

OIL AND GAS 101

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Introductions and Overview



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Topics:

- Legal structure governing oil & gas leasing and development on public lands
- Overview of how decisions are made and how to engage

Opportunities for questions

Take home materials

Department of the Interior Implements Emergency Permitting Procedures to Strengthen Domestic Energy Supply

Accelerates permitting procedures to develop American Energy Dominance

04/23/2025
Last edited 06/04/2025

Interior advances energy dominance through the One Big Beautiful Bill Act

Organization: Bureau of Land Management

Media Contact: Interior_Press@ios.doi.gov - Interior_Press@ios.doi.gov

Jul 22, 2025



Interior streamlines oil and gas leasing to advance energy independence and economic growth

and Management
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How does oil and gas leasing fit in?

How doesn't it?

The BLM manages 700 million acres of mineral estate/subsurface.

- All federal agencies and split estate (state, private, Tribal).
- Includes lands that were leased before they became National Monuments or Wilderness – or National Parks or National Wildlife Refuges.
- Includes lands adjacent to all those places.
- Includes lands with wilderness characteristics, lands that may be nominated or suitable for many other types of management — or have values that need to be protected because they affect local watersheds or open space.



Framework Governing Oil and Gas Development on Public Lands

Key Laws Applicable to Oil and Gas Development on Public Lands

- Mineral Leasing Act (MLA)
- Federal Land Policy and Management Act (FLPMA)
- National Environmental Policy Act (NEPA)
- One Big Beautiful Bill Act (OBBA)
- Endangered Species Act (ESA)
- National Historic Preservation Act (NHPA)

Guiding

Regulations and Policies

- Onshore Oil and Gas Leasing Rule
- BLM Land Use Planning Regulations
- Instruction Memorandum 2025-028

Guiding

Decision-Making Processes

- Land Use Planning Process
- Master Development Plans
- Oil and Gas Lease Sales
- Permitting

Impacting

Enabling

Opportunities for Public Engagement

- Prescribed by regulations
- Expanded by guidance and agency discretion
- Greater for cooperating agencies

Key Laws: Mineral Leasing Act of 1920

(with additional detail from reconciliation bill)



Sets up leasing and development framework:

- “Lease sales shall be held for each State where eligible lands are available at least quarterly and more frequently if the Secretary of the Interior determines such sales are necessary.”
 - Offer at least 50% of parcels.
 - Replacement sales if 25% of acreage doesn’t sell or any canceled or delayed, including for lack of eligible parcels.
 - 4 sales per year minimum in WY, NM, CO, UT, MT, ND, OK, NV, AK.
- Competitive sales – but if do not sell, then can be sold noncompetitively.
- Royalties at 12.5%, minimum rent (\$3 acre to start, then increasing to \$5 and finally \$15 during 10-year lease term), minimum bids (\$10/acre).

Key Laws: Mineral Leasing Act of 1920

(with additional detail from reconciliation bill)

- DOI/BLM **shall** make lands “known or believed to contain oil and gas deposits” available for leasing (*i.e., included in sales*) within 18 months once they are nominated if they are open to leasing in land use plans.
- **But:** “may not issue any lease on National Forest System Lands ... over the objection of the Secretary of Agriculture.”
- Defines eligible and available lands:
 - ‘eligible lands’ means all lands that are subject to leasing under this Act and are not excluded from leasing by a statutory prohibition.
 - ‘available’, with respect to eligible lands, means those lands that have been designated as open for leasing under a land use plan developed under section 202 of FLPMA and nominated for leasing through an expression of interest
- Lease terms and conditions are limited to what is in an applicable land use plan.
- Permits to drill are good for 4 years.



Key Laws: Federal Land Policy & Management Act (FLPMA)

- Manage for multiple use/sustained yield.
- Maintain current inventory of resources and manage under land use plans [*also very specific BLM planning regulations and Public Lands Rule*].
 - Allocate areas for specific uses – **including oil & gas leasing and lease stipulations/terms.**
 - Prioritize protection/designation of areas of critical environmental concern.
- Only authorize actions consistent with governing land use plans.
- Involve the public in decision-making about the management of public lands.
- Prevent unnecessary or undue degradation.



