



# U.S. Department of the Interior Forum Agenda

## Public Forum on Federal Oil and Gas Program

Thursday, March 25, 2021 (All Times Eastern)

- 1:00 p.m.** Welcome by Secretary of the Interior Deb Haaland
- 1:05 p.m.** Opening remarks by Laura Daniel-Davis, Principal Deputy Assistant Secretary, Land and Minerals Management
- 1:15 p.m.** Bureau of Land Management (BLM) and Bureau of Ocean Energy Management (BOEM) Overview Presentations
- BLM Presentation – Nada Culver, BLM
  - BOEM Presentation – Amanda Lefton, BOEM
- 1:50 p.m.** Presentations by Indigenous Experts
- Fawn Sharp, President, National Congress of American Indians
  - Mario Atencio, Board of Directors, Diné C.A.R.E.
  - Nicole Borromeo, Executive Vice President and General Counsel, Alaska Federation of Natives
  - Discussion
- 2:15 p.m.** Presentations by Industry Experts
- Wendy Kirchoff, Vice President of Regulatory Policy, American Exploration & Production Council
  - Erik Milito, President, National Ocean Industries Association
  - Frank Macchiarola, Senior Vice President, Policy, Economics & Regulatory Affairs, American Petroleum Institute
  - Discussion
- 2:40 p.m.** Presentations by Environmental Experts
- Nathalie Eddy, Interim Field Team Manager and Colorado & New Mexico Field Advocate, Earthworks

- Michael LeVine, Senior Arctic Fellow, Ocean Conservancy
- Sharon Buccino, Senior Director, Land Division, NRDC
- Discussion

**3:05 p.m.**      Presentations by Labor Experts

- Wendell Hibdon, Director of Energy and Infrastructure, United Association of Plumbers and Pipefitters
- Sean McGarvey, President, North America Building Trades Union
- Discussion

**3:30 p.m.**      Presentations by Equity Experts

- Maite Arce, President & CEO, Hispanic Access Foundation
- Jacqui Patterson, Director, NAACP Environmental and Climate Justice Program
- Dr. Beverly Wright, Executive Director, Deep South Center for Environmental Justice
- Discussion

**3:55 p.m.**      Presentations by Academic Experts

- Mark Squillace, Raphael J. Moses Professor of Law, University of Colorado Law School Getches-Wilkinson Center
- Dr. David Yoskowitz, Senior Executive Director, Harte Research Institute for Gulf of Mexico Studies, Texas A&M, Corpus Christi
- Brian C. Prest, Fellow, Resources for the Future
- Discussion

**4:20 p.m.**      Closing Remarks by Laura Daniel-Davis

**4:30 p.m.**      Adjourn

E&E - ENERGYWIRE

Drilling auctions to resume as Interior appeals oil freeze ruling

Avatar of Niina H. Farah

BY NIINA H. FARAH

| 08/17/2021 06:58 AM EDT

ENERGYWIRE | The Biden administration is seeking to overturn a judge's order blocking its pause on federal oil and gas leasing, even as the Interior Department said it planned to comply with the ruling and resume drilling auctions.

Interior announced yesterday it is challenging a June preliminary injunction from Judge Terry Doughty for the U.S. District Court for the Western District of Louisiana that barred the agency from halting lease sales as it led a comprehensive review of the federal oil and gas program.

President Biden had ordered the leasing freeze as part of a broader climate executive order in January, prompting objections from Republican state leaders and fossil fuel industry representatives who warned of the economic harms of preventing natural resource development.

Interior called yesterday's appeal to the 5th U.S. Circuit Court of Appeals "important and necessary."

"Together, federal onshore and offshore oil and gas leasing programs are responsible for significant greenhouse gas emissions and growing climate and community impacts," the agency wrote in a press release. "Yet the current programs fail to adequately incorporate consideration of climate impacts into leasing decisions or reflect the social costs of greenhouse gas emissions including, for example, in royalty rates."

Interior also noted the need for the agency to promote a more balanced management of public lands, pointing to the significant impacts of leasing on wildlife, historical and cultural resources, and the government's obligations to Indigenous tribes.

"Federal onshore and offshore oil and gas leasing will continue as required by the district court while the government's appeal is pending," the agency said.

The appeal came the same day that a coalition of a dozen energy trade groups led by the American Petroleum Institute launched a legal challenge to the leasing pause that sought to push the government to resume lease sales.

"Defendants have suddenly and comprehensively upended the status quo by indefinitely postponing or canceling all federal oil and gas lease sales without providing any rationale," the coalition wrote in a complaint yesterday to the same Louisiana district court that had blocked the government pause. "Indeed, Defendants are not even willing to publicly admit what they are doing, much less provide an explanation sufficient to justify the change."

Echoing previous litigation from Republican-led states, the coalition argued that the Biden administration violated a federal requirement to hold quarterly lease sales. The government's actions also prevented progress on drafting a new Five-Year Leasing Program for offshore oil and gas development to replace the plan set to expire in 2022.

The Biden administration had violated the National Environmental Policy Act and other statutes by failing to go through the correct regulatory process before implementing the leasing moratorium, the groups said.

The trade associations are asking for the court to order the government to proceed with onshore and offshore lease sales under the Mineral Leasing Act, the Mineral Leasing Act for Acquired Lands and the Outer Continental Shelf Lands Act.

They also called for the court to compel Interior to adopt a new Five-Year Leasing Program for auctions on the outer continental shelf.

The oil and gas industry lawsuit came on the heels of a challenge in the U.S. District Court for the District of North Dakota from North Dakota Attorney General Wayne Stenehjem (R), who faulted the Biden administration for canceling auctions of public mineral rights in the state this spring (Energywire, July 9).

Wyoming and the Western Energy Alliance had launched their own challenges in the U.S. District Court for the District of Wyoming soon after Biden's order.

'Past time' for new sales

Doughty, a Trump appointee, had blocked the administration's leasing pause in response to another earlier suit from a coalition of 13 states led by Louisiana Attorney General Jeff Landry (R) (Energywire, June 16).

