Washington, D.C. 20240

Dear Deputy Assistant Director Mouritsen:

The Subcommittee on Federal Lands will hold a legislative hearing on a discussion draft of the "*Locally-elected Officials Cooperating with Agencies in Land Management Act*" (*LOCAL Management Act*) on Thursday, April 28, 2016 at 2:00 p.m. in room 1324 Longworth House Office Building. I cordially invite you to testify at this hearing.

Enclosed with this letter are the parameters regarding written and oral testimony. Should you have any questions or need additional information, please have your staff contact Aniela Butler, Clerk, Subcommittee on Federal Lands, at (202) 226-7736.

Sincerely,



Tom McClintock  
Chairman  
Subcommittee on Federal Lands

Enclosures

## COMMITTEE ON NATURAL RESOURCES

1324 Longworth House Office Building

Washington, D.C. 20515

(202) 225-2761

### Written Testimony, Attachment Formatting and Witness Disclosure Form Requirements 114<sup>th</sup> Congress

These requirements apply to materials you submit to the Committee for inclusion in the official hearing record. These materials will be posted on the Committee website as provided in House and Committee rules. Materials include a written statement of testimony, witness disclosure form and any supporting materials. All materials must be received by the Committee at least 48 hours before the day of the hearing. Failure to comply with this requirement may result in the exclusion of the written testimony from the hearing record and/or the barring of an oral presentation of the testimony under Committee Rule 4(a). The complete Committee Rules are posted on the Committee website: <http://naturalresources.house.gov/about/rules.htm>

**TESTIMONY AND SUPPORTING MATERIALS:** Each statement of testimony and any supporting materials must conform to the guidelines listed below. The Committee may not print materials not in compliance with these requirements; however, the Committee will retain such materials in the official files for review and use by the Committee.

Please use typed single space letter-size (8½ x 11) white paper not to exceed a total of 12 pages. Except in limited cases, electronic copies of your testimony must also be provided to the Committee in **Microsoft Word** (with no tracking). No cover page is needed, although your name and, if you are representing an organization, your title and the name of your organization, and the date and title of the hearing must be listed at the beginning of your written testimony:

Oral testimony should not exceed 5 minutes and should summarize your written remarks. You may introduce into the record any other relevant supporting documentation you wish to present with your testimony. If you are submitting supporting materials with your testimony, please include them as separate items at the end. If attachments are more than 10 pages (in addition to your original testimony) or on paper larger than 8½ x 11, the Committee may not accept them. Instead, you should paraphrase or quote as needed. If including charts, tables, maps, or photographs, they should be included on separate pages, not within the text of a page. As with your testimony, a copy of all attachments in electronic form (Microsoft Word or PDF) must also be provided. Copyrighted material will not be duplicated by the Committee. Underlining, footnotes, capitalization of the whole document or solid blocks of text should be avoided.

If you have any questions regarding testimony and disclosure form requirements please contact the main office of the Committee at (202) 225-2761.

**From:** King, Powell  
**To:** [Maya\\_Hermann@heinrich.senate.gov](mailto:Maya_Hermann@heinrich.senate.gov)  
**Cc:** [Lisa Morrison](#); [George MacDonell](#); [James Stovall](#)  
**Subject:** Potash Stats  
**Date:** Thursday, April 21, 2016 7:05:40 PM  
**Attachments:** [2015 EMNRD AnnualReport web.pdf](#)  
[mcs-2016-potas.pdf](#)  
[ONRR Statistical Information Page.pdf](#)

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Maya,

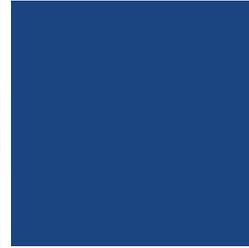
I put together the information on our web page. I used three main sources of information, the most current versions of the information are attached:

1. New Mexico Energy, Minerals and Natural Resources 2015 Annual Report - see pages 32 through 35. The data in this publication is for 2014.  
<http://www.emnrd.state.nm.us/ADMIN/publications.html>
2. USGS 2016 Mineral Commodity Summaries for potash - 2011 through 2015 information, but generally not specific to New Mexico. It does say that New Mexico provides over 75% of domestic producer sales.  
<http://minerals.usgs.gov/minerals/pubs/commodity/potash/>
3. Office of Natural Resource Revenue - 2015 production and revenue information for New Mexico Federal mineral production and revenues.  
<http://statistics.onrr.gov/>

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Mining Engineer, Solid Minerals Team  
Bureau of Land Management  
New Mexico State Office  
P.O. Box 27115  
Santa Fe, New Mexico 87502-0115  
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2015



# ANNUAL REPORT

New Mexico Energy, Minerals & Natural Resources Department





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David Martin  
Cabinet Secretary

## Energy, Minerals & Natural Resources Department

### Message from David Martin

2015 was a banner year for the Energy, Minerals & Natural Resources Department. With Governor Martinez, we unveiled New Mexico's first comprehensive energy policy and plan in nearly 25 years – "Seizing our Energy Potential: Creating a more Diverse Economy in New Mexico". This plan will ensure the state will expand its role as an energy leader while continuing to provide income and create jobs across energy industries.

Also in 2015, Governor Martinez signed House Bill 563 which created the Rio Grande Trail Commission. The Commission, led by the Energy, Minerals and Natural Resources Department, will establish the Rio Grande Trail to run the length of the state from Colorado to Texas and is charged with providing visitors with unique recreation opportunities and beautiful views. The Trail will pass through six state parks: Elephant Butte Lake, Caballo Lake, Leasburg Dam, Mesilla Valley Bosque, Percha Dam, and Rio Grande Nature Center State Parks.

While we embark on the trail, or path, forward, we remain dedicated to our mission. Department highlights for 2015 include:

- The Oil Conservation Commission, chaired by the Oil Conservation Division (OCD) Director, amended OCD Rule No. 19.15.34, Produced Water, Drilling Fluids and Liquid Oilfield Waste, which will reduce the oil and gas industry's fresh water consumption by promoting recycling and reusing produced water;
- The Watershed Restoration Initiative was expanded significantly. State Forestry received an additional \$3.5 million from state sources. A further \$5 million of Federal Pittman-Robertson funds were made available to Forestry from the New Mexico Game and Fish Department. These monies funded eight new projects and significantly expanded the scale of three 2014 projects. In total, the 2015 expansion will treat 11,000 additional acres;
- New Mexico State Parks saw an increase in visitation in FY15 and park staff provided safe and fun recreational opportunities for 4.2 million visitors. Even with increased visitation, for the second year in a row, there were no boating-related fatalities in New Mexico due to the efforts of park staff, through enforcement, educational and marketing efforts;
- The Energy Conservation and Management Division enhanced the public buildings energy efficiency program. \$39 million in public building energy improvements have been achieved through Energy Savings Performance Contracting. This finance mechanism, especially useful when project capital funds are unavailable, provides investment in energy conservation through public-private partnerships, guarantees energy savings, and is entirely paid for through energy cost savings. Additionally these projects provide much needed improvements to infrastructure while creating lower monthly energy bills for public buildings;
- The federal Office of Surface Mining Reclamation and Enforcement presented its 2015 National Abandoned Mine Land Reclamation Award to the Mining and Mineral Division's AML Program for its exemplary work at the Lake Valley Project site in Sierra County, where 297 mine openings were safeguarded in several phases of construction. Bat compatible closures were used at 69 of the openings to preserve bat habitat found in the underground mine workings.

We've worked hard this year --it is my pleasure to present our 2015 Annual Report.



Governor  
Susana Martinez

# Energy, Minerals and Natural Resources Department



\*Administratively Attached

## Program Leadership and Support

Program Leadership and Support provides leadership, sets policy and assists the divisions in achieving their goals. Program Support consists of the Office of the Secretary (OFS), Administrative Services Division, and the Information Technology Office, which provide administrative support functions—legal, human resources, fiscal and information technology.

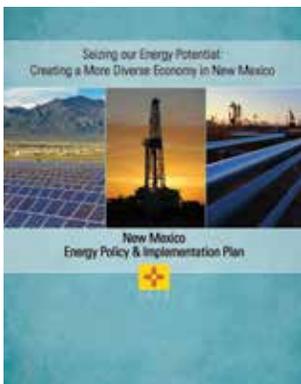
### Office of the Secretary

OFS provides leadership, strategic planning and policy direction, and establishes procedures for the department and program performance. OFS oversees all divisions within the department; it also houses the Office of Information Technology, Communications/Public Information Office, and Office of General Counsel.

OFS serves as the focal point for the department's communications with the Governor, legislators, and other state agencies (including the Department of Game and Fish and the Youth Conservation Corps which are administratively attached to EMNRD). It establishes department policies and provides legal, programmatic, and public outreach and marketing direction to the divisions.

### New Mexico Energy Policy & Implementation Plan

Developed by Governor Martinez and Cabinet Secretary David Martin, the State Energy Policy & Implementation Plan, 'Seizing our Energy Potential: Creating a More Diverse Economy in New Mexico', was unveiled in 2015. This is New Mexico's first comprehensive energy policy and plan in nearly 25 years. It will ensure the state's expansion as an energy leader while continuing to promote production from all sources as a means of creating jobs, diversifying a key sector of our economy and supporting our nation's efforts to achieve energy



independence. [http://www.emnrd.state.nm.us/EnergyPolicy/documents/EMNRD\\_EnergyPolicy.pdf](http://www.emnrd.state.nm.us/EnergyPolicy/documents/EMNRD_EnergyPolicy.pdf)

### Rio Grande Trail Commission

In 2015, Governor Martinez signed House Bill 563 establishing the Rio Grande Trail Commission led by the Energy, Minerals and Natural Resources Department. The Commission is charged with developing a trail which will run the length of the state from Colorado to Texas - nearly 500 miles - minimizing environmental impacts and preserving sensitive habitat while providing visitors with unique recreational and viewing opportunities.

The Commission makes recommendations to the legislature as needed and reports annually to the governor and appropriate interim committees. <http://www.emnrd.state.nm.us/admin/rgtc/about.html>



### Communications/Public Information Office

The Communications/Public Information Office manages the dissemination of information to the general public, media organizations and other inquiring entities. It coordinates and synthesizes information from EMNRD's divisions to write speeches, news releases, and articles. The office works closely with all divisions and oversees marketing and public relations for the department. It serves as project manager for department-wide publications such as the annual report, strategic plan, and other reports as needed. It coordinates and oversees EMNRD's internal communications, including intranet, newsletters, memos, award ceremonies, and other department-wide events.



**Administrative Services**

The Administrative Services Division (ASD) oversees the department’s finances and property. Specific functions include budget, procurement, accounting, payments, federal grant reporting, and property and material management. Among ASD’s duties are the processing of payment vouchers, travel documents, purchase orders, and deposits, for the department’s daily operations. ASD also coordinates the annual financial audit and prepares the annual financial statement and related footnotes for governmental funds.

**Office of General Counsel**

The Office of General Counsel manages all legal affairs for the EMNRD. This includes representation of the department in administrative and judicial proceedings as well as drafting and analysis of proposed legislation and rules, assistance with human resources issues, and review of contract documents.

**Human Resources**

The Human Resources Bureau (HRB), within the OFS, provides services and information for applicants, employees and employers throughout the state. HRB verifies that the department follows all state and federal rules, regulations, and laws governing employment; guides managers and supervisors through a variety of employment issues; and assists employees in understanding state and federal rules, regulations and laws. HRB helps employees with

position classification, compensation and discipline. HRB also provides guidance on medical leave and workers’ compensation.

**Information & Technology Office**

The Information and Technology Office is the central information technology and information systems provider for the department’s 509 employees and 54 remote sites. It employs 21 technical positions that are responsible for maintaining and supporting EMNRD’s computer systems, network-telecommunications infrastructure, and application development needs, using the latest technology for Windows and Web applications on the intranet and internet.

**New Mexico Radioactive Waste Consultation Task Force - Waste Isolation Pilot Plant Transportation Safety Program**

Under EMNRD’s leadership, and through the New Mexico Radioactive Waste Consultation Task Force, six other state agencies (Department of Public Safety, Department of Homeland Security and Emergency Management, Department of Health, Environment Department, Department of Transportation, and State Fire Marshal’s Office) collaborate on the Waste Isolation Pilot Plant (WIPP) Transportation Safety Program. The program ensures the safe and uneventful transportation of radioactive waste in the state of New Mexico. The program includes setting and updating of policies and operating procedures; training and equipping emergency responders along all of New Mexico’s WIPP shipping routes; keeping the public informed on radioactive materials issues; monitoring and maintaining highway safety; and inspecting all WIPP shipments at their points of origin or at the New Mexico ports of entry.



F. David Martin  
Cabinet Secretary

Brett F. Woods, Ph.D.  
Deputy Secretary

Bill Brancard  
General Counsel

Beth Wojahn  
Communications Director

Louise Martinez, Director  
Energy Conservation &  
Management Division

Tony Delfin, State Forester  
Forestry Division

Fernando Martinez, Director  
Mining and Minerals Division

David Catanach, Director  
Oil Conservation Division

Christy Tafoya, Director  
State Parks Division

Ron Cruz, Director  
Administrative Services Division



## Vision -

A New Mexico where individuals, agencies and organizations work collaboratively on energy and natural resource management to ensure a sustainable environmental and economic future.

## Mission -

To position New Mexico as a national leader in the energy and natural resources areas for which the department is responsible.

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Edited by: Beth Wojahn  
Designed by: Lauren Aguilar



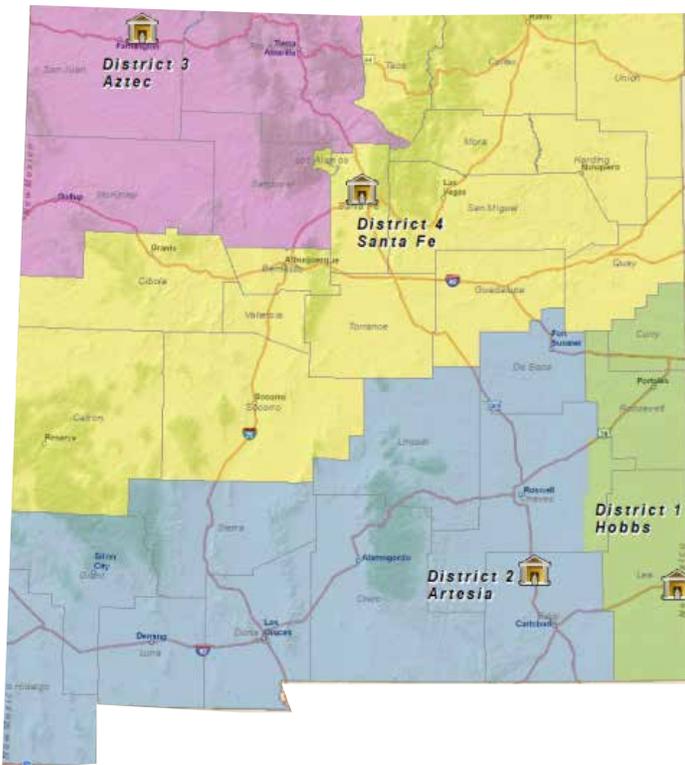
# Oil Conservation Division



# Oil Conservation Division

► **MISSION:** To assure the protection, conservation, management, and responsible development of oil, gas, and geothermal resources through professional, dynamic regulation and advocacy for the ultimate benefit of New Mexico.

**OVERVIEW** - OCD is organized into four district offices and five bureaus responsible for different aspects of regulating the oil and gas industry. The district offices issue drilling permits, inspect wells and associated facilities, respond to spills, investigate violations, and institute enforcement actions.



## The Four District Offices

- Hobbs – District 1
- Artesia – District 2
- Aztec – District 3
- Santa Fe – District 4

## FIVE BUREAUS

The **Engineering Bureau** processes administrative applications for exceptions to OCD rules, and the staff serves as Director-appointed hearing examiners for OCD hearings.

The **Environmental Bureau** enforces environmental rules and programs in the oil and gas industry for the protection of New Mexico’s freshwater, public health, and the environment.

The **Compliance Bureau** ensures that activities comply with regulations to protect human health and the environment, and do not result in the waste of oil, gas and geothermal resources.

The **Administrative Bureau** is responsible for tracking statistics and oversees the division’s budget and procurement needs. It provides administrative support, manages the plugging bond program, and maintains records of cases and orders.

**Legal Bureau** staff from Office of General Counsel provides legal advice and support, works with well operators to develop Agreed Compliance Orders, and participates in the formulation of OCD rules and proposed legislation.

**RULEMAKING** - OCD works with representatives from diverse groups to consistently enforce its rules and identify areas where rules can be improved. OCD is actively involved with nationwide federal, state, and industry organizations that share information on new technologies and discuss best practices on topical issues such as hydraulic fracturing and horizontal well drilling.

**OIL CONSERVATION COMMISSION** - The three-member commission, chaired by the Oil Conservation Division Director, makes rules governing oil and gas production in New Mexico, conducts hearings on matters of significant interest, and hears appeals of examiner decisions. The OCC emphasizes the commitment to promulgate regulations based on science by including university researchers in work groups for rule development and amendment recommendation.

## PERFORMANCE

**Inspections & Plugging** - In FY15, OCD exceeded its performance target (37,500) for the number of inspections performed (47,399), and also exceeded FY14 inspection count (37,743) by 9,656. In addition, a large number of Underground Injection Control (UIC) inspections were conducted in FY15, meeting the goals set by the federal UIC program.

OCD plugged 31 wells in FY15, which was below its performance target of 50 wells. The number of wells plugged was in line, however, with the number of wells plugged in 2014, which was (32). OCD did not have any wells available to plug for several months in FY15. Several compliance cases were brought to hearing in FY15. There is currently a waiting list of approximately 200 wells available for OCD to plug using Oil Reclamation Fund monies.

**Engineering** - In FY15, the Engineering Bureau's goal for administrative orders was to review, approve, and issue 75 percent of all administrative applications within 30 days of their receipt. In FY15, OCD issued 80 percent of all administrative applications within 30 days of their receipt. In addition, the overall average turnaround time for all administrative orders issued was 25 days. OCD exceeded its performance target during FY15 despite an increase in the number and complexity of administrative applications filed.

**Brine Well Cavern** - Since the spring of 2009 OCD has been deeply involved in the monitoring and characterization of a large and unstable brine well cavern which threatens a developed portion of southern Carlsbad. Brine wells are UIC Class III



*Specialized drilling equipment being used to re-enter the I&W brine cavern in Carlsbad.*

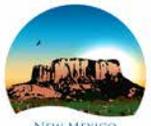
injection wells that operate by injecting fresh water into salt formations to produce saturated brine that is used for oil and gas drilling operations. The responsible party in Carlsbad filed for bankruptcy shortly after the situation came to light, leaving the problem as an orphan. Using monies from the Reclamation Fund, OCD installed an automated ground movement monitoring system which is integrated directly into the local emergency response infrastructure. OCD has overseen an effort to characterize the cavern using state of the art geophysical techniques. OCD is also involved in developing a plan to stabilize the cavern by injecting solid material to fill the void space.

Upgrades to the monitoring system were recently made, and all historic data have been independently reviewed. OCD also advanced multiple exploratory borings in the area along with the installation of a micro-seismic recording system. A feasibility process was undertaken incorporating all stakeholders and the resulting feasibility study was completed in July 2014, providing possible solutions along with estimated costs for implementation. To date, total state expenditures for outside service on the project exceed \$5 million, of which \$1.6 million was reimbursed by the bankruptcy estate. In addition to providing data analysis, monitoring and re-entry efforts, OCD staff members provide technical guidance to other government entities involved in the project, and participate in all of the committees that have been formed to plan for a successful resolution to the situation.



**Re-use of Produced Water** - The Energy, Minerals and Natural Resources Department Secretary and OCD Director support the growing interest in the re-use of produced water for oil and gas operations. In FY15, the Oil Conservation Commission amended OCD Rule No. 19.15.34 (Produced Water, Drilling Fluids, and Liquid Oilfield Waste), to permit by rule the disposition by use of produced water for drilling, completion, producing, secondary recovery, pressure maintenance or plugging of wells. In addition, the rule was amended, and recycling containments that meet siting and construction standards were established by the OCD. This rule encourages operators to recycle and re-use produced water for oil and gas operations in lieu of utilizing fresh water. The rule also provides procedures that facilitate permitting these recycling facilities and containments.

**PARTNERSHIPS & COLLABORATION**



NEW MEXICO  
STATE LAND OFFICE

**STATE LAND OFFICE (SLO)**  
- OCD works closely with the SLO and in FY15, finalized a Memorandum of Understanding (MOU) with the SLO for elimination or reduced right of entry, water well easements and borrow dirt fees associated with the OCD's ongoing well plugging, reclamation and re-vegetation activities on State Trust Lands. The MOU will provide OCD with the expedited ability to clean up well sites.



**BUREAU OF LAND MANAGEMENT (BLM)**

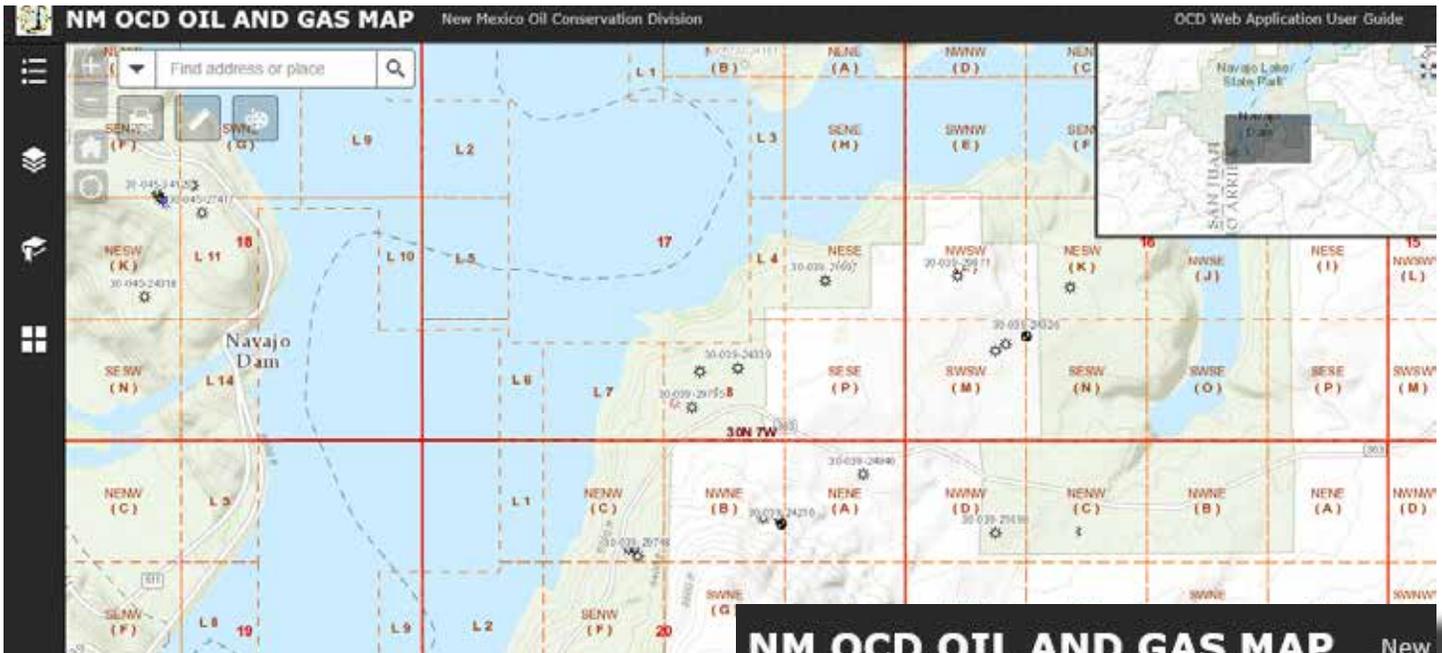
- OCD and BLM continue to meet quarterly in the southeast and northwest portions of the State. Staff from both agencies discuss, analyze and streamline issues that need to be addressed in the field and at OCD district offices. The quarterly meetings have given the agencies opportunities to work jointly on current issues that need to be improved upon.

Also, beginning in FY15, the OCD Director and technical staff meet quarterly with the BLM State Office in Santa Fe.

**INDUSTRY ADVISORY GROUP** - In FY15, OCD formed an Industry Advisory Group (IAG) consisting of eight industry representatives that the IAG meets quarterly with OCD. New Mexico Oil and Gas Association, Independent Petroleum Association of New Mexico and the Permian Basin Petroleum Association are represented in the group. The purpose of the IAG is to provide a forum for discussion of issues of mutual interest, including new industry technology and OCD rule changes.

**ELECTRONIC SYSTEMS LEADERSHIP** - OCD worked with the agency's IT division to increase efficiency, transparency and availability of information to the public. The microfilm store of historical case file documents stretching back to the 1930s was converted into PDF documents and made available to the public. An indexing search capability was added to our image search website so that the public may scan the entire OCD document repository for any particular search term or terms. Finally, OCD retired it's usage of the obsolete ONGARD mainframe system, thereby improving data entry, validation and efficiency.



