

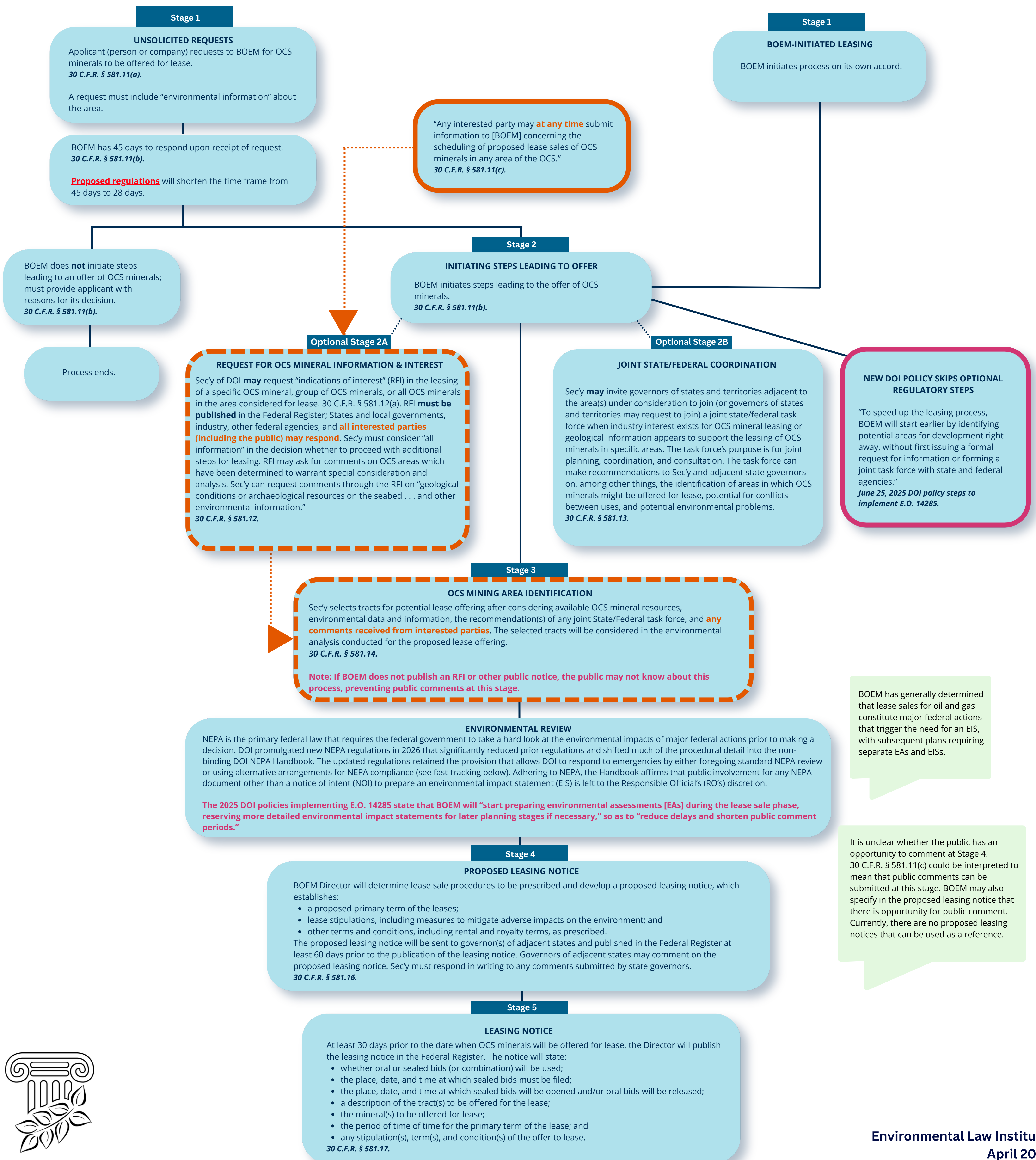
OCSLA LEASING & OPERATIONS

Competitive Leasing Framework for OCS Minerals Other than Oil, Gas, and Sulphur: Process Initiation and Conducting Operations under 2025 BOEM Policies

Opportunities for comment from interested parties are outlined in orange.

BOEM has issued proposed regulations, which it will finalize after the comment period ends on April 27, 2026.

2025 DOI/BOEM Policy Updates are outlined in pink. As of April 2026, these policies are not formally codified in the law or regulations.



Stage 6

BIDDING SYSTEM & SUBMISSION OF BIDS

OCS minerals must be offered by competitive, cash bonus bidding (*i.e.*, the bidder's up-front, cash payment to secure only the mineral lease, separate from rental or royalty payments) under terms and conditions specified in the leasing notice and in accordance with all applicable laws and regulations.
30 C.F.R. § 581.18(a).

Depending on the type of bidder (individual, association, corporation), statements of identity are required to be submitted with bids (e.g., statement of citizenship (for individual bidders), registration, or incorporation).
30 C.F.R. § 581.20.

Rejected bidders **may** request the Sec'y's reconsideration, and must file requests for reconsideration within 15 days of notice of rejection, accompanied by a statement of reasons with a copy sent to the Director. Sec'y must respond to the request in writing.
30 C.F.R. § 581.21(a)(2).

RELATED LEASE PROVISIONS

- An OCS mineral lease for OCS minerals other than sand and gravel shall be for a primary term of at least 20 years as stipulated in the leasing notice. The primary lease term for each OCS mineral shall be determined based on exploration and development requirements for the OCS minerals being offered by the Secretary.
30 C.F.R. § 581.19.
- OCS mineral leases shall be issued on the lease form prescribed by the Sec'y in the leasing notice.
30 C.F.R. § 581.22.

Stage 7

AWARD OF LEASES

Director awards leases. Decisions are final actions of DOI, subject to the Sec'y's reconsideration and judicial review.
30 C.F.R. § 581.21(a)(1); 5 U.S.C. §§ 701-706.

Pursuant to E.O. 14156 ("Declaring a National Energy Emergency"), eligible projects may proceed through **emergency procedures** for:

- alternative compliance process under **National Environmental Policy Act**;
- expedited **Endangered Species Act** Section 7 consultation; and
- alternative procedures for **National Historic Preservation Act**, Section 106 compliance.

Projects eligible for these **emergency procedures** are those projects:

- 1) that seek to identify, lease, develop, produce, transport, refine, or generate energy resources, as defined in section 8(a) of E.O. 14156; **and**
- 2) for which the project applicant(s) have submitted plans of operations, applications for permits to drill, or other applications.

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.

Optional Stage 8A

PRELIMINARY ACTIVITIES

Lessees may engage in preliminary activities before submitting a Delineation, Testing, or Mining Plan. Preliminary activities include "bathymetric, geological, geophysical, mapping, and other surveys necessary to develop a comprehensive Delineation, Testing, or Mining Plan," but have no significant adverse impact on the natural resources of the OCS. 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).

FAST-TRACKING

In its policies implementing E.O. 14285, the DOI has provided that "[o]nce a lease is issued, BOEM and BSEE will continue to streamline the process by considering offshore critical mineral projects for expedited permitting under the Department's **emergency procedures** [developed pursuant to E.O. 14156] and other applicable laws. Approvals for mapping, testing, and site development will be **fast-tracked** by minimizing unnecessary paperwork and compliance steps. When requested by the lessee, BOEM will also consolidate exploration, testing, and mining plans into a single review, reducing duplication and speeding up decision-making."

Alternative Arrangements for NEPA Compliance

If BOEM decides a project will not likely have significant environmental impacts, the BOEM Responsible Official (RO) will use alternative arrangements for NEPA compliance. The RO will prepare a short EA and (if appropriate) a Finding of No Significant Impact (FONSI) within 14 days of receiving a complete application. The RO will then publish both the EA and FONSI (if applicable) on a public website and is **not required to seek public comment** prior to finalizing the EA, FONSI, and "any decision."

For projects likely to have significant environmental impacts, the RO will use the alternative arrangements: the RO issues an NOI and **offers a brief comment period (approximately 10 days)**, holds a public meeting, prepares a concise EIS within ~28 days of publishing the NOI, publishes the EIS online, and files it with the EPA. **The RO is not required to publish a draft EIS** before finalizing the EIS and any ROD.

DELINEATION PLAN

All exploration activities must be conducted in accordance with a Delineation Plan submitted by the lessee and approved by the BOEM Director. The Delineation Plan shall describe the proposed activities necessary to locate leased OCS minerals, characterize the quantity and quality of the minerals, and generate other information needed for the development of a comprehensive Testing or Mining Plan.
30 C.F.R. § 582.22.

Lessees are **not required** to submit a Delineation Plan or Testing Plan before submitting a proposed Testing or Mining Plan if the lessee has sufficient data and information to create a Testing or Mining Plan without carrying out postlease exploration and/or testing activities.
30 C.F.R. § 582.21(c).

TESTING PLAN

All testing activities must be conducted in accordance with a Testing Plan submitted by the lessee and approved by the BOEM Director. Where a lessee needs more information to develop a detailed Mining Plan than is obtainable under an approved Delineation Plan, the lessee must submit a comprehensive Testing Plan for the Director's approval. The Testing Plan must contain, among other elements the nature and purpose of the proposed testing program, a comprehensive description of the activities to be performed, and a comprehensive description of the method and manner in which testing activities will be conducted and the expected results.
30 C.F.R. § 582.23.

MINING PLAN

All OCS mineral development and production activities must be conducted in accordance with a Mining Plan submitted by the lessee and approved by the BOEM Director. A Mining Plan shall include comprehensive detailed descriptions; illustrations; explanations of the proposed OCS mineral development, production, and processing activities; and accurately present the lessee's proposed plan of operation.
30 C.F.R. § 582.24.

OPPORTUNITIES FOR REVIEW AND COMMENT

The BOEM Director is **required to provide opportunities for interested parties to review and comment** on proposed Delineation Plans, but the regulations are silent on how such comments are to be submitted or reviewed.
30 C.F.R. § 582.4(a).

BOEM Director must notify adjacent state governors within 15 days after the submission of a request for approval of a Delineation Plan. State governor(s) who wish to comment on the proposed Delineation Plan must provide comments within 30 days of receipt of the Director's notice. In cases where an EA is to be prepared, the Director may extend the 30-day comment period. BOEM Director must also notify federal agencies, as appropriate, with a copy of the Delineation Plan within 15 days after the submission of the request. Federal agencies may comment on the proposed Delineation Plan within 30 days of receipt of the plan.
30 C.F.R. § 582.4(b).

DIRECTOR'S RESPONSIBILITIES

The BOEM Director shall approve, disapprove, or require the lessee to modify the Delineation Plan within 30 days of completion of either: 1) a required environmental assessment (or other NEPA document); or 2) the end of the comment period.
30 C.F.R. § 582.12(b)(2).

OPPORTUNITIES FOR REVIEW AND COMMENT

The BOEM Director is **required to provide opportunities for interested parties to review and comment** on proposed Testing Plans, but the regulations are silent on how such comments are to be submitted or reviewed.
30 C.F.R. § 582.4(a).

BOEM Director must notify adjacent state governors within 20 days after the submission of a request for approval of a Testing Plan. State governor(s) who wish to comment on the proposed Testing Plan must provide comments within 60 days of receipt of the notice. In cases where an EIS is to be prepared, the Director may extend the 60-day comment period. BOEM Director must also notify federal agencies, as appropriate, with a copy of the Delineation Plan within 20 days after the submission of the request. Federal agencies may comment on the proposed Testing Plan within 60 days of receipt of the plan.
30 C.F.R. § 582.4(c).

DIRECTOR'S RESPONSIBILITIES

The BOEM Director shall approve, disapprove, or require the lessee to modify the Testing Plan within 60 days of completion of either: 1) a final environmental impact statement; or 2) the end of the comment period.
30 C.F.R. § 582.12(c)(2).

OPPORTUNITIES FOR REVIEW AND COMMENT

The BOEM Director is **required to provide opportunities for interested parties to review and comment** on proposed Mining Plans, but the regulations are silent on how such comments are to be submitted or reviewed.
30 C.F.R. § 582.4(a).

BOEM Director must notify adjacent state governors within 20 days after the submission of a request for approval of a Mining Plan. State governor(s) who wish to comment on the proposed Mining Plan must provide comments within 60 days of receipt of the notice. In cases where an EIS is to be prepared, the Director may extend the 60-day comment period. BOEM Director must also notify federal agencies, as appropriate, with a copy of the Mining Plan within 20 days after the submission of the request. Federal agencies may comment on the proposed Mining Plan within 60 days of receipt of the plan.
30 C.F.R. § 582.4(d).

DIRECTOR'S RESPONSIBILITIES

The BOEM Director shall approve, disapprove, or require the lessee to modify the Mining Plan within 60 days of completion of either: 1) a final environmental impact statement; or 2) the comment period.
30 C.F.R. § 582.12(d)(2).

Stage 9

APPROVAL

If the requisite plans are approved by the BOEM Director, the lessee may commence the approved delineation, testing, and/or mining activities. All activities must be compliant with the provisions of the lease, OCSLA and its implementing regulations, other applicable federal law, and 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)