After halting all federal oil and gas lease sales in the first and second quarters of this year, the government still has not announced it is resuming leasing, the trade associations said.

But the government also had not made a definitive statement that all onshore federal lands are unavailable, the groups added in their lawsuit.

Following Interior's statement that the agency would comply with the court order, the Independent Petroleum Association of America, one of the parties in the lawsuit, noted on Twitter that the Biden administration did not offer a timeline for restarting leasing.

"It is past time for U.S. offshore leasing to resume," National Ocean Industries Association President Erik Milito said in a statement. The group is also part of the new lawsuit against Interior.

Milito called for Interior to follow the "letter of the law," pointing to the higher environmental standards of offshore production in the U.S. compared with other nations.

"The department must hold lease sales and provide a justification for significant policy changes," said API Senior Vice President and chief legal counsel Paul Afonso. "They have yet to meet those requirements in the eight months since instituting a federal leasing pause."

Interior stated it would comply with Doughty's order and would "exercise the authority and discretion provided under the law to conduct leasing in a manner that takes into account the program's many deficiencies," according to the press release.

Interior is still reviewing the leasing program's "noted shortcomings" and completing its report, the agency said.

It is also conducting a programmatic analysis of Interior's programs to meet Biden's goal to achieve economywide net-zero greenhouse gas emissions in the U.S. by 2050. The agency also noted it will announce plans to review the federal coal leasing program next week, in response to separate litigation.

Environmental groups praised the government's appeal and urged the administration to take action to end leasing.

"Our planet can't afford any more new fossil fuel extraction," said Taylor McKinnon, a senior campaigner at the Center for Biological Diversity. "We're out of time. The world's existing oil and gas fields will already push warming past 1.5 degrees Celsius if they're fully developed.

"We need to end new federal oil and gas leasing and production to have any chance at a livable planet," McKinnon added.

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Associated Press

<https://coloradosun.com/2021/08/16/biden-appeals-oil-gas-ruling/>

Biden administration to appeal order blocking oil, gas lease pause

The moratorium was imposed after Biden signed executive orders on Jan. 27 to fight climate change

The Associated Press

8:35 PM MDT on Aug 16, 2021

By Kevin McGill, The Associated Press

NEW ORLEANS — President Joe Biden's administration filed notice Monday that it is appealing a federal judge's order that blocked Biden's suspension of new oil and gas leases on federal land and waters.

A Louisiana-based federal judge issued the ruling in June, siding with Louisiana's attorney general and officials in 12 other states. Those states said the administration bypassed comment periods and other bureaucratic steps required before such delays can be undertaken and the moratorium would cost the states money and jobs.

In a statement on the appeal, the Interior Department said it will proceed with leasing, consistent with the judge's June ruling, while the appeal proceeds. However, the department also said it "will continue to exercise the authority and discretion provided under the law to conduct leasing in a manner that takes into account the program's many deficiencies."

The statement reemphasized the administration position that the pause is needed because the federal oil and gas leasing programs are responsible for significant greenhouse gas emissions. The appeal is being filed with the 5th U.S. Circuit Court of Appeals in New Orleans.

The moratorium was imposed after Biden signed executive orders on Jan. 27 to fight climate change. The suit was filed in March and U.S. District Judge Terry Doughty in Lafayette issued his injunction June 15. The Interior Department had already canceled oil and gas lease sales from public lands through June — affecting Nevada, Colorado, Montana, New Mexico, Utah, Wyoming and the bureau’s eastern region.

Biden’s orders included a call for Interior officials to review if the leasing program unfairly benefits companies at the expense of taxpayers, as well as the program’s impact on climate change.

Doughty cited what he called the administration’s “omission of any rational explanation in cancelling the lease sales, and in enacting the Pause.” He sided with states’ attorneys who argued that the delay of new leasing cost states revenue from rents and royalties.

Alabama, Alaska, Arkansas, Georgia, Mississippi, Missouri, Montana, Nebraska, Oklahoma, Texas, Utah and West Virginia are the other plaintiff states.

In the statement announcing the appeal on the pause of oil and gas leases, the administration said it plans to officially announce this week plans to review the federal coal leasing program. The statement provided no details.

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REUTERS

United States

Biden administration appeals federal court decision to block oil, gas leasing pause

By Valerie Volcovici

August 16, 2021

9:10 PM EDT

Last Updated 11 hours ago

WASHINGTON, Aug 16 (Reuters) - The Biden administration on Monday challenged a federal judge's decision in June to block the Interior Department's pause on oil and gas leasing on public lands and waters - a critical piece of its climate change policy - but will proceed with leasing during the appeals process.

The Interior Department aims to overturn the decision of Judge Terry Doughty of the U.S. District Court for the Western District of Louisiana, who said Louisiana and a dozen states that sued President Joe Biden's administration established they would suffer injury from the pause on new oil and gas leases.

Those states last week sought a court order from the judge to force Interior to hold an offshore lease sale this year. And on Monday, the American Petroleum Institute and 11 other industry groups sued the administration to force them to reinstate lease sales, which had not resumed after the judge's June decision.

"The appeal of the preliminary injunction is important and necessary. Together, federal onshore and offshore oil and gas leasing programs are responsible for significant greenhouse gas emissions and growing climate and community impacts," the Interior Department said in a statement.

Biden had paused the government's new leases in January as part of a sweeping plan to rein in fossil-fuel extraction on federal land and combat the effects of climate change.

The Interior Department said on Monday it will proceed with new leases during the appeals process "consistent with the district court's injunction during the appeal" and will use "discretion provided under the law to conduct leasing in a manner that takes into account the program's many deficiencies."

The agency acknowledged that its current leasing program and royalty rates do not "adequately incorporate consideration of climate impacts" and the "breadth of the Interior Secretary's stewardship responsibilities."

The agency said it will address the shortcomings through several steps, including completing a report outlining reform recommendations.

Interior Secretary Deb Haaland said earlier this year that the highly anticipated report would be released in the "early summer" but it has not yet been published.

