



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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DECISION RECORD FOR THE JUNE 2025 COMPETITIVE OIL AND GAS LEASE SALE

BLM DNA Number: DOI-BLM-NV-L000-2025-0001-DNA

BLM EA Number: DOI-BLM-NV-L000-2023-0002-EA

BLM EA Number: DOI-BLM-NV-L000-2024-0001-EA

INTRODUCTION

The purpose of the action is to consider whether to make nominated parcels for competitive oil and gas leasing on public lands administered by the Bureau of Land Management (BLM) Ely District Office (EYDO), Nevada, available for lease at the June 24, 2025, Competitive Oil and Gas Internet Lease Sale. On April 25, 2025, a Notice of Competitive Oil and Gas Internet Lease Sale (Notice of Sale) was posted announcing an internet based competitive oil and gas lease sale for five parcels containing approximately 6,800 acres located in the State of Nevada.

The five parcels nominated for the June 2025 Sale are located within the EYDO, Bristlecone Field Office (BFO) and Caliente Field Office (CFO), and were screened by the Nevada State Office (NVSO). The Designation of NEPA Adequacy (DNA) DOI-BLM-NV-L000-2025-0001-DNA, proposed offering five parcels containing approximately 6,800 acres of Federal mineral estate for lease previously analyzed in the July 2023 (DOI-BLM-NV-L000-2023-0002-EA) and June 2024 (DOI-BLM-NV-L000-2024-0001-EA) Oil and Gas Lease Sale Environmental Assessments (EAs). In accordance with 43 Code of Federal Regulations (CFR) § 3120.32, BLM has reviewed the parcels in accordance with the Secretary's obligations to manage the public lands for multiple use and sustained yield as required to prevent unnecessary or undue degradation of lands and resources. Under the No Action alternatives of the referenced EAs, no parcels in the EYDO would be offered for lease at the June 2025 Sale.

The parcels were forwarded for interdisciplinary review by the EYDO in a Preliminary Parcel List and Memo. This review included: conformance with the Resource Management Plan (RMP) decisions for each planning area, review of Geographic Information System (GIS) databases, other existing data and previous environmental analyses, and documentation of environmental review in compliance with the National Environmental Policy Act (NEPA) of 1969¹. None of the five nominated parcels proposed to be offered at the June 2025 Lease Sale are located within BLM designated Greater Sage-Grouse habitat management areas (HMAs) as identified in the 2015 Nevada and Northeast California Greater Sage-Grouse Approved Resource Management Plan Amendment (Sage-Grouse ARMPA) and 2022 Maintenance Action maps.

1. Executive Order 14154, *Unleashing American Energy* (Jan. 20, 2025), and a Presidential Memorandum, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity* (Jan. 21, 2025), require the Department to strictly adhere to the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 *et seq.* Further, such Order and Memorandum repeal Executive Orders 12898 (Feb. 11, 1994) and 14096 (Apr. 21, 2023). Because Executive Orders 12898 and 14096 have been repealed, complying with such Orders is a legal impossibility. The [bureau] verifies that it has complied with the requirements of NEPA, including the Department's regulations and procedures implementing NEPA at 43 C.F.R. Part 46 and Part 516 of the Departmental Manual, consistent with the President's January 2025 Order and Memorandum.

The sale of oil and gas leases is needed to allow for continued exploration for additional petroleum and natural gas reserves which would help the United States meet its energy needs and to solidify the United States as a global energy leader. This action by BLM implements the requirements of Executive Order 14154 and the Energy Policy Act of 2005 (Pub. L. 109-58).

DECISION

I have reviewed the Determination of NEPA Adequacy (DNA) for the June 2025 Competitive Oil and Gas Internet Lease Sale, Ely District Office, Nevada (DOI-BLM-NV-L000-2025-0001-DNA), the referenced Environmental Assessments (DOI-BLM-NV-L000-2023-0002-EA) and (DOI-BLM-NV-L000-2024-0001-EA), and the associated Findings of No Significant Impact (FONSIs). It is my decision to approve all five parcels comprising approximately 6,800 acres as described in the DNA to be made available for competitive lease.

