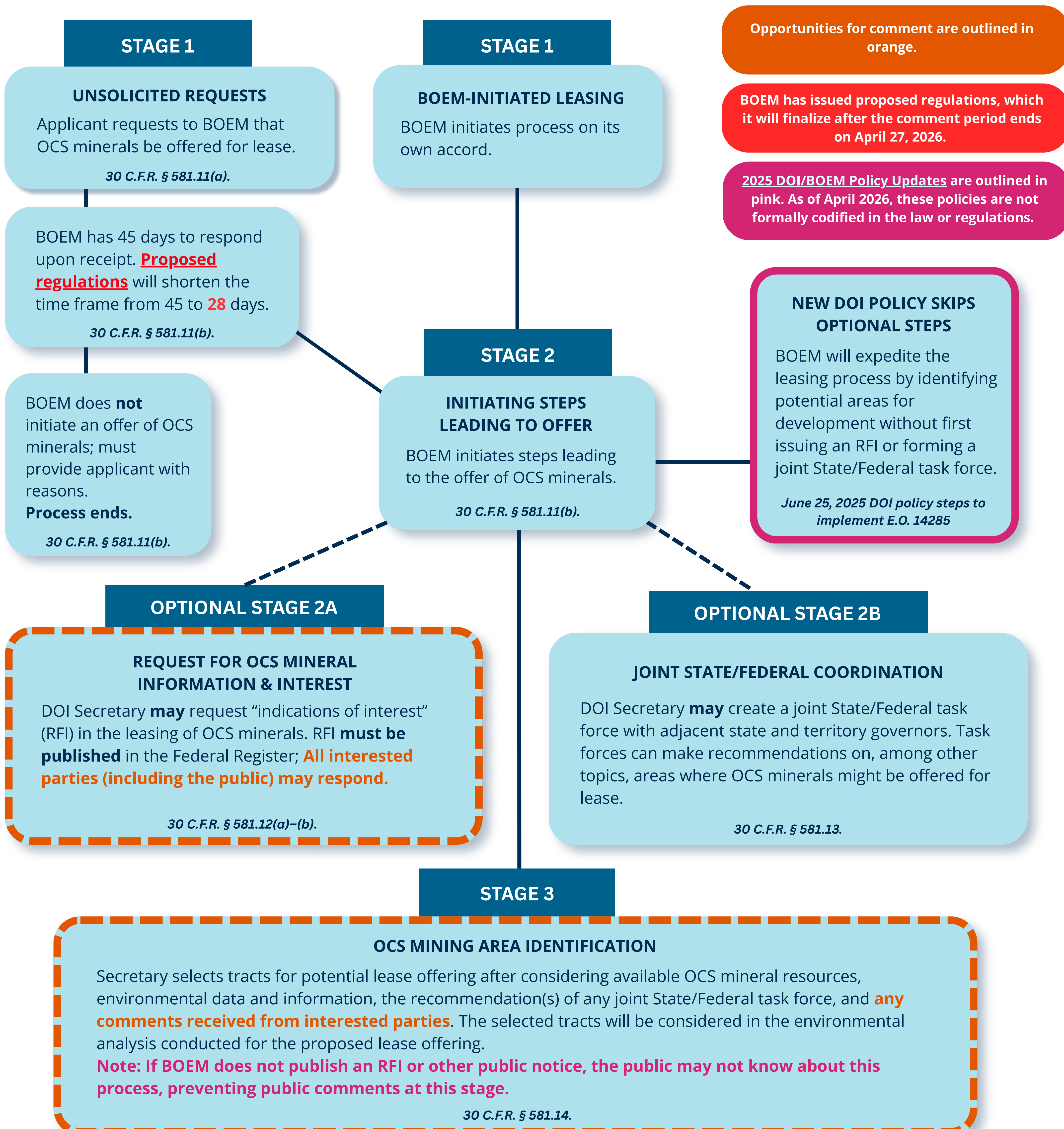


OCSLA LEASING & OPERATIONS

Competitive Leasing Framework for OCS Minerals Other than Oil, Gas, and Sulphur



ENVIRONMENTAL REVIEW

NEPA requires federal agencies to consider environmental impacts of major federal actions before making decisions. DOI's 2026 NEPA regulations streamlined requirements, shifted procedural detail to a non-binding Handbook, retained emergency provisions, and made almost all opportunities for public involvement discretionary. **DOI Policy states that BOEM will "start preparing environmental assessments during the lease sale phase, reserving more detailed environmental impact statements for later planning stages if necessary," so as to "reduce delays and shorten public comment periods."**

June 25, 2025 DOI policies implementing E.O. 14285

STAGE 4

PROPOSED LEASING NOTICE

BOEM Director will develop a proposed leasing notice, which will be sent to governor(s) of adjacent states and published in the Federal Register at least 60 days prior to the final leasing notice. Adjacent state governors may comment on the proposed notice.

30 C.F.R. § 581.16.

STAGE 5

LEASING NOTICE

At least 30 days prior to the date when OCS minerals will be offered for lease, the BOEM Director will publish the leasing notice in the Federal Register.

30 C.F.R. § 581.17.

STAGE 6

BIDDING SYSTEM

OCS minerals must be offered by competitive, cash bonus bidding under the terms in the leasing notice and all applicable laws and regulations.

30 C.F.R. § 581.18(a).

STAGE 7

AWARD OF LEASES

Director awards leases. Decisions are final actions of DOI, subject to the Secretary's reconsideration and judicial review.

30 C.F.R. § 581.21(a)(1); 5 U.S.C. §§ 701-706.

Rejected bidders **may** request reconsideration, and must file requests within 15 days of notice of rejection.

30 C.F.R. § 581.21(a)(2).

STAGE 8

CONDUCTING OPERATIONS AS A LESSEE

Lessees must obtain BOEM approval on certain plans before conducting operations, depending on the nature of the operations and existing data available.

30 C.F.R. pt. 582.



FAST-TRACKING

In order to implement E.O. 14285, DOI will streamline post-lease processes by considering offshore critical mineral projects for expedited permitting under emergency procedures. Approvals for mapping, testing, and site development will be **fast-tracked** by minimizing paperwork and compliance steps. When requested, BOEM will also consolidate exploration, testing, and mining plans into a single review.

Under E.O. 14156, eligible projects may proceed through emergency procedures for:

- alternative compliance under **NEPA**;
- expedited **ESA** Section 7 consultation; and
- alternative procedures for **NHPA** Section 106 compliance.

Eligible projects are those involving energy resource development for which operational plans or permitting applications have already been submitted.

Under the alternative arrangements for **NEPA** compliance, BOEM will provide **approximately 10-days as comment period** for the NOI for projects likely to have significant environmental impacts, but is not required to publish a draft Environmental Impact Statement.

OPTIONAL STAGE 8A

PRELIMINARY ACTIVITIES

Lessees may engage in preliminary activities, including bathymetric, geological, geophysical, mapping, and other surveys necessary, before submitting a Delineation, Testing, or Mining Plan. The lessee must give the BOEM Director at least 30 days' notice prior to commencing the proposed preliminary activities.

30 C.F.R. § 582.21(a), (d).

DELINEATION PLAN

Exploration must follow a BOEM-approved Delineation Plan, unless the lessee already has enough data to proceed directly to a Testing or Mining Plan.

30 C.F.R. §§ 582.22, 582.21(c).

TESTING PLAN

All testing must follow a BOEM-approved Testing Plan. If more information is needed beyond a Delineation Plan to develop a Mining Plan, the lessee must submit a detailed Testing Plan.

30 C.F.R. § 582.23.

MINING PLAN

All OCS mineral development and production must follow a BOEM-approved Mining Plan detailing the lessee's proposed operations.

30 C.F.R. § 582.24.

OPPORTUNITIES FOR REVIEW AND COMMENT

BOEM **must allow public comment** on proposed Delineation, Testing, and Mining Plans (procedures unspecified). The Director must also notify adjacent state governors and federal agencies—within 15 days after submission (with a 30-day comment period) for Delineation Plans and within 20 days after submission (with a 60-day comment period) for Testing and Mining Plans. Possible extensions can be made for NEPA review.

30 C.F.R. § 582.4(a)–(d).

DIRECTOR'S RESPONSIBILITIES

The BOEM Director must approve, disapprove, or require modifications to Delineation, Testing, and Mining Plans within a set timeframe after NEPA review or the close of the public comment period—within 30 days for Delineation Plans and 60 days for Testing and Mining Plans.

30 C.F.R. §§ 582.12(b)(2), (c)(2), (d)(2).

STAGE 9

APPROVAL

If approved by BOEM, the lessee may commence delineation, testing, and/or mining, subject to the lease, OCSLA, and all applicable legal, environmental, safety, and health requirements.