The Department also will undertake a "programmatic analysis" to ensure that federal leasing meets Biden's targets of cutting greenhouse gas emissions in half by 2030 and announced it will also release a "notice of intent" to review the federal coal leasing program later this week.

Environmental groups welcomed the appeal but expressed concern about a resumption of leasing in light of a dire report earlier this month by the UN climate science panel warning that global warming is dangerously close to spiralling out of control without drastic measures to slash greenhouse gas emissions.

"Appealing this decision shows that the Biden administration is committed to tackling the devastating impacts of the broken federal oil and gas program, but in the wake of the most recent IPCC report it is concerning that oil and gas leasing will resume and we hope DOI will introduce needed reforms to the oil and gas program ASAP," said Jamie Williams, president of the Wilderness Society.

Reporting by Valerie Volcovici in Washington and Nichola Groom in Los Angeles Editing by Marguerita Choy and Matthew Lewis

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[https://www.bloomberg.com/news/articles/2021-08-16/biden-to-resume-oil-gas-drilling-rights-sales-as-appeal-unfolds?utm\\_source=google&utm\\_medium=bd&cmpid=google](https://www.bloomberg.com/news/articles/2021-08-16/biden-to-resume-oil-gas-drilling-rights-sales-as-appeal-unfolds?utm_source=google&utm_medium=bd&cmpid=google)

Biden to Resume Selling Drilling Rights as Appeal Unfolds

By Jennifer A Dlouhy

The Biden administration is appealing a federal judge's ruling against its oil leasing moratorium and deepening government scrutiny of the activity it blames for fanning climate change, even as it promises to resume auctions.

The moves, announced by the Interior Department in an emailed statement Monday, mark the beginning of an open-ended analysis of the federal oil, gas and coal leasing programs that could span years — and lead to higher fees as well as new limits on development in sensitive areas.

The agency said it would continue onshore and offshore oil and gas leasing as required by Louisiana-based U.S. District Judge Terry Doughty in June, while it challenges the decision before the 5th Circuit Court of Appeals. "Interior will continue to exercise the authority and discretion provided under the law to conduct leasing in a manner that takes into account the program's many deficiencies."

The announcement comes ahead of a court deadline for the administration to explain how it was complying with the judge's June 15 order that leasing should resume. The Interior Department has not yet issued public plans for new or rescheduled lease sales, amid mounting pressure from Congress and the oil industry.

Administration officials were concerned that without taking action, top Interior officials could be held in contempt over the prolonged leasing pause, according to two people familiar with the plans who asked for anonymity to discuss internal deliberations.

The move is a blow to environmental activists who had pressed Biden to permanently block oil and gas leasing on federal lands and waters, arguing that a warming world can't afford to burn the fossil fuels they contain.

"This is a setback in our work to #ActOnClimate," the Sierra Club said on Twitter. "Fossil fuel extraction on public lands and waters make up a quarter of our domestic greenhouse gas emissions — at a time we must urgently move to cut emissions by at least half."

Still, Interior's announcement did little to assuage oil and gas industry leaders who have accused the administration of dragging its feet in rescheduling a series of auctions postponed earlier this year. Advocates of offshore oil development have lobbied the administration to reschedule a planned March sale of drilling rights in the Gulf of Mexico, arguing that fewer greenhouse gases are emitted in the extraction of crude from U.S. waters.

"It is past time for U.S. offshore leasing to resume," said Erik Milito, head of the National Ocean Industries Association. "The administration should follow the plain letter of the law, and support high paying jobs and climate and emissions progress."

Federal lands and waters provide about a quarter of the nation's crude production. But the oil, gas and coal extracted from that terrain is also responsible for about 24 percent of U.S. carbon dioxide emissions, according to a U.S. Geological Survey report.

Even as the Interior Department said it was resuming leasing, the agency made clear it will pursue significant changes.

“Federal onshore and offshore oil and gas leasing programs are responsible for significant greenhouse gas emissions and growing climate and community impacts,” the agency said. “Yet the current programs fail to adequately incorporate consideration of climate impacts into leasing decisions or reflect the social costs of greenhouse gas emissions, including, for example, in royalty rates.”

And Rep. Raul Grijalva, a Democrat from Arizona who heads the House Natural Resources Committee, said he would push leasing reforms as part of the Democrats’ \$3.5 trillion tax-and-spending plan. “Holding more lease sales under today’s outdated standards is economically wasteful and environmentally destructive, and everyone not sitting in a fossil fuel boardroom knows it.”

President Joe Biden ordered the leasing pause on Jan. 27 so Interior could conduct a “comprehensive review.” Now, the agency is embarking on a broader programmatic analysis of oil, gas and coal leasing it says is critical to address what changes “may be necessary to meet the president’s targets of cutting greenhouse gas emissions in half by 2030 and achieving net zero greenhouse gas emissions by 2050.”

The move takes a cue from the Obama administration, which in 2016 initiated a broad environmental analysis of federal coal leasing, and halted the sale of new mining rights in the meantime.

But the Biden administration has been under withering pressure to restart sales after the June 15 court order. A coalition of Louisiana and a dozen other states last week asked Doughty to compel the Biden administration to explain why it shouldn’t be held in contempt for violating his preliminary injunction against the moratorium, since no new sales had been scheduled, and Interior Secretary Deb Haaland told Congress last month the pause was “technically” still in place.

A dozen oil industry trade groups, led by the American Petroleum Institute, on Monday filed a new lawsuit challenging the leasing pause, joining at least three other related cases proceeding in federal courts.

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BISMARCK TRIBUNE

[https://bismarcktribune.com/news/state-and-regional/federal-oil-leasing-pause-discussed-at-meeting-with-interior-official/article\\_1f0fc85c-c976-50dd-b811-942b813ec7c6.html](https://bismarcktribune.com/news/state-and-regional/federal-oil-leasing-pause-discussed-at-meeting-with-interior-official/article_1f0fc85c-c976-50dd-b811-942b813ec7c6.html)

Federal oil leasing pause discussed at meeting with Interior official

AMY R. SISK 14 hrs ago

he U.S. Interior Department's pause on federal oil and gas leasing took center stage Monday in a discussion between the agency's No. 2 leader and oil industry representatives and state regulators in Bismarck.