A lessee will have the right to use only so much of the leased lands as is necessary to explore for, drill for, mine, extract, remove and dispose of all the leased resource in a leasehold subject to applicable requirements, including stipulations attached to the lease, restrictions deriving from nondiscretionary statutes, and such reasonable measures as may be required and detailed by the authorized officer to mitigate adverse impacts to other resource values, land uses or users, federally recognized Tribes, and underserved communities. Such reasonable measures may include, but are not limited to, relocation or modification to siting or design of facilities, timing of operations, specification of interim and final reclamation measures, and specification of rates of development and production in the public interest. At a minimum, modifications that are consistent with lease rights include, but are not limited to, requiring relocation of proposed operations by up to 800 meters and prohibiting new surface disturbing operations for a period of up to 90 days in any lease year (*see* 43 Code of Federal Regulations [CFR] 3101.12).

Oil and gas leases are issued for a 10-year period and continue for as long thereafter as oil or gas is produced in paying quantities. If a lessee fails to produce oil or gas, does not make annual rental payments, does not comply with the terms and conditions of the lease, or relinquishes the lease; development rights of the minerals revert back to the federal government and the lands may be leased again. Prior to any surface disturbing activities, additional site-specific environmental review is required (*see* 43 CFR 3162.5-1). Surface occupancy and surface disturbance of a lease is not permitted until the lease owner or operator secures approval of an Application for Permit to Drill as specified under regulations at 43 CFR 3162.3-1 and 43 CFR Subpart 3170.

Resource Conservation Measures

- Implementation of the BLM's Best Management Practices
- Adherence to attached parcel stipulation mitigation measures
- Additional site-specific environmental document may result in additional mitigation being imposed in the form of Design Features, or Conditions of Approval (COA).

This decision is issued under the Mineral Leasing Act of 1920, as amended, the Federal Land Policy and Management Act (FLPMA) of 1976, and Part 3100 of Title 43 of the Code of Federal Regulations and is effective immediately upon signing of this Decision Record.

Findings of No Significant Impact for the Ely District July 2023 (DOI-BLM-NV-L000-2023-0002-EA) and the June 2024 (DOI-BLM-NV-L000-2024-0001-EA) Oil and Gas Lease Sale EAs support this decision. The selected action coupled with lease stipulations and lease notices detailed in the DNA, referenced EAs, and Final Sale Notice have led to my decision that all practicable means to avoid or minimize environmental harm have been adopted to provide appropriate mitigation and monitoring measures to prevent unnecessary or undue degradation of the public lands. This analysis adheres to the requirements of the National Environmental Policy Act, 42 U.S.C. §§ 4321 *et seq* and the Department of the Interior's NEPA regulations at 43 C.F.R. §§ 46.10-46.450.

COMPLIANCE AND CONFORMANCE

BLM has determined that the proposed action is in conformance with the Ely District RMP (2008) and the 2022 Plan Maintenance to the 2015 Nevada and Northeastern California Greater Sage-Grouse ARMPA, as amended. No proposed parcels occur in any Habitat Management Areas (HMAs), as delineated in the 2022 Plan Maintenance HMA maps.

The proposed action is in compliance with the FLPMA of 1976, the Endangered Species Act, and the National Historic Preservation Act, and is consistent with the applicable plans and policies of federal, state, tribal, and county agencies. All exploration and development activities proposed under the authority of these leases are subject to compliance with the National Historic Preservation Act, the Native American Graves Protection and Repatriation Act and Executive Order 13007. All development activities proposed under the authority of these leases are subject to compliance with the Mineral Leasing Act, the Clean Water Act, the Safe Drinking Water Act, the Clean Air Act, the Endangered Species Act, and all other applicable federal, state, and local laws and regulations.

PUBLIC INVOLVEMENT

Public involvement for the Ely District RMP, July 2023 EA (DOI-BLM-NV-L000-2023-0002-EA), June 2024 EA (DOI-BLM-L000-2024-0001-EA), and June 2025 DNA (DOI-BLM-NV-L000-2025-0001-DNA) was adequate for the current Proposed Action. The Ely RMP analyzed areas available within the Ely District open to oil and gas leasing. The Proposed Action for this DNA is a subset of the Proposed Actions in the July 2023 and June 2024 EAs.