Key Laws: National Environmental Policy Act (NEPA)

The statute is still in place

- Informed decision-making after taking into account environmental consequences, considering alternatives and mitigation, involving cooperating agencies.

Major changes

- CEQ implementing regs had existed for almost 50 years creating a very familiar process, and they have been revoked.
 - New DOI regs are limited to: (1) emergency situations; (2) the use of categorical exclusions; and (3) applicant prepared EIS's/EA's.
- All other direction regarding NEPA processes will only be addressed in guidance documents, such as department handbooks and bureau guidance.
 - But these include some requirements for engagement and a lot of discretion.
 - **BLM oil & gas regulations also require specific NEPA analysis and public engagement.**
- Supreme Court decision (*Seven County Infrastructure Coalition* case) changed the federal common law – finding the scope of NEPA review has become too broad and burdensome, so dialed back how much NEPA analysis will be required and emphasizing procedural nature.



Key Laws: NHPA and ESA

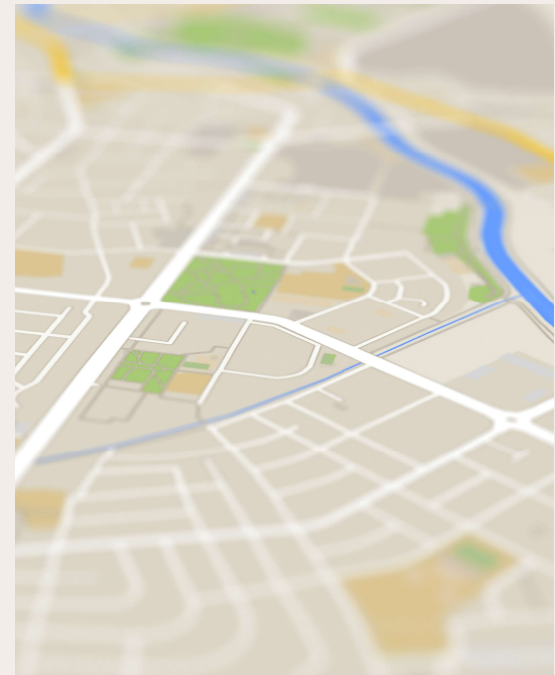
- National Historic Preservation Act - Established to protect historic and cultural resources. Requires inventory, consultation and consideration of mitigation. Requires consultation with Tribes prior to action. Also provides for creation of Programmatic Agreements with broader set of parties that can govern action needed prior to approving permits or rights-of-way or other actions in broader areas.
 - Endangered Species Act - Enacted to prevent extinction and promote recovery of threatened and endangered fish, wildlife and plant species. Requires consultation and consideration of protection of listed species prior to any actions that could result in jeopardy of the species or harm their critical habitat; generally prohibits “take” of those species. The BLM is also supposed to take action to prevent actions that could make listing more likely of species identified as “special status species” (per manual).
- **Must inventory, consult, consider mitigation before taking action.**
- **Regardless of “energy emergencies” for fossil fuel projects, compliance is still required with NEPA, NHPA, ESA.**