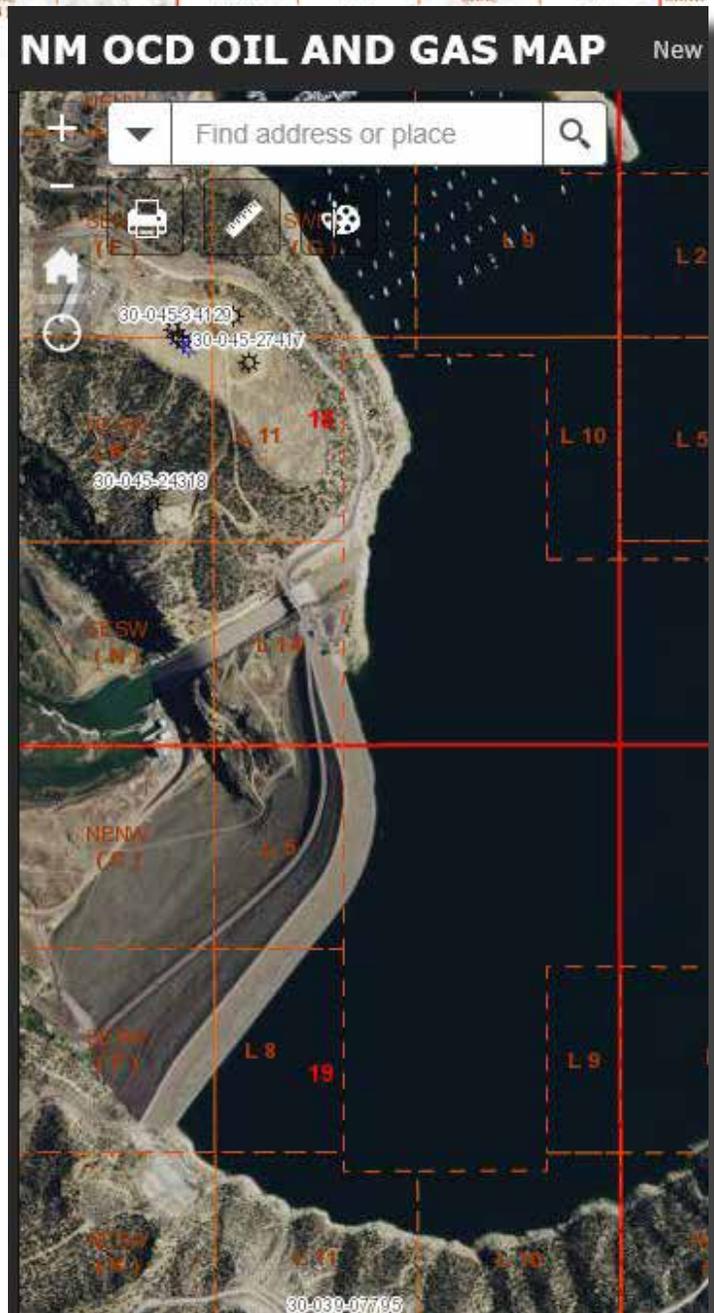


**NEW GIS (GEOGRAPHIC INFORMATION SYSTEM):**

- OCD developed a GIS module
- GIS module is now publicly available on OCD Online
- Module will initially contain a well layer linked to OCD Online, land ownership and spacing unit layers

**OCD RECENT ACTIONS**

- Amended Financial Assurance Rule to allow operators to post a blanket financial assurance for wells held in TA status
- Amended Rule 34 for Recycling of Produced Water; operators can now apply to construct recycling facilities and containments to utilize produced water for drilling, producing, fracture stimulation and plugging programs
- Established procedures within the Engineering Bureau to speed the processing of administrative applications
- Obtained FY-16 legislative funding to purchase land and design a new office building in Artesia
- Currently in the process of hiring nine additional staff in all three district offices and Santa Fe



## POSSIBLE RULE CHANGES

### Rule 19.15.16.15: Special Rules for Horizontal Wells

- Rule 19.15.16.15 was established in 2012
- Horizontal drilling techniques and operator business practices have greatly advanced since that time
- In order to keep pace with changing technology, OCD anticipates that the horizontal well rule will be revised and updated in the near future

### Rule 19.15.36 Surface Waste Management Facilities

- Rule 19.15.36 was last updated in 2008
- Permitting process for landfarms and landfills under Rule 36 is unduly burdensome for the OCD and the applicant
- OCD has worked with industry to revise Rule 36 for the purpose of streamlining the permitting process
- An OCD application to amend Rule 36 will be filed for the OCC hearing in January, 2016

### SPECIAL RULES & REGULATIONS FOR THE BASIN-MANCOS GAS POOL -

Order No. R-12984

- The special rules for the Basin-Mancos Gas Pool were established in 2008 by Order R-12984
- Subsequent development indicates this pool, or a portion thereof, should be reclassified as an oil pool
- OCD is currently reviewing the existing rules to determine what changes are necessary
- OCD/Industry Committee has been formed to recommend changes to the existing rules. A hearing before the OCD is anticipated to occur in January, 2016



### OIL CONSERVATION DIVISION GOALS:

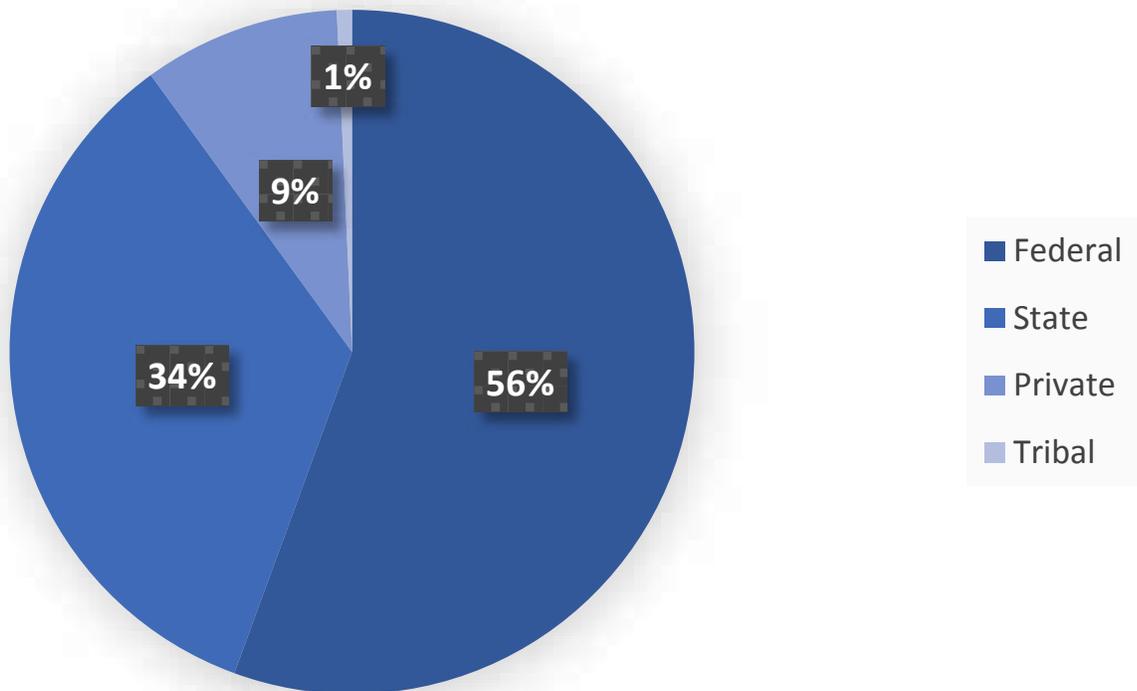
- To make balanced, consistent, fair and transparent decisions delivered in a timely and resourceful manner
- To provide efficient processes that support industry's needs while ensuring compliance with rule requirements
- To conduct transparent activities and provide public access to reports and information
- To strive for balance that supports the industry while protecting the environment, with decisions based on sound science
- To maintain staffing levels to enhance public service, well inspections and application processing
- To work collaboratively with other agencies, divisions and our constituents for the betterment of the Division
- To maintain providing seamless production data to the Taxation and Revenue Department and the State Land Office for the efficient processing and disbursement of taxes and royalties due to the State of New Mexico

# DATA & STATISTICS

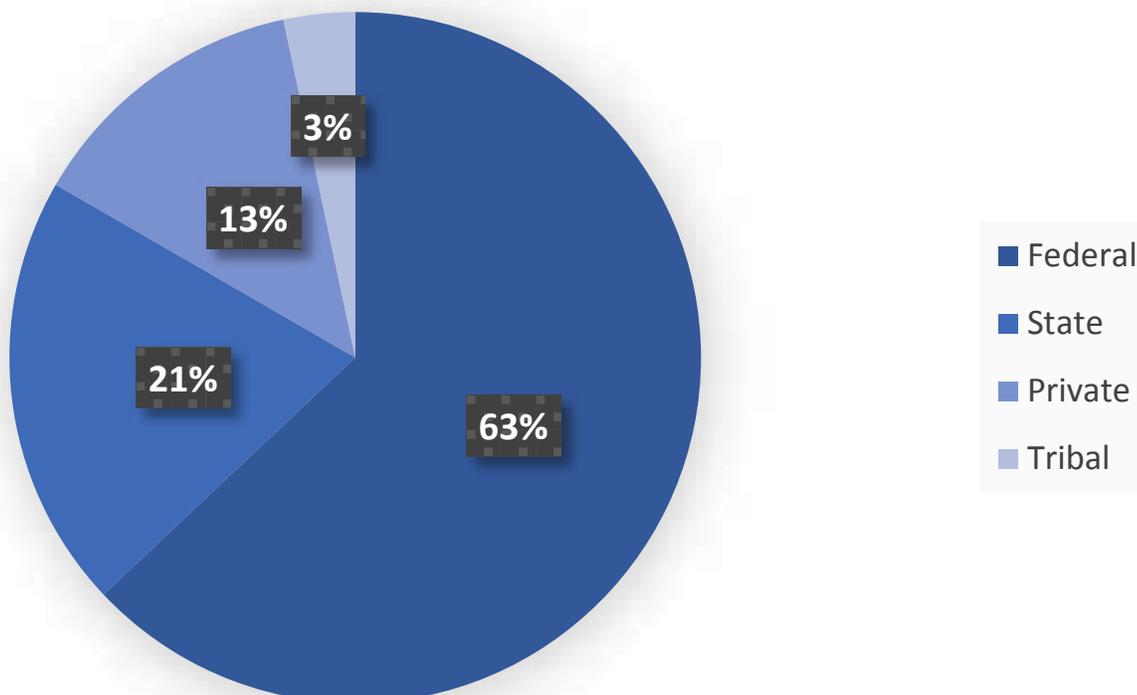
Through September 2015 Reporting Period



## 2015 Oil Production by Land Type



## 2015 Gas Production by Land Type



## 2015 Oil & Gas Production by County

Rank	Oil (Barrels)	Rank	Gas (Thousand Cubic Feet, MCF)
1. Lea	52,770,125	1. San Juan	303,341,133
2. Eddy	49,354,149	2. Eddy	231,545,471
3. San Juan	3,285,911	3. Rio Arriba	203,795,517
4. Rio Arriba	2,098,999	4. Lea	168,674,888
5. Sandoval	1,628,196	5. Colfax	16,894,338
6. Chaves	988,828	6. Chaves	13,658,860
7. Roosevelt	136,225	7. Sandoval	10,397,220
8. McKinley	21,060	8. Roosevelt	1,808,611
		9. McKinley	122,726
<b>Total</b>	<b>110,283,493</b>		<b>950,238,764</b>

Source: Oil Conservation Division as of December 4, 2015  
Oil and Gas Production through September, 2015

*Volumes are adjusted to reflect amended production reports filed with the Oil Conservation Division.  
Source: Oil Conservation Division as of December 7, 2015*

## Oil Production by Calendar Year

SE Crud	SE Condensate	NW Crude	NW Condensate	Total
66,037,728	2,841,354	949,642	1,419,781	71,248,505
79,866,828	2,892,542	1,104,688	1,450,015	85,334,073
95,619,495	2,595,802	2,072,538	1,501,240	101,789,075
114,782,174	2,602,450	4,735,937	1,621,171	123,741,732
103,302,663	2,194,248	5,516,797	1,550,874	112,564,582

*Volumes are adjusted to reflect amended production reports filed with the Oil Conservation Division  
Source: Oil Conservation Division as of December 4, 2015. 2015 Oil production is through reporting period for September, 2015*

## Gas Production by Calendar Year

Year	SE Casinghead	SE Dry Gas	NW Casinghead	NW Dry Gas	NE Dry Gas	Total Natural Gas	Coalseam (Not included in total)
2011	236,958,887	173,546,008	10,553,297	815,090,503	26,541,065	1,262,766,960	379,328,299
2012	281,655,555	151,598,351	10,705,775	781,049,818	27,012,215	1,252,021,714	359,373,782
2013	334,805,342	129,193,000	13,262,226	722,231,860	25,397,912	1,224,890,340	323,578,956
2014	386,529,806	119,550,344	24,868,105	686,130,458	23,787,208	1,240,865,921	305,162,952
2015	342,090,786	85,121,793	31,738,126	487,339,496	16,894,338	963,184,539	212,264,630

*Volumes are adjusted to reflect amended production reports filed with the Oil Conservation Division  
Source: Oil Conservation Division as of December 4, 2015. 2015 Gas production is through reporting period for September, 2015*

## Well Inspections by Fiscal Year

	<b>2015</b>	<b>2014</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>
Quarter 1	12,357	8,783	8,233	8,005	5,917
Quarter 2	9,367	7,848	8,486	8,754	6,630
Quarter 3	12,298	8,327	8,600	8,804	7,231
Quarter 4	13,377	10,771	11,583	8,713	8,482
<b>Total</b>	<b>47,399</b>	<b>35,729</b>	<b>36,902</b>	<b>34,276</b>	<b>28,260</b>

*The Oil Conservation Division performs well inspections throughout the year to ensure operators are in compliance.*

## Wells Drilled & Completed by Year & Well Type

<b>YEAR</b>	<b>GAS</b>	<b>OIL</b>	<b>OTHER</b>	<b>TOTAL</b>
2006	1,785	1,055	116	2,956
2007	1,497	855	59	2,411
2008	1,232	1,120	112	2,464
2009	869	904	118	1,891
2010	514	1,209	118	1,841
2011	515	1,409	128	2,052
2012	387	1,385	90	1,862
2013	241	1,301	85	1,627
2014	86	1,280	67	1,433
2015	68	682	25	775

*“Other” includes saltwater disposal wells, carbon dioxide, and injection wells. 2015 count as of 12/7/2015 – not complete for the year*



# Forestry Division



# Forestry Division

► **MISSION:** The New Mexico State Forestry Division (Forestry) retains lead responsibility for wildland fire management on non-federal, non-tribal, and non-municipal lands, maintaining fire suppression capacities and emphasizing firefighter and public safety. Forestry promotes healthy, sustainable forests in New Mexico for the benefit of current and future generations.

Forestry is responsible for fire suppression on 43 million acres of non-municipal, non-federal, and non-tribal land across the state and assists New Mexico communities by evaluating those most at risk to wildfire, disease, and insect infestation by developing appropriate management programs and implementing mitigation projects.

Forestry staff provides technical assistance to landowners for developing sustainable forests that enhance quality of life by providing tree care training, distributing low-cost seedlings, developing resource management plans, and delivering insect and disease identification assistance as well as forest health project funding.



**PROGRAMS** - Forestry's main priorities are technical assistance to landowners, wildfire mitigation and the assistance in the continued development of the forest products industry (e.g., forest harvesting, landscaping, construction, woody biomass) that uses land treatment byproducts.

Forestry regulates the harvest of commercial forest species on private forestland and conducts habitat improvement projects by studying plant species abundance, defining ecosystems, acquiring easements, and purchasing key properties.

Landowners and communities receive assistance with fire prevention and preparedness planning, forest management and improvement, urban and community forest development and management, conservation easement and tax incentive programs, and numerous educational presentations on these topics. Forestry works to implement projects and programs with a goal of improving overall forest and watershed health statewide.

## Accomplishments

**OVERVIEW** - The 2015 fire season in New Mexico had the potential to be extremely active, but favorable weather and increased awareness through fire prevention efforts helped keep the incidence of human-caused wildfires below expectations. Despite a less intense fire season in New Mexico, the western United States continued to face extreme fire danger. Numerous fires burned in Oregon, California, Washington and many other western states. Forestry provided mobilized fire equipment and dozens of firefighters to several states to aid in their response to these fires.

Forestry continued to work with local, state, federal and tribal partners on a wide range of projects and programs to address not only wildfire, but the state's overall forest and watershed health.

Forestry's work with partner agencies, non-governmental organizations and private landowners resulted in the treatment of thousands of acres of private, state, federal and tribal land during the calendar year.

The health of New Mexico's forests and watersheds continues to be a primary focus for Forestry and its partners. Projects created from Governor Martinez's \$6.2 million Watershed Restoration Initiative had significant progress and expansion in 2015, with several projects across districts being completed this year.

While 2015 will be recorded as having wetter weather than preceding years, New Mexico's period of extended drought has impacted forests and watersheds. These lands will continue to feel the detrimental effects of drought for many years to come in the form of disease, insect infestation, and wildfire.



The Forest Health Specialist provided technical assistance through the identification of multiple insect and pathogen samples and by conducting fifteen site visits for private landowners. For outreach development, the Forest Health Specialist provided an educational presentation focused on forest health and local damaging agents of the East Mountains at the Sandia Mountain Natural History Center in Cedar Crest.

When infestations reach an outbreak level they can cause tree mortality and decreased growth in forested areas over time. If disease and insect infestations are extreme, managers can do little to combat the issue beyond waiting for the environment to ameliorate and the populations to crash. Unfortunately, conditions facilitating improvement are not evident in 2016 climate predictions.

**ENDANGERED PLANTS PROGRAM** - Forestry has statutory responsibility for the State Endangered Plant Species List. Section 75-6-1 NMSA 1978 directs the investigation of all plant species in the state for the purpose of establishing a list of endangered plant species. Currently, New Mexico has 37 plant species listed as endangered, including 13 federally listed species.

Forestry's Endangered Plant Program (EPP) gathers information to develop conservation measures necessary for the species' survival. EPP also promotes the conservation of listed endangered plant species including research, inventory and monitoring, law enforcement, habitat maintenance, education and propagation. The Endangered Plant Program is primarily federally funded through Section 6 of

### **CONSERVATION SEEDLING PROGRAM -**



Each year, tens of thousands of tree and shrub seedlings are planted on private and public lands across New Mexico through Forestry's Conservation Seedling Program.

The program provides economically priced tree and shrub species to New Mexico landowners for the establishment of windbreaks, erosion control, reforestation, crop and livestock protection, Christmas tree farm establishment, energy cost savings and to improve wildlife habitat. In 2015, the Conservation Seedling Program distributed 80,100 seedlings through sales during the New Mexico State Fair, educational donations, and for the spring and fall sales and distribution cycles.

### **COOPERATIVE FOREST HEALTH PROGRAM -**

The Cooperative Forest Health Program (CFHP) works within the State Forestry Division to deliver technical and monetary assistance to landowners and managers of forested lands throughout New Mexico through educational programs, trainings, and field visits. The goal of the CFHP is to increase forest resiliency to harmful insects and diseases by increasing knowledge and improving management practices of state and private forests. The program provides federal dollars from the United States Forest Service (USFS) for administering cost-share funds to private landowners in the state to reduce the risk of bark beetle attacks.



*Lee's pincushion cactus*



*Knowlton's Cactus*



*Holy Ghost Ipomopsis*

the Endangered Species Act for endangered plant research and management.

In 2015, recurring endangered plant projects included annual monitoring and status evaluation of Lee's pincushion cactus, Knowlton's Cactus and the Holy Ghost Ipomopsis.

Working with federal agency partners, the Program completed post-wildfire impact studies on 15 rare and endangered plant species in the Santa Fe, Lincoln and Gila National Forests, as well as Carlsbad Caverns National Park. Surveys to determine the current status and distribution of four species of rare gypsum endemics was completed on BLM and Zia Pueblo lands in Sandoval County.

Additionally, the program manager organized coordinated efforts between agencies and stakeholders involved with the restoration of Santa Rosa wetlands. The 100-acre project removed invasive salt cedar and Russian olive trees from the property to help endangered plants prosper in the area.

**FIRE MANAGEMENT** - As was the case in 2014, 2015 witnessed a fire season that was calmer than anticipated. This was largely due to above-average precipitation in the spring and summer months.

During 2015, 288 fires burned approximately 10,542 acres of state and private land. Human-caused fires totaled 185, or just over 64 percent of all fire starts. The remaining fires were induced by lightning. This is consistent with the annual average percent of human-caused fires in New Mexico. The most significant statistical fire of 2015 was the North Cut Fire in Quay County, the cause of which is unknown. It burned 6,300 acres. Forestry continues to collaborate with local, state, federal and tribal fire agencies to educate New Mexicans about fire prevention and preparedness. Wildland fire incidents

are reflected in the location map in the Data and Statistics section of this report.

**FIRE PLANNING TASK FORCE** - The New Mexico Fire Planning Task Force (Task Force) is charged with identifying areas most vulnerable to wildfires. The Task Force also approves Community Wildfire Protection Plans (CWPPs), develops model ordinances and standards for building codes, and considers the benefits of thinning, prescribed burns and defensible space to reduce the threat of wildfires to communities. Currently each CWPP must be updated within five years of its adoption by the Task Force, and update requirement notification letters are sent to CWPP participants.

This year, four plans were reviewed and approved by the Task Force. Additionally, 39 communities were added to the list of those at risk to wildfire, making a total of 688 such communities identified in 2015.



**FIRE PREVENTION PROGRAMS** - As the threat from wildfires expands across New Mexico and the rest of the western United States, the importance of educating residents and visitors continues to grow, too. Forestry's fire prevention and education programs continued to see a lot of activity and growth in 2015, with the expansion of existing programs and the participation in new initiatives.

Forestry helps facilitate "Ready, Set, Go!," "Living with Fire Homeowners Guide," "Fire Adapted Communities," and "Firewise Communities USA". Firewise Communities USA (Firewise) is the flagship of these educational endeavors. It is a recognition program that is based and operated within a community. Firewise focuses on residents, businesses and elected bodies working together

to create cities, towns and neighborhoods that address the issue of wildfire on a building and landscape level. In 2015, New Mexico added four new Firewise communities, bringing the total to 26. Several additional communities are in the progress of completing the requirements needed for Firewise recognition.

**FOREST LEGACY PROGRAM** - The USFS Forest Legacy Program (FLP) uses federal funds to purchase conservation easements that will protect vital or endangered land. Under FLP, the land remains in private ownership and can be sold. However, further subdivision or development that would prove to be harmful to the land, forest, or watershed health is prohibited in perpetuity. New landowners must adhere to the same rules as agreed upon by the previous landowner. Forestry is the holding agency for any easements purchased with FLP funds, and works with the Trust for Public Land, USFS, and private landowners to facilitate and purchase easements.

An application for a 3,714 acre parcel was submitted for funding on November 16, 2015. Corkins Lodge, located in Chama, NM, sits in the Carson National Forest and has been open to the public since 1930. The property consists of six miles of the Rio Brazos, 200 acres of rare riparian woodlands, and the lower two-thirds of the Brazos Falls. Notification of funding is expected in early spring, 2016.

**FOREST & WATERSHED HEALTH** - 2015 was a very productive year for the Division's Forest and Watershed Health Office (FWHO).

In 2014, Forestry was granted \$6.2 million allocated for watershed restoration on public land in New Mexico. This money funded 15 separate projects covering 7,700 acres and 14 high-priority watersheds. Since October 1, 2014, there have been just over 3,525 acres have been treated, or approximately 45 percent of the planned acreage. In 2015, the Watershed Restoration Initiative was expanded significantly. Forestry received an additional \$3.5 million from state sources. An additional \$5 million of Federal Pittman-Robertson funds were made available to Forestry from the New Mexico Game and Fish Department. These monies funded eight new projects and significantly



expanded the scale of three 2014 projects. In total, the 2015 expansion will treat 11,000 additional acres.

In anticipation of the development of the 2020 Forest Action Plan (FAP), substantial updates were made to the current plan. This involved many months of collaboration among the Forest and Watershed Health Coordinator, State Timber Management Officer, District Foresters and state office staff.

The FWHO also collaborated with the New Mexico Department of Homeland Security and Emergency Management on an application for a grant funded by the United States Department of Housing and Urban Development. Titled, "Resilient New Mexico: Managing Our Landscape to Recover More Quickly from Natural Disasters", the application requested a total of \$100,619,565. Funds would be applied to restoration and interface projects for the Upper Rio Grande Basin and Cochiti and Santa Clara pueblos, as well as a study on biomass energy development. The application's results should be announced in January 2016.

FWHO staff serve on regional and national committees that track issues and help guide policies that affect how our natural resources are managed. The Forest and Watershed Health Coordinator represented Forestry organizations on the Western Regional Strategy Committee for the National Cohesive Wildland Fire Management Strategy and the Southwest Fire Science Consortium. The Forest Health Specialist is a member of the Western Forestry Consortium. Both participated on inter-agency planning and proposal evaluation teams.



**INMATE WORK CAMP PROGRAM** - Forestry's Inmate Work Camp Program (IWC) was established in 1997 for the purpose of conducting forest health and urban interface projects on public land in New Mexico. The crews are also trained as wildland firefighters and function as an efficient, cost-effective resource for New Mexico.

In cooperation with the New Mexico Corrections Department, each inmate crew is comprised of eight to 12 minimum security inmates. The crews are transported from the Los Lunas, Level 1 Minimum Security Prison Facility to project areas around the state. These inmates are supervised by Forestry Crew Supervisors and a Correctional Officer. The program has the ability to field seven crews per workday throughout the year. In 2015, the program provided crews to work on ten projects for nine different local, state and federal cooperators, performing 4,841 man-days of work and 41,149 man-hours of work. Crews were assigned to six wildland and prescribed fires, performing 17 crew-days of fire suppression.

**LAND CONSERVATION TAX INCENTIVE PROGRAM** - Forestry oversees the Land Conservation Tax Credit Program. Charitable donations of land or an interest in land (conservation easement) to public or private conservation agencies for conservation purposes are eligible for a state tax credit. The maximum is 50 percent of the appraised value of the donation and a cap of \$250,000 per individual donor. Land conservation tax credits must be approved by the EMNRD Secretary in consultation with the Natural Lands Protection Committee. A taxpayer has a maximum of 20 years to fully use the tax credit, following the taxable year in which the

donation was made. Otherwise the tax credit may be transferred to another taxpayer through a tax credit broker in minimum increments of \$10,000. Forestry received 12 Assessment Applications in 2015. Of these, eight were approved to move to the Certification Application phase, and four were denied for various reasons. Two applications are awaiting final certification with the New Mexico Taxation and Revenue Department, Property Tax Division.

Tax credits totaling \$1,414,488 were paid to seven landowners; 13,861 acres were conserved with an appraised land value of \$3.9 million.

**RESOURCE MANAGEMENT & PROTECTION** - Forestry works with private landowners, and state, and federal agencies to protect land from future development that could fragment the landscape. Through various incentive programs, landowners can place large tracts of land into conservation easements that allow them to retain ownership while protecting it.

Forestry prepared 17 new forest stewardship plans in 2015 for a total of 22,760 acres on private forested land in New Mexico. This brings the total number of acres in New Mexico covered by stewardship plans to 510,898. Additionally, this year 199 landowners received technical assistance on their private forest lands, with another 957 landowners participating in educational programs related to forest stewardship, fire prevention and forest management. Forestry prepared fewer stewardship plans than in 2014, but this year's plans covered 14,426 more acres of land.

**RETURNING HEROES WILDLAND FIREFIGHTERS PROGRAM** - This program provided crews to fight a total of 20 fires in New Mexico, Arizona, Montana, Oregon, and Washington. The crews' involvement with these fires was featured through several local and regional media outlets. This year Returning Heroes hired 12 full-time staff for wildfire assignments as well as year-round forest and watershed restoration treatment projects. An additional 26 military veterans were hired as seasonal firefighters.



Returning Heroes also provides essential firefighting training and courses at its headquarters in Santa Fe. Returning Heroes is currently working with the New Mexico State Parks Division on a hazardous fuel reduction project within Hyde Memorial State Park. Several more forest and watershed restoration treatment projects are scheduled for the program in the coming year.

**URBAN & COMMUNITY FORESTRY**

**PROGRAM** - The Urban and Community Forestry Program (UCF) works to empower New Mexico communities to develop and sustain healthy community forests for the benefit of current and future citizens of the state and the environment. In 2015, the UCF Strategic Plan was updated to focus Forestry’s and the New Mexico Urban Forest Council’s efforts toward accomplishing this mission.

The UCF Program continued to strengthen and maintain the number of communities managing or developing programs to plant, protect, and maintain their urban and community trees and forests. Fifty-eight percent of New Mexico’s population live in a community either fully managing an urban/community forest program or developing one. Throughout the state, 70 communities have active local advocacy or advisory organizations for planting, protection and maintenance of urban and community trees and forests. Eleven communities were recognized for the national Tree City USA program in 2015, including Roswell, which celebrated its 25th anniversary as a Tree City USA.

Community Forestry Assistance funds totaling over \$137,000 were administered this year to support

training, inventories, management programs, and establishment of demonstration urban forest sites. Technical assistance included presentations to city councils in support of urban forestry programs and training, as well as providing resources to address community forest health issues.

Statewide, more than 1,500 volunteer hours were logged in support of urban forestry initiatives in 2015. Forestry also served as a partner to USFS Region 3 in its 25<sup>th</sup> Anniversary of Cooperative Forestry Celebration Facebook Challenge, which challenged 40 communities/organizations across New Mexico to “Grow a Healthier Community.” Each participating community received \$500 to support their urban forestry programs.

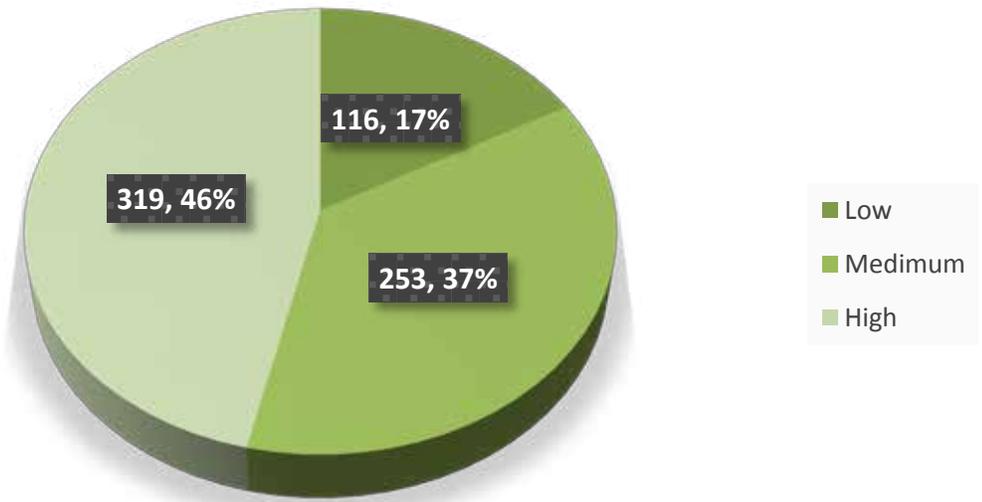
The New Mexico Forest Re-Leaf Program provides public education on tree planting and care, and provides funds for tree planting for conservation purposes, educational outreach, windbreak establishment and general aesthetic enhancement. Re-Leaf grants are funded completely through corporate and private donors. Since 1990, more than \$670,000 has been distributed to New Mexico communities to plant over 19,000 trees and shrubs. Eligible applicants include schools, municipalities, or local non-profit organizations.



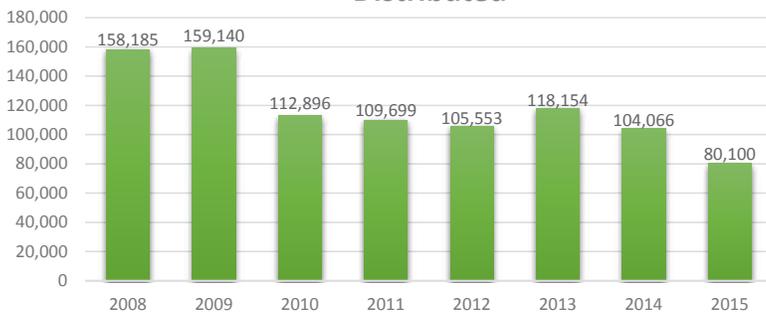
## 2015 COMMUNITIES AT RISK CHART:

The New Mexico Communities at Risk Report for 2015 lists 688 communities across the state and ranks them regarding the risk they potentially face from wildfire.

## Communities At Risk Statewide Totals



## Conservation Seedling Program - Total Trees Distributed



## 2015 CONSERVATION SEEDLING CHART:

Forestry's Conservation Seedling Program provides landowners the ability to take advantage of fall and spring planting seasons with two distribution periods. With the combined distribution periods, 104,066 tree seedlings were distributed through the program's annual sales, sales at the New Mexico State Fair and through educational donations. More than 5,900 tree seedlings were sold as part of a mine rehabilitation project in Jemez Mountains and 2,450 seedlings were sold to the Philmont Scout Ranch near Cimarron, NM, for forest restoration.

## 2015 RE-LEAF GRANTS:

In 2015, Re-Leaf awarded \$15,715 in grant funding to the communities of Raton, Rio Rancho, Torrance County, and Taos. A well-attended tree planting and care workshop was held, led by Forestry personnel and volunteer tree care professionals.

## New Mexico Forest Re-Leaf

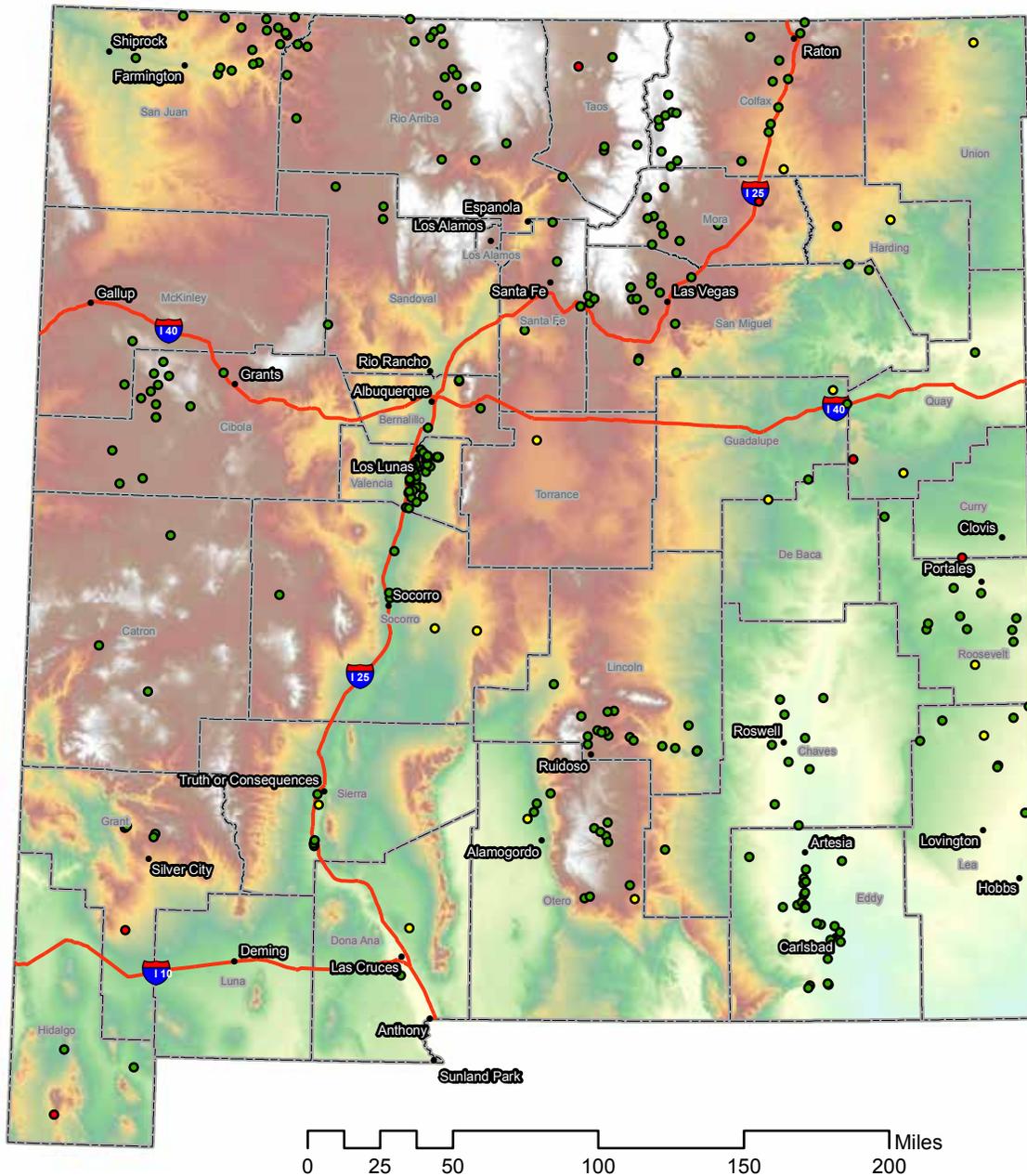


# New Mexico Statistical Fires 2015

Fires on State & Private Lands

July 1, 2014 - June 30, 2015

**FIRE MAPS** - During fire season 2015, 288 fires were reported on state and private land. These fires burned 10,542 acres. The fire maps are on the following pages. The first map indicates the acres burned. The second map indicates the cause of these fires.



T. Howell, Nov. 2015

## Statistical Fires for FY 2015

- 0 - 25 acres
- 25 - 250 acres
- 250 - 6300 acres

Fires on State  
and Private Lands

# Fires

Acres Burned

TOTAL

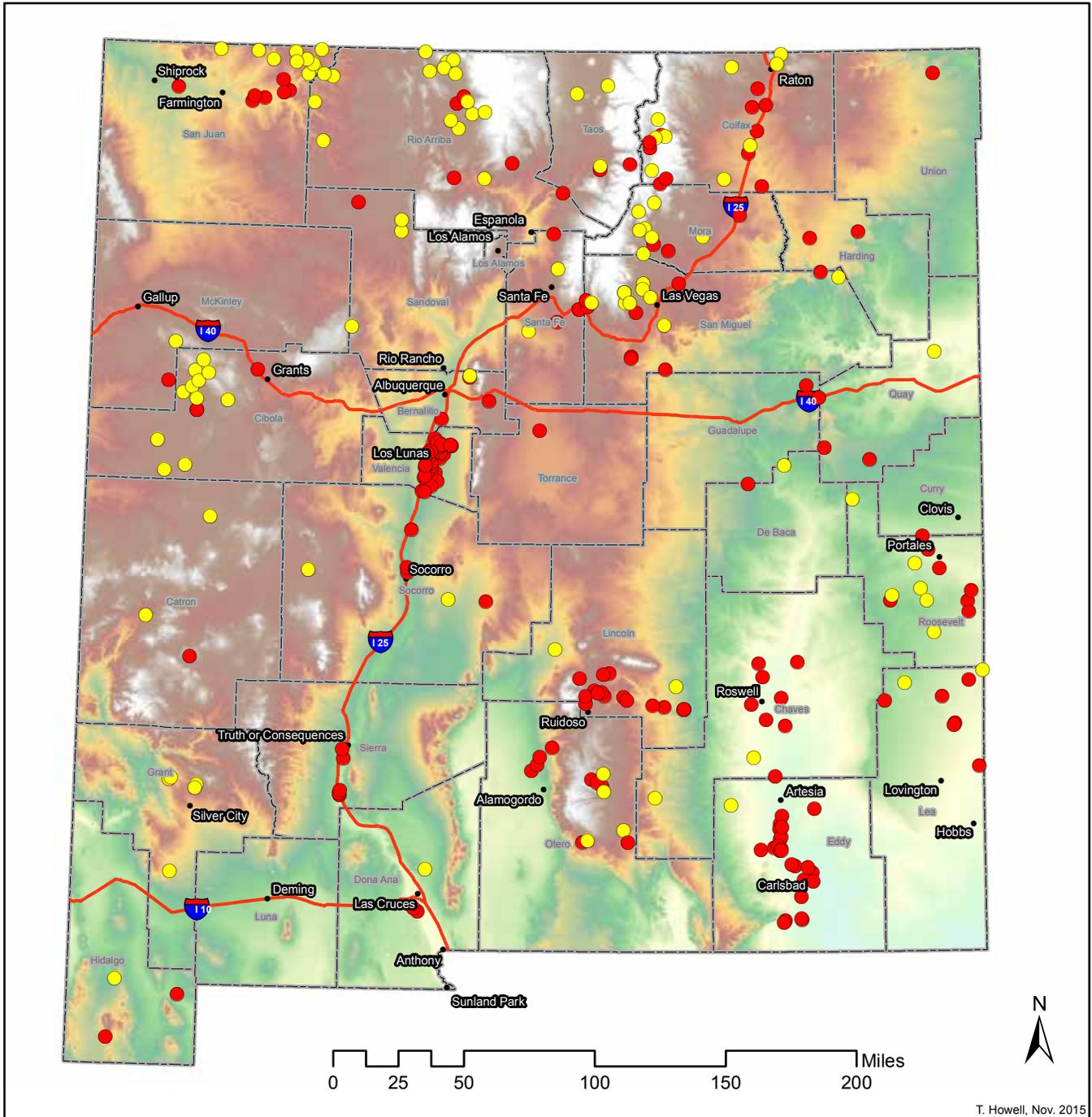
288

10,541.76

# New Mexico Statistical Fires 2015

Fires on State & Private Lands

July 1, 2014 - June 30, 2015



T. Howell, Nov. 2015

## Statistical Fires for FY 2015

- Human
- Lightning

Cause	# Fires	Acres Burned
● Human Caused	185	9,490.84
● Lightning	103	1,050.92
<b>TOTAL</b>	<b>288</b>	<b>10,541.76</b>



# Mining & Minerals Division



# Mining & Minerals Division

► **MISSION:** The Mining and Minerals Division (MMD) seeks to promote the public trust by ensuring the responsible utilization, conservation, reclamation and safeguarding of land and resources affected by mining. MMD strives to make New Mexico a leader in responsible mine operation and reclamation. By statute, MMD enforces and administers laws and regulations relating to mine safety, coal and non-coal surface mine reclamation and abandoned mine lands reclamation, and annually collects statistical information from operators.

## **ABANDONED MINE LAND**

**(AML) PROGRAM** - The AML Program works to identify and abate dangerous abandoned mine areas across the state. MMD estimates that more than 15,000 hazardous mine openings remain un-reclaimed throughout New Mexico.

In 2015, the AML Program completed ten construction projects at abandoned mine sites in New Mexico. Five of these were coal-related projects – the Swastika Mine Reseeding and Mulch Maintenance Project (Colfax County), which reseeded and mulched bare areas at a previously reclaimed coal mine area; the Madrid-Jones Ventilation Shaft Closure Project (Santa Fe County), where a shaft was plugged using polyurethane foam; the Madrid Low Impact Stormwater Construction-Drainage Infrastructure Project (Santa Fe County), where a deteriorated mining-era box culvert was relined to protect property in the community from flooding; and the Rogersville Safeguard and Maintenance Project (Santa Fe County) to backfill a coal mine adit and shaft and to remove sediment at two previously installed bat gates.

The AML Program also responded to an emergency subsidence event at an abandoned underground coal mine in the unincorporated community of Allison, just outside of Gallup, where a large



*Madrid - Slipline pipe being placed in old box culvert*



*Madrid - New box culvert inlet below mine waste pilew*



Allison Mine sinkhole, August 2015

subsidence hole suddenly opened up in the back yards of two adjacent properties in August 2015. A geotechnical investigation was completed to determine the proximal causes of the event and to recommend further measures to be taken.

At non-coal sites, the Program completed five projects. Four of those were at hard rock sites: the San Pedro Mine Safeguard Project – Phase I, which safeguarded 32 mine openings, including nine bat compatible closures; the Cerrillos Central/Bonanza Creek Project – Phase III, where 70 mine openings were safeguarded, ten of which are bat compatible; the Bradley Group Mine Maintenance Project, to repair a vandalized bat gate and plug a subsidence at previously closed features; and the Cookes Peak West Mine Safeguard Project – Phase I, where three openings were safeguarded with bat compatible closures and one by backfilling. The San Pedro and Cerrillos projects are located in parts of Santa Fe County experiencing increased residential and recreational development and the Bradley and Cookes Peak projects in areas of Luna County with increasing recreational use.



San Pedro - Polyurethane foam closure under construction    San Pedro - Completed bat cupola

The other non-coal project site is located at several closely clustered abandoned uranium mines in Poison Canyon outside of Grants. The Grants Uranium Phase III Safeguard and Reclamation Project plugged about 180 uranium prospect boreholes



Cerrillos Phase III - Completed picket fence at mine shaft

and backfilled 14 shafts and 12 subsidence features in Poison Canyon. 17,300 cubic yards of radioactive mine waste was buried at an on-site repository and the disturbed areas graded, seeded and mulched using Bureau of Land Management (BLM) funds.

The AML Program continues to develop projects in areas of New Mexico impacted by historic mining including Silver City, Florida Mountains, Tierra Amarilla, Gallup, Gage, Hansonburg, Lemitar, Madrid, Cookes Peak, and White Signal.



Checking gamma radiation levels at a uranium waste rock removal site in the Grants Phase III project area

The AML Program received national recognition for its exemplary work at the Lake Valley Project site in Sierra County, where 297 mine openings were safeguarded in several phases of construction between 2004 and 2012. Bat compatible closures were used at 69 of the openings to preserve significant bat habitat found in the underground mine workings. Innovative techniques used included toroid tire plugs, where large spent tires from earthmoving equipment are stacked to close openings. The Office of Surface Mining Reclamation and Enforcement presented its 2015 National Abandoned Mine Land Reclamation Award for this project at a ceremony in Santa Fe in September. Additional information on the award may be viewed here: <http://www.emnrd.state.nm.us/MMD/AML/LakeValleyAward.html>.



*Dumping radioactive mine wastes into the Grants Phase III Repository*

The BLM Las Cruces District Office received the Mining and Minerals Division 2015 Excellence in Reclamation Award for its efforts to reclaim abandoned mines in the Cerrillos, Lemitar, and Florida Mountains mining districts, and for its ongoing work to inventory abandoned mines throughout New Mexico. Additional information may be viewed here: <http://www.emnrd.state.nm.us/MMD/documents/ExcellenceinReclamationAward.pdf>. BLM remains a strong AML partner, providing funding for abandoned hard rock and uranium mine reclamation that supplements AML's regular annual grants received from the federal Office of Surface Mining, a portion of which is earmarked for work at abandoned coal mining sites.

### **COAL MINE RECLAMATION PROGRAM -**

The Coal Program regulates, inspects and enforces on all coal mines on federal, state and private lands within New Mexico, with the exception of Tribal lands. The program oversees more than 85,000 acres of permitted mine lands and nearly \$500 million in financial assurance.

Evaluation of bond release applications continues to be a significant part of the workload for the Coal Program. Peabody Energy received Phase I bond release on a portion of the Lee Ranch Mine upon successful completion of backfilling and grading of 730 acres of pit reclamation. Applications for partial bond release for 1,056 acres at La Plata Mine, and for full bond release for portions of San Juan Mine totaling 1,193 acres, are also being processed.

Chevron Mining Inc. is requesting a completeness review of an application for partial bond release on 1,504 acres at McKinley Mine; inspection of the reclamation will occur in the spring of 2016.

Transitions in New Mexico coal mine ownership are underway. BHP Billiton has agreed to sell San Juan Coal Company to Westmoreland Coal Company, headquartered in Denver. Peabody Energy has agreed to sell the Lee Ranch and El Segundo surface mines to Bowie Resource Partners of Louisville, Kentucky. Bowie, with coastal loadout facilities in California, hopes to supply New Mexico coal to an overseas market.

These online resources provide more information on the Coal Mine Reclamation Program:

<http://www.emnrd.state.nm.us/MMD/CMRP/cmnp-main.html>, and <http://wwwapps.emnrd.state.nm.us/MMD/CoalMinesQuery/default.aspx>.

### **MINE REGISTRATION, REPORTING & SAFEGUARDING PROGRAM**

- This program provides comprehensive information on mineral resources, mine registration, reclamation and safeguarding efforts, legislation, and other MMD activities related to New Mexico's mineral extraction industry and mineral resources. Decision-makers throughout New Mexico benefit from the valuable information compiled and disseminated through this program. Mining sector information reported by operators for calendar year 2014 is provided in the Mineral Resources section of this report.

To facilitate information dissemination and outreach, the MMD Online Mine Registrations and Permits web application provides data for all New Mexico mines (except coal, which has its own search feature accessible from the same page). Users can search by multiple different parameters, or a multitude of combinations of parameters, including mine name, operator, commodity, location and dates. (By statute, confidential production information is not made public.) All real time query results are exportable to Excel spreadsheets containing as many as 30 fields of information, or to KML (Keyhole Markup Language) to display geographic data in an Earth browser. Additional web applications are linked from the GIS, Maps and Mine Data page including Active Mines

Web Map and a Map Gallery - <http://www.emnrd.state.nm.us/MMD/gismapminedata.html>. Other pages of MMD's website, [www.NMMines.com](http://www.NMMines.com), provide information about abandoned mine safeguarding projects and current and proposed mining operations. Projects can be tracked by status or county, and project documents are downloadable from various pages within the website. Another public outreach component celebrates operators who performed outstanding reclamation in New Mexico. Annually, a nomination period is announced, then MMD staff selects worthy recipients for the Excellence in Reclamation Award which is presented at the New Mexico Mining Association's convention. Read about 2015's award in the Abandoned Mine Land Program section of this report.