Deputy Interior Secretary Tommy Beaudreau said that despite rhetoric from some about an all-out ban on oil production or permitting on federal lands, "That's not what's happening."

"There's no doubt that the federal program in our view needs reform," he said. "There is a need to step up to the plate to deal with emissions issues, especially methane. There does need to be a leasing program that is inclusive and responsive and provides for participation from all communities."

Methane is the main component of natural gas. It is a potent greenhouse gas that contributes to climate change when it leaks from oil and gas infrastructure, and its regulation is the subject of debate between environmentalists, government officials and the fossil fuel industry.

North Dakota is one of more than a dozen states that have sued over Interior's leasing pause, implemented at the start of President Joe Biden's administration earlier this year. The state filed a lawsuit last month arguing that cancellations of quarterly lease sales this year were unlawful and that the agency does not have authority to suspend the sales without first undergoing a public comment period and formal rule-making process.

North Dakota Oil and Gas Division Assistant Director Bruce Hicks told Beaudreau that federal lands sometimes make up a small portion of the area where an oil company seeks to put a well. If the company cannot obtain a lease for that land, it won't be able to drill the well there even if most of the area is owned by willing private landowners or the state.

"There are little parcels all over the Bakken" in such a setup, he said.

An oil company seeking to develop federal land for oil production must first obtain a lease to secure the property. It later will apply for a permit giving it permission to drill there. Permitting on federal land already leased is still taking place even as leasing is on hold.

Hicks added that significant revenue is at stake for the state with leasing halted, as 50% of royalties from production on federal lands in North Dakota flow back to the state.

A federal judge in Louisiana issued an injunction against Interior's leasing pause in June and ordered the agency to resume lease sales. But state leaders say the department still hasn't scheduled any in North Dakota.

The pause came as Interior launched a review of its leasing practices. That review has involved gathering comments from the public, but its findings have not yet been released.

Beaudreau said the agency hopes to provide "a clearer picture in the near future" with regard to federal leasing, but he said there was not a deadline for when it would release the results of its review. He said he understood that the pause has created uncertainty for the oil and gas industry.

Other energy leaders in North Dakota spoke to Beaudreau about the need for speedier processes for other types of energy project permits, as well as new technologies they are using to address environmental issues such as methane emissions. Sen. John Hoeven, R-N.D., led the discussion, which also was attended by Sen. Kevin Cramer, R-N.D.

Carson Hood, the former energy director for the Mandan, Hidatsa and Arikara Nation, told Beaudreau that the tribe has reached out to Interior Secretary Deb Haaland about scheduling a visit to the Fort Berthold Indian Reservation to learn about oil and gas development there.

Haaland is a member of the Laguna Pueblo and the first Native American to lead the Interior Department.

Beaudrea said he expects Haaland will meet with tribes in the Great Plains region, though he was unsure when.

"The secretary's commitment to Indian Country is the top priority for the department in so many respects," he said. "There are a lot of specific issues with respect to tribes in the Dakotas that warrant a lot of her time. Hopefully in the near future she gets to come out and visit with folks here."

Reach Amy R. Sisk at 701-250-8252 or [amy.sisk@bismarcktribune.com](mailto:amy.sisk@bismarcktribune.com).

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[https://trib.com/business/energy/oil-and-gas-leasing-pause-faces-new-legal-challenge/article\\_5072d5f9-e591-559a-b282-5baf66f7ecec.html](https://trib.com/business/energy/oil-and-gas-leasing-pause-faces-new-legal-challenge/article_5072d5f9-e591-559a-b282-5baf66f7ecec.html)

Oil and gas leasing pause faces new legal challenge

Nicole Pollack Aug 16, 2021 Updated 10 hrs ago

Two months after a judge blocked the Biden administration's suspension of new oil and gas lease sales on federal lands, the moratorium faces another legal test.

The American Petroleum Institute (API) on Monday filed a new lawsuit in the U.S. District Court for the Western District of Louisiana — the same court that issued the June preliminary injunction — challenging the leasing pause.

API and 11 industry co-plaintiffs argue in the lawsuit filed Monday that the federal government is obligated to hold quarterly onshore lease sales under the Mineral Leasing Act and ensure “expeditious development” of offshore resources under the Outer Continental Shelf Lands Act.

“The law is clear: the department must hold lease sales and provide a justification for significant policy changes,” API Senior Vice President and Chief Legal Officer Paul Afonso said in a statement. “They have yet to meet these requirements in the eight months since instituting a federal leasing pause, which continues to create uncertainty for U.S. natural gas and oil producers.”

Hours after the API statement came out, the Department of the Interior announced that it had appealed the June ruling, citing the need to complete its internal review and overhaul of the leasing program given the urgency of climate change and other program shortcomings.

The department has said it will publish an interim report on its review of the leasing program by the end of the summer. It also confirmed that it would resume lease sales to comply with the preliminary injunction — as required by federal law.

“Interior will proceed with leasing consistent with the district court's injunction during the appeal,” the department said in a statement. “In complying with the district court's mandate, Interior will continue to exercise the authority and discretion provided under the law to conduct leasing in a manner that takes into account the program's many deficiencies.”

Following the preliminary injunction, the department can still decide how many leases it makes available at auction. The oil and gas industry expects upcoming sales to offer a small fraction of the leases sold before the pause.

Each missed — or minimized — auction will be a bigger problem for industry than the last, said Pete Obermueller, president of the Petroleum Association of Wyoming (PAW).

“The lease moratorium is a slow burn,” Obermueller said. “It’s not really about immediate impacts. It’s about the pipeline for production. If you cut off the exploration, the ability to explore and the ability to lease and drill on public lands, you cut off that activity in the future.”

Uncertainty is another concern. The oil and gas industry has recovered more slowly in Wyoming than in other oil-producing states. According to Obermueller, that’s because drillers are hesitant to operate on the federal lands that make up nearly half of the state.