Decision-making & Engaging: Planning

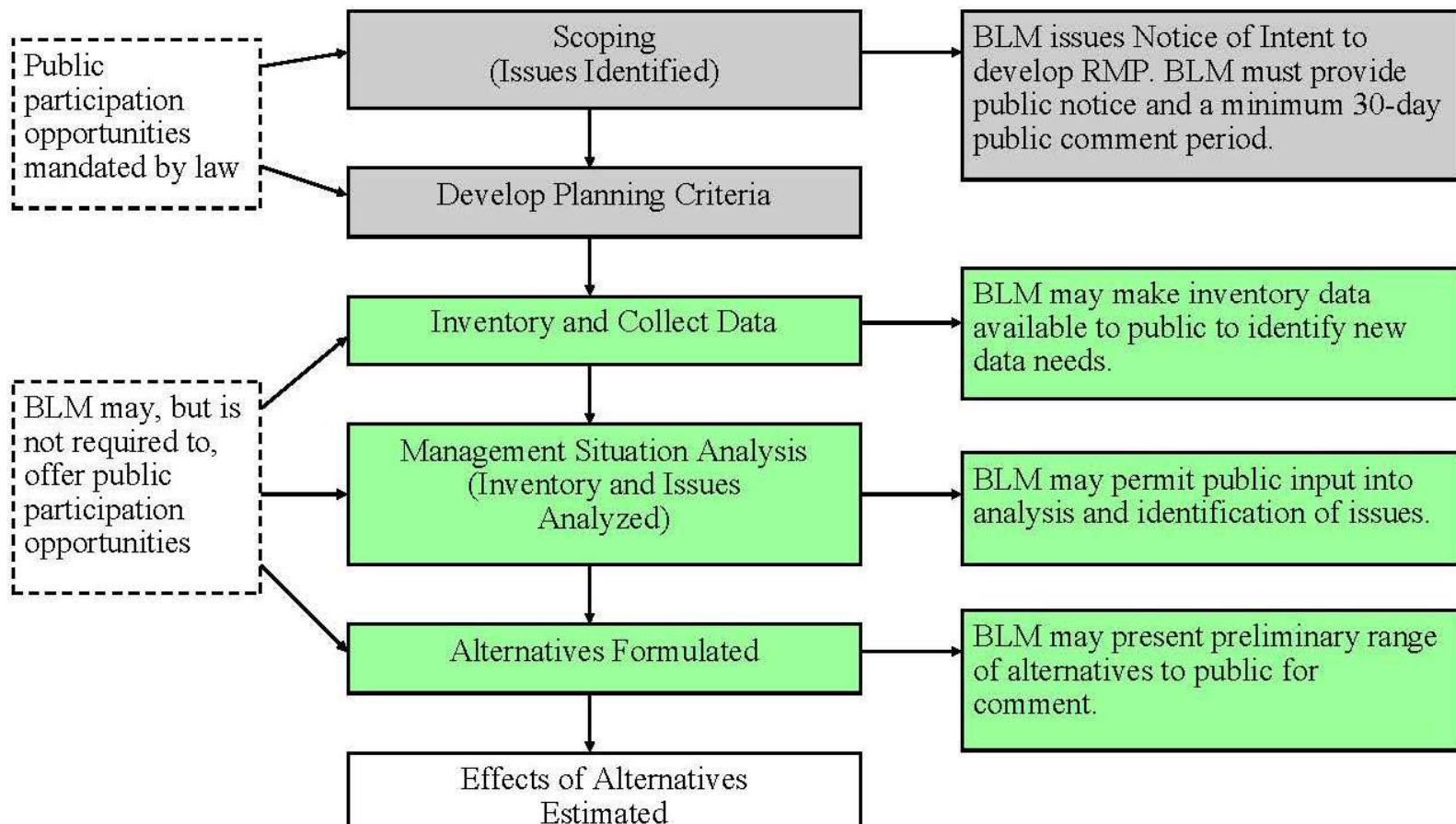
Can be a new plan or an amendment – conducted per BLM planning regulations and guidance – but scope can affect oil and gas development.