Public participation for the Ely RMP began with the publication of the Federal Register Notice of Intent. With this Notice of Intent, individuals and organizations were invited to submit comments in writing to the BLM and cooperating agencies were invited to participate in the planning process. Several government agencies and tribes agreed to serve as cooperating agencies and had varying levels of involvement in the development of the Draft RMP/EIS. These agencies and tribes continued to be involved through preparation of the Proposed RMP/Final EIS. A full list of cooperating agencies can be found on page 7 of the RMP. Six public scoping

meetings were held in March and April 2003. A Notice of Availability was published in the Federal Register (Vol. 72 No. 230, pages 67748-67750, Friday, November 30, 2007), announcing the availability of the Ely Proposed RMP/Final EIS. This began a 30-day protest period that ended December 30, 2007, and a 60-day governor's consistency review in accordance with planning regulations at 43 Code of Federal Regulations Part 1610.3-2(e), which ended on January 29, 2008. Copies of the Proposed Plan were mailed to over 1,200 agencies, organizations, and individuals.

During preparation of the July 2023 (DOI-BLM-NV-L000-2023-0002-EA) Lease Sale EA, the preliminary nominated parcel list, GIS Shapefiles, along with a map of nominated parcels, was available for public scoping on the BLM National ePlanning website and by request at the NVSO and EYDO Public Rooms from November 21, 2022, to December 21, 2022. A press release was published on November 21, 2022, as well. Concurrently with initial internal scoping, the EYDO provided the proposed lease sale parcel locations to the Nevada Department of Wildlife (NDOW) and the U.S. Fish and Wildlife Service. A public comment period for the preliminary EA was offered from April 4, 2023- May 4, 2023 (*see* EA Appendix L- Summary of Public Comments and Responses). The final EA and the selected alternative were developed based on substantive comments from agencies and the public, which were evaluated and considered by the BLM during the decision-making process. Certified letters inviting the tribes to formal consultation on the finalized parcels were sent on March 1, 2023. A list of the Tribes who were sent certified letters inviting them to formal consultation can be found in Chapter 5, section 5.1.2. The Duckwater Shoshone Tribe Chairman/Tribal Historic Preservation Officer attended a field visit and toured the parcels on April 17, 2023.

During preparation of the June 2024 (DOI-BLM-NV-L000-2024-0001-EA) Lease Sale EA, the preliminary nominated parcel list, GIS Shapefiles, along with a map of nominated parcels, was available for public scoping on the BLM National ePlanning website and by request at the NVSO and EYDO Public Rooms from November 27, 2023, to December 27, 2023. A press release was published on November 27, 2023, as well. Concurrently with initial internal scoping, the EYDO provided the proposed lease sale parcel locations to the Nevada Department of Wildlife (NDOW) and the U.S. Fish and Wildlife Service. A public comment period for the preliminary EA was offered from February 27, 2024- March 28, 2024 (*see* EA Appendix L- Summary of Public Comments and Responses). The final EA and the selected alternative were developed based on substantive comments from agencies and the public, which were evaluated and considered by the BLM during the decision-making process. Certified letters inviting the tribes to formal consultation on the finalized parcels were sent on January 24, 2024. A list of the Tribes who were sent certified letters inviting them to formal consultation can be found in Chapter 5, section 5.1.2.

Both the July 2023 and June 2024 Oil and Gas Leasing EAs were posted for a 30-day protest period, which corresponded to the posting of the Notice of Competitive Lease Sale (NCLS). No protests were received for either the July 2023 or June 2024 Lease Sales. The June 2025 Notice of Competitive Oil and Gas Internet Lease Sale was posted for the required 30-day public protest period from April 25, 2025, to May 25, 2025. The BLM did not receive any protests. Included in some of the responses to comments, the public was reminded that the BLM is mandated by FLPMA to prevent unnecessary and undue degradation of the public lands, and the Department

of the Interior's regulations at 43 CFR 3160 define a wide array of rules which govern the conduct of Onshore Oil and Gas operations. Adherence to these laws and regulations would prevent or minimize the impacts of concern.