OCSLA LEASING & OPERATIONS

GLOSSARY



BOEM	Bureau of Ocean Energy Management	Situated within DOI; Administers offshore energy and mineral leasing on the OCS, pursuant to OCSLA.
DOI	U.S. Department of Interior	Manages public lands and minerals, national parks, and wildlife refuges and upholds Federal trust responsibilities to Native American tribes and Alaska Native entities.
E.O. 14156	“Declaring a National Energy Emergency”	Executive Order declaring a national energy emergency and directing federal agencies to use emergency authorities to rapidly expand domestic energy production, infrastructure, and supply.
E.O. 14285	“Unleashing America's Offshore Critical Minerals and Resources”	Executive Order that directs the federal government to accelerate and streamline the exploration, mining, and processing of offshore seabed minerals.
ESA	Endangered Species Act of 1973	Requires a permit for the taking of any protected species, and that all Federal actions not significantly impair or jeopardize protected species or their habitats. The ESA mandates that BOEM consult with other Federal agencies in carrying out its regulatory responsibilities.
NEPA	National Environmental Policy Act of 1970	Requires a detailed environmental review before any major Federal action, including the sale of leases on the OCS and the setup of facilities.
NHPA	National Historic Preservation Act of 1966	Intended to preserve historic properties and archaeological resources in the U.S. Under this statute, BOEM must ensure its funded and permitted actions do not adversely affect historic properties.
NOI	Notice of Intent	In this context, a notice published on a public website, indicating that BOEM’s Responsible Official will prepare an environmental impact statement for a proposed project.
OCS	U.S. Outer Continental Shelf	All submerged lands beyond submerged state and territorial lands that are within the U.S. jurisdiction, including lands within the US. exclusive economic zone adjacent to territories; “a vital national resource reserve held by the Federal Government for the public.”
OCSLA	Outer Continental Shelf Lands Act	Enacted by Congress in 1953, the Act governs the leasing and development of the U.S. offshore mineral and energy resources.
RFI	Request for Information	In this context, BOEM’s request to the public for information, comments, and indications of interest in the leasing of OCS minerals in the area being considered for lease; not a final decision to lease.

OCSLA LEASING & OPERATIONS

SOURCES



Executive Orders

- [Exec. Order No. 14,156](#), Declaring a National Energy Emergency, 90 Fed. Reg. 8,433 (Jan. 29, 2025).
- [Exec. Order No. 14,285](#), Unleashing America's Offshore Critical Minerals and Resources, 90 Fed. Reg. 17,735 (Apr. 29, 2025).

Statutes

- [Outer Continental Shelf Lands Act](#), 43 U.S.C. §§ 1331–1356c (2026).
- [National Environmental Policy Act](#), 42 U.S.C. §§ 4321–4370m-11 (2026).
- [Endangered Species Act](#), 16 U.S.C. § 1536(a)(2) (2026).
- [National Historic Preservation Act](#), 54 U.S.C. § 306108 (2026).

DOI & BOEM Regulations

- [Leasing of Minerals other than Oil, Gas, and Sulphur](#), 30 C.F.R. pt. 581 (2026).
- [Operations in the Outer Continental Shelf for Minerals Other than Oil, Gas, and Sulphur](#), 30 C.F.R. pt. 582 (2026).
- U.S. Dep't of Interior, [National Environmental Policy Act Implementing Regulations](#), 91 Fed. Reg. 8,738 (Feb. 24, 2026).

BOEM Proposed Regulations

- [Administrative Revisions to Regulations Related to Outer Continental Shelf Minerals Other Than Oil, Gas, and Sulphur](#), 91 Fed. Reg. 8,803 (proposed Feb. 24, 2026) (to be codified at 30 C.F.R. pts. 580, 581, and 582).

DOI Alternative Arrangements, Alternative Procedures, and Emergency Provisions

- U.S. Dep't of Interior, [Alternative Arrangements for Compliance with the National Environmental Policy Act amid the National Energy Emergency](#) (Apr. 23, 2025).
- U.S. Dep't of Interior, [Alternative Procedures for Informal, Expedited Consultation under Section 7 of the Endangered Species Act for Energy Projects amid the National Energy Emergency](#) (Apr. 23, 2025).
- U.S. Dep't of Interior, [Using the Emergency Provisions to Comply with Section 106 of the National Historic Preservation Act in Response to the National Energy Emergency](#) (Apr. 23, 2025).

DOI Policy & Procedures

- U.S. Dep't of Interior, [Department of the Interior Implements Emergency Permitting Procedures to Strengthen Domestic Energy Supply](#) (Apr. 23, 2025).
- U.S. Dep't of Interior, [Interior Streamlines Offshore Mineral Policies to Strengthen U.S. Supply Chains and Security](#) (June 6, 2025).
- U.S. Dep't of Interior, 516 DM 1, [Department of the Interior NEPA Handbook: National Environmental Policy Act Implementing Procedures](#) (Feb. 23, 2026).