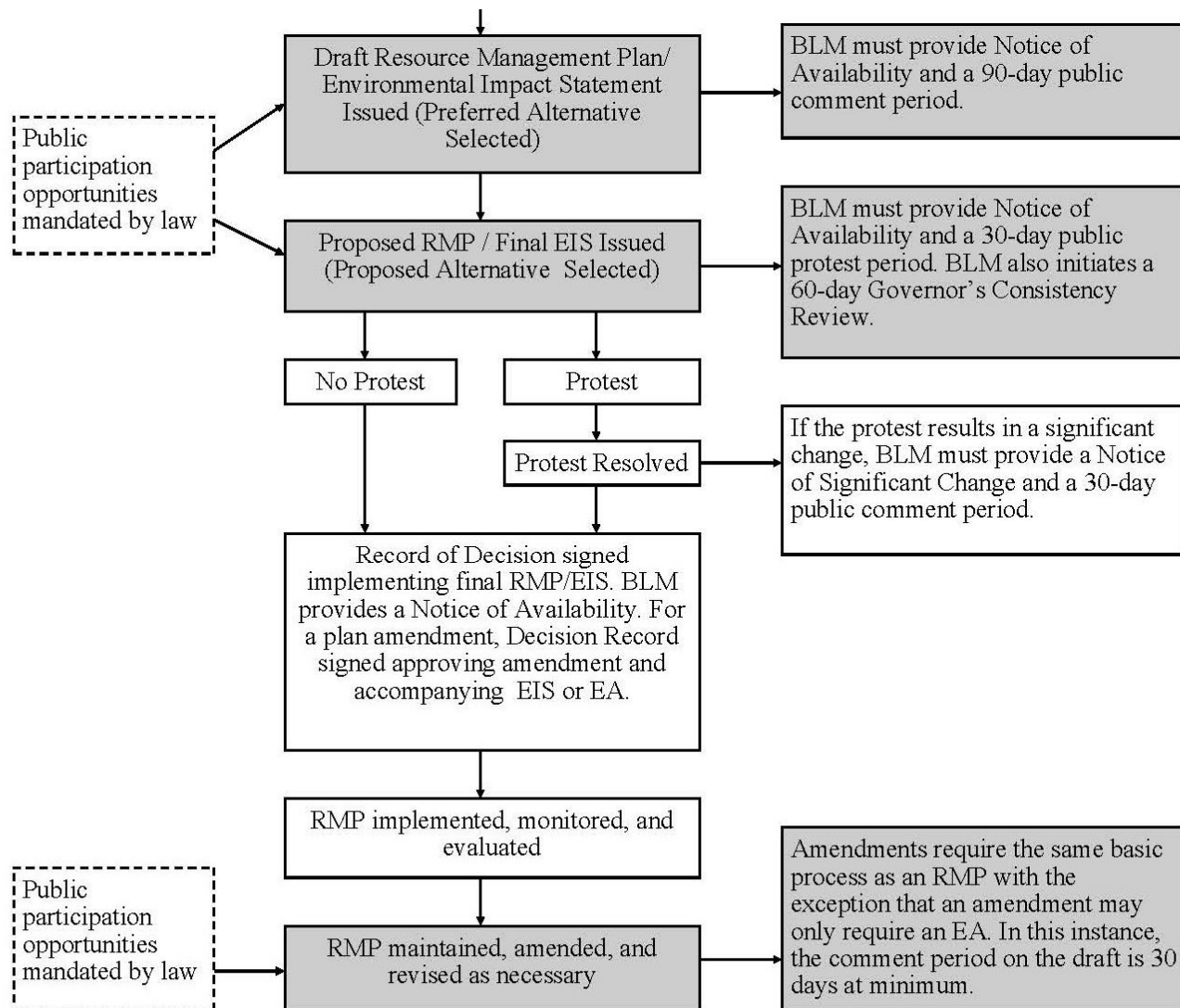
- Allocating areas as open or closed.
- Defining lease terms/stipulations, such as no surface occupancy, other limitations on surface use – such as timing or amount of surface disturbance In all cases can submit proposals/alternatives/information.
- Can include ACECs, backcountry conservation areas, lands with wilderness characteristics, which limit or affect oil & gas leasing and development.
- Cooperating agencies are at the table.
- BLM must seek consistency with state/local/Tribal plans.
- Tribes have opportunities beyond cooperating agencies as sovereign nations – can look for shared goals to support.



