

# OCSLA PROSPECTING

## Prospecting for Minerals Other than Oil, Gas, and Sulphur on the Outer Continental Shelf



### PURPOSE

- OCSLA regulations allow for geological and geophysical (G&G) prospecting activities and scientific research on the Outer Continental Shelf (OCS). **30 C.F.R. § 580.2(a)**.
- G&G prospecting permits cover commercial searches for minerals (excluding oil, gas, and sulfur) and authorize activities including, but not limited to, marine or airborne surveys and drilling. **30 C.F.R. § 580.1**.
- G&G scientific research involves non-commercial studies that collect and publicly share geological or geophysical data; These activities may be carried out only after a BOEM-issued permit is obtained or a notice is filed. **30 C.F.R. §§ 580.1, 580.11**.

*Neither G&G prospecting nor G&G scientific research activities are prerequisites for the award of OCS leases for minerals other than oil, gas, and sulphur.*

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

Opportunities for comment are noted in orange text.

2026 Proposed Regulatory Revisions are noted in red text.

### G&G Prospecting Activities

#### STAGE 1

#### PERMIT APPLICATION

G&G prospecting applicants must submit Form BOEM-0134 to the BOEM Regional Director at least 30 days before starting activities.

**30 C.F.R. § 580.12(a)**.

#### ENVIRONMENTAