



## Agency Priority Goal Action Plan

# Improve Processing of Drilling Applications

**Goal Leader:** William Perry Pendley, Deputy Directory, Policy and Programs, Exercising the Authority of the Director, Bureau of Land Management (BLM)

**Deputy Goal Leader:** Nicholas Douglas, Assistant Director, Energy, Minerals, and Realty Management

# Overview

---

## Goal Statement

- o By September 30, 2019, the BLM will eliminate its backlog of fluid mineral Applications for Permits to Drill (APDs) pending for 3 years or more that are within the BLM's control to process.

## Challenge

- o Most BLM-related processing delays involve incomplete NEPA compliance, staffing shortages, litigation, incomplete cultural or biological surveys, or lease suspensions. Historically, BLM has needed more than 3 years to gain concurrence from other federal Surface Management Agencies (SMA) to process APDs.
- o Approximately 59% of BLM's pending APDs 3 years or older involve another SMA, such as the Bureau of Indian Affairs (BIA) or the U.S. Forest Service (USFS). BLM is required to consult with Fish and Wildlife Service (FWS) on Threatened and Endangered Species and with the state agencies regarding historic preservation and depletion of water resources. This coordination often takes an extended period due to many factors such as priorities in workload, tribal consultation, need for an EIS, or pending litigation.
- o Approximately 41% of the pending APDs 3 years or older are on BLM managed lands.

## Opportunity

- o By eliminating the APD backlog, the BLM would authorize operators to drill and produce oil and gas resources sooner thereby increasing energy security, generating revenues for the American public, creating jobs, increasing business certainty, and driving economic growth.
- o By eliminating the APD backlog, the BLM can improve the 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

---

- The BLM designated a liaison to monitor and coordinate SMA progress in coming to final disposition; provided partner SMAs with reports listing APDs needing their concurrence.
- Continue to work the Energy and Minerals Task Force (Task Force) that will work with the USFS to revise the 2006 Memorandum of Understanding (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 Rights-of-Way (ROW) applications.
- Track APD processing times in Automated Fluid Minerals Support System (AFMSS) 2 reports, including details about the changing status of APDs, timeliness of 30-day initial decision notification and tracking status of deferred APDs. These reports are used to monitor APD processing and report monthly on backlogged APD status.
- Continue to enhance AFMSS 2 to reduce industry burden and increase efficiency for permit processing.
- Identify ROW strike teams to address the backlog in applications at five busiest offices with ROWs pending.
- 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.
- Streamline NEPA Reviews per Secretarial Order (3355) and Executive Order (13807) – These recent orders directed the BLM to set page and time limitations for Environmental Impact Statements (EIS) and Environmental Assessments (EA), consider additional categorical exclusions, and create an action plan to remove impediments to major infrastructure projects.

# Summary of Progress – FY19 Q4

---

- **Level of Results Achieved**
  - BLM reduced backlogged (>3 years) pending APDs by 463, from 556 to 93 (-83%) during the past 18 months (03/06/2018 – 09/30/2019).
  - The BLM significantly reduced its backlog of pending APDs over the last 18 months. Although BLM did not meet our goal, only 38 of 93 backlogged APDs remain on BLM managed surface land.
- **Basis for the Assessment**
  - The BLM significantly reduced the inventory of backlogged APDs by the end of FY 2019; the BLM runs an APD list for older than 3 years to share with the field offices for coordinated processing efforts.
  - BLM designated a liaison to monitor and coordinate APD progress with State Agencies and other SMAs in coming to a final disposition.
- **Actions planned to ensure achievement of the goal**
  - Proposed to continue as an APG for FY 2020.
  - 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. The BLM Washington office will also continue providing assistance to Carlsbad, NM, field office, which currently holds 61% of all pending APDs.

# Key Milestones

Milestone Summary			
Key Milestone	Milestone Due Date	Milestone Status	Comments
Pending Report generated to identify progress in eliminating the APDs currently backlogged > 3 years and distributed-to the BLM Liaison, 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	Completed	NM, UT, and WY offices with highest pending APD and ROW applications
The FY18 Annual Work Plan will direct offices to prioritize processing APDs and minimize the number of APDs that are pending. Funding will be provided for ROW strike teams, Automated Fluid Minerals Support System (AFMSS) 2 priority changes, and additional funds to fill critical vacancies.	Q2 FY 2018	Complete	Funds received from Omnibus Distributed
Pending Report generated to identify progress in eliminating the APDs currently backlogged >3 years and distributed-to the BLM Liaison, Task Force, high priority offices and SMAs to monitor progress.	Q1 FY 2019	Completed	Reduced >3 years pending by 321, from 551 to 230 (-58%)
Pending Report for past 12 months generated to identify progress in eliminating the APDs currently backlogged > 3 years and distributed-to the BLM Liaison, Task Force, high priority offices and SMAs to monitor progress.	Q2 FY 2019	Completed	Reduced APDs backlogged by 350, from 556 to 206 (-63%)
Pending Report for past 15 months generated to identify progress in eliminating the APDs currently backlogged >3 years and distributed-to the BLM Liaison, Task Force, high priority offices and SMAs to monitor progress.	Q3 FY 2019	Completed	Reduced APDs backlogged by 389, from 556 to 167 (-70%)
Pending Report for past 18 months generated to identify progress in eliminating the APDs currently backlogged >3 years and distributed-to the BLM Liaison, Task Force, high priority offices and SMAs to monitor progress.	Q4 FY 2019	Completed	Reduced APDs backlogged by 463, from 556 to 93 (-83%)

# Key Indicators

## APDs Pending Over 30 Days

Totals	31-90 days	91 days to 1 year	1-3 years	3 Years+	Grand Totals
BIA	48	18	14	14	94
USFS	30	35	14	18	97
BLM	552	1023	202	38 <sup>1</sup>	1815
Private Surface	168	332	145	21	666
State	47	15	10	2	74
USFWS	8	22	0	0	30
Totals	853	1445	252	93	2776

Data includes all available deferred APDs from legacy AFMSS 1 and AFMSS 2, as of Sep 30, 2019. APDs that were submitted less than 30 days ago cannot have a deferred status and are not included. There are 3201 total pending APDs as of Sep 30, 2019, of these 2776 are pending for over 30 days.

<sup>1</sup>Of these 38, 6 are pending due to IBLA (5 in UT, and 1 in CO), and 2 are tied to Lease Suspensions (1 in UT and 1 in WY).

## APDs Pending (3+ Years)

Agency	FY19 Q1	FY19 Q2	FY19 Q3	FY19 Q4
BIA	32	24	15	14
USFS	38	26	22	18
BLM	112	122	106	38
Private Surface	46	32	22	21
State	2	2	2	2
Totals	230	206	167	93

Data includes all available deferred APDs from legacy AFMSS 1 and AFMSS 2, as of Sep 30, 2019.

# Data Accuracy and Reliability

---

- **Means used to verify and validate measured values:** BLM will use standardized reports and processes to track and report data using AFMSS and AFMSS 2. BLM will review data relative to historical trends and programmatic context for plausibility, and senior officials will review and present to Departmental leadership and colleagues on a quarterly basis.
- **Sources for the data:** AFMSS and AFMSS 2 databases including the Details & Deferral and Pending Reports.
- **Level of accuracy required for the intended use of the data:** Under AFMSS 2, BLM designed improved metrics 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, BLM is working with other SMAs and the field offices 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.



# Additional Information

---

## Contributing Programs

- 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 aims to address stakeholder concerns:

- Petroleum Industry – provides certainty for planning purposes and confidence in the permitting process.
- Lease and operator – authorization is delivered in a timely manner.
- NGOs – transparent and timely 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.