RESOURCE MANAGEMENT PLANNING PROCESS

The left side of the figure shows the progression of planning stages. The boxes on the right highlight the public participation opportunities at each stage.





Decision-making & Engaging:

Planning - Biggest effect – most opportunities for input in terms of protecting lands from leasing and development.

- Ties in with identifying which lands are eligible and available for leasing.
- Ties in with identifying lease terms.
- Relatively infrequent.

Leasing – May be more challenging to engage.

- Emphasis on sales – occurring frequently.
- Still opportunities to engage and influence.
- A lot at stake.



Decision-making & Engaging: Leasing



Begins with a **nomination/expression of interest**.

- BLM evaluates whether lands are eligible and available – are they federal minerals? are they withdrawn? open to leasing in the governing land use plan?

Public process then move forwards with opportunities to engage

- BLM oil and gas regulations and Instruction Memorandum 2025-028 require multiple opportunities for public input and NEPA analysis as part of lease sale.

BLM may proactively reach out to Tribes, split estate owners, Forest Service, local governments, state agencies.

➤ **There are a lot of steps that are public – all are opportunities to make public statements and engage others who might not be aware of how big this threat is to their communities.**

rockymountainwild.org/oil-and-gas-watch



[f](#)[i](#)[in](#)[v](#)

[Social Media Guidelines](#)

ROCKY MOUNTAIN WILDLIFE

Upcoming Oil & Gas Lease Sales

About

Rocky Mountain Wildlife

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Oil and Gas

Oil and Gas

Each year the Bureau of Land Management documents below at-risk species and own comments are

Information on federal

Map Layers

BLM Upcoming Lease Sales

Additional Oil & Gas Data

Regional Generalized Federal Oil or Gas Expressions of Interest (8/13/2025)

BLM Lands Closed to Leasing (Western US)

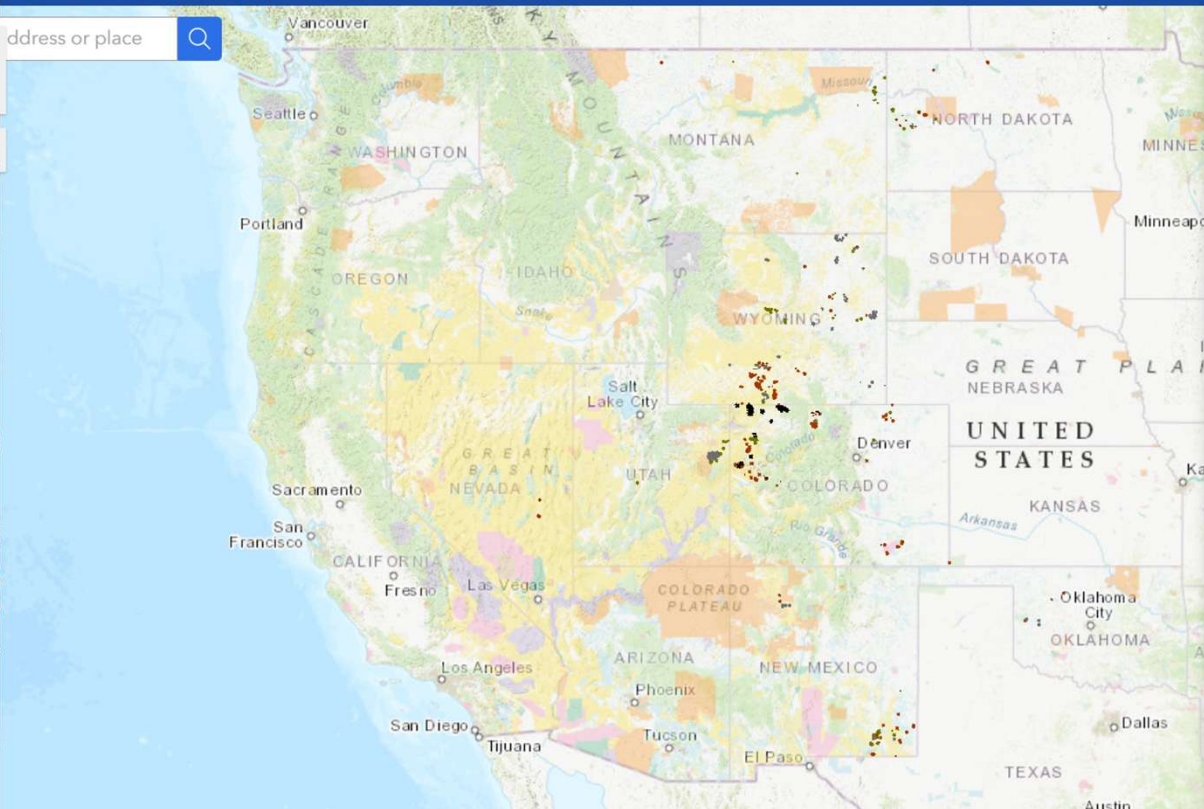
BLM Land Open to Leasing (Western US)

