

Improve Processing of Drilling Applications

Goal Leader: Brian Steed, Director, Bureau of Land Management

Deputy Goal Leader: Tim Spisak, Assistant Director, Energy, Minerals, and Realty Management

Theme: Energy

Overview

Goal Statement

- Extracting oil and gas resources on public lands improves our energy security, drives economic growth, and provides revenues collected on behalf of the American public. By September 30, 2019, the Bureau of Land Management will eliminate its backlog of fluid mineral Applications for Permits to Drill (APDs) that have been pending for 3 years or more.

Challenge

- Most BLM-related processing delays involve incomplete NEPA, staffing shortages, litigation, incomplete cultural or biological surveys, or lease suspensions. Gaining concurrence from other federal Surface Management Agencies (SMA) has historically required more than 3 years to process.
- Approximately 44% of the pending APDs aged over 3 years involve another SMA such as the Bureau of Indian Affairs (BIA) or the U.S. Forest Service (USFS). The BLM is required to consult with Fish and Wildlife Service (FWS) on Threatened and Endangered Species and with the state agencies regarding historic preservation (SHPO) and depletion of water resources. This often takes an extended period due to many factors such as priorities in workload, tribal consultation, need for an EIS, or pending litigation.
- Approximately 56% of the pending APDs aged over 3 years are awaiting action from the BLM.

Opportunity

- Eliminating the APD backlog would authorize the operators to drill and produce oil and gas resources sooner thereby increasing energy security, generating revenues for the American public and drive economic growth and jobs.
- Eliminating the APD backlog will likely result in improved and repeatable cross agency processes to prevent future APDs from becoming backlogged. Additionally, eliminating the backlog could reduce the number of lease reinstatements required, eliminating added workload.

Goal Structure & Strategies

BLM will refine and update the Automated Fluid Minerals Support System (AFMSS), create Rights-of-Way (ROW) Strike Teams, establish APD targets, and increase interagency coordination

- Designated a BLM liaison to monitor the SMA progress in coming to final disposition; provided partner SMAs with reports listing APDs needing their concurrence.
- Formed an Energy and Minerals Task Force (Task Force) that will work with the USFS to revise the 2006 MOU and assess and prioritize resource needs for the five busiest BLM oil and gas offices to connect resource shortages with available capacity for addressing the backlog of APDs and ROW applications.
- Created AFMSS 2 reports to track average APD processing times, details about the changing status of APDs, timeliness of 30-day initial decision notification and tracking status of deferred APDs. These reports will be used to monitor APD processing and report quarterly on backlogged APD status.
- Continue to modify AFMSS 2 with enhancements to reduce industry burden and increase efficiency for the BLM to process permits.
- ROW strike teams – identified the five busiest offices with ROWs pending and will provide funding (if approved) for creating ROW strike teams to address the backlog in grant applications.
- APD 90-day processing targets set – Starting in April 2017, 90-day processing targets were set for each field office to assist in identifying bottlenecks and delays to keep permits from becoming backlogged.
- Streamlining NEPA Reviews per Secretarial Order (3355) and Executive Order (13807) – These recent orders directed the BLM to set page and timing limitations for Environmental Impact Statements (EIS) and Environmental Assessments (EA), to consider additional categorical exclusions, and to create an action plan to remove impediments to major infrastructure projects including some energy projects.

Summary of Progress – FY 18 Q1

Deferred APDs

| Totals | 31-90 days | 91 days to 1 year | 1-3 years | 3 Years+ | Grand Totals |
|-----------------|------------|-------------------|------------|------------|--------------|
| BIA | 2 | 8 | 1 | 143 | 154 |
| USFS | 1 | 11 | 8 | 100 | 120 |
| BLM | 6 | 11 | 83 | 214 | 314 |
| Private Surface | 34 | 150 | 52 | 88 | 324 |
| State | 0 | 13 | 0 | 6 | 19 |
| Totals | 43 | 193 | 144 | 551 | 931 |

As of Dec 14, 2017

*Data include all available deferred APDs from legacy AFMSS 1 and AFMSS 2.

**Not all pending APDs are accounted for in the above table, only those deferred were counted.

- 1) APDs that were submitted less than 30 days ago cannot have a deferred status and are not included.
- 2) Any APDs without date fields completed properly cannot be aged and are not included.
- 3) 1,573 APD's are pending non-deferred, and account for the remainder of the 2,504 APD's.

