



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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DECISION RECORD FOR THE SEPTEMBER 2026 COMPETITIVE OIL AND GAS LEASE SALE

BLM EA Number: DOI-BLM-NV-E020-2026-0008-EA

DECISION

It is my decision to select the Proposed Action Alternative as described in Section 2.1 of the Environmental Assessment (EA) for the September 2026 Competitive Oil and Gas Lease Sale in the Elko District Office (EDO). Under the Proposed Action Alternative, the Bureau of Land Management (BLM) will offer 14 nominated oil and gas lease parcels (totaling approximately 20,600.11 acres) for sale, with standard Federal lease terms and conditions, and required stipulations and lease notices as identified in Appendix C of the EA (DOI-BLM-NV-E020-2026-0008-EA). The nominated parcels contain Federal minerals managed by the BLM and consist of BLM-administered surface land. Analysis contained in the EA is sufficiently detailed to allow me to make an informed decision.

Should the parcels be sold, leases issued, and proposals for development approved, monitoring may be required and will be considered under future environmental review and documentation in conformance with the applicable resource management plan. Existing agreements, memorandums of understanding, and cooperation with State of Nevada agencies related to compliance and monitoring would continue.

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

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.

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).

A Finding of No Significant Impact for the Elko District September 2026 (DOI-BLM-NV-E020-2026-0008-EA) Oil and Gas Lease Sale EA supports this decision. The selected action coupled with lease stipulations and lease notices detailed in the EA (*see* EA Appendix C) 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 DOI's NEPA Handbook.

COMPLIANCE AND CONFORMANCE

By authorizing this action, the BLM fulfills its responsibility under the Mineral Leasing Act and the Federal Land Policy and Management Act of 1976, as amended, 43 U.S.C. §§ 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 Federal Onshore Oil and Gas Leasing Reform Act of 1987 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 Code of Federal Regulations (C.F.R.) Part 3120. 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. This Decision is also in compliance with the Federal Onshore Oil and Gas Leasing Reform Act of 1987, and the Mining and Mineral Policy Act, 30 U.S.C. § 21a.

Oil and gas leasing is a component of the governing resource management plan(s) (RMP(s)). Pursuant to DOI's NEPA Handbook, this EA tiers to the RMP EISs (*see* EA Section 1.5), and incorporates by reference information and analyses contained in the documents. Application of parcel stipulations (constraints that modify the standard terms of the lease agreement) is directed by the RMPs. BLM has determined that the proposed action is in conformance with the Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) for the 1987 Elko

Resource Management Plan (RMP) and ROD, as amended, the 1986 Shoshone-Eureka RMP and ROD, as amended, and the 2025 Greater Sage-Grouse Rangewide Planning: Approved Resource Management Plan Amendment for Nevada and Northeastern California.

Additionally, the proposed action and all development activities proposed under the authority of these leases are in compliance with the Endangered Species Act, the Clean Water Act, the Safe Drinking Water Act, the Clean Air Act, and the National Historic Preservation Act, and are 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.

PUBLIC INVOLVEMENT

Public involvement for the Final FEIS and ROD for the 1987 Elko RMP and ROD, as amended, the 1986 Shoshone-Eureka RMP and ROD, as amended, and the September 2026 EA (DOI-BLM-NV-E020-2026-0008-EA) was adequate for the current Proposed Action. The RMPs analyzed areas available within the EDO open to oil and gas leasing.

During preparation of the September 2026 (DOI-BLM-NV-E020-2026-0008-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, the BLM Nevada Oil and Gas Lease Sales website, and by request at the NVSO and EDO Public Rooms from February 9 to March 11, 2026. A press release was published on February 10, 2026, as well. Concurrently with initial internal scoping, the EDO provided the proposed lease sale parcel locations to the Nevada Department of Wildlife (NDOW) and the U.S. Fish and Wildlife Service. A 30-day public comment period for the preliminary EA was offered from May 12 to June 10, 2026 (*see* EA Appendix H- Response to Public comments). 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 11, 2026. A list of the Tribes who were sent certified letters inviting them to formal consultation can be found in EA Sections 1.6.1 and 4.2. No comments were received from the tribes following the public parcel scoping and comment periods; however, coordination with the Tribes is always ongoing.

The September 2026 EA was posted for the required 30-day public protest period, from July 17 to August 16, 2026, which corresponded with the posting of the Notice of Competitive Lease Sale (NCLS). Two protest letters were timely received from the Center for Biological Diversity and the Natural Resources Defense Council jointly with the Wilderness Society and were resolved before the sale. Included in some of the responses to comments and protests, 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

I have decided to offer the parcels described in the Sale Notice Parcel List at the competitive oil and gas lease sale scheduled for September 16, 2026, for the following reasons. Should a successful high bidder win the parcel, a lease will subsequently be issued.

- Issuance of the lease parcels meets the purpose and need for the action described in EA section 1.2.
- Issuance of the lease parcels conforms with applicable land use and resource management plans, statutes, and regulations as described in EA Sections 1.4 and 1.5; and
- Adverse effects on resources and resource uses will be minimized by adherence to Lease Stipulations (*see* EA Appendix C) and Standard Lease Terms and Conditions as identified in Lease Form 3100-011.

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 September 2026 EA (DOI-BLM-E020-2026-0008-EA), and associated Finding of No Significant Impact (FONSI), and after consideration of the environmental effects of the BLM's Proposed Action and alternatives described in the EA 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 FEIS and ROD for the 1987 Elko RMP and ROD, as amended, the 1986 Shoshone-Eureka RMP and ROD, as amended, and the 2025 Greater Sage-Grouse Rangewide Planning: Approved RMP Amendment for Nevada and Northeastern California. This analysis adheres to the requirements of the National Environmental Policy Act, 42 U.S.C. §§ 4321 *et seq* and the DOI's NEPA Handbook.

Administrative Review and Appeals

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of Hearings and Appeals, in accordance with the regulations contained in 43 CFR Part 4. The notice of appeal must be filed no later than 30 days after the date of receiving notice of this decision. Any notice of appeal must be filed with the IBLA and must include a copy of the decision being appealed, a statement of standing, and a statement of timeliness.

If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must show sufficient justification based on the following criteria at 43 CFR 4.405(b).

The appellant must serve a copy of the notice of appeal and any accompanying documents on the office of the officer who made the decision, each person or entity named in the decision, and the appropriate Office of the Solicitor at the time of filing with IBLA (see 43 CFR 4.403(b); 4.407(b)). Parties must serve the Office of the Solicitor at the address shown on Form 1842-1. Service on a party known to be represented by an attorney or other designated representative must be made on the representative. If a statement of reasons for the appeal is not included with the notice of appeal, it must be filed within 30 days after the record on appeal is filed with the IBLA. Failure to file a statement of reasons within the time required will subject the challenged decision to summary affirmance (see 43 CFR 4.412(a)).

Lacy Trapp
Acting Deputy State Director
Division of Energy and Minerals
Bureau of Land Management – Nevada

Date

ATTACHMENTS: IBLA Form 1842-001.