## **MINING ACT RECLAMATION PROGRAM**

**(MARP)** - MARP regulates, inspects and enforces on all hard rock or mineral mines on federal, state and private lands within New Mexico. MARP oversees the reclamation of all exploration and extraction activities conducted at all mines and mills, excluding coal, potash and aggregate mines. MARP has permitted approximately 563 mining and exploration projects encompassing over \$693.6 million in financial assurance. The overall disturbed acreage under permit with MARP is 26,130 acres as of the end of 2014. The total number of acres reclaimed since 1994, when the program was started, is 6,961 acres as of the end of 2014.

Interest in gold mining dropped in 2015 with the closure and bankruptcy of Santa Fe Gold Corp., operator of one of two operating gold mines in the Steeple Rock Mining District in Grant County. The mining of iron, gold, garnet, rare earth elements, and copper in Otero County's Orogrande Mining District continued during 2015 with the ongoing operation of existing mines and implementation of several new exploration projects. Interest in expanding an existing garnet mine in the Orogrande Mining District is developing. Expansion of the existing BOW Mine along with the development of a new mill was proposed in 2015.

In early 2014, the legislature provided for changing the language in the New Mexico Mining Act Rules ("Rules") eliminating the prohibition on more than one financial assurance release per operation per

year, and a petition was subsequently submitted to the New Mexico Mining Commission ("Commission") requesting that rule change. The Commission approved the removal of that language and now there is no cap on the number of financial assurance releases per operation per year, effective July 15, 2015.

In June 2014, Chevron Mining Inc. made the decision to permanently close the Questa Mine in Taos County, a Superfund site. Chevron Mining Inc. initiated reclamation of the Questa Mine in late 2014 with the partial demolition of the mill area and closure of the underground mine. Reclamation and remediation continue in 2015 with further demolition of the mill area, construction of a water treatment plant, removal and disposal of old tailings, and remediation of Eagle Rock Lake. Reclamation will continue for a number of years as plans are approved and then implemented to reclaim the tailings area and the mine/mill area. Three agencies (MMD, New Mexico Environment Department and the Environmental Protection Agency) are working with Chevron to develop reclamation plans and agreements following the federal CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) process.

Permitting of revised closeout plans and expansions at the state's four largest copper mines in Grant County continued in 2015. A number of major permitting actions were initiated in 2015 and more will come in 2016. Even with cutbacks and layoffs, Freeport McMoran is expanding at three of its New Mexico operations. All permitting actions at three of the mines, Little Rock, Chino, and Continental, have to do with expanding the mining operations. As these existing mines expand they must comply with new regulatory standards designed to address new mining impacts.

Also this year, MARP staff continued the review process of two large-scale, Part 6 (New Mining Operations) permit applications – one uranium mine: the Roca Honda, and one copper mine: the Copper Flat Mine. As interest in uranium mining has tapered off, permitting actions related to earlier applications have also tapered off. The Mt. Taylor Mine, an existing uranium mine in Cibola County, has been on standby status since the inception of

the Mining Act in 1993, but recently applied to come off standby. Some of the local non-governmental organizations have opposed any permitting action for the Mt. Taylor Mine, other than reclamation.

These online resources provide more program information: [MARP Annual Report](#) to the New Mexico Mining Commission, the [Pending Permit Activities](#) web page, and queries of [MMD Online](#).

**MINERAL RESOURCES: EMPLOYMENT, PRODUCTION & VALUE** - For the third consecutive year, operators reported an all-time high mineral production value – more than \$3.1 billion worth of minerals were extracted from New Mexico mining operations in calendar year 2014, almost ten percent over 2013's total (Table 1 and Figure 1). Operator-reported potash production value increased almost 20 percent from 2013, and copper production value increased 20 percent. These two commodities accounted for the lion's share of the production value increase.



Coal



Copper



Gold



Potash



Uranium

**TABLE 1 New Mexico Summary of Commodity Production, Production Value, Employment, Payroll, Revenue and Ranking: 2014**

Mineral	Production <sup>1</sup>	Production Rank <sup>2</sup>	Production Value \$	Employment <sup>3</sup>	Reclamation Employment	Payroll \$ <sup>4</sup>	Revenue Generated \$ <sup>5</sup>	
							State	Federal
Coal	21,730,572	12	\$ 757,312,996	1,436	148	\$ 84,557,320	\$ 19,400,137	\$ 8,033,183
Copper	343,292,033	3	\$ 1,071,057,411	1,842	36	\$ 110,877,438	\$ 8,785,019	\$ -
Gold <sup>6</sup>	8,580	-	\$ 10,858,944	-	-	\$ -	\$ 62,924	\$ -
Industrial Minerals <sup>7</sup>	1,199,137	-	\$ 77,800,389	472	14	\$ 17,609,605	\$ 1,030,231	\$ 316,161
Aggregates <sup>8</sup>	11,339,585	-	\$ 93,439,942	830	55	\$ 15,851,577	\$ 3,529,457	\$ -
Other Metals	71,352	-	\$ 982,217	26	-	\$ 1,308,156	\$ 4,429,933	\$ -
Molybdenum	13,183	-	\$ 150,194	431	30	\$ 13,017,482	\$ -	\$ -
Potash	2,130,352	1	\$ 1,093,208,523	1,078	33	\$ 97,754,429	\$ 7,067,326	\$ 10,843,943
Silver	22,617	-	\$ 431,333	-	-	\$ -	\$ 2,912	\$ -
Uranium <sup>9</sup>	-	-	\$ -	30	8	\$ 597,941	\$ -	\$ -
<b>TOTAL</b>			<b>\$ 3,105,241,950</b>	<b>6,145</b>	<b>324</b>	<b>\$ 341,573,947</b>	<b>\$ 44,307,940</b>	<b>\$19,193,287</b>

Source: Mining and Minerals Division, unless otherwise noted

<sup>1</sup> Production is in short tons for coal, industrial minerals, aggregates, other metals and potash; in pounds for copper and molybdenum; and in troy ounces for gold and silver.

<sup>2</sup> Production rank, where available, is based on 2014 production value (except coal is based on 2013 coal production value, latest available at publication date) in relation to other U.S. states.

Sources: Metals, potash, industrial minerals and aggregates: Mineral Resources Program, United States Geological Survey ([minerals.er.usgs.gov](http://minerals.er.usgs.gov))

Coal: Energy Information Administration, United States Department of Energy ([www.eia.gov/coal](http://www.eia.gov/coal)); rank is for CY2013, latest available data

<sup>3</sup> Employment category includes direct and contract employees.

<sup>4</sup> Payroll does not include benefits.

<sup>5</sup> State revenue includes state trust land mineral lease royalties, rentals and bonuses; and severance, resource excise and conservation tax revenues.

Federal revenue includes 50% state share of federal royalties.

Sources: State data: New Mexico Taxation and Revenue Department ([www.state.nm.us/tax](http://www.state.nm.us/tax)), New Mexico State Land Office ([www.nmstatelands.org](http://www.nmstatelands.org))

Federal data: Office of Natural Resources Revenue ([www.onnr.gov](http://www.onnr.gov))

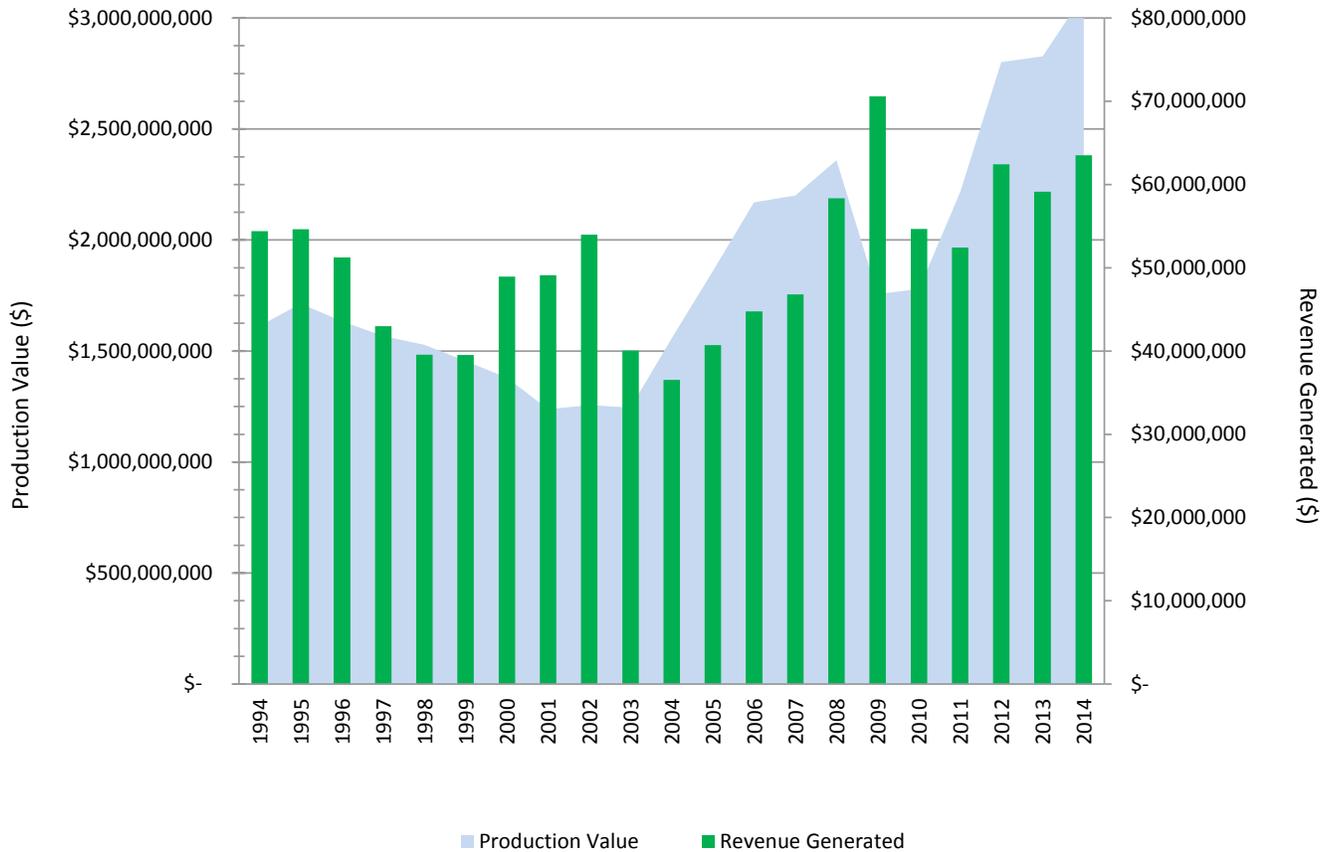
<sup>6</sup> Gold, silver and molybdenum are by-products of copper production. Employment/payroll for gold/silver included in copper.

<sup>7</sup> Category includes brick clay, calcite, dimension stone, gypsum, humate, perlite, Portland cement, pumice, salt, silica, and zeolite.

<sup>8</sup> Category includes base course, caliche, clay and shale, crushed rock, flagstone, fill dirt, gravel, limestone, red dog, rip-rap, sand, scoria and topsoil.

<sup>9</sup> Employment/payroll numbers are for licensing/permitting at proposed uranium mines, and reclamation activities/maintenance at closed mines and mills.

**FIGURE 1 New Mexico Mineral Production Value and Revenue Generated: 1994-2014**



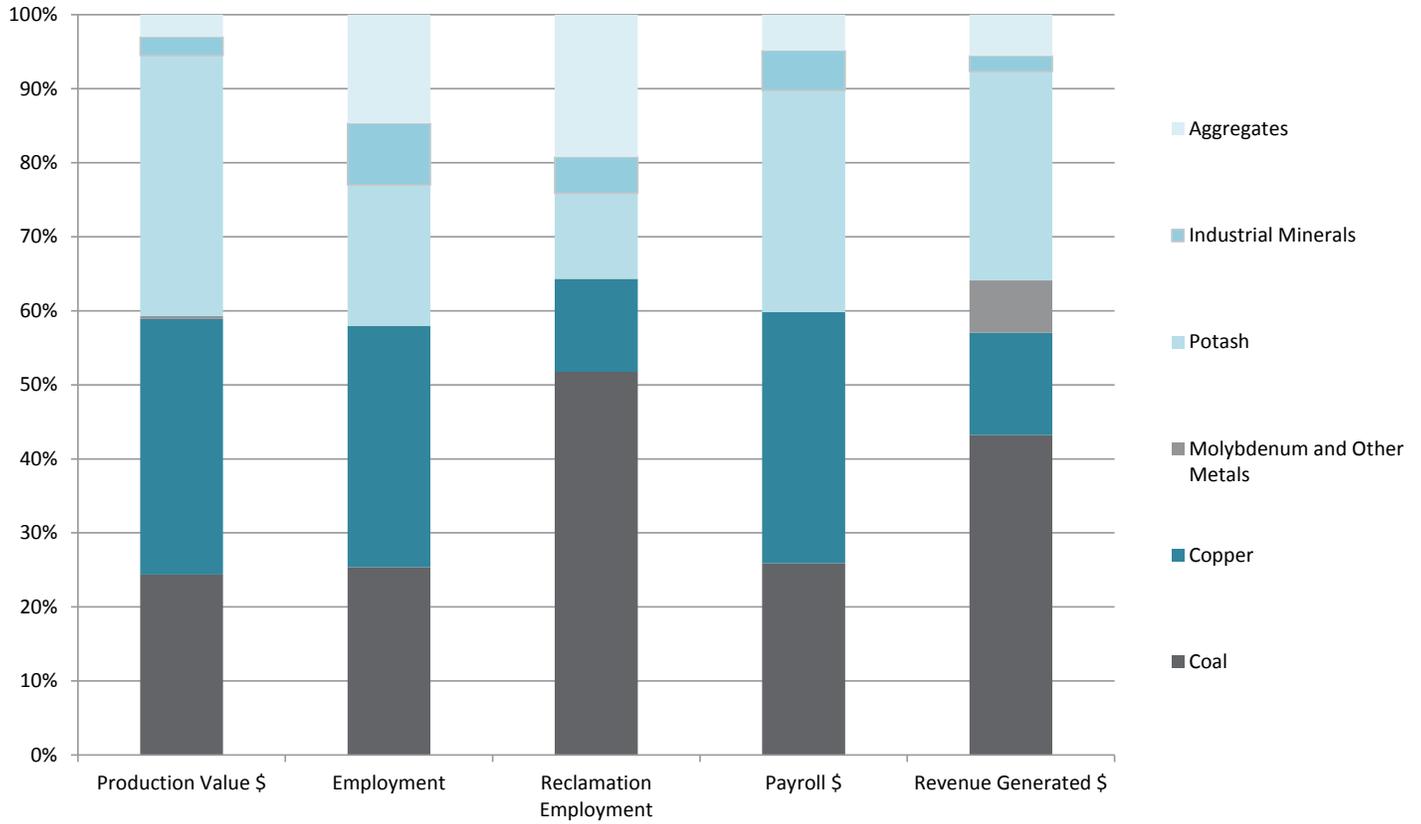
New Mexico remains a leading United States mineral producer with 2014 rankings of first in potash, perlite and zeolite as reported by the U.S. Geological Survey (“USGS”); third in copper, as reported by USGS; and twelfth in coal (2013, latest available information), as reported by the U.S. Energy Information Administration. The principal minerals, in descending order of 2014 production value, were potash, copper and coal. According to USGS, for 2014 (preliminary), New Mexico ranked thirteenth when ranking states by the production value of non-energy minerals, producing 2.40 percent of the total U.S. production value of non-energy minerals (up from 2.07 percent in 2013).

Total 2014 revenues generated by mineral production in New Mexico increased by over seven percent from 2013 levels to \$63.5 million (**Figure 1**). This is the second highest revenue total after 2009’s \$70 million total. State revenue information is provided by the Taxation and Revenue Department and the State Land Office and includes state trust land mineral lease royalties, rentals and bonuses

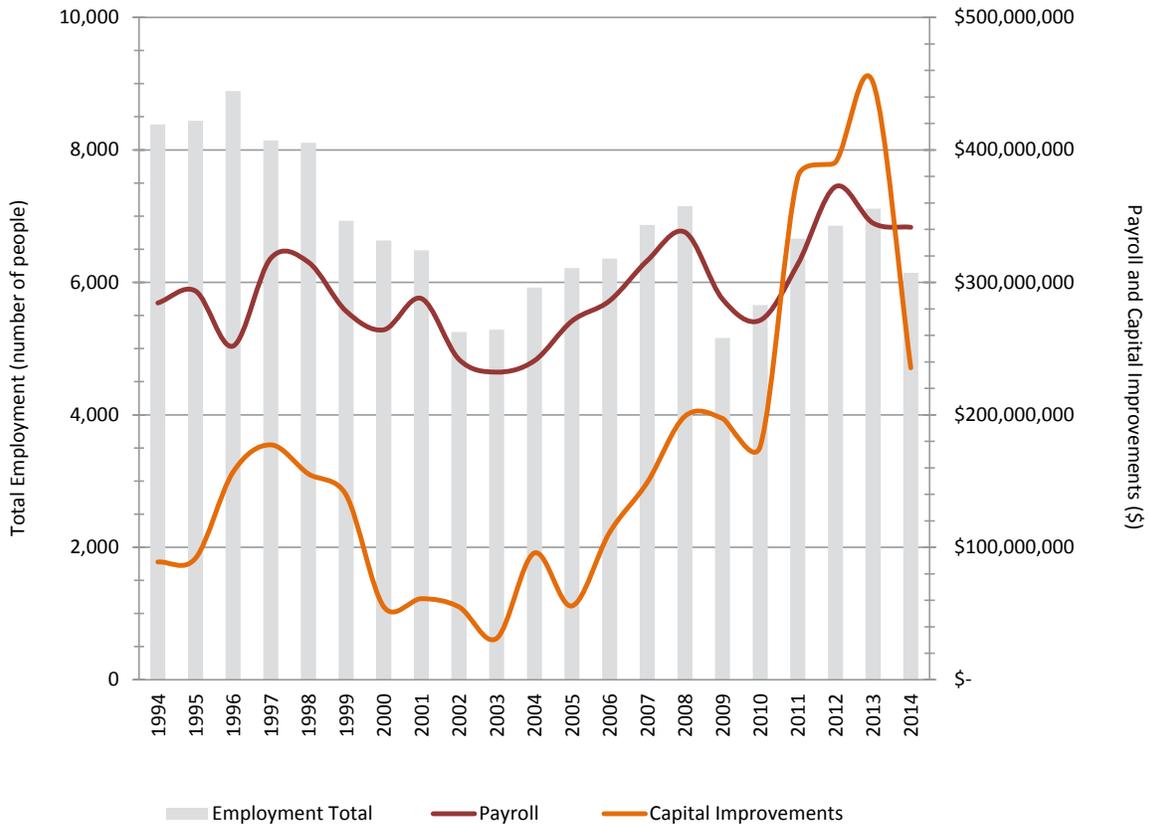
and associated taxes. Federal revenue information is provided by the Department of Interior’s Office of Natural Resources Revenue and includes a 50 percent state share of federal royalties. In any production year, these revenues only accrue if the lessee is actually mining and producing commodities on federal or state land.

Copper was the largest employer in New Mexico’s mining industry, followed by coal and potash operations (**Figure 2**). Despite an overall employment decrease in 2014, reported industry payroll (excluding benefits) fell off less than one percent from 2013 to just under \$342 million (**Figure 3**). Total mining sector direct and contract employment decreased by 13 percent from 2013 (7,112) to 2014 (6,145): direct employment decreased from 5,806 to 5,055 employees; contract employment decreased from 1,306 workers to 1,090; reclamation employment decreased from 416 workers to 324 (**Figure 4**).

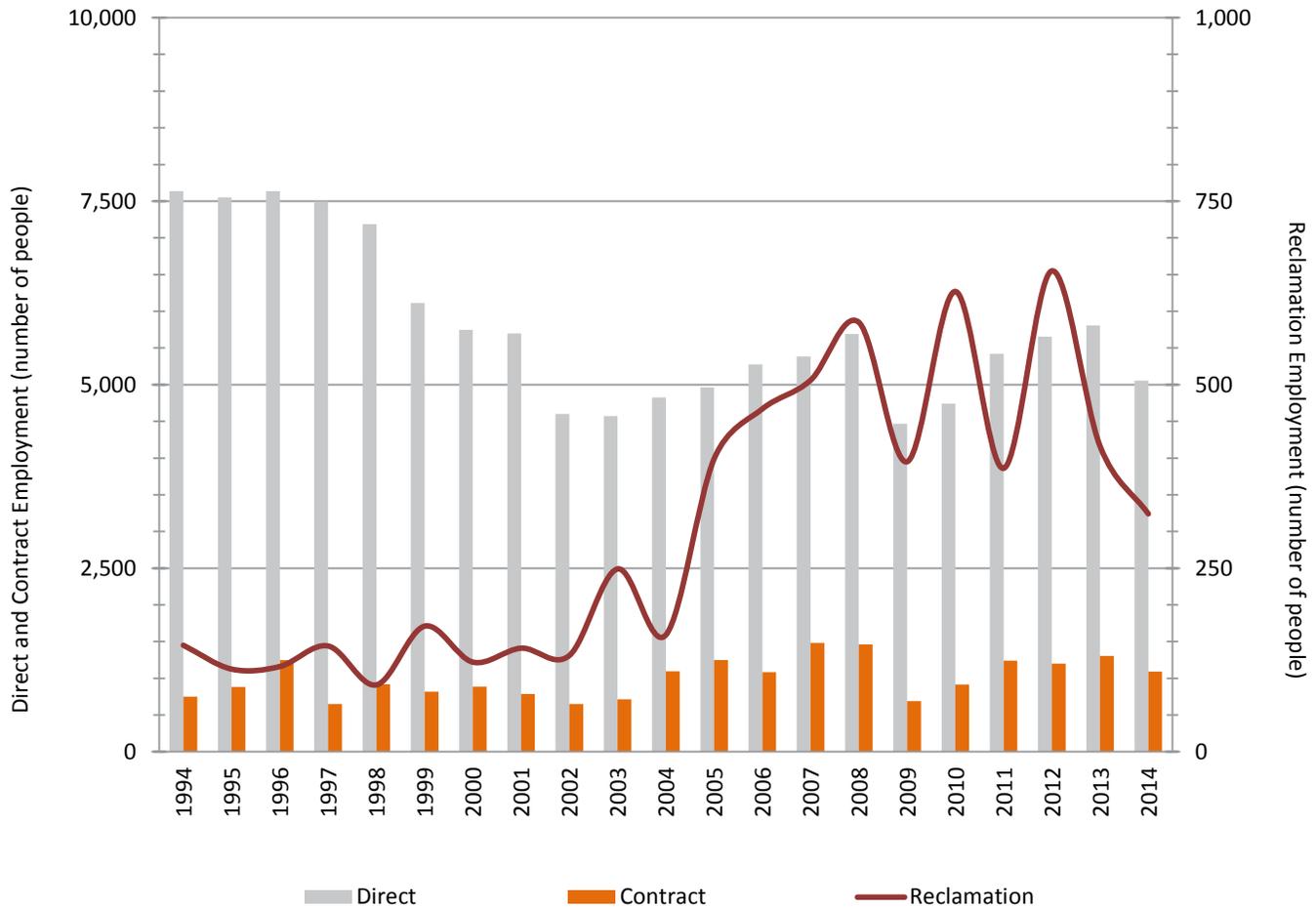
**FIGURE 2 Percentage of Production Value, Employment, Payroll and Revenue by Commodity: 2014**



**FIGURE 3 New Mexico Mineral Industry Employment, Payroll and Capital Improvements: 1994-2014**



**FIGURE 4 New Mexico Mineral Industry Employment: 1994-2014**

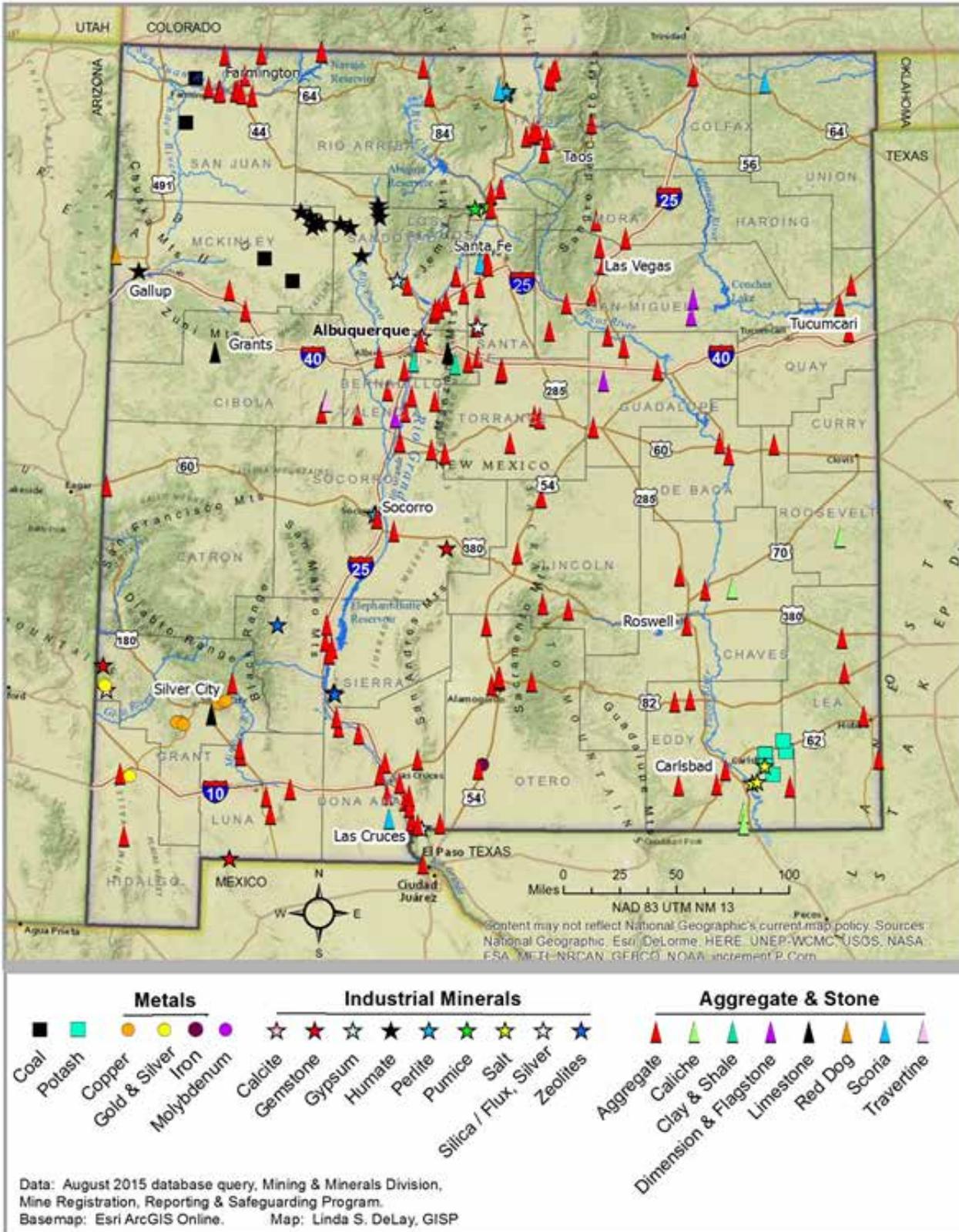


Capital improvement expenditures reported by operators dropped off significantly from 2013's high of \$450 million due largely to the completion of projects in potash and copper country. New Mexico mining companies reported investments of just over \$235 million in capital improvements and equipment in 2014 (**Figure 3**) – still the fourth highest annual amount reported.