Split Estate Open to Leasing (Rocky Mountain West)

Leases Offered & Sold: 2017-2020

Leases Offered & Sold : 2021- 6/2022

Oil & Gas Potential (per BLM RFDs)



Decision-making & Engaging: Leasing

Scoping – 30-day comment period on preliminary parcel list

NEPA – 30-day comment period

- Includes application of preference criteria: leasing potential, proximity to development, conflicts with important habitat, cultural resources and recreation.
- Requires NHPA and ESA compliance.
- Mistakes can be made.
- Make a record and make a scene.

Notice of Sale – 60 days prior to sale with 30-day public protest period

Finalize NEPA/Hold Sale

- Should respond to protests before sale.
- Can appeal to IBLA before going to federal court.
- Parcels that are not sold are available for noncompetitive sale for 2 years.

OIL AND GAS LEASING PROCESS¹

The left side of the figure shows the progression of leasing stages. The boxes on the right highlight the public participation opportunities at each stage.

BLM evaluates all expressions of interest (EOIs) submitted by industry to determine whether the lands are eligible for leasing.



BLM State and Field Offices review lease sale parcels, and may form Interdisciplinary Parcel Review Teams of resource specialists. BLM identifies parcels for consideration in the upcoming lease sale.



Scoping²

BLM must provide at least 30 days for public comments on identified parcels.



BLM evaluates 5 preference criteria for leasing, including conflicts with other public lands resources, development potential and proximity to existing development, as part of developing the NEPA document.



Environmental Assessment (EA) or Determination of NEPA Adequacy (DNA) released.

BLM must provide at least 30 days for public comments on the NEPA document for the lease sale.

EA or DNA finalized. IM 2025-028 directs that BLM will move forward with offering all eligible parcels.

BLM maintains it has authority to withhold or defer parcels from a lease sale.³

State Office posts sale notice at least 60 days prior to sale date, with NEPA compliance documentation.