An additional site-specific environmental evaluation would be conducted for each oil and gas exploration and development proposal submitted by industry. If the evaluation indicates that environmental impacts would be unacceptable, either the project would be modified, mitigation measures would be implemented as COA to reduce the impact, or the proposal could be denied.

RATIONALE FOR DECISION

The decision to select the Proposed Action is based upon the following: 1) agency statutory and regulatory requirements; 2) national policy; 3) conformance with the RMP; 4) relevant resource and economic issues; 5) application of measures to avoid or minimize environmental impacts; and 6) meeting the purpose and need for the project.

By authorizing this action, the BLM fulfills its responsibility under the FLPMA of 1976, as amended (43 United States Code [USC] 1761-1771), which provides for the management of public lands for multiple use and sustained yield, including development of energy resources in a manner that conserves the multitude of other resources found on public land. Additionally, the Mineral Leasing Act of 1920, as amended, states that 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. As such, the BLM is required to respond to nominations for oil and gas lease sales submitted pursuant to 43 CFR 3120 to determine whether they are eligible and available. The BLM shall respond by evaluating the nominations in accordance with the aforementioned regulations and the Energy Policy Act of 2005 (Public law 109-58) and approving or denying the inclusion of nominated parcels in competitive lease sales.

I have reviewed the DNA (DOI-BLM-NV-L000-2025-0001-DNA), July 2023 EA (DOI-BLM-NV-L000-2023-0002-EA), June 2024 EA (DOI-BLM-L000-2024-0001-EA), and associated Findings of No Significant Impact (FONSI), and after consideration of the environmental effects of the BLM's Proposed Action and alternatives described in the EAs and supporting documentation, I have determined that the Proposed Action would meet the Purpose and Need for the action.

Selecting the Proposed Action will not significantly affect the quality of the human environment. Additionally, the environmental effects do not exceed those effects described in the Final Environmental Impact Statement (EIS) for the Ely District Resource Management Plan (RMP). This analysis adheres to the requirements of the National Environmental Policy Act, 42 U.S.C. §§ 4321 *et seq* and the Department of the Interior's NEPA regulations at 43 C.F.R. §§ 46.10-46.450.

Administrative Review and Appeals

This Decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations set forth in 43 CFR 4, summarized in Form 1842-1, Information on Taking Appeals to the Interior Board of Land Appeals. If an appeal is taken, a Notice of Appeal must be filed in writing with the BLM Nevada State Office, 1340 Financial Boulevard,

Reno, Nevada, 89502-7147, no later than 30 days from receipt or issuance of this Decision Record. A copy of the Notice of Appeal and any statement of reasons, written arguments, or briefs must also be served to the Office of the Solicitor at the address shown on Form 1842-1. It is also requested that a copy of any statement of reasons, written arguments, or briefs be sent to the BLM Nevada State Office. The appellant has the burden of showing that the Decision being appealed is in error.

If you wish to file a petition for a stay of this Decision, pursuant to 43 CFR 4.21, the petition must accompany your Notice of Appeal. Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a Decision pending appeal shall show sufficient justification based on:

- 1) the relative harm to the parties if the stay is granted or denied;
- 2) the likelihood of the appellant's success on the merits;
- 3) the likelihood of immediate and irreparable harm if the stay is not granted; and
- 4) whether or not the public interest favors granting the stay.

Copies of the Notice of Appeal and petition for a stay must also be submitted to each party named in the Decision and to the Interior Board of Land Appeals and the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with the BLM Nevada State Office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

You may file a Notice of Appeal by paper hardcopy only. The BLM will not accept a Notice of Appeal transmitted electronically (e.g., by email, facsimile, or social media means). Also, the BLM will not accept a petition for a stay that is transmitted electronically (e.g., by email, facsimile, or social media means). Even if the BLM has previously corresponded with you by email, facsimile, or social media means, the BLM will not accept aforementioned documents transmitted electronically. Both the Notice of Appeal and any petition for a stay must be received by paper hardcopy at the BLM Nevada State Office address above.

Justin R. Abernathy
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Division of Energy and Minerals
Bureau of Land Management - Nevada

Date