

## I. ROLES AND RESPONSIBILITIES

The BLM and Forest Service (FS) share responsibilities in managing oil and gas activities on National Forest Service (NFS) lands. Responsibilities fall in four general categories: leasing, operations (use authorizations), inspection and enforcement (compliance), and lease reinstatement. In all of these areas, the BLM and FS must coordinate their responses and actions. The BLM/FS Memorandum of Understanding (MOU), WO300-2006-07, addresses coordination in most of these areas, but does not address lease reinstatements. The BLM will seek to supplement the MOU with this proposed guidance when the MOU is next revisited.

The following exhibit identifies specific responsibilities of each agency in carrying out joint responsibilities in processing lease reinstatements.

In general, for lease reinstatement on NFS lands, it is proposed that, for the:

### A. Department of the Interior (DOI), the BLM will:

1. Serve as lead agency for reinstatement of an oil and gas lease and for any required environmental analyses;
2. Ensure that interdisciplinary teams performing environmental analyses for lease reinstatement have sufficient expertise to perform thorough and comprehensive analysis of both surface and subsurface resources, including ground water;
3. Coordinate with the FS on the signing and release of decision documents for lease reinstatement.

### B. Department of Agriculture, the FS will:

1. Serve as co-lead or cooperating agency for environmental analyses for reinstatement of an oil and gas lease;
2. Provide BLM resource specialists with information as necessary or prepare certain sections in the environmental analysis, especially with respect to issues that are solely FS responsibility such as inventoried roadless areas;
3. Coordinate with the BLM on the signing and release of decision documents for lease reinstatement.

<b>The BLM and Forest Service will coordinate oil and gas leasing activities on NFS lands as follows:</b>				
		<b>J = joint responsibility</b>		<b>S = sole responsibility</b>
<b>Action</b>	<b>Responsible Agency</b>		<b>Remarks</b>	
	<b>BLM</b>	<b>USFS</b>		
BLM determines if the petition for reinstatement meets the requirements in the regulations (43 CFR 3108.2-2 (Class I) or 3108.2-3 (Class II)) and notifies FS of reinstatement request.	<b>S</b>			
FS responds whether or not they can consent to the reinstatement within 60 days and why.			<b>S</b>	For example, the Forest Service may respond they need additional time to determine if the existing NEPA and decision is adequate.
FS reviews the leasing decision and proposed reinstatement using the Administrative Review document to perform and record verification and validation of NEPA adequacy and plan consistency.			<b>S</b>	If NEPA is adequate and new stipulations are not warranted, WO Minerals and Geology Management, in coordination with the Region, transmits the findings to BLM using the lease parcel processing procedures to document the review and Forest Service consent/agreement with lease reinstatement. If NEPA is adequate but new stipulations are warranted, provide those to BLM with the consent/agreement notification. If NEPA is not adequate, remedy as defined below.
If current NEPA is adequate, BLM determines whether additional public notification or involvement is warranted and makes decision on reinstatement.	<b>S</b>			
Make reinstatement decisions based on the same analysis.	<b>J</b>		<b>J</b>	FS may also need to include information to allow a decision to amend the Forest or Grasslands Plan or reinstatement decision.
BLM serves as lead agency for oil and gas lease reinstatement NEPA analyses.	<b>S</b>			
			<b>S</b>	FS participates as co-lead agency or cooperating agency for oil and gas lease reinstatement analyses and decisions for NFS lands. If a Forest Plan amendment is required to change stipulations, the Forest Service will act as Joint Lead on the NEPA analysis.
Provide expertise and/or information for the analysis especially with respect to issues that are solely FS			<b>S</b>	

responsibility such as species of conservation concern.			
To the extent applicable, BLM and FS follow the MOU's procedures for leasing analysis.	<b>J</b>	<b>J</b>	
FS makes lease reinstatement decision based on analysis. BLM makes final lease reinstatement decision. Both decisions may be documented in a joint document.	<b>J</b>	<b>J</b>	Based on the analysis, FS can make a decision to not agree to the lease reinstatement, agree to the reinstatement with existing stipulations, or agree with additional or revised stipulations.
Set up objection/protest process to handle both agencies' needs.	<b>J</b>	<b>J</b>	
Process objections/protests and finalize decisions	<b>J</b>	<b>J</b>	