PAW is not involved in the API case. In March, the Wyoming industry group joined a different lawsuit, filed on Jan. 27 by the Western Energy Alliance in the U.S. District Court for the District of Wyoming — the same day President Joe Biden signed the executive order pausing new oil and gas leases on federal lands. They also pursued a preliminary injunction, but withdrew the filing following the June decision.

Like the API lawsuit, the Wyoming case alleges that the Biden administration violated the Mineral Leasing Act when it canceled its spring 2021 lease sales. More than 160,000 acres distributed across 426 parcels would have been up for auction in Wyoming that quarter.

Even amid the demand crash that the oil and gas industry experienced in 2020, Wyoming received \$5.7 million in bonus lease sale bids last year, Gov. Mark Gordon said during a call with reporters on Monday. With this year’s sales canceled, the state has not earned any revenue from lease bids in 2021.

“I want to make clear that the leasing ban is having an impact on the economy and doing nothing to solve the environmental problems that they’re trying to address,” Gordon said.

In an effort to curtail gasoline prices, Biden called for international oil producers to increase production last week, frustrating industry domestically — and further eroding confidence in the future of drilling on federal lands — as U.S. producers await an update on the administration’s leasing plans.

“Development is essentially moving to places where the protections afforded federal leases are non-existent,” Gordon said. “Instead of making sure we can sell responsibly source resources to our friends, we are doubling down on making sure that we have to buy them from our enemies.”

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WASHINGTON TIMES

<https://www.washingtontimes.com/news/2021/aug/16/biden-resumes-oil-and-gas-leasing-angering-environ/>

Environmentalists irked after Interior resumes oil-and-gas leasing under court order

Biden administration appeals injunction lifting pause on new drilling auctions

By Valerie Richardson Monday, August 16, 2021

The Interior Department announced Monday that it would resume new oil-and-gas leasing on public lands to comply with a federal court order, but environmentalists weren't happy about it.

Climate groups urged President Biden to stick to his promise to ban drilling on federal lands and waters after the department said it would adhere to the June 15 preliminary injunction ending the pause on leasing sales while the Justice Department appeals the ruling.

“DOJ is appealing that decision to the United States Court of Appeals for the Fifth Circuit,” said the Interior statement. “Federal onshore and offshore oil and gas leasing will continue as required by the district court while the government’s appeal is pending.”

The Interior’s announcement came hours after the American Petroleum Institute and 11 other energy trade groups filed a federal lawsuit of their own alleging that the “unprecedented” leasing pause violated federal law.

Rep. Raul Grijalva, who chairs the House Natural Resources Committee, said he was “disappointed” in the administration’s decision to restart drilling auctions, insisting that Interior Secretary Deb Haaland “has the authority to pause leasing.”

“Holding more lease sales under today’s outdated standards is economically wasteful and environmentally destructive, and everyone not sitting in a fossil fuel boardroom knows it,” the Arizona Democrat said in a Monday statement.

Nicole Ghio, Friends of the Earth senior fossil fuels program manager, pointed out that Mr. Biden pledged during the campaign to “ban new oil and gas leasing on public lands and waters.”

“It’s encouraging that the Biden Administration is appealing this wrongful decision,” said Ms. Ghio. “However, the President made a promise to ban all new oil and gas leasing on public lands and waters, and the American people expect him to keep it. The climate emergency reality we are facing demands immediate action, not acquiescence.”

The department dragged its feet for two months before agreeing Monday to hold new auction sales, acknowledging U.S. District Court Judge Terry A. Doughty’s injunction pending the outcome of a lawsuit filed by 13 states.

“Interior will proceed with leasing consistent with the district court’s injunction during the appeal,” said the department. “In complying with the district court’s mandate, Interior will continue to exercise the authority and discretion provided under the law to conduct leasing in a manner that takes into account the program’s many deficiencies.”

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Rep. Raul Grijalva, who chairs the House Natural Resources Committee, said he was “disappointed” in the administration’s decision to restart drilling auctions, insisting that Interior Secretary Deb Haaland “has the authority to pause leasing.”

“Holding more lease sales under today’s outdated standards is economically wasteful and environmentally destructive, and everyone not sitting in a fossil fuel boardroom knows it,” the Arizona Democrat said in a Monday statement.

Nicole Ghio, Friends of the Earth senior fossil fuels program manager, pointed out that Mr. Biden pledged during the campaign to “ban new oil and gas leasing on public lands and waters.”

“It’s encouraging that the Biden Administration is appealing this wrongful decision,” said Ms. Ghio. “However, the President made a promise to ban all new oil and gas leasing on public lands and waters, and the American people expect him to keep it. The climate emergency reality we are facing demands immediate action, not acquiescence.”

The department dragged its feet for two months before agreeing Monday to hold new auction sales, acknowledging U.S. District Court Judge Terry A. Doughty’s injunction pending the outcome of a lawsuit filed by 13 states.

“Interior will proceed with leasing consistent with the district court’s injunction during the appeal,” said the department. “In complying with the district court’s mandate, Interior will continue to exercise the authority and discretion provided under the law to conduct leasing in a manner that takes into account the program’s many deficiencies.”

Natural Resources Committee

@NR Dems

Chair Grijalva: It's disappointing to see @Interior hold more fossil fuel lease sales before we see reforms to the environmentally unsustainable, economically wasteful status quo. I'm going to push for overdue #climatechange reforms in reconciliation.

In an apparent bone to environmental groups, the department also announced it would “release a notice of intent to conduct a review of the federal coal leasing program later this week.”

In his Jan. 27 executive order, Mr. Biden directed the department to pause new drilling auctions pending a comprehensive review of the federal oil-and-gas leasing program, which is still in the works.

“Separately, Interior continues to review the programs’ noted shortcomings, including completing a report,” said the statement.

Ms. Haaland has moved the goalposts on the completion date for the review, saying on June 23 that the review would be finished by “early summer.” She said on July 22 that it would come out “soon,” leading to fears that the pause would become a de facto ban.

