



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

DEC 17 2019

The Honorable Deb Haaland
Chair, Subcommittee on National Parks,
Forests, and Public Lands
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Chair Haaland:

Enclosed are responses to the follow-up questions received by the Bureau of Land Management following the July 10, 2019, hearing before your subcommittee on public lands legislation.

Thank you for the opportunity to provide this material to the Committee.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional
and Legislative Affairs

Enclosure

cc: The Honorable Don Young
Ranking Member

Questions for the Record
Subcommittee on National Parks, Forests, and Public Lands
House Committee on Natural Resources
Legislative Hearing on Public Lands bills
July 10, 2019

Questions from Chairwoman Haaland

Question 1. In consideration of the ecological and cultural significance of the Carrizo Plain, what safeguards have been put in place to ensure that any new oil and gas wells or pipeline infrastructure inside the Carrizo Plain NM complies with applicable laws and the RMP for the national monument?

Response: The presidential proclamation that established Carrizo Plain as a national monument in 2001 to protect significant biological, geological and cultural resources, prohibits new oil and gas leasing. Leases that predate the monument designation, however, are generally considered to be valid existing rights under Section 701 of the Federal Land Policy and Management Act, subject to the terms of the lease.

These leases are managed under their existing terms and conditions and are subject to the Bureau of Land Management's (BLM) Inspection/Enforcement and Environmental Compliance programs. The BLM's petroleum engineering technicians conduct field inspections on federal leases throughout the state and are responsible for enforcement of federal onshore oil and gas regulations. The BLM environmental compliance team consists of natural resource specialists, environmental protection specialists, archaeologists, and other technical resource specialists who are responsible for conducting a thorough environmental analysis of any proposed activity or infrastructure within the monument in compliance with all federal laws, including the National Environmental Policy Act, the National Historic Preservation Act, and the Endangered Species Act (ESA).

Additionally, the Carrizo Plain National Monument Resource Management Plan includes comprehensive goals, management actions, and implementation guidelines to protect the resources for which the Monument was established.

Question 2. How will the BLM ensure that any plans to offer new oil and gas leases on the 1.6 million acres in the area surrounding the Carrizo Plain NM do not affect threatened or endangered species, or negatively impact sites considered culturally important to Native American tribes?

Response: The public lands around the Carrizo Plain National Monument are managed by the BLM under the 2014 Bakersfield Resource Management Plan, which includes comprehensive goals, management actions, and implementation guidelines aimed at protecting special status species, cultural resources, and traditional cultural practices, among other resources and uses. During the development of the RMP, the BLM consulted with the U.S. Fish and Wildlife Service (USFWS) for federally listed threatened and endangered species, and received a Biological Opinion in accordance with the ESA. If new activities are proposed with a potential impact to endangered species, the BLM would re-consult with the USFWS to meet all requirements under the ESA. The BLM-managed lands within Kern County have a programmatic biological opinion

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for small routine projects (projects with less than 10 acres of disturbance and pipelines less than 10 miles in length) that has established measures for oil and gas operators to follow.

The BLM provides opportunities for formal and informal consultation with Federally and Non-Federally Recognized Tribes whose interests could be potentially impacted by any project conducted within the Bakersfield Field Office. Any implementation-level authorization would comply with the requirements of the National Historic Preservation Act, in particular, a project with the potential for negative impacts to culturally sensitive sites must first develop measures to minimize impacts and require tribal monitors to ensure full compliance.



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DEC 17 2019

The Honorable Alan Lowenthal
Chairman, Subcommittee on Energy
and Mineral Resources
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Lowenthal:

Enclosed are responses to the follow-up questions received by the Office of Surface Mining Reclamation and Enforcement following the November 14, 2019, hearing before your subcommittee on H.R. 4248, the *Surface Mining Control and Reclamation Act Amendments of 2019*.

Thank you for the opportunity to provide this material to the Committee.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional
and Legislative Affairs

Enclosure

cc: The Honorable Paul Gosar
Ranking Member

Questions for the Record
House Natural Resources Committee
Subcommittee on Energy and Mineral Resources
H.R. 4248, the Surface Mining Control and Reclamation Act Amendments of 2019
November 14, 2019

Questions from Chairman Alan Lowenthal

Question 1. Over the past seven years, how much money has OSMRE used for AML emergencies?

Response: Over the past seven years (i.e., FY 2013 - FY 2019), OSMRE awarded more than \$1.8 billion to states and tribes in AML grants. During this same period, OSMRE provided \$2 million from previously-appropriated money to address federal AML emergencies in states without AML programs and \$1.6 million to a minimum program state to address AML emergency projects. One of OSMRE's primary objectives is to mitigate the effects of past mining by pursuing reclamation of abandoned coal mine lands and polluted waters. The Surface Mining Control and Reclamation Act Amendments of 2006 dramatically increased AML grant amounts to states and tribes. During FY 2010, OSMRE transitioned responsibility for AML emergencies to states and tribes with AML programs and ceased its request for funding of AML emergency projects in FY 2011.

Question 2. How much previously-appropriated money does OSMRE have available for AML emergencies?

Response: At the end of FY 2019, the remaining balance of previously-appropriated money for AML emergency projects totaled \$315,762.