Registered active mining operations in New Mexico in 2014 numbered 226: four coal mines; eight potash operations (includes mines, refineries and compaction plants); 11 metal mine, mill and SX/EW operations; 33 industrial mineral mines and mills; and 170 stone and aggregate operations (**Figure 5** – any discrepancies are due to map data run date).

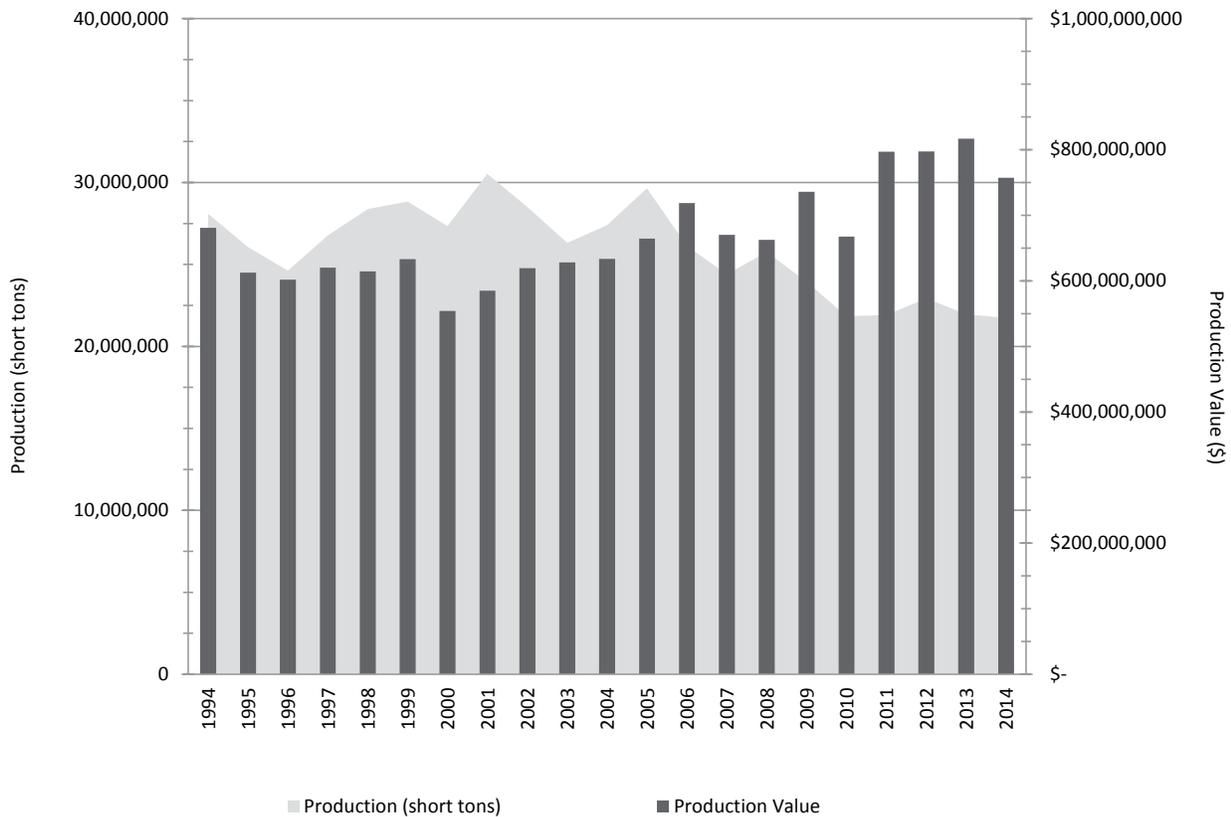
Figure 5

## Active Mines in New Mexico, December 2014

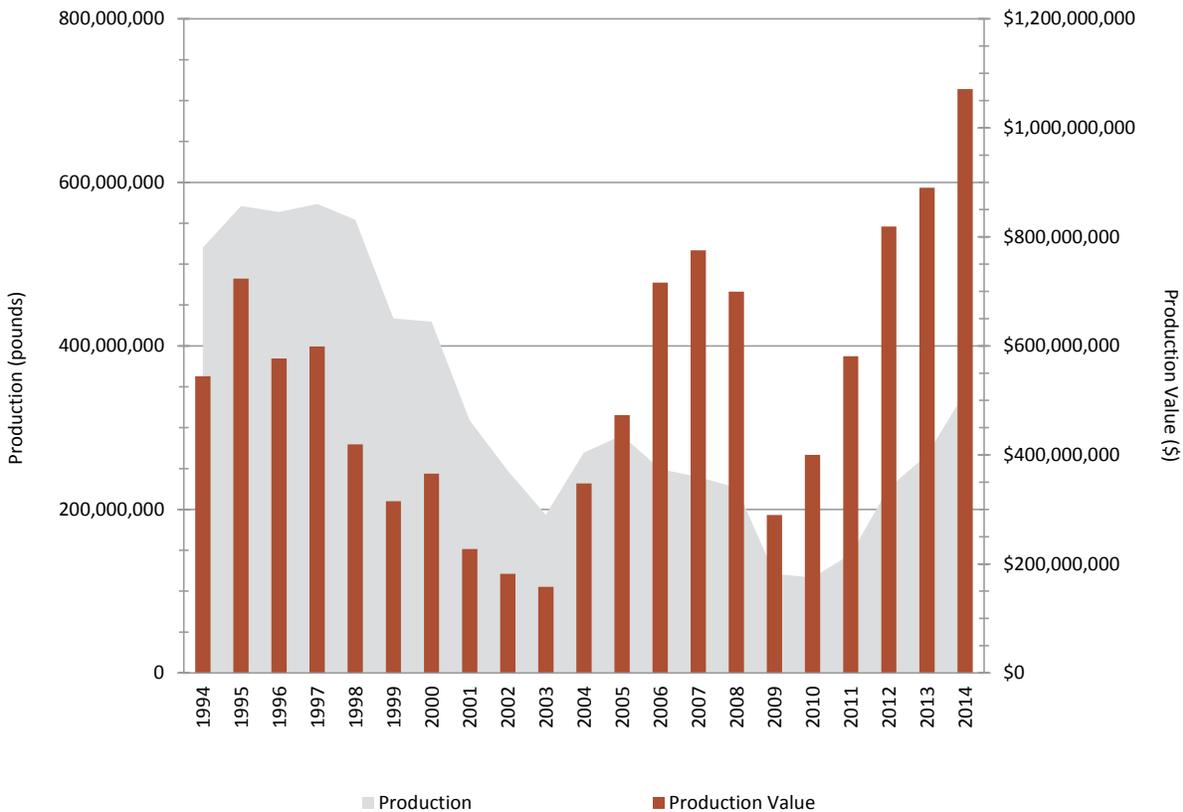


Figures 6 through 10 provide multi-year production amounts and dollar values for coal, copper, potash, aggregate (base course, caliche, clay and shale, crushed rock, flagstone, fill dirt, gravel, limestone, red dog, rip-rap, sand, scoria and topsoil), and industrial minerals (brick clay, calcite, dimension stone, gypsum, humate, perlite, Portland cement, pumice, salt, silica, and zeolite), respectively.

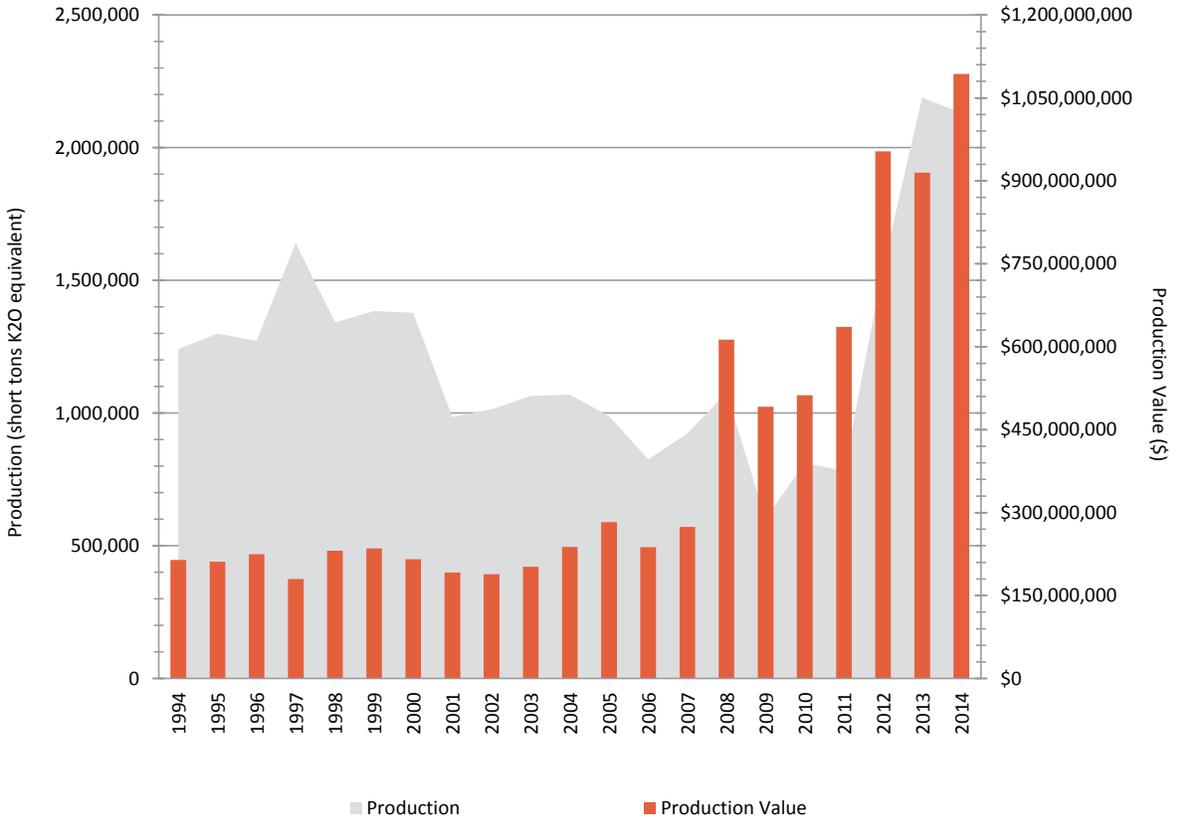
**FIGURE 6 New Mexico Coal Production and Value: 1994-2014**



**FIGURE 7 New Mexico Copper Production and Value: 1994-2014**

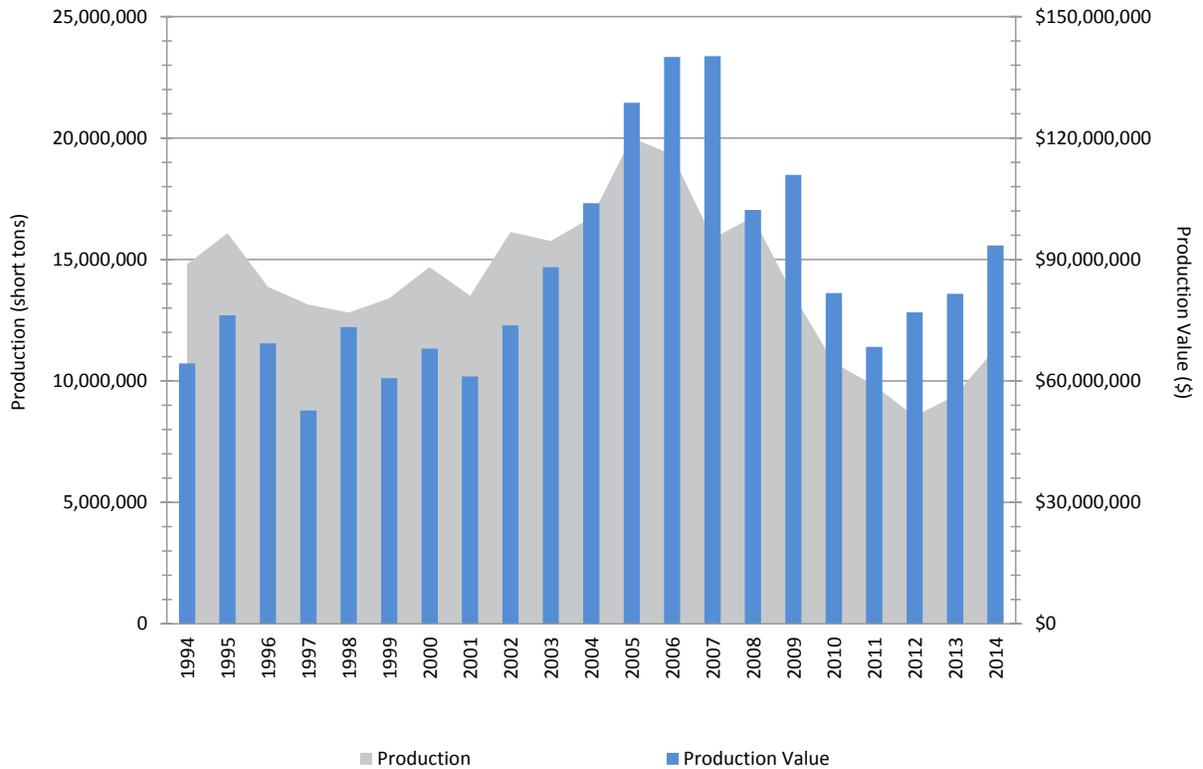


**FIGURE 8 New Mexico Potash Production and Value: 1994-2014**



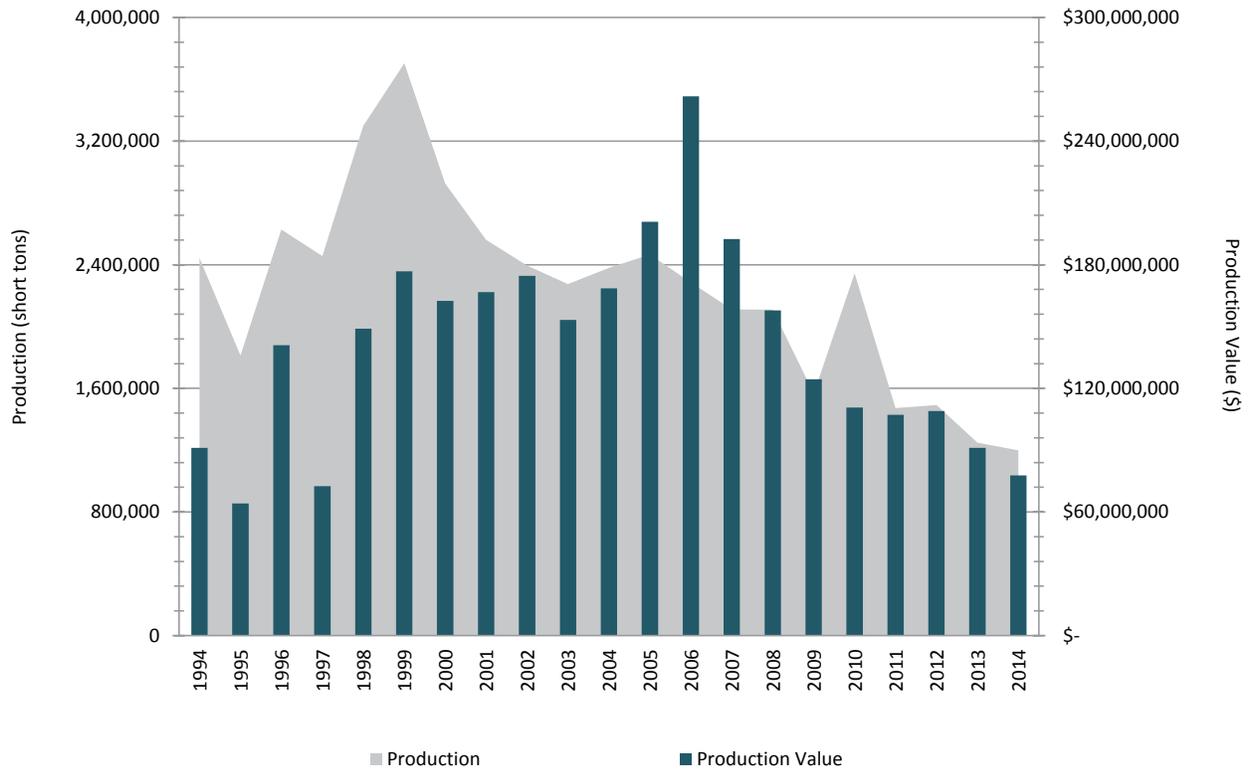
**FIGURE 9 New Mexico Aggregate Production and Value: 1994-2014**

Aggregate includes base course, caliche, clay and shale, crushed rock, flagstone, fill dirt, gravel, limestone, red dog, rip-rap, sand, scoria and topsoil



**FIGURE 10 New Mexico Industrial Mineral Production and Value: 1994-2014**

Industrial minerals include brick clay, calcite, dimension stone, gypsum, humate, perlite, Portland cement, pumice, salt, silica, and zeolite





# Energy Conservation & Management Division



# Energy Conservation & Management Division

► **MISSION:** The Energy Conservation and Management Division (ECMD) develops and implements effective clean energy programs - renewable energy, energy efficiency, alternative fuels, and safe transportation of radioactive waste - to promote economic growth, environmental sustainability, and wise stewardship of our natural resources while protecting public health and safety for New Mexico and its citizens.

**PROGRAMS** - ECMD programs are implemented through a combination of system certifications, clean energy projects, and public outreach. Diverse stakeholders participate in focused working groups to address rapidly changing themes in clean energy. Through these efforts, ECMD encourages public and private organizations to use energy more efficiently, more economically, and with less dependence on foreign sources. Benefits to New Mexico include economic development, modern infrastructure, strength through diversity and job creation.

## Accomplishments

The **Solar Market Development Tax Credit** program was designed to help New Mexicans



purchase solar photovoltaic (PV) and solar thermal systems for their residences or small businesses. This program helps reduce energy costs and provides stimulus to the solar energy industry in the state. In 2015, PV tax credits will be fully subscribed to the level of \$3 million of benefits to the residents of the state. This is the fourth year the program has been fully subscribed. With more applications



than available tax credits, a significant number of applications roll over to the 2016 tax credit allotment.

In the 12-month period through October 2015, based on solar tax credit applications received by ECMD, solar development by homeowners occurred in 28 of 33 counties – adding another six counties where solar systems are being deployed. A total of 1,087 system certification applications were received, reviewed, and processed (1079 PV, eight thermal). Most 2015 PV installations were located in Bernalillo (343), Doña Ana (206), Santa Fe (194), Sandoval (119), Grant (38), Otero (31), Valencia (27), Taos (21), Rio Arriba (17) and San Miguel (14) counties. All combined, this year’s PV systems account for 7.1 megawatts (MW) of new electricity capacity. These distributed solar systems help utility companies and cooperatives meet the State Renewable Portfolio Standard, avoid fossil fuel generation costs, emissions, and fuel charges, and lower system owners’ utility bills. During the last 12 months, a total of \$2.5 million was approved for state tax credits to homeowners who paid \$6.8 million in labor charges to install their solar systems.

New Mexico's solar resource, with the high elevation and clear skies, is one of the best in the United States. By generating electricity with the sun, less coal and natural gas are burned. Solar panels also reduce the risk of higher electricity costs on New Mexico citizens due to volatile fossil fuel prices and cost of pollution.



1 MW Solar Power Parking Lot at the Walmart Parking Lot in Truth or Consequences (Photo Credit: M. Gaiser)

The **Renewable Energy Production Tax Credit (REPTC)** supports utility-scale wind, biomass, and solar projects that, in turn, assist utility companies in meeting the Renewable Portfolio Standard. Through the REPTC program, there are currently 809 MW of wind and 238.5 MW of solar-generating electricity in New Mexico, which have created approximately \$2 billion in construction activity within the last ten years. While the allocation of the available tax credits (each tax credit lasting 10 years) was reached in 2012, 15 applications for solar power plants and three for wind turbine facilities were received, reviewed, processed and placed on the waiting list by ECMD in 2015. Projects now on the REPTC waiting list represent potential new development of 993 MW in wind and 738 MW in solar power, representing over \$3 billion in construction activity for rural communities.

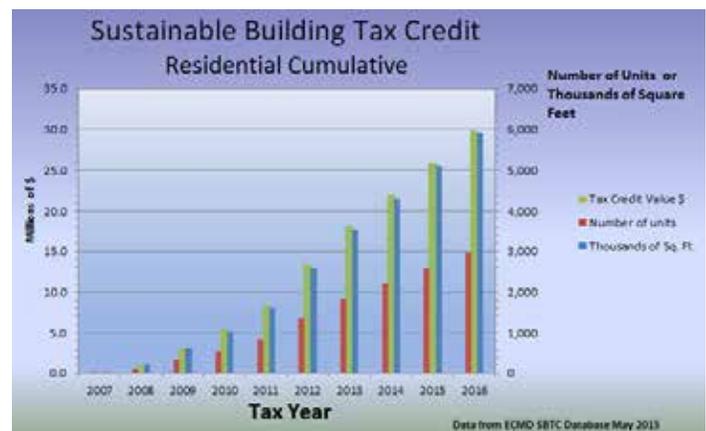
Although most renewable energy projects take advantage of the REPTC for ten years, these utility scale projects provide a steady source of revenue for the next 30 years to the New Mexico State Land Trust. The direct revenue supports the trust beneficiaries and education in New Mexico through the leasing of public lands for wind, solar, geothermal power plants, and electric transmission infrastructure. Private landowners also realize significant revenues from the lease of their lands.

**Green building**, also called sustainable building

and high performance building, is the term given to a set of emerging practices in the design and construction of new and renovated buildings. Green building strives to balance economic needs and environmental impact with human health and comfort. This is sometimes referred to as the People, Planet and Profit triad, or triple bottom line.