Mary Greene, National Wildlife Federation public lands attorney, called for “permanent reforms to our nation’s antiquated oil and gas leasing program.”

“While the Biden administration responds to the court, we urge the Department of Interior to issue its reform initiatives so that the outdated leasing system is modernized for the benefit of our public lands, wildlife, and all Americans,” she said.

Tim Donaghy, Greenpeace USA senior research specialist, said that there were “still many avenues for President Biden to consider in reforming leasing and we urge him to do everything he can to keep fossil fuels in the ground.”

Said Public Citizen president Robert Weissman: “With the climate crisis smacking us in the face at every turn, it’s hard to imagine a worse idea than resuming oil and gas drilling on federal lands.”

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ARGUS MEDIA

<https://www.argusmedia.com/en/news/2244881-us-to-revive-oil-leasing-as-it-files-appeal-update>

US to revive oil leasing as it files appeal: Update

Published date: 16 August 2021

Adds details from US Interior Department appeal of leasing freeze injunction.

President Joe Biden's administration will proceed with federal oil and gas leasing so it can comply with a recent court order it has decided to appeal.

The US Interior Department today appealed a federal judge's preliminary injunction that effectively blocked Biden's order on 27 January to pause leasing during a comprehensive review. But the Interior Department said it would comply with the court injunction and its instructions to resume federal oil and gas leasing, as its legal appeals proceed at the 5th US Circuit Court of Appeals.

"Interior will proceed with leasing consistent with the district court's injunction during the appeal," the agency said. "In complying with the district court's mandate, Interior will continue to exercise the authority and discretion provided under the law to conduct leasing in a manner that takes into account the program's many deficiencies."

The Interior Department has yet to formally schedule new lease sales since the judge's 15 June ruling, raising questions about how the administration intends to comply. But industry officials worry the Biden administration might impose terms on future lease sales that make federal acreage less attractive to would-be bidders. Environmentalists were critical of the Biden administration's plan to resume leasing.

"Our planet cannot afford any more new fossil fuel extraction," Center for Biological Diversity senior campaigner Taylor McKinnon said. "We are out of time."

The Interior Department today raised numerous concerns about the oil and gas leasing program, such as its ability to reflect climate change concerns, offering a fair return to taxpayers, protecting wildlife and providing adequate input to local communities. The agency said it would continue to complete a report on the leasing program, while also preparing a comprehensive analysis of changes that might be needed to align with Biden's goal to cut domestic greenhouse gas emissions in half by 2030.

The administration's announcement came on the same day that a coalition of oil industry groups filed a new lawsuit seeking to end Biden's "unprecedented" suspension of oil and gas leasing on federal land, the US Gulf of Mexico and off the coast of Alaska.

The American Petroleum Institute (API) and 11 other trade groups, in their joint lawsuit, argue the administration has violated the law by suspending all oil and gas leasing since taking office. They argue the administration bypassed typical procedures to impose a de facto ban on leasing.

"The law is clear: the department must hold lease sales and provide a justification for significant policy changes," API chief legal officer Paul Afonso said.

The lawsuit is only one of many lawsuits challenging the leasing halt. But the API lawsuit represents the largest-yet swath of the oil sector, some of which represent large producers that say they want to work with the administration on methane policy and reducing greenhouse gas emissions. The lawsuit argues the leasing pause is harming producers that need the ability to lease adjacent tracts.

"If operators cannot obtain access to these additional leases necessary to complete development, their substantial investment is substantially diminished or may be lost entirely," the API lawsuit says.

US senator John Hoeven (R-North Dakota), during an event today with US deputy interior secretary Tommy Beaudreau, said he urged the administration to end its hold on new leasing. Republicans say the pause is particularly indefensible in light of the administration's call for Opec+ to boost production.

"The Biden administration has taken us in the wrong direction on energy, including by issuing a moratorium on oil and gas leases, while the same time, calling on Opec to increase their oil production," Hoeven said.

By Chris Knight

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CENTER FOR WESTERN PRIORITIES

CONTACT

Aaron Weiss, Deputy Director

Center for Western Priorities

[aaron@westernpriorities.org](mailto:aaron@westernpriorities.org)

720-279-0019

FOR IMMEDIATE RELEASE

Monday, August 16, 2021

STATEMENT on the Interior Department resuming oil and gas leasing

New interactive map highlights threats of oil and gas production to hunting, fishing, and critical habitats across the West

DENVER—The Interior Department announced tonight that it will resume the oil and gas leasing process that had been paused by President Biden’s day-one executive order. Interior also confirmed that the Justice Department will appeal the court decision which prompted the restart.

The Center for Western Priorities released the following statement from Executive Director Jennifer Rokala:

“Tonight’s announcements show how urgent it is for Congress to fix the broken and rigged system that governs oil and gas leasing. Last week’s United Nations report on climate change made it crystal clear that we are out of time; the only way to avoid a climate disaster is to rapidly cut carbon emissions.

“While Congress must act, Interior Secretary Haaland must also use every inch of the broad discretion granted to her under America’s bedrock conservation laws to ensure any future lease sales fully account for the costs of drilling to our communities and our climate. Those costs will be borne not by oil and gas CEOs, but by our children and grandchildren. The stakes are too high, and we cannot return to the status quo.”

To demonstrate the threat that unchecked oil and gas production poses to America’s public lands, the Center for Western Priorities just released an interactive map showing three places that were leased to oil and gas companies before the pause on new leasing and are at risk of being developed today. The interactive map highlights drilling proposals under consideration by the Biden administration that threaten:

Hunting and fishing in Montana’s Tendency Mountains

Sage-grouse and mule deer habitat near Nevada’s Ruby Mountains

Wilderness-quality lands adjacent to Dinosaur National Monument in Utah

These projects highlight a number of issues with our current leasing system, which prioritizes oil and gas companies over the public, wildlife, and the environment, and make it clear why reform is long overdue, especially with leasing set to resume.