Sale notice begins 30-day minimum protest period.³

No Protest

Protest

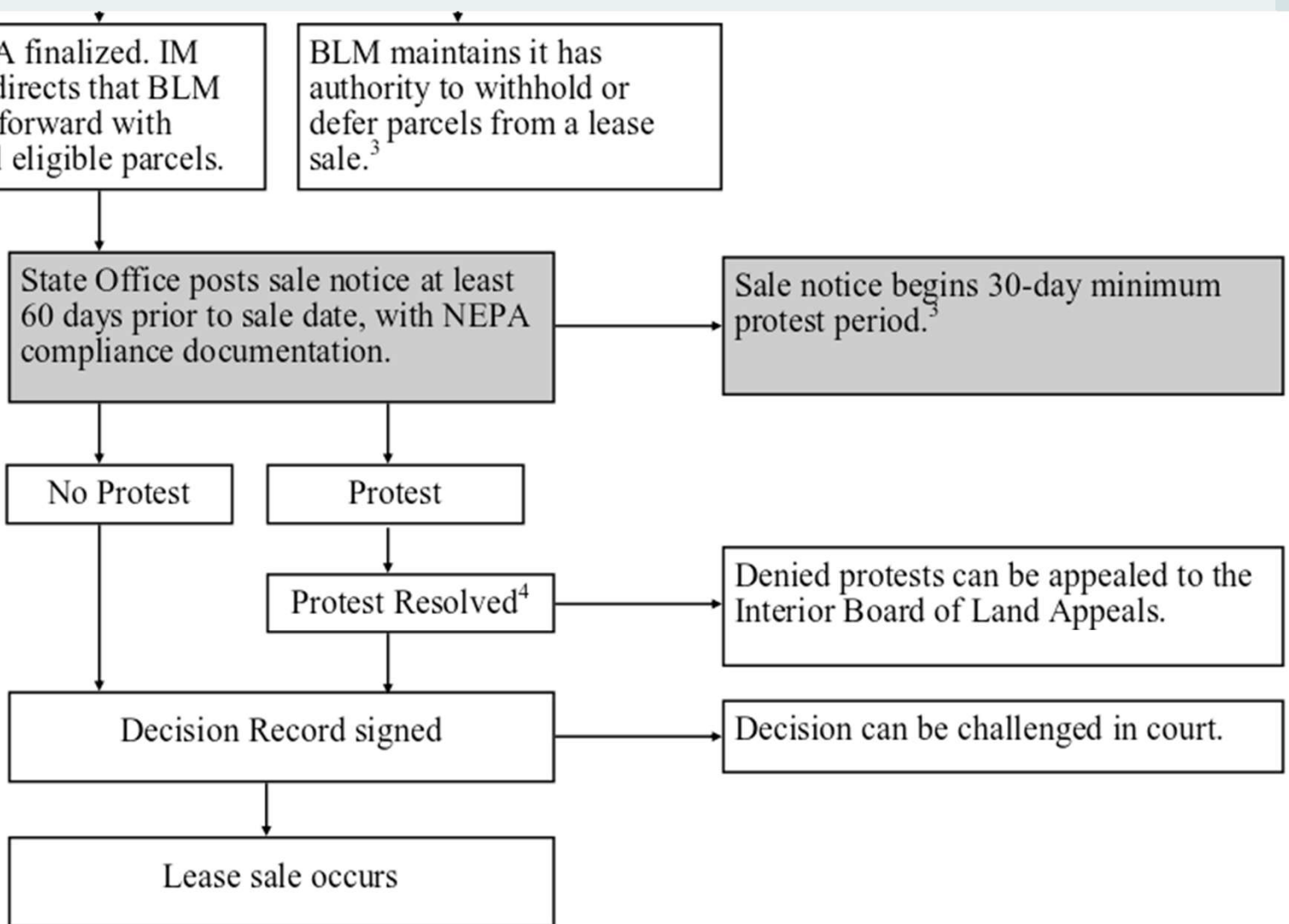
Protest Resolved⁴

Denied protests can be appealed to the Interior Board of Land Appeals.

Decision Record signed

Decision can be challenged in court.

Lease sale occurs



Decision-making & Engaging: Development

It's not over just because it's leased---

- Only about ½ leased lands are developed & many factors in play.

Additional approvals/opportunities for engagement:

- Master development plans.
- Permits to drill – must post bonds.
- Is it an energy emergency?
- May need to track proactively.



Some key takeaways for engaging on oil and gas:

- Planning: Oil & gas allocations are one of the most important aspects of land use planning – both open/closed decisions and key stipulations, as well as special designations.
- Leasing: For the foreseeable future, there are many steps for engaging the leasing process, so take advantage of those – both for trying to push the BLM but also to make a scene for all audiences.
- Development: The sale is not the end of the story.
- And all of these efforts can be part of building the profile of places you care about and for the Conservation Lands/public lands. There will be a lot of opportunities.



CHOKMA - THANK YOU

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