Key Milestones

| Milestone Summary | | | |
|--|--------------------|------------------|----------|
| Key Milestone | Milestone Due Date | Milestone Status | Comments |
| Quarterly Deferral Report generated to identify progress in eliminating the APDs currently backlogged > 3 years and distributed to the BLM Liaison, Energy Task Force, high priority offices and SMAs to monitor progress. | Q1 FY 2018 | completed | |
| Staffing analysis for offices with backlog will be conducted by Task Force to ensure that appropriate staff is available to meet current operational needs as well as work backlogged permits. | Q2 FY 2018 | In-progress | |
| The BLM will identify offices with the highest levels of backlogged APDs and finalize resource evaluation and allocations alternatives for those offices. | Q2 FY 2018 | In-progress | |
| The FY18 Annual Work Plan will direct offices to prioritize processing APDs and minimize the number of APDs that are deferred. Funding will be provided for ROW strike teams, AFMSS 2 priority changes, and additional funds to states needing to fill critical vacancies. | Q2 FY 2018 | In-progress | |
| Report out on 1Q APD 90-day processing target accomplishments. | Q2 FY 2018 | completed | |
| Submit legislative proposal for additional categorical exclusions from NEPA. | Q2 FY 2018 | completed | |
| Quarterly Deferral Report generated and issued | Q3 FY 2018 | | |
| Quarterly Deferral Report generated and issued | Q4 FY 2018 | | |
| Quarterly Deferral Report generated and issued | Q1 FY 2019 | | |
| Quarterly Deferral Report generated and issued | Q2 FY 2019 | | |
| Quarterly Deferral Report generated and issued | Q3 FY 2019 | | |
| Quarterly Deferral Report generated and issued | Q4 FY 2019 | | |

Key Indicators

- The BLM Washington Office will monitor the progress in improving processing times for APDs by reporting quarterly the number of APDs processed and the average time taken to process the APDs. For the APDs that are deferred to other SMAs, the BLM will report the number, the length of time and the major reasons for these APDs being delayed.

APDs Deferred (3+ Years) Awaiting SMA Approval

| Agency | FY18 Q1 | FY18 Q2 | FY18 Q3 | FY18 Q4 |
|-----------------|---------|---------|---------|---------|
| BIA | 143 | | | |
| USFS | 100 | | | |
| BLM | 214 | | | |
| Private Surface | 88 | | | |
| State | 6 | | | |
| Totals | 551 | | | |

As of Dec 14, 2017

Data Accuracy and Reliability

- Means used to verify and validate measured values: Standardized reports and processes are used to track and report data using AFMSS and AFMSS 2. Data is reviewed relative to its historical trends and programmatic context for plausibility, and is personally presented for review by senior officials to Departmental leadership and colleagues on a quarterly basis.
- Sources for the data: AFMSS and AFMSS 2 databases including the Deferral Report.
- Level of accuracy required for the intended use of the data: Under AFMSS 2, improved metrics have been designed to capture workflow processes and application status. Hard data validation within the system controls data entry and improves data integrity.
- Limitations to the data at the required level of accuracy: Historic AFMSS data system requires data validation and cross checking with SMAs. Before any data migration to the new system, we are working with other SMAs and the field to ensure data accuracy and reliability.
- How the agency has compensated for such limitations if needed to reach the required level of accuracy: Work closely with other SMAs to update and improve accuracy of historic information. Continue to refine and standardize reports to ensure consistency of data and metrics measured. Data is personally presented for review by senior officials to Departmental leadership and colleagues on a quarterly basis.

Additional Information

Contributing Programs

- Contributing Programs within DOI
 - BIA, Indian Energy and Economic Development Program
 - Bureau of Reclamation
 - Fish and Wildlife Service
 - US Forest Service, Minerals and Geology Management Program
 - Army Corps of Engineers
 - State governments

Stakeholder Engagement

This initiative is based on addressing the following general concerns expressed by stakeholders from

- Petroleum Industry – provides certainty for planning purposes and confidence in the permitting process.
- Lease and operator – authorization is delivered in a timely manner.
- NGOs – better information on proposed development and potential resource concerns.
- Other Surface Management Agencies – resolution of pending authorizations on lands that they manage
- Administration and some congressional representatives – concern that the Department's land management practices are burdensome and hinder economic development.