**From:** [Knodel, Marissa S](#)  
**To:** [Sanchez, Alexandra L](#)  
**Subject:** Knodel, Marissa S left a comment in "DRAFT Report Offshore"  
**Date:** Tuesday, April 27, 2021 6:50:36 PM  
**Attachments:** [6cf79066-6da4-4c89-b2f8-fe966ff2159b7bed97d0-5f5d-4333-bde9-8ea9871f3618ef3c4fe8-9cf3-4a2c-b615-946d689f908da243cc86-81fd-4be2-9079-af44d7274e10](#)

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Knodel, Marissa S added a comment

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**From:** [Culver, Nada L](#)  
**To:** [Blasing, Francesca M](#); [Sanchez, Alexandra L](#)  
**Subject:** RE: Report meeting with Laura  
**Date:** Tuesday, April 27, 2021 3:58:36 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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If you just put report I'll know Fran. No worries.

Nada Wolff Culver  
Deputy Director, Policy and Programs  
Bureau of Land Management  
Cell: 202-255-6979  
[nculver@blm.gov](mailto:nculver@blm.gov)

---

**From:** Blasing, Francesca M <[fblasing@blm.gov](mailto:fblasing@blm.gov)>  
**Sent:** Tuesday, April 27, 2021 1:52 PM  
**To:** Sanchez, Alexandra L <[alexandra\\_sanchez@ios.doi.gov](mailto:alexandra_sanchez@ios.doi.gov)>; Culver, Nada L <[nculver@blm.gov](mailto:nculver@blm.gov)>  
**Subject:** RE: Report meeting with Laura

Alex, I think we've found a time this Thursday—4 pm EDT. What is the name of the report, so that we can give the meeting a title?

*Fran Blasing  
Executive Assistant  
Office of the Director  
Bureau of Land Management  
970-256-4913 (desk)  
970-697-7916 (mobile)*



---

**From:** Sanchez, Alexandra L <[alexandra\\_sanchez@ios.doi.gov](mailto:alexandra_sanchez@ios.doi.gov)>  
**Sent:** Tuesday, April 27, 2021 9:39 AM  
**To:** Blasing, Francesca M <[fblasing@blm.gov](mailto:fblasing@blm.gov)>; Culver, Nada L <[nculver@blm.gov](mailto:nculver@blm.gov)>  
**Subject:** RE: Report meeting with Laura

Thank you Fran, let me know if you need anything else!  
Alex

---

**From:** Blasing, Francesca M <[fblasing@blm.gov](mailto:fblasing@blm.gov)>  
**Sent:** Tuesday, April 27, 2021 11:31 AM  
**To:** Sanchez, Alexandra L <[alexandra\\_sanchez@ios.doi.gov](mailto:alexandra_sanchez@ios.doi.gov)>; Culver, Nada L <[nculver@blm.gov](mailto:nculver@blm.gov)>  
**Subject:** RE: Report meeting with Laura

Will do—thanks.

*Fran Blasing  
Executive Assistant  
Office of the Director  
Bureau of Land Management  
970-256-4913 (desk)  
970-697-7916 (mobile)*



---

**From:** Sanchez, Alexandra L <[alexandra\\_sanchez@ios.doi.gov](mailto:alexandra_sanchez@ios.doi.gov)>  
**Sent:** Tuesday, April 27, 2021 9:30 AM  
**To:** Blasing, Francesca M <[fblasing@blm.gov](mailto:fblasing@blm.gov)>; Culver, Nada L <[nculver@blm.gov](mailto:nculver@blm.gov)>  
**Subject:** RE: Report meeting with Laura

Fran, can you check with Tracie to see what other times work for Laura? I can make anything work.  
Thank you!

---

**From:** Blasing, Francesca M <[fblasing@blm.gov](mailto:fblasing@blm.gov)>  
**Sent:** Tuesday, April 27, 2021 11:29 AM  
**To:** Sanchez, Alexandra L <[alexandra\\_sanchez@ios.doi.gov](mailto:alexandra_sanchez@ios.doi.gov)>; Culver, Nada L <[nculver@blm.gov](mailto:nculver@blm.gov)>  
**Subject:** RE: Report meeting with Laura

Hi Alex,

Noon or 3:00 pm EDT this Thursday are not available unless I reschedule four meetings. Nada may have an hour from 1:00 – 2:00 pm EDT. Nada, please let me know what you'd like to do.

Thanks,  
Fran

*Fran Blasing  
Executive Assistant  
Office of the Director  
Bureau of Land Management*

970-256-4913 (desk)  
970-697-7916 (mobile)



---

**From:** Sanchez, Alexandra L <[alexandra\\_sanchez@ios.doi.gov](mailto:alexandra_sanchez@ios.doi.gov)>  
**Sent:** Tuesday, April 27, 2021 9:18 AM  
**To:** Culver, Nada L <[nculver@blm.gov](mailto:nculver@blm.gov)>; Blasing, Francesca M <[fblasing@blm.gov](mailto:fblasing@blm.gov)>  
**Subject:** Report meeting with Laura

Nada and Fran,  
Laura would like to meet with Nada to go over the report on Thursday for an hour. Does noon or 3pm work?  
Thanks!  
Alex

Alexandra Sanchez (she/her)  
Special Assistant  
Office of the Assistant Secretary  
Land and Minerals Management  
U.S. Department of the Interior

**From:** [Knodel, Marissa S](#)  
**To:** [Sanchez, Alexandra L](#)  
**Subject:** Knodel, Marissa S left a comment in "DRAFT Report Offshore"  
**Date:** Tuesday, April 27, 2021 3:57:10 PM  
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**Date:** Tuesday, April 27, 2021 3:28:17 PM  
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**Date:** Tuesday, April 27, 2021 3:07:30 PM  
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**Date:** Tuesday, April 27, 2021 2:30:50 PM  
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**Subject:** Knodel, Marissa S left a comment in "DRAFT Report Offshore"  
**Date:** Tuesday, April 27, 2021 2:08:13 PM  
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**Date:** Tuesday, April 27, 2021 1:45:26 PM  
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**From:** [Knodel, Marissa S](#)  
**To:** [Sanchez, Alexandra L](#); [Lefton, Amanda B](#)  
**Subject:** Re: Sanchez, Alexandra L shared "DRAFT Report Offshore" with you.  
**Date:** Monday, April 26, 2021 5:35:01 PM  
**Attachments:** [image006.png](#)  
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[image010.png](#)

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Hey Amanda,

We just signed off. I'm happy to take the first attempt and merging/adding our team's contributions into Alex's draft. We talked about potentially merging BOEM and BSEE into just one offshore section, like our report does.