The **Sustainable Building Tax Credit** incentivizes private sector design and construction of energy efficient, sustainable buildings for commercial and residential use. In the 12-month period through October 2015, ECMD received, reviewed, and processed two commercial buildings of 197,062 square feet and 134 multifamily housing units of 159,691 square feet. ECMD was unable to process additional manufactured and single-family home applications, as allocations for those categories were completely taken through 2016. A new ten-year Sustainable Building Tax Credit program, which will be in effect from 2017 through 2026, passed the Legislature and was signed into law by Governor Martinez in 2015. The construction of these new homes and commercial buildings that meet green building standards have provided jobs in 20 counties.

Minimization of building energy use is a major factor in the design of sustainable buildings. ECMD is concerned with the optimal use of energy resources to meet our needs while simultaneously cutting carbon emissions. That's why the Sustainable Building Tax Credit has proved itself to help builders and homebuyers alike meet their objectives, while at the same time spurring economic growth, creating jobs and improving the quality of housing across the state. Other benefits of the tax credit program:





Casitas de Colores, a multi-family development in downtown Albuquerque that received sustainable building tax credits. (Photo Credit: K. Hughes)

- Creates a green building infrastructure, generating expertise and green-collar jobs, ultimately reducing the cost of green products and technologies
- Reduces energy consumption, helping to offset the impact of energy prices
- Reduces New Mexico’s greenhouse gas emissions and delays the need to build costly new electric power plants
- Provides healthy and comfortable buildings that improve quality of life for the occupants
- Benefits lower-income New Mexicans by creating high quality, affordable, energy efficient homes that reduce utility bills
- Conserves precious water resources in buildings and in power generation
- Places New Mexico as a leader in green building

The **Geothermal Ground-Coupled Heat Pump Tax Credit**, in effect since 2010, helps make this system type more affordable for homeowners and commercial building owners. In the 12-month period through October 2015, there were a total of 77 applications received, reviewed, and processed. This activity took place in the counties of Doña Ana (64 systems), Otero (3), Roosevelt (2), Santa Fe (2), Bernalillo (1), Chaves (1), Curry (1), De Baca (1), and Sierra (1). The \$596,925 in tax credit support of this technology has created construction activity of more than \$2.1 million in the past year. There are additional incentives available for customers of Roosevelt County Electric Cooperative through its Thermal Energy Service Program.

The **Energy Efficiency Working Group** provides a forum to exchange ideas on the latest in policies, technologies and financing that advance clean energy applications. Topics covered during nine meetings hosted by ECMD throughout 2015 included the economic impact of rooftop solar; bus rapid transit; bridging the clean energy divide; Sustainable Building Tax Credit Program; trends in clean energy; retrofitting streets and corridors; clean energy small business assistance and collaborative research; New Mexico’s Energy Policy & Implementation Plan; and McKinley County’s performance contracting program.

The **Renewable Energy Storage Working Group** combines diverse stakeholders to investigate energy storage technologies, policies, planning and practices for application in New Mexico. Participants include representatives from the private and non-profit sectors, higher education, government (federal, state and tribal), electric utilities and cooperatives. Formed in 2013, the group identifies options for New Mexico to encourage energy storage. The group provided a written report containing eight options to the New Mexico Legislature and continues to investigate the topic of energy storage. In 2015, participants explored energy storage values to our electric system, examined the energy storage items within the Governor’s 2015 energy policy, and heard from the developer team aiming to install a large-scale energy storage with solar PV system in Valencia County. All presentations and materials for the group are available [online](#).

The **Waste Isolation Pilot Plant Working Group** ensures the safe and uneventful transportation of transuranic waste in New Mexico. Led by ECMD, the working group includes participants from the Department of Homeland Security and Emergency Management, the Department of Public Safety, the Department of Health, the New Mexico Environment Department and the State Fire Marshal's Office. During the past year, the group collaborated with the Department of Energy's Carlsbad Field Office and Los Alamos National Laboratory (LANL) to continue the removal of transuranic waste from LANL up until the February 2014 shutdown of WIPP. The group continues to work to improve safety measures despite the 2014 events.

**Energy Efficiency** - New Mexico ranked 31<sup>st</sup> in the 2015 ACEEE State Energy Efficiency Scorecard, down from 25<sup>th</sup> in 2014. The lower ranking is due to several factors including the state not setting appliance standards beyond those required by the federal government; no policies to encourage combined heat and power production; no specific policies to encourage efficient transportation systems; no energy efficiency resource standard for natural gas utilities; and, an absence of recent building energy code updates. However, the state anticipates higher energy savings in 2016 from greater levels of investment in energy efficiency measures by utility programs as well as greater use of performance contracting by state and local governments.

ECMD staff supported Albuquerque Public School (APS) District's energy efficiency efforts with leadership and participation on the APS Water and Energy Conservation Committee. It launched the following energy and water efficiency policy:

"Albuquerque Public Schools shall reduce net water consumption by twenty percent (20%) and net energy consumption by twenty percent (20%) by the end of the 2023-2024 school year as compared to an established 2013-2014 school year baseline."

The goal is based on school district-wide energy use index of total kBtu per square foot and district wide water use of total gallons per student. To

support this effort, the superintendent ensures full commitment by all employees and involved entities, including administrators, teachers, students, support personnel, contractors, suppliers and communities using APS facilities. APS is taking a multi-faceted approach to meet its new energy and water management goals. The APS district supports energy clubs to teach youth about energy and to change the culture around energy. The clubs engage custodians, teachers, staff and peers to address an array of energy use topics. Additionally, curriculum will be provided to teachers that will meet Common Core standards and engage students in unbiased energy education. In 2015, the school district tracked an 8.6 percent energy reduction (savings were primarily from natural gas reductions) and 13.5 percent reduction in water use. Also, APS District established an energy command center from which to manage energy and water use at its facilities.

### **State Energy Policy & Implementation**

**Plan** - Items specifically related to ECMD's mission include the following:

#### **Regulatory Clarity to Reduce Solar Soft**

**Costs** - Initiate a state-led effort to assist or encourage local jurisdictions to reduce soft costs for solar installations including permitting, right of way costs and other local regulatory process costs.

#### **Energy Efficiency in Public Buildings -**

Institutionalize a program for energy performance in public buildings that includes annual benchmarking of energy and water, energy use monitoring and disclosure, and energy performance targets. Evaluate energy savings performance contracting policies and address any barriers to expanding this type of financing in New Mexico.

#### **Public Education on Renewable Energy and**

**Energy Efficiency** - Implement an education campaign to increase citizen knowledge of renewable energy and energy efficiency operations and investment potential. Explain the nature of renewable versus non-renewable energy resources. Create a repository of up-to-date



facts available on wind and solar development in New Mexico for the public and media to reference, including economic statistics, where available. Explain how the evolving electric system incorporates these technologies.

**Clean Power Plan** - Develop a state position on compliance plans for Section 111(d) of the Clean Air Act through collaboration among the New Mexico Environment Department, EMNRD, and the Public Regulation Commission. Support efforts to capture and sequester carbon dioxide from electric power plants and industrial sources, especially for subsequent use in enhanced oil recovery. Solicit input on consideration of establishing a Low-Carbon Electricity Portfolio Standard when New Mexico's RPS expires.

**Energy Storage Development** - Promote batteries coupled with solar PV in residences. Promote New Mexico as "the" place to develop and test energy storage technologies. Support an industry partnership to establish an Advanced Battery Chemistry and Materials Center in New Mexico. Pursue energy storage technology development and demonstration projects such as in advanced batteries and flywheel/hydraulic energy storage systems. Encourage companies developing energy storage software and controls to locate in New Mexico. Minimize the "soft costs" (regulatory and permitting) of energy storage financing and/or grid interconnection.

**Electricity Delivery** - Engage in regional transmission planning and siting initiatives, including: WestConnect and its subsidiary the Southwest Area Transmission Regional Planning Group, and Western Governors' Association transmission siting task force. Promote expansion of existing demand response programs where electricity users voluntarily curtail consumption during peak times and receive compensation from

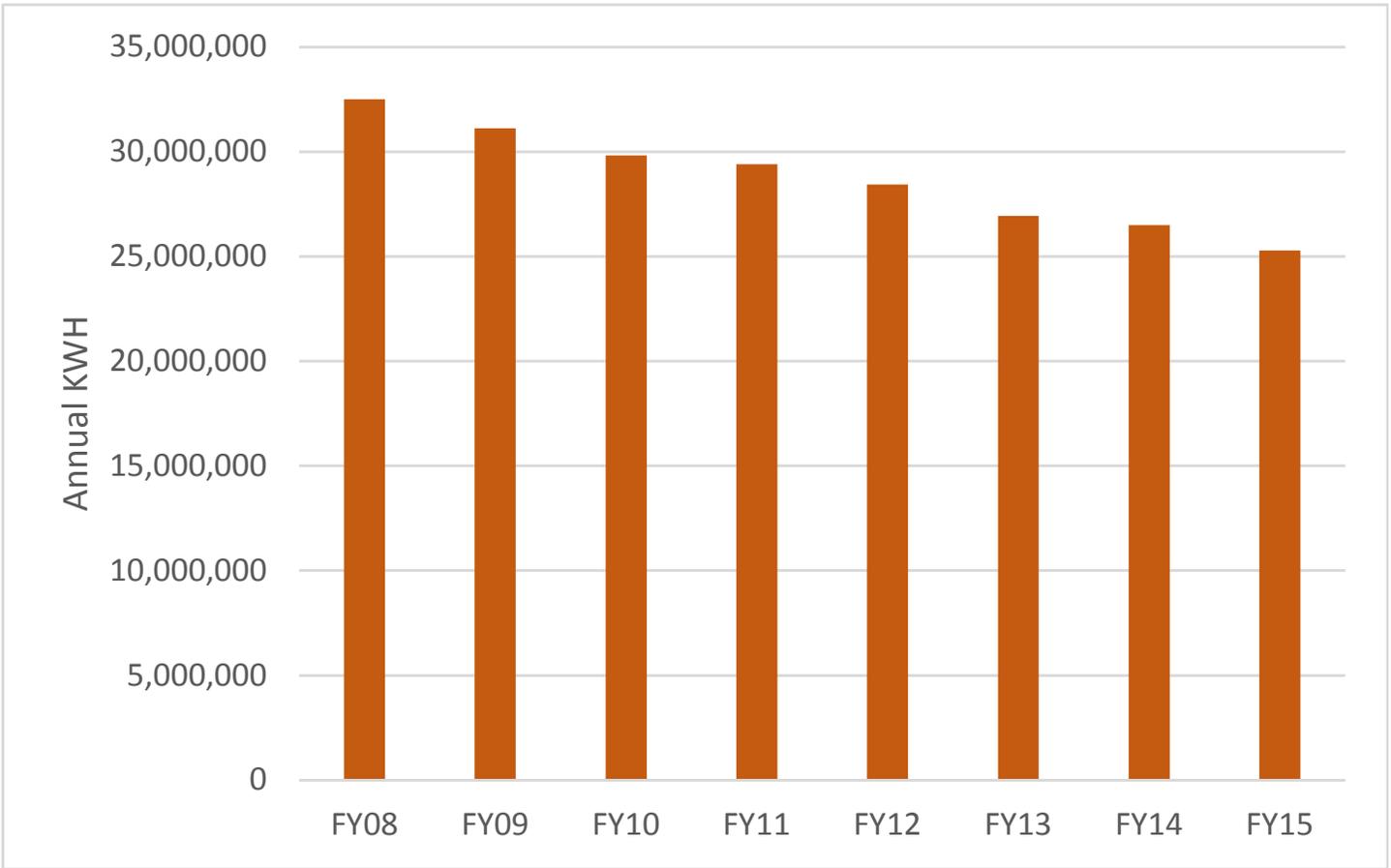
a utility. Consider the installation of smart meters by utilities to accommodate the needs of a basic "smart grid."

**Related Recommendations** - Support incentives for natural gas vehicles and natural gas fueling stations. Encourage higher education institutions to align curriculum with core energy workforce needs. Certify college training programs in applied energy technologies. Update the state geothermal energy regulations to help streamline and target them to these operations. Reduce fresh water consumption in energy production operations. Evaluate brackish water aquifers. Update and expand electricity transmission infrastructure in New Mexico. Improve state-controlled aspects of transmission siting and permitting and supporting utilities to make transmission infrastructure investments.

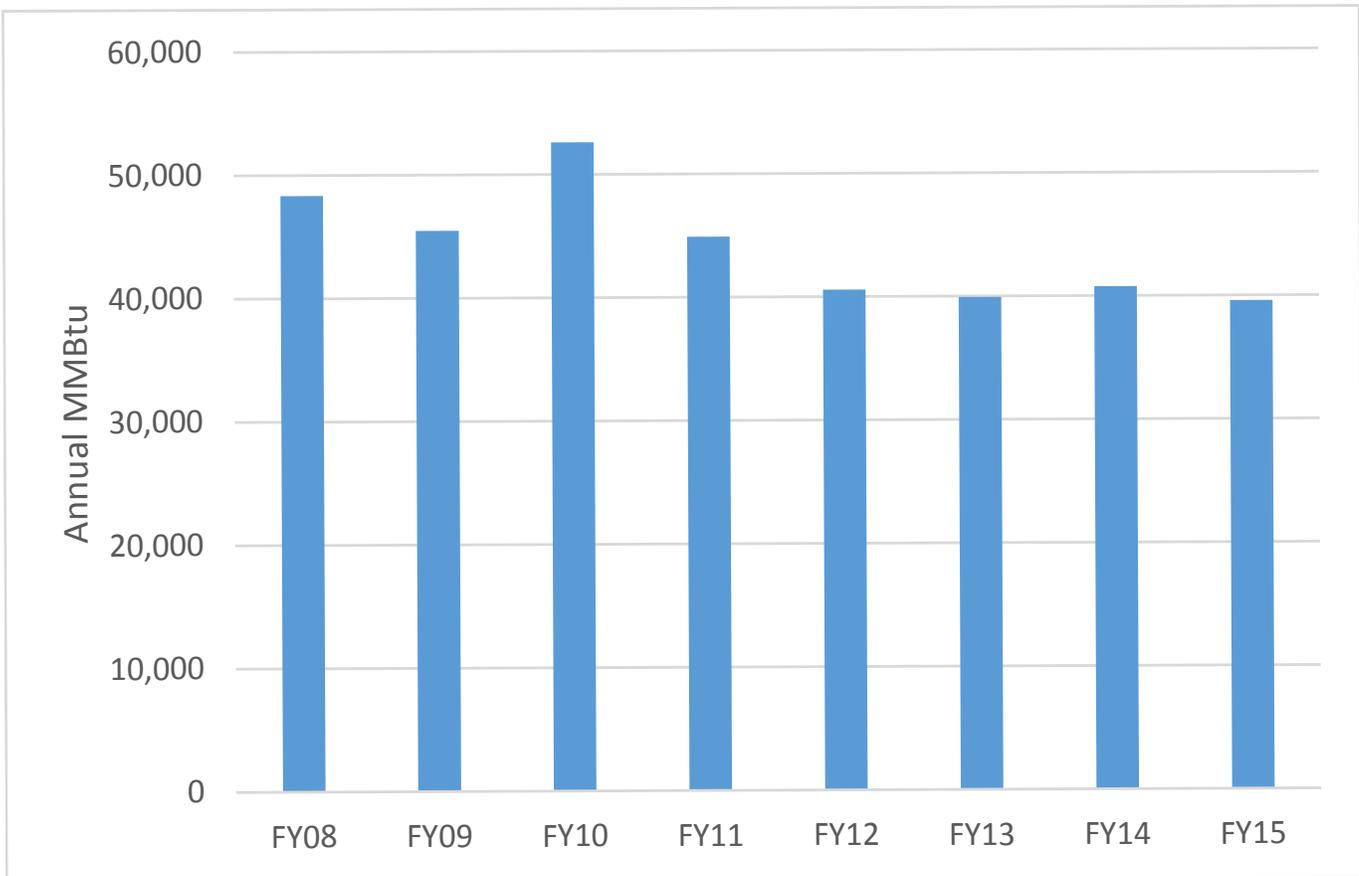
## State Government Energy Efficiency

ECMD manages a state government energy efficiency program is comprised of several key parts. In 2014, two major facility improvement projects were initiated at state facilities, proposing \$18 million in energy efficiency measures (EEMs) that will create jobs, produce energy savings of 12 million kilowatt-hours (kWh) and 800,000 therms, and yield \$1.2 million in annual cost savings to state government. Based on investment-grade energy audits (IGAs), these highly technical reports have provided professional engineers' recommendations of EEMs for facility improvements that are now being implemented. The General Services Department (GSD) is now seeing the benefits of the previous effort funded through the American Recovery and Reinvestment Act (ARRA). Since closing \$12 million in ARRA projects for GSD state government facilities, verification of the success is showing up as energy savings and lower utility bills for state government. A 13 percent energy reduction is now established compared to the Fiscal Year 2011 (FY11) baseline, based on 4.1 million kWh and 53,450 therms saved per year. During FY15, GSD reduced purchased electricity and natural gas due in part to the energy efficiency collaboration efforts with ECMD. Energy usage trending over the most recent eight years depicts a 22 percent reduction for electricity and an 18 percent reduction for natural gas.

**(Figures on next page).**



State Government Electricity Used in Santa Fe Buildings; Chart Data in kWh by Fiscal Year  
 [Source: General Services Department]



State Government Natural Gas Used in Santa Fe Buildings; Chart Data in MMBtu by Fiscal Year  
 [Source: General Services Department]

**WISE Program** - The Whole-building Investment for Sustainable Efficiency (WISE) Program was started to provide strategic planning support via the WISE Team of EMNRD, GSD, and New Mexico Finance Authority (NMFA). The WISE Team is charged with establishing a 20 percent energy reduction in state government facilities by 2020 compared to a 2011 baseline energy usage.

Funded by the U.S. Department of Energy (DoE), the WISE Team has used the Investment Grade Audit (IGA) of Santa Fe's South Capitol complex buildings to justify design work and funding of \$2.1 million for the EEMs. Implementation of all of the measures has been completed. Heating, cooling, and control system EEMs, including new air- and water-side economizers to improve efficiency of cooling at the State Data Center, were the first to be finished. Lighting upgrades were completed in June of 2015. EEMs of the IGA accepted for implementation by the WISE Team were projected to achieve a 20 percent energy reduction of 1.8 million kWh and 1,900 therms, for energy cost savings to the state government of \$160,000 per year. While a full year's data are not available, the current data show that energy savings will be greater than 20 percent. The next step for the WISE Team is to work with GSD and a Tenant-Agency of GSD in order to set up an Energy Savings Performance Contract (ESPC) utilizing an Energy Service Company (ESCO).

To continue the momentum and successes of the WISE Program and to implement the State Energy Policy, a plan will be developed in collaboration with stakeholders to reduce energy use by state agencies. A major tool for the WISE Team will be ESPCs, utilizing statewide price agreements established for ESCos. With the help of these companies, the WISE Team can work with state agencies, whether tenants of GSD or not, to implement energy efficiency projects without the agency having to request funding to complete those projects. In order to ease the use of these ESCos, the WISE Team has developed both a Standard Operating Procedure (SOP) for using an ESCo as a tenant of GSD and Standard Operating Guidelines for using an ESCo for higher education facilities, local governments, and for state agencies that are not tenants of GSD. Technical assistance

and third party review of energy assessments will now be available to local governments, public schools, higher education, and state government in all energy - related ESCO and Clean Energy Revenue Bond (CERB) projects through the Third Party Review process established by ECMD.

**Energy Savings Performance Contracting (ESPC)** has been available to New Mexico's governmental agencies since 1993 through the Public Facility Energy Efficiency & Water Conservation Act [NMSA 1978, 6-23]. New Mexico's governmental agencies can finance energy-saving facility improvements using future energy savings created by the EEMs. New Mexico State University (NMSU) is in the final (implementation) stages of its \$15.7 million project. This approach has greatly augmented NMSU's internal efforts by facilities management staff to reduce energy usage and create energy cost savings. ECMD conducted a technical review of the IGA, which was certified by EMNRD. Guaranteed yearly energy reduction is determined to be 87,000 therms in gas savings and 2,144,000 kWh/year in electric savings, with overall monetary savings to total more than \$1.3 million per year.



Energy Storage pilot project in Los Alamos County. Photo Credit: Ken Hughes

Two other major ESPC projects are in their final stages of implementation and will begin monitoring by the beginning of 2016. These projects combined for over \$2.8 million of system upgrades, saving over 135,000 therms annually. Seven other projects are in varying early stages of the process and will be progressing throughout 2016. Multiple programs have contributed to the early success of the ESPC program as a whole. These programs include the WISE Program and the Local Energy Efficiency Performance (LEEP) Program.

The **Local Energy Efficiency Performance (LEEP)** Program is a DOE grant competitively awarded to ECMD in 2014. The goal of this program is to provide energy efficiency and conservation projects with third party technical assistance and oversight. ECMD has have four local government partners in this program: McKinley County, City of Santa Fe, City of Las Cruces, and Bernalillo County.

EMNRD has been an **Accelerator Partner** for energy performance contracting since 2013, through DOE's Better Buildings Challenge. This state-federal collaboration seeks to improve and expand energy performance contracting in working with state energy offices like ECMD. EMNRD made a commitment to DOE of \$50 million in energy performance contracting projects by 2016, in exchange for DOE technical support. EMNRD has already met 79 percent of this commitment. In its first deliverable to DOE, ECMD drafted a report that was the result of a state agency working group, chaired by ECMD, to improve and expand energy performance

contracting. The table below shows the breakout of the total invested from ESPC's and Power Purchase Agreements (PPAs). The PPAs are privately funded, allowing state government entities to purchase solar power at a rate lower than that received from the utility provider in the area without having to purchase the solar system itself.

**Clean Energy Revenue Bond (CERB), Qualified Energy Conservation Bonds (QECB), and Qualified School Construction Bonds (QSCB)** can all be part of the financing of an energy project. The CERB is a financing mechanism while the other two are utilized for interest rate buy downs. Established in 2005, the Energy Efficiency & Renewable Energy Bonding Act [NMSA 1978, 6-21D] has \$20 million in low-interest bonding available for state agencies and public schools. ECMD has reviewed a solar PV project for Santa Fe Public Schools, which will be utilizing CERB as well as QSCBs. This project will install over one megawatt of solar panels at four separate schools. Silver City recently received approval for a water conservation project utilizing QECBs to assist in buying down the overall interest rate of the project.

The **State Energy Program** formula grant supported investment-grade audits performed at Pojoaque Public Schools identifying many energy efficiency measures to both upgrade the facilities and reduce operating costs. The audits covered three schools: elementary, junior high, and high school. A professional engineer conducted an assessment of each facility, which included review of utility bills and site surveys of existing systems and equipment conditions. With assistance from ECMD and State Energy Program funds, the University of New Mexico and Public School Facilities Authority collaborated to design a system and database for tracking electricity and natural gas use by a Roswell public school. ECMD continues to be a partner in a remote monitoring pilot project to demonstrate real-time viewing and analysis of building energy usage data.

	Energy Savings Performance Contract (ESPC) & Power Purchase Agreement (PPA)
TOTAL INVESTED BY STATE GOVERNMENT	\$18,589,085
TOTAL INVESTED BY 3 <sup>rd</sup> PARTY INVESTORS	\$27,701,689
TOTAL INVESTED	\$46,290,774
TOTAL GAS SAVED (kBtu/Year)	16,996,600
TOTAL ELECTRICITY SAVED (kWh/Year)	3,679,305
TOTAL ELECTRICITY GENERATED (kWh/Year)	12,766,442
TOTAL PROJECTED ANNUAL SAVINGS TO STATE GOVERNMENT	\$2,280,476

## Clean Fuels & Efficient Transportation

### Natural Gas Transportation Fuel Infrastructure

- Currently, 14 compressed natural gas (CNG) stations operate in New Mexico – 7 are private and 7 are public access. One station includes liquefied natural gas (LNG). These stations are listed below. In addition, three new stations are in development in Albuquerque, Farmington and Lordsburg.

### Compressed Natural Gas Fueling Stations - Public

- Clean Energy, University of New Mexico – 1140 University Blvd NE, Albuquerque
- LCNG Clean Energy, Pilot/Flying J – 9911 Avalon Road NW, Albuquerque
- Clean Energy, Albuquerque Sunport – 2200 Sunport Blvd SE, Albuquerque
- City of Deming – 116 N 8th St, Deming
- City of Deming – 1315 W Pine St, Deming
- Clean Energy, Santa Fe Trails Transit – 2931 Rufina St, Santa Fe
- City of Socorro – 3000 Old US Highway 85, Socorro

### Compressed Natural Gas Fueling Stations – Private or Fleet Only

- Clean Energy – ABQ Ride, 601 Yale St, Albuquerque
- City of Albuquerque – 1801 4th St, Albuquerque
- Apache Artesia – 1945 Bluestem Road, Artesia
- Apache Eunice – 31 S NM Highway 207, Eunice
- Apache Hobbs – 2350 W Marland Blvd, Hobbs
- City of Deming, Construction Shop – 1401 Santa Clara St, Deming
- City of Deming, Transfer Station – 5470 New Mexico 549 SE, Deming



Compressed Natural Gas (CNG) Fueling Station in Albuquerque  
(Photo Credit J. Lewis)



- Latitudes - 2401 Highway 528, Rio Rancho
- Rich Ford – 8601 Lomas NE
- Winrock Shopping Center – Indian School Rd NE
- Presbyterian Hospital – Gold Ave & Cedar St. SE
- Best Western – 1015 Rio Grande Blvd NW
- Applebee’s – Tesla – 2600 Menaul Blvd NE
- Sheraton ABQ Uptown – Tesla – 2600 Louisiana NE

**Electric Charging Stations in Santa Fe – Public:**

- Sprouts, San Isidro Shopping Plaza - 3462 Zafarano Dr
- City of Santa Fe - Railyard Parking Garage - 503 Camino de la Familia
- Inn at Santa Fe - 8376 Cerrillos Rd
- Santa Fe Convention Center - 120 S Federal Place
- CG Higgins - 847 Ninita St
- Garcia Nissan - 2005 Saint Michaels Dr
- The Inn of the Five Graces – 150 E De Vargas St
- Naturally Durable PRC – Certified Hardwood Products – 219 West Manhattan Ave
- Luna Santa Fe – 505 Cerrillos Rd
- Capitol Ford – 4490 Cerrillos

**Electric Charging Stations Outside Santa Fe and Albuquerque - Public:**

- Elegant View Properties LLC - 166 N Roadrunner Pkwy, Las Cruces
- Grants KOA - 26 Cibola Sands Loop, Grants
- Hampton Inn – Tesla - 111 Twin Buttes Rd, Gallup, NM
- Marriott Towneplace Suites - Tesla - 4200 Sierra Vista Dr, Farmington
- Comfort Inn – Tesla - 2500 N Grand Ave, Las Vegas
- Circle K Gas Station – Romeroville
- Del Norte Credit Union – Los Alamos
- Pojoque Pueblo
- La Loma Lodge & RV Park – Santa Rosa
- Holiday Inn Express – Tesla - 2516 Historic Route 66, Santa Rosa
- Cactus RV Park – Tucumcari
- Holiday Inn Express – Tesla - 2624 S Adams St, Tucumcari
- K C’s Campground – Clovis
- Akers RV Park – Clovis
- Edgington Garden RV Park – Alamogordo
- Casey’s RV Park – Socorro

**Electric Vehicle Charging Infrastructure-**

Throughout New Mexico there are 44 electric vehicle charging stations open to the public. During 2015, many charging stations were installed at businesses, public parking areas and fueling stations. These stations are as follows:

**Electric Charging Stations in Albuquerque Metropolitan Area - Public**

- Dave and Buster’s, Winrock Mall - 2100 Louisiana Blvd NE
- Firehouse Subs, Montgomery Plaza - 4411 San Mateo Blvd NE
- O’Neill’s Pub, 4310 Central Ave
- BMW Sandia - 6001 Pan American Fwy
- City of Albuquerque Department of Municipal Development Parking Facility - 201 Marquette Ave NW
- City of Albuquerque - Department of Municipal Development Parking Facility - 400-498 3<sup>rd</sup> St NW
- Melloy Nissan - 7707 Lomas Blvd
- Reliable Nissan - 9901 Coors Blvd NW
- Sacred Power - 1401-1499 12<sup>th</sup> St NW
- Southwest Green Building Center - 5620-L Venice Ave NE
- Freddy’s Frozen Custard & Steakhburgers, Corrales Center - 10701 Corrales Rd NW

## Waste Isolation Pilot Plant

EMNRD has oversight of the Collaborative Agreement and annual funding for the state Waste Isolation Pilot Plant (WIPP) program provided by DOE. The agreement is a partnership between DOE, EMNRD, and six state agencies charged with ensuring the safe and uneventful transportation of transuranic (TRU) waste in New Mexico. EMNRD and five agencies make up the working group and provide the following:

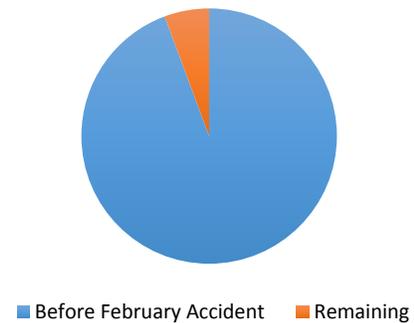
- The Department of Homeland Security and Emergency Management (DHSEM) provides equipment training to volunteer fire services and emergency managers along the WIPP route as well as ensuring equipment is calibrated
- The Department of Public Safety (DPS) provides point of origin inspections for all shipments, Level VI inspections for TRU waste entering the state, training of emergency response officers (ERO) for hazmat situations, and management of the state dosimetry program
- The Department of Health provides donning and doffing of hazmat suits, and decontamination of radiation training to hospitals and clinics along the WIPP route
- The New Mexico Environment Department provides sampling data along the WIPP route and assists the DOH in training hospitals and clinics.
- The State Fire Marshal's Office provides training to fire services in hazmat awareness and operations along the WIPP route

Additionally, the Department of Transportation (unfunded in the Cooperative Agreement) provides oversight on roadway safety and manages funding provided directly to the department for road repair.

The WIPP working group led by EMNRD has worked in collaboration with DOE, Carlsbad Field Office (DOE-CFO) and Los Alamos National Laboratory (LANL) and was on track to achieve the removal of 3,706 cubic meters (m<sup>3</sup>) of TRU waste from LANL as required under Governor Martinez's Framework Agreement by June 30, 2014. However, the incidents at WIPP on February 5, 2014 (underground fire) and February 14, 2014 (radiological release) led to the suspension of the WIPP shipments. Shipments resumed for a short period of time to Waste Control Specialists in Texas and were under the supervision

of the WIPP working group led by the EMNRD WIPP monitor. All WIPP shipments were suspended by order of the New Mexico Environment Department (NMED) in May of 2014. The investigation of the problems at WIPP has been led by the DOE under the direct supervision of NMED. Despite the shut-down of operations, as of May 2014, approximately 94 percent of the 3,706 m<sup>3</sup> has been removed from LANL (see figure below).

### Los Alamos National Laboratory's Transuranic (TRU) Waste: 3,706 Cubic Meters Removed

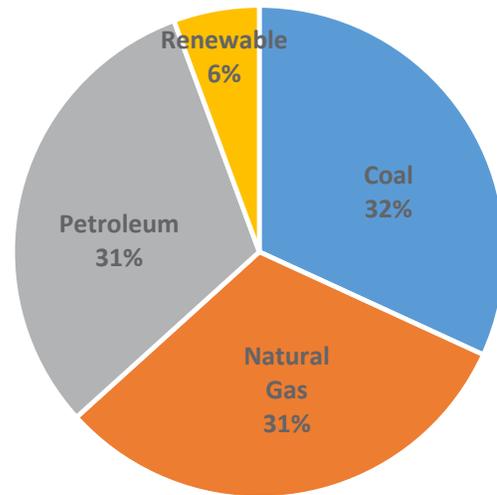


The Accident Investigation Board (AIB) investigated the event and has provided final reports that can be found on the DOE-WIPP website <http://www.wipp.energy.gov/wipprecovery/recovery.html>. Likewise, all correspondence between federal and state agencies during the accident investigation continues to be posted to the NMED WIPP Incident Webpage and can be linked directly from the front page of the NEMD website (<http://www.nmenv.state.nm.us/>). EMNRD and the New Mexico Environment Department (NMED) are working closely with DOE-CBFO to ensure that the WIPP meets the requirements of several Compliance Orders issued by NMED.

# Data & Statistics

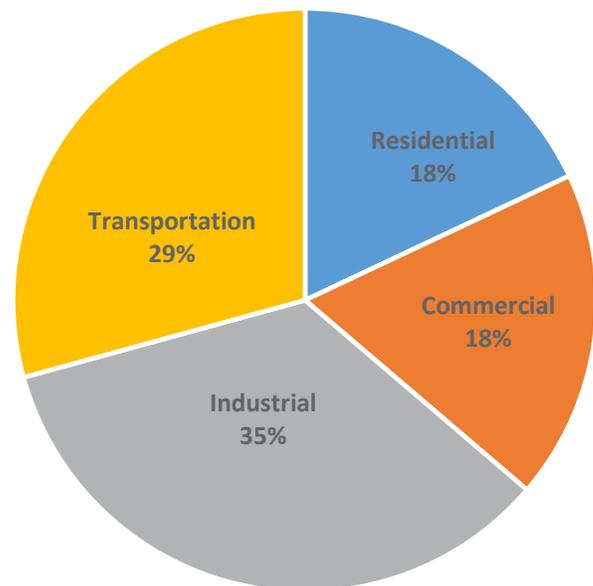
**ENERGY CONSUMPTION BY SOURCE** - In 2013, the latest data available, total New Mexico energy consumption was 805 trillion BTU (tBTU). Most of the energy consumed in the state came from coal, petroleum and natural gas, each of the three fuels making up about 31 percent of total energy consumption. The majority of oil is used in the transportation sector, while coal is dedicated to electricity generation. Natural gas is used both for heating and is an increasing proportion of the state's electricity generation. Renewable energy contributed 5.5 percent or approximately 45 tBTU of New Mexico's energy consumption and it is primarily used in the transportation (fuel ethanol) and electricity sectors. Although renewable energy's percentage of the total pie is relatively small, wind and solar energies have seen significant growth, with renewable energy electric generation increasing over 900 percent in New Mexico over the last decade.

**ENERGY CONSUMPTION BY SECTOR** - Net energy consumption for in-state needs was actually 688.5 tBTU, after subtracting the fuels consumed in-state for exported electricity generation. When looked at by end-user, the industrial and transportation sectors consume the most energy in New Mexico, followed by the commercial and residential sectors. Compared to national averages, residential users in New Mexico use less energy per capita, and all other sectors in New Mexico use more energy per capita, particularly the transportation sector.



■ Coal ■ Natural Gas ■ Petroleum ■ Renewable

2013 New Mexico energy consumption by source, including fuels consumed in-state for electricity exports (total = 805 trillion BTU) [Source: DOE Energy Information Administration]



■ Residential ■ Commercial ■ Industrial ■ Transportation

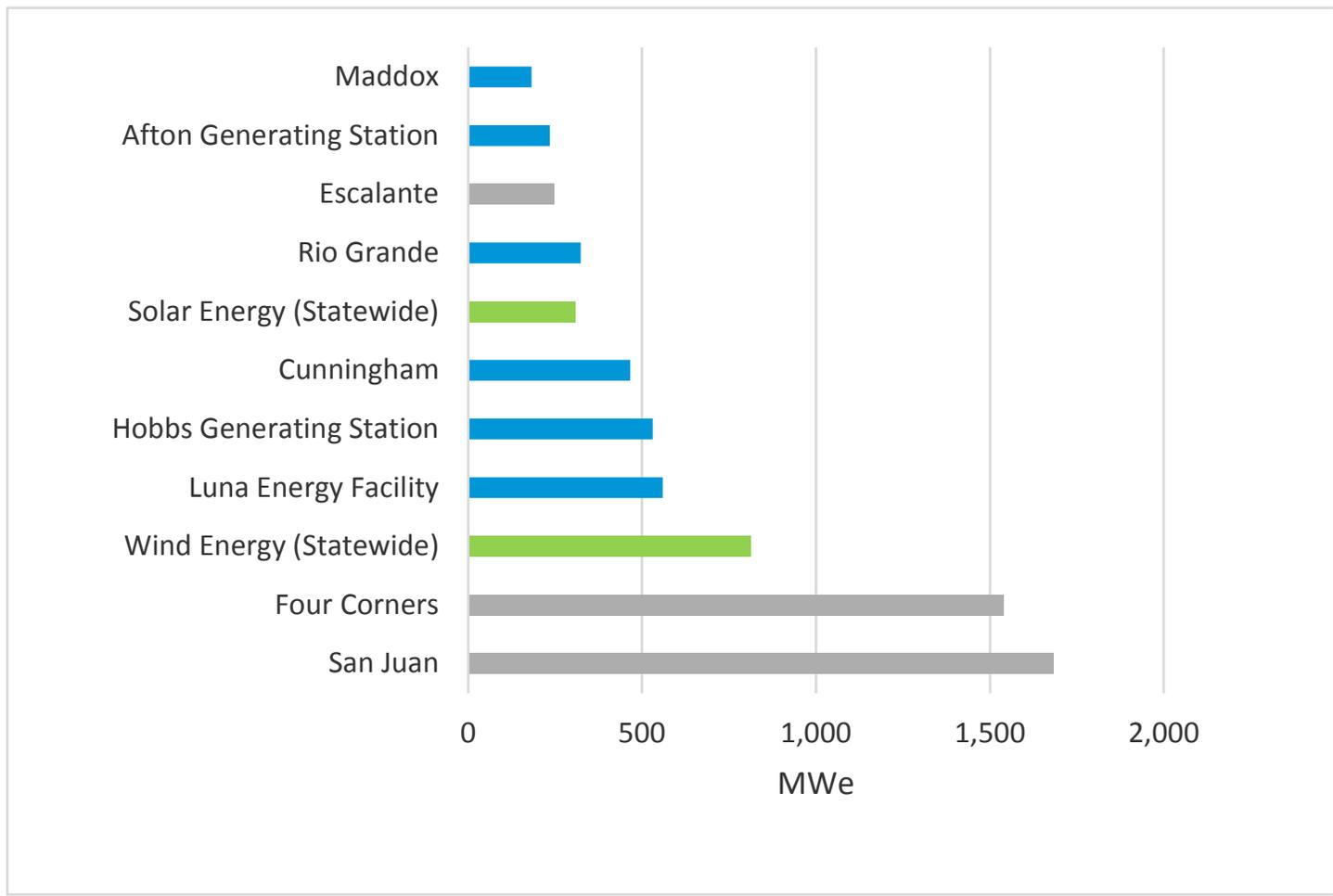
2013 New Mexico energy consumption by sector (total = 688.5 trillion BTU) [Source: DOE Energy Information Administration]



Energy consumption per capita	New Mexico (million Btu)	National Average (million Btu)	Difference from National Average	National Rank*
Residential	59.3	66.9	-11%	46
Commercial	60.3	56.5	+7%	24
Industrial	113.7	99.1	+15%	19
Transportation	96.5	84.3	+14%	16
<b>Total consumption</b>	<b>329.9</b>	<b>306.9</b>	<b>+7%</b>	<b>20</b>

2013 energy consumption per capita by sector, compared to national averages [Source: DOE Energy Information Administration]  
 \*For the national rank category, number 1 uses the most energy per capita (number 51 would be the lowest per capita energy user, as rankings include the District of Columbia).

**ELECTRICITY PRODUCTION:** The figure below depicts the largest electricity generating units in New Mexico and wind and solar energy total installed capacity. In 2013, electricity generation in New Mexico was 68 percent coal, 24 percent natural gas, and 8 percent renewable energy [Source: DOE Energy Information Administration]



Installed capacity of major electricity generating units in New Mexico (2013); primary fuels are natural gas (blue), coal (gray) and renewables (green)



## RENEWABLE ENERGY:

Of the total electricity produced in 2013, 6 percent was from wind, 1 percent was from solar, and 0.25 percent was from hydroelectric power. In 2014, the first commercial geothermal electricity facility opened near Lordsburg in the state's boot heel, adding 4 MW of baseload geothermal capacity to the state's renewable electricity mix, with another 6 MW planned. According to the U.S. Energy Information Administration, New Mexico ranked fifth in the nation in utility-scale electricity generation from solar energy in 2013. All utility-scale renewable energy generating units operating in 2014 are depicted in this table.

Utility-scale (>1 MW) renewable energy facilities in New Mexico (2014) [Source: DOE Energy Information Administration and ECMD PTC files]

Name	Type	Capacity (MW)	Commenced Operation	County
New Mexico Wind Energy Center	Wind	204	2003	De Baca, Quay
San Juan Mesa Wind Project	Wind	120	2005	Roosevelt
Red Mesa Wind Energy Center	Wind	102	2010	Cibola
High Lonesome Mesa Wind Ranch	Wind	100	2009	Torrance
Aragonne Wind Facility	Wind	90	2006	Guadalupe
Caprock Wind Ranch	Wind	80	2004	Quay
Macho Springs Wind Power	Wind	50	2011	Luna
Wildcat Wind	Wind	27	2012	Lea
Broadview Energy Prime 1 and 2	Wind	20	2014	Curry
Anderson Wind I & II	Wind	15	2014	Chaves
Llano Estacado (Texico) Wind Ranch	Wind	2	1999	Curry
Mesalands Community College	Wind	1.5	2008	Quay
Navajo Dam	Hydro	30	1983	San Juan, Rio Arriba
Elephant Butte	Hydro	28	1940	Sierra
Abiquiu Dam	Hydro	18	1990	Rio Arriba
El Vado Dam	Hydro	8	1990	Rio Arriba
Macho Springs Solar	PV	52	2014	Luna
SPS 1–5 Solar Facilities	PV	50	2011	Lea, Eddy
Cimarron Solar Facility	PV	30	2010	Colfax
SunEdison EPE 1–2	PV	23	2012	Doña Ana
Solar Roadrunner	PV	20	2011	Doña Ana
Manzano Solar	PV	8	2013	Valencia
Otero Solar	PV	7.5	2013	Otero
Los Lunas Solar Energy Center	PV	7	2011	Valencia
Sandoval Solar Energy Center	PV	6	2014	Sandoval
Las Vegas Solar Energy Center	PV	5	2012	San Miguel
Alamogordo Solar Energy Center	PV	5	2011	Otero
Hatch Solar Energy Center	PV	5	2011	Doña Ana
Deming Solar Energy Center	PV	9	2011	Luna
White Sands Missile Range	PV	4	2012	Doña Ana
Green States Energy 1 & 2	PV	4	2013	Chaves
Sunrise (NM Green Initiatives)	PV	3	2011	Chaves
Albuquerque Solar Energy Center	PV	2	2011	Bernalillo
Eubank Landfill Solar (Emcore)	PV	2	2014	Bernalillo
Storrie Lake Solar	PV	2	2014	San Miguel
Kit Carson/Amalia	PV	1.5	2012	Taos
Blue Sky One	PV	1.5	2012	Taos
Questa Solar	PV	1	2011	Taos
Los Alamos	PV	1	2012	Los Alamos
Santa Fe Wastewater	PV	1	2011	Santa Fe
Albuquerque Academy	PV	1	2010	Bernalillo
Sue Cleveland High School	PV	1	2014	Sandoval
Rio Rancho High School	PV	1	2014	Sandoval
Silver City WWTP	PV	1	2014	Grant



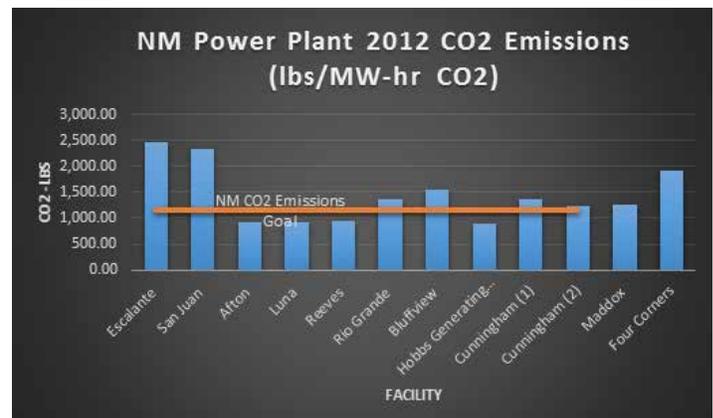
Water Catchment at Sawmill Community Land Trust in Albuquerque  
(Photo Credit K. Hughes)

**ELECTRICITY & WATER USE** - The electricity sector uses large quantities of water for cooling of thermal (coal and natural gas) and nuclear generation facilities. While there are no nuclear generating facilities in New Mexico, Public Service Company of New Mexico and El Paso Electric own and purchase power from Palo Verde, a nuclear generating station in Arizona.

While most solar and all current wind technologies do not require any water for operation, other traditional power generating facilities (e.g., coal, gas, biomass or nuclear), geothermal and concentrated solar facilities that generate power by producing steam to turn a steam turbine generator use water at varying rates. The bulk of a steam plant's water consumption is used to condense the steam in the steam cycle and to cool mechanical and electrical equipment. The rate of water usage, on a gallons per megawatt-hour basis, depends on many variables including available water quality, water treatment systems and environmental discharge limits where applicable. Peaking plants that operate only gas/oil turbine engines to generate power directly through the mechanical motion of the engine consume less water due to the absence of the steam cycle. In addition, facilities (steam cycle or no steam cycle) equipped with "dry cooling" or hybrid cooling use the least water of all, but these systems can compromise plant efficiency.

**CARBON DIOXIDE EMISSIONS** - In August 2015, the U.S. Environmental Protection Agency (EPA) released a final rule for regulating carbon dioxide (CO<sub>2</sub>) emissions from existing electricity generation facilities. Nationwide, the final federal rule aims to cut carbon emissions from the power sector by 30 percent from 2005 levels. This rule uses four building blocks (heat rates improvements at coal plants, re-dispatch to natural gas generators, renewable energy, and energy efficiency) to set a 2030 CO<sub>2</sub> emissions target for each state.

Under the federal rule, states are required to develop a Clean Power Plan (CPP). The rule allows states to choose from many options to determine the best plan for the states and their citizens while protecting electric service and controlling costs for bill payers. States have until September 6, 2016, to submit an initial plan that shows how their electric generators will meet EPA's required CO<sub>2</sub> limits. Final plans are due to EPA by September 6, 2018. NMED intends to submit a plan by the federal deadline. New Mexico has two coal plants (Escalante, San Juan) that will be included in the plan, four oil or gas steam electric generators (Cunningham, Maddox, Reeves, Rio Grande), and four natural gas combustion turbines (Afton, Luna, Bluffview, Hobbs) that will also be included in New Mexico's CPP. The final rule requires these facilities to reduce their 2012 carbon emissions by 36 percent by 2030, or from an average emissions rate of 1,798 pounds of CO<sub>2</sub> per MWh (lbs CO<sub>2</sub>/MWh) to 1,146 lbs CO<sub>2</sub>/MWh. Coal-fired power is the primary CO<sub>2</sub> emitter in the electricity sector in New Mexico.



Largest CO<sub>2</sub>-emitting power plants in New Mexico (2012) that will be included in New Mexico's CPP (except for Four Corners, which is located on the Navajo Nation) with their 2012 carbon dioxide emissions per megawatt hour compared to the EPA-determined mass goal for New Mexico's fleet of generators. [Source: New Mexico Environment Department]



# New Mexico State Parks



# New Mexico State Parks Division

► **MISSION:** Protect and enhance natural and cultural resources, provide first-class recreational and education facilities and opportunities, and promote public safety to benefit and enrich the lives of visitors. State Parks is committed to this mission, employing professional, dedicated staff to ensure that parks are cared for and preserved to the highest professional standards. State park programs provide safe, fun and educational experiences – and a visit to a state park is a true value. Outdoor recreation is a driving force in New Mexico’s economy and State Parks is a key player. Connected to communities statewide, state parks are often economic drivers for local businesses, towns and cities. Many rural communities rely upon a state park as a major source of economic development.

**OVERVIEW** - The State Parks Division (State Parks) oversees New Mexico’s 35 parks that offer a great diversity of natural and cultural resources, providing recreational and educational opportunities for 4.2 million visitors in FY15.

**HISTORY** - State Parks was founded in 1933 in conjunction with the Civilian Conservation Corps efforts during the Great Depression. The State Parks system began with four parks, and today there are 35 parks encompassing 19 lakes and 191,617 acres of land and water.



**VISITATION & REVENUE** - A total of 69 percent of State Parks’ budget is supported by self-generated revenue and 31 percent is general fund. Visitation in FY15 totaled 4,298,226, and the numbers of passes for non-residents, veterans and disabled individuals all increased

from the previous fiscal year. Camping fees totaled \$2,668,000, day use fees totaled \$1,382,700, and concession fees totaled \$312,600.

In FY15, taxpayers directly supported State Parks through Personal Income Tax Check-offs. A total of \$15,381 in revenue was realized for the Kids ‘n Parks transportation grant program and the Vietnam Veterans Memorial State Park fund.

## PROGRAM ACCOMPLISHMENTS

**CAPITAL IMPROVEMENTS** - State Parks strives to make the capital investments necessary to continuously improve visitor facilities and services, streamline park operations, increase revenue, and provide a wide variety of recreational opportunities. State Parks’ projects completed during 2015 include the following:



### Living Desert Zoo and Gardens State Park -

The second phase of the pathway improvements was completed in FY15, providing ADA access all the way from

the visitor center to the new reptile exhibit, and on to the hoofed stock exhibit. This project was funded 80 percent by Recreational Trails Project funds at a total cost of \$98,000. The parking area at the visitor center was also improved to redirect storm water away from the entrance at a cost of \$78,000.

**Oasis State Park** - A new solar - heated and -powered comfort station was completed in FY15 to serve the enlarged Indian Grass campground. The total



cost of the new comfort station amounted to \$442,000, which was provided by Land and Water Conservation Funds that were matched by state funds to enlarge the campground in 2014.

**Navajo Lake State Park** - A new septic tank and evapotranspiration bed were installed at Cottonwood Campground in FY15 and the two comfort stations there were renovated to improve energy efficiency and ADA accessibility. The cost of these improvements amounted to \$275,363. In addition, a new waterline was installed at the Lower Government Housing area to allow for the facilities there to access water from the Navajo Dam Domestic Water Consumers' Association at a cost of \$157,000. The Association will take over maintenance of the line after the first year of operation.

**Caballo Lake State Park** - A new sewage lagoon was added to the Riverside Campground to increase capacity of the wastewater treatment system. The cost of the new lagoon amounted to \$101,000.

**Fenton Lake State Park** - A new entrance station was completed in FY15 to improve access and stacking space for Fenton Lake State Park main entrance at a cost of \$128,000. The configuration improves security while continuing to provide access for those with fishing permits when the park gate is closed.

**Heron Lake State Park** - A new underground power line was installed at the park to provide reliable service to the Willow Creek area. The existing power line had deteriorated significantly, causing major power outages that interrupted service to the sewage lift station and park residences. The new power line was installed at a cost of \$137,000.



Heron Lake State Park, Ridge Rock Ramp, after new construction



Heron Lake, La Laja Ramp Extension, after construction

**Boat Access** - The Boat Access Improvement and Enhancement Program provided boaters with new and improved boat ramps for launching, docking, and parking facilities at Heron Lake State Park. The park now provides better boater facilities through construction of a new concrete boat ramp at the Ridge Rock area near the dam. In the past, there was a primitive (dirt) ramp that was used during low-water conditions. Due to the recent ongoing low-water conditions, a new concrete ramp was built at this site. In addition, the existing La Laja boat ramp which had been out of the water and closed due to low lake levels was extended and improved. Both ramps now provide outstanding boater access to the lake. The total cost of this project amounted to \$420,000, which was provided by federal Sport Fish Restoration Funds that were matched by state funds.



**Sugarite Canyon State Park** - More than one mile of a new trail linking Lake Alice to Lake Maloya was constructed for \$58,000 in FY15, representing Phase 1 of a project that will complete the connection in FY16. The project is 80 percent funded by Recreational Trails Program funds.

**Park Management Plans** - Park Management Plans were completed for Sugarite Canyon State Park, Ute Lake State Park, and Vietnam Veterans Memorial State Park. A park management plan was also initiated for Pecos Canyon which may include a future state park. In addition, the Statewide Comprehensive Outdoor Recreation Plan, required for the receipt of Land and Water Conservation Funds in New Mexico, was undertaken, with the final report to be completed by December 31, 2015.

**Water/Wastewater Engineering** - State Parks continued to work extensively with NM Environment Department regulators on the implementation of new guidelines for the management of septic systems and wastewater treatment systems, as well as the disposal of RV wastes. Funding amounting to nearly \$100,000 was also provided to State Park's regions to improve their ability to monitor and maintain their water and wastewater facilities.

**MARKETING PROGRAM** - In 2015, the Communications and Marketing Team concentrated on promoting State Parks' special and current events, boating safety and distinctive campaigns using digital and social media, consistent positive public relations and outreach, and through solid partnerships with other state agencies, organizations and communities throughout New Mexico.



**Digital and Social Media**

**Marketing** - Working with Lin Digital, State Parks developed a custom campaign which employs targeting tactics such as behavioral, contextual and site retargeting - all directed at reaching adults ages 25-54

in New Mexico and West Texas via mobile devices, desktops and tablets, to promote all 35 state parks. The digital buy has proven effective in creating top of the mind awareness of signature events in the parks, priority boating safety messages and the branding, "New Mexico State Parks – Official Sponsor of Adventure."

The creative digital advertising of 'Find Your New Mexico True Park', 'Boat Safe Boat Smart', 'We Salute Veterans', 'Work Hard - Play Hard Labor Day' and 'Tis the Season' promotions indicated that social



and digital media are effective with the targeted demographic. Digitally marketed key events also included: First Day Hikes on New Year's Day, star parties, fishing derbies and tournaments,

Memorial Day, 4<sup>th</sup> of July events, plant sales and programs, history and music events, marathons, National Hunting and Fishing Day, and car shows. These events enjoyed increased visitation. In fact, visitation at most parks increased from last year with more than 4.2 million visitors in 2015-- Elephant Butte Lake State Park alone broke a 20-year record with 125,000 visitors for the 4<sup>th</sup> of July weekend.

State Parks' social media presence skyrocketed in 2015. The marketing team produced daily content of the most current, compelling and engaging events, tweets and pictures on Facebook, Twitter and Instagram. Marketing also provided copy and creative design to Lin Digital which managed State Parks' Sponsored Facebook Campaign. This campaign was aimed at adults 18+ who are considered "outdoor enthusiasts," or interested in "fitness and wellness" or "hobbies and activities".

**Public Relations and Outreach** - State Parks participated in RV shows, the Department of Game and Fish Hunting and Fishing Expo, Santa Fe's Bike and Brew, an Isotopes Baseball game, Natural Sciences Day at the Roundhouse during the 2015 Legislative Session and Media Day at Elephant Butte Lake State Park – all to promote state parks.

State Parks ramped up its presence at the New Mexico State Fair by creating a new photo park in which fairgoers could photograph themselves in four different scenes.

The exhibits feature dinosaurs at Clayton Lake State Park, the



“Lifejackets Save Lives” message, Butterflies at Sugarite Canyon State Park and park rangers. The fun, interactive exhibit was shared throughout social media by the public.



Marketing funds were also expended on radio buys, print advertisement for special events and promotional items for public relations and outreach for special events.

State Parks Marketing joined the department’s Communications team and produced many significant articles and press releases for current events throughout the year. A total of 43 press releases were distributed. The team also made television and radio appearances to promote events and campaigns throughout the year.



#### **Solid Partnership -**

Partnerships were critical to the success of State Park’s communications and marketing in 2015. A major campaign for State Parks, “Find Your New Mexico True

Park” would not have been possible without the teamwork and collaboration among the Department of Cultural Affairs, the National Park Service, the New Mexico Tourism Department and chambers of commerce throughout the state. The campaign, created to inspire instate travel and visitation to New Mexico’s state and national parks and historic sites, called for videos depicting New Mexico True Adventures. Visit <https://www.newmexico.org/NMTRUEPARK> to view all contest entries and winners.



The collaboration with the New Mexico Broadcasters Association (NMBA) allowed State Parks to leverage funds throughout the state and streamline radio buys. Many new contacts and partners were gained through NMBA links.

The Communications and Marketing Team also helped to promote important community events such as Master of the Mountains at Sugarite Canyon

State Park, the Mainly Marathon Dust Bowl Series at Clayton Lake State Park and the Cimarron Canyon Clean-up at Cimarron Canyon State Park.

The Marketing Team partnered with the Department of Veterans Services to send invitations to more than 1,200 disabled veterans through the Veterans Pass Program for Veterans Day Ceremonies at Vietnam Veterans Memorial State Park.

Finally, the Communications and Marketing Program continued to partner with the Business Enterprise Program, sending out e-card blasts every other month to approximately 33,000 visitors via the national Reserve America system.

#### **LAW ENFORCEMENT & BOATING SAFETY PROGRAMS**

State Parks is dedicated to achieving compliance with parks and recreation management laws. Law Enforcement and Boating Safety programs provide responsive visitor services, resolution of conflicts within park jurisdictions, and promotion of resource protection. State Parks currently employs 79 park officer positions. These officers partner with local communities, visitors, and other agencies to develop and sustain the diverse environments in New Mexico’s state parks while balancing the demand for recreation.



State Parks constantly faces new challenges including resource threats, new laws to administer and enforce, new standards to follow, or other public service/safety issues. In order to meet these challenges, park officers receive the most current, professional training while striving to improve cooperation with the public, coworkers and other agencies. In 2015, State Parks continued to partner with federal and state entities to provide all state park rangers with accredited advanced law enforcement training. These partnerships allow State Parks to leverage and effectively manage a modest law enforcement program budget while supporting officers’ ongoing professional development.

State Parks operates and manages the majority of the state’s recreational boating opportunities. The primary goal is zero boating-related injuries and fatalities each year while ensuring safe and memorable experiences for boaters. Statistically, New Mexico averages 1.5 boating-related deaths per year. However, for the last two years, State Parks has accomplished the goal of zero boating-related fatalities! This can be attributed to the dedicated efforts of boaters being more safety-minded, and park officers and other partners who provide educational programs regarding operator and equipment requirements, navigation, and boating hazards. Park officers and staff stress the importance of wearing life jackets, operating safely in inclement weather, and not operating under the influence of alcohol or drugs. Boating safety classes are provided throughout the state in person and via the Internet, and many school-aged children receive boating and water safety instruction.

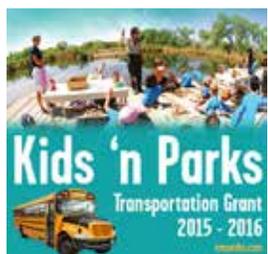
In FY15, nearly 800 students successfully passed a boating safety course. Partnerships with volunteers, non-profits, local, county, state, regional, and federal agencies are critical to fulfilling the boating safety mission. State Parks receives support from the U.S. Coast Guard Auxiliary (Auxiliary). For example, SPD partnered with the Auxiliary this year to conduct National Safe Boating Council boater surveys to gain perspectives regarding their experiences and knowledge of boating in the state. The partnership with the Auxiliary also enhances the ability of emergency response agencies to communicate and work with each other, and to improve search and rescue skills to better serve the recreational boating public on New Mexico’s lakes.



Fenton Lake State Park

Since 2007, State Parks has provided 166,822 outdoor classroom experiences for kids statewide, and in FY15, various state parks were visited by 16,955 students.

The program was evaluated and teacher’s comments were captured. On a 10-point scale, teachers gave the program a 9.5 rating for their overall experience and 9.5 for meeting goals and objectives. One teacher who visited Rio Grande Nature Center State Park wrote, “I love being able to focus our learning on a theme (ponds and Bosque) and then going to the Bosque! Our goals were all met. Most of the students were more engaged in learning and now are ready to learn about other environments.” Many teachers commented that these field trips support science, math and reading and that there is no substitute for children connecting to nature in parks. Finally, partnering with the NM Department of Game and Fish has continued to be important in educational programming. In 2015, State Parks hosted a very successful fishing clinic in partnership with Game and Fish at Fenton Lake State Park.



**EDUCATION PROGRAM -** State Parks provides quality, interpretive experiences and educational programming for visitors. A total of 2,997 programs were delivered to 26,197 attendees in FY15.

The Statewide Outdoor Classroom Program provides students with hands-on, curriculum-based outdoor experiences. The program is heavily funded by taxpayers through the Kids ‘n Parks Personal Income Tax Check-off for transportation grants to parks.

**RESOURCE PROTECTION PROGRAM -** As part of its mission, State Parks documents and preserves the unique cultural and natural resources within its system. In 2015, much of the focus was on a series of maintenance and repair projects, and three State Parks staff reviewed over 45 park projects, which often required inventory, research, and reporting. Resource staff successfully coordinated with partner and regulatory agencies that were critical to the compliance process. Major compliance efforts were accomplished in support of critical infrastructure projects at Bluewater Lake, Leasburg Dam and Navajo Lake state parks.



In addition to legal compliance, State Parks continued important resource protection partnerships with the New Mexico Department of Game and Fish, New Mexico Interstate Stream Commission, Bureau of Reclamation, U.S. Army Corps of Engineers, Audubon New Mexico, U.S. Fish and Wildlife Service and other entities. State Parks partnered with the New Mexico State Forestry Division to continue a forest health project on 80 acres at Hyde Memorial State Park. The tree thinning project will improve forest health by restoring forest density back to a more natural state and will decrease the risk of catastrophic fire.

**VOLUNTEER PROGRAM** - State Parks values its many volunteers and works hard to ensure that both volunteers and Friends Group members have the guidance and support they need. Tracking volunteers has been a difficult issue for State Parks for many years. The agency is now preparing to go live with an online, web-based tracking system that will give volunteers and managers the ability to submit and approve volunteer time from anywhere. It will also provide the ability for staff to access accurate and timely reports about the volunteers and the program's status.

State Parks currently works with 21 established support groups. New Friends' Groups are in the process of being established for Bluewater Lake, City of Rocks and Navajo Lake state parks.

**BUSINESS ENTERPRISE** - State Parks relies heavily upon relationships with concessionaires and private business. State Parks manages 17 concessions throughout its system and values the services that

they offer. Such concessions include: marinas, fishing guides and outfitters, a horseback riding concession, stores and gift shops. Keeping contracts up to date is important and, in 2015, State Parks negotiated critical contracts for two of the four marinas at Elephant Butte Lake State Park.

SPD had a very successful year with the Reserve America (RA), the online reservation system for state parks. The system allows visitors to make reservations online and provides accurate reporting capabilities. We continue to increase the functionality of this software and will soon provide park staff with the ability to access the software and make changes to the system on their own. This will dramatically improve the time it takes to post important notifications, like campsite closings, to our visitors.



Nearly 60 percent of RA customers making reservations at New Mexico's state parks are from New Mexico, and nearly 20 percent come from Texas. SPD had a 12 percent increase in revenue generated through RA from FY14 to FY15. State Parks also has a donations feature on the RA, and collected \$4,045 in online donations in 2015.

The top five parks in both total nights booked on RA and in revenue generated (from RA) are, (respectively): Navajo Lake State Park, Elephant Butte Lake State Park, Brantley Lake State Park, Heron Lake State Park and Bottomless Lakes State Park.

The Business Enterprise Coordinator has been working with the Marketing Program to initiate an economic impact analysis and develop a business plan for State Parks. Business Enterprise also works with the Marketing Program to disseminate email blasts and advertisements through the reservation system.



## Energy, Minerals & Natural Resources Department

Data and Statistics: Collected and published pursuant to the authority of the New Mexico Energy, Minerals and Natural Resources Department:  
NMSA 1978, Sections:

69-5-7 (1933, as amended through 2007)  
69-11-1 (1933, as amended through 1989)  
69-11-2 (1933, as amended through 1989)  
69-11-3 (1933, as amended through 1989)  
69-25A-10 (1979)  
69-26-1 (1933, as amended through 1989)  
69-26-2 (1933, as amended through 1989)  
69-26-3 (1933, as amended through 1989)  
70-2-12 (1978, as amended through 2004)

For more information on the Energy, Minerals & Natural Resources Department visit:  
[www.emnrd.state.nm.us](http://www.emnrd.state.nm.us)

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## POTASH

(Data in thousand metric tons of K<sub>2</sub>O equivalent unless otherwise noted)

**Domestic Production and Use:** In 2015, the production value of marketable potash, f.o.b. mine, was about \$680 million. Potash was produced in New Mexico and Utah. Most of the production was from southeastern New Mexico, where two companies operated four mines. Sylvinite and langbeinite ores in New Mexico were beneficiated by flotation, dissolution-recrystallization, heavy-media separation, solar evaporation, or combinations of these processes, and provided more than 75% of total U.S. producer sales. In Utah, two companies operated three mines. One company extracted underground sylvinite ore by deep-well solution mining. Solar evaporation crystallized the sylvinite ore from the brine solution, and a flotation process separated the potassium chloride (muriate of potash or MOP) from byproduct sodium chloride. The firm also processed subsurface brines by solar evaporation and flotation to produce MOP at its other facility. Another company processed brine from the Great Salt Lake by solar evaporation to produce potassium sulfate (sulfate of potash or SOP) and byproducts.

The fertilizer industry used about 85% of U.S. potash sales, and the chemical industry used the remainder. About 60% of the potash produced was MOP. Potassium magnesium sulfate (sulfate of potash-magnesia or SOPM) and SOP, which are required by certain crops and soils, accounted for the remaining 40% of production.

<b>Salient Statistics—United States:</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015<sup>e</sup></b>
Production, marketable <sup>1</sup>	1,000	900	960	850	770
Sales by producers, marketable <sup>1</sup>	990	980	880	930	760
Imports for consumption	4,980	4,240	4,650	4,970	4,000
Exports	202	234	289	118	30
Consumption, apparent <sup>1,2</sup>	5,800	5,000	5,200	5,800	4,700
Price, dollars per ton of K <sub>2</sub> O, average, muriate, f.o.b. mine <sup>3</sup>	730	710	640	580	635
Employment, number:					
Mine	660	750	760	670	600
Mill	620	740	770	660	620
Net import reliance <sup>4</sup> as a percentage of apparent consumption	83	82	82	85	84

**Recycling:** None.

**Import Sources (2011–14):** Canada, 84%; Russia, 9%; Israel, 3%; Chile, 2%; and other, 2%.

<b>Tariff:</b>	<b>Item</b>	<b>Number</b>	<b>Normal Trade Relations</b>
			<b>12–31–15</b>
	Potassium nitrate	2834.21.0000	Free.
	Potassium chloride	3104.20.0000	Free.
	Potassium sulfate	3104.30.0000	Free.
	Potassic fertilizers, other	3104.90.0100	Free.
	Potassium-sodium nitrate mixtures	3105.90.0010	Free.

**Depletion Allowance:** 14% (Domestic and foreign).

**Government Stockpile:** None.

**Events, Trends, and Issues:** U.S. consumption, imports, production, and sales of potash were estimated to be lower in 2015 compared with those in 2014. Production decreased, owing in part to one company in New Mexico producing only SOPM after it ceased production of MOP at the mine at the end of 2014. In addition, the leading U.S. potash producer closed one mine in New Mexico for 15 days for maintenance issues. Consumption and imports were lower because many farmers postponed buying potash because of high inventories and anticipation of lower prices in the fourth quarter. The price of potash increased primarily because of higher prices in the first half of 2015. U.S. imports of potash account for more than 80% of consumption. Most of the imports are from Canada, which has the world's largest reserves and production capacity and lower production costs than in the United States.

The leading potash producer announced in late 2015 that it would stop production of MOP and only recover SOPM at one of its three mines in New Mexico. The company would use MOP from its lower cost solar solution mine, which began operating at normal levels in 2015, to replace MOP from the old mine.

## POTASH

A Canadian company continued development of a new underground potash mine in southeastern New Mexico that would produce SOP only. The company planned to begin production in 2017 or 2018, with an annual production capacity of 714,000 tons of SOP.

Annual production capacity was projected to increase globally from 52 million tons in 2015 to 61 million tons in 2019. More than one-half of the new capacity would be from expansions of existing facilities in Belarus, Canada, China, and Russia. The remainder would be from new mines in Belarus, Canada, Russia, Turkmenistan, the United States, and Uzbekistan. In 2015, Belarus, Canada, China, and Russia accounted for 75% of world production and capacity and by 2019 could account for 80% of world production capacity. Other significant potash projects were under development in Australia, Brazil, Canada, Congo (Brazzaville), Eritrea, Ethiopia, Kazakhstan, Laos, Peru, Thailand, and the United Kingdom. None of these projects, however, were expected to be completed until after 2020.

In 2015, world consumption was estimated to have increased slightly over that of 2014, owing to higher fertilizer consumption in India and South America, which offset level consumption in the rest of the world. World consumption for all uses of potash was projected to increase gradually from 35.5 million tons K<sub>2</sub>O in 2015 to 39.5 million tons K<sub>2</sub>O in 2019. Asia and South America would account for most of the growth in consumption.

**World Mine Production and Reserves:** U.S. reserves were revised to reflect the closure of one mine in late 2013 and another ceasing production of MOP in 2014. Reserves for Brazil (K<sub>2</sub>O) were revised with official Government data. Reserves for Canada were reduced owing to one company revising its resource evaluation after completion of a new pilot plant study. Reserves for Israel and Jordan were revised to reflect the potassium content of the Dead Sea and the potential amount of potash that could be recovered.

	Mine production		Reserves <sup>5</sup>	
	2014	2015 <sup>e</sup>	Recoverable ore	K <sub>2</sub> O equivalent
United States <sup>1</sup>	850	770	1,500,000	120,000
Belarus	6,290	6,500	3,300,000	750,000
Brazil	311	311	300,000	13,000
Canada	11,000	11,000	4,200,000	1,000,000
Chile	1,200	1,200	NA	150,000
China	4,400	4,200	NA	210,000
Germany	3,000	3,000	NA	150,000
Israel	1,770	1,800	NA	<sup>6</sup> 270,000
Jordan	1,260	1,250	NA	<sup>6</sup> 270,000
Russia	7,380	7,400	2,800,000	600,000
Spain	715	700	NA	20,000
United Kingdom	610	610	NA	70,000
Other countries	50	50	250,000	90,000
World total (rounded)	38,800	38,800	NA	3,700,000

**World Resources:** Estimated domestic potash resources total about 7 billion tons. Most of these lie at depths between 1,800 and 3,100 meters in a 3,110-square-kilometer area of Montana and North Dakota as an extension of the Williston Basin deposits in Manitoba and Saskatchewan, Canada. The Paradox Basin in Utah contains resources of about 2 billion tons, mostly at depths of more than 1,200 meters. The Holbrook Basin of Arizona contains resources of about 0.7 to 2.5 billion tons. A large potash resource lies about 2,100 meters under central Michigan and contains more than 75 million tons. Estimated world resources total about 250 billion tons.

**Substitutes:** No substitutes exist for potassium as an essential plant nutrient and as an essential nutritional requirement for animals and humans. Manure and glauconite (greensand) are low-potassium-content sources that can be profitably transported only short distances to the crop fields.

<sup>e</sup>Estimated. NA. Not available.

<sup>1</sup>Data are rounded to no more than two significant digits to avoid disclosing company proprietary data.

<sup>2</sup>Defined as sales + imports – exports.

<sup>3</sup>Average prices based on actual sales; excludes soluble and chemical muriates.

<sup>4</sup>Defined as imports – exports.

<sup>5</sup>See [Appendix C](#) for resource/reserve definitions and information concerning data sources.

<sup>6</sup>Total reserves in the Dead Sea are divided equally between Israel and Jordan for inclusion in this tabulation.



**Reported Revenues  
Federal Onshore in New Mexico  
For FY 2015  
By Accounting Year**

Revenue Type	Commodity	Product	2015		
			Sales Volume	Sales Value	Revenue
<b>Reported Royalties</b>	Coal (ton)	Coal (ton)	7,392,787.00	\$339,118,552.93	\$20,665,425.50
	Gas (mcf)	Coal Bed Methane (mcf)	199,356,084.59	\$701,512,494.52	\$75,914,858.18
		Fuel Gas (mcf)	16,116,338.26	\$58,141,041.11	\$6,813,531.23
		Gas Lost - Flared or Vented (mcf)	11,183,206.04	\$40,531,007.96	\$5,024,312.68
		Processed (Residue) Gas (mcf)	303,046,858.14	\$962,307,254.40	\$106,726,484.59
		Unprocessed (Wet) Gas (mcf)	161,720,072.08	\$570,040,486.02	\$70,743,352.72
		NGL (gal)	Gas Plant Products (gal)	1,155,305,604.47	\$605,828,469.53
	Oil (bbl)	Condensate (bbl)	2,617,733.61	\$139,874,395.47	\$17,580,718.60
		Drip or Scrubber Condensate (bbl)	34,617.63	\$1,877,215.80	\$234,600.76
		Inlet Scrubber (bbl)	10,812.96	\$513,905.24	\$64,238.13
		Oil (bbl)	74,215,984.03	\$4,221,155,986.18	\$527,047,882.30
		Oil Lost (bbl)	7.00	\$311.62	\$38.95
		Sweet Crude (bbl)	1,596.25	\$83,081.09	\$10,385.16
	Other Products	Carbon Dioxide Gas (CO2) (mcf)	9,391,728.19	\$9,120,010.46	\$1,012,439.79
		Geothermal - Electrical Generation, Kilowatt Hours (kwh)	8,633,221.00	\$856,279.32	\$14,984.86
		Langbeinite (ton)	444,490.00	\$153,043,398.82	\$7,552,538.24
		Muriate Of Potash-Granular (ton)	373,371.00	\$123,750,635.96	\$5,157,399.61
		Muriate Of Potash-Standard (ton)	71,984.00	\$26,380,572.68	\$981,824.64
		Potash (ton)	69,782.00	\$38,461,408.00	\$1,907,418.75
		Salt (ton)	353,941.00	\$9,926,450.06	\$397,057.99
Sylvite-Raw Ore (ton)		443,634.00		\$4,436.34	
<b>Rents</b>	Coal			\$78,234.00	
	Geothermal			\$27,025.35	
	Oil & Gas			\$1,677,945.39	
	Potassium			(\$6,191.00)	
<b>Bonus</b>	Coal			\$460,000.00	
	Oil & Gas			\$83,048,090.00	
<b>Other Revenues</b>	Coal			\$38,656.91	
	Geothermal			\$7,991.29	
	Oil & Gas			(\$8,105,807.52)	
	Potassium			\$280,834.60	
<b>Total</b>			\$8,002,522,957.17	\$982,539,050.81	