I'm taking a dog walk break, but feel free to call me on my cell: (b) (6) (not work cell).

Peace,

Marissa Knodel  
Advisor, Bureau of Ocean Energy Management  
202.538.2415  
[Marissa.Knodel@boem.gov](mailto:Marissa.Knodel@boem.gov)

---

**From:** Sanchez, Alexandra L <[alexandra\\_sanchez@ios.doi.gov](mailto:alexandra_sanchez@ios.doi.gov)>  
**Sent:** Monday, April 26, 2021 5:02 PM  
**To:** Lefton, Amanda B <[Amanda.Lefton@boem.gov](mailto:Amanda.Lefton@boem.gov)>; Knodel, Marissa S <[Marissa.Knodel@boem.gov](mailto:Marissa.Knodel@boem.gov)>  
**Subject:** RE: Sanchez, Alexandra L shared "DRAFT Report Offshore" with you.

I'm here chilling... take your time!

**From:** Lefton, Amanda B <[Amanda.Lefton@boem.gov](mailto:Amanda.Lefton@boem.gov)>  
**Sent:** Monday, April 26, 2021 5:01 PM  
**To:** Sanchez, Alexandra L <[alexandra\\_sanchez@ios.doi.gov](mailto:alexandra_sanchez@ios.doi.gov)>; Knodel, Marissa S <[Marissa.Knodel@boem.gov](mailto:Marissa.Knodel@boem.gov)>  
**Subject:** RE: Sanchez, Alexandra L shared "DRAFT Report Offshore" with you.

Will be there soon—start without me

**From:** Sanchez, Alexandra L <[alexandra\\_sanchez@ios.doi.gov](mailto:alexandra_sanchez@ios.doi.gov)>  
**Sent:** Monday, April 26, 2021 5:00 PM  
**To:** Lefton, Amanda B <[Amanda.Lefton@boem.gov](mailto:Amanda.Lefton@boem.gov)>; Knodel, Marissa S <[Marissa.Knodel@boem.gov](mailto:Marissa.Knodel@boem.gov)>  
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**End:** Monday, April 26, 2021 5:30:00 PM

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**From:** [Daniel-Davis, Laura E](#)  
**To:** [Sanchez, Alexandra L](#)  
**Subject:** Daniel-Davis, Laura E left a comment in "DRAFT Report - Onshore"  
**Date:** Sunday, April 25, 2021 8:47:22 PM  
**Attachments:** [9c66fde9-927c-4f98-aad7-16dd14e469f4](#)  
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**Subject:** Daniel-Davis, Laura E left a comment in "DRAFT Report - Onshore"  
**Date:** Sunday, April 25, 2021 8:21:07 PM  
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**From:** [Lefton, Amanda B](#)  
**To:** [Sanchez, Alexandra L](#)  
**Cc:** [Knodel, Marissa S](#)  
**Subject:** Re: Report  
**Date:** Saturday, April 24, 2021 12:04:50 PM

---

No worries! Just wanted to make sure we were on track to contribute. We now have some really great content from the team.

Sent from my iPhone

On Apr 24, 2021, at 11:47 AM, Sanchez, Alexandra L  
<[alexandra\\_sanchez@ios.doi.gov](mailto:alexandra_sanchez@ios.doi.gov)> wrote:

Hey team,  
So my personal timelines got blown to hell, as Laura knows. But I can get you what I have later tonight. I keep going back and forth on some stuff. But I'm very eager to have your input and additions. I have a bunch of placeholders and we are doing last minute research on BSEE stuff as I think you know. I needed to not look at the thing for a minute. Thanks for your understanding and I look forward to your inputs!  
Alex

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**From:** Lefton, Amanda B <[Amanda.Lefton@boem.gov](mailto:Amanda.Lefton@boem.gov)>  
**Sent:** Saturday, April 24, 2021 10:44:36 AM  
**To:** Sanchez, Alexandra L <[alexandra\\_sanchez@ios.doi.gov](mailto:alexandra_sanchez@ios.doi.gov)>  
**Cc:** Knodel, Marissa S <[Marissa.Knodel@boem.gov](mailto:Marissa.Knodel@boem.gov)>  
**Subject:** Report

Sanchez

Hope you are well and are having a nice weekend so far. Checking in on the report. We have some language and draft recommendations from the team for inclusion that I would love to weave in. I had thought that we were getting a draft from you that we were tasked with reviewing by Friday, but did not see something come in. Checking in to see what the game plan is.

Thanks

A

**From:** [Daniel-Davis, Laura E](#)  
**To:** [Sanchez, Alexandra L](#)  
**Subject:** Daniel-Davis, Laura E left a comment in "DRAFT Report - Onshore"  
**Date:** Friday, April 23, 2021 11:06:53 AM  
**Attachments:** [086d5f8c-b298-4f10-9d9e-91694765530d8aeecda8-6cc7-4d40-8859-df04e0a9614a20f370b1-355e-437f-96b3-63b8221204ed232fae01-e4f6-48cf-8074-4054c8e92095](#)

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**To:** [Sanchez, Alexandra L](#)  
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**Date:** Friday, April 23, 2021 10:13:05 AM  
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**To:** [Sanchez, Alexandra L](#)  
**Subject:** Daniel-Davis, Laura E left a comment in "DRAFT Report - Onshore"  
**Date:** Friday, April 23, 2021 9:48:15 AM  
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[706080d0-6d6d-4829-b657-f82f18ad3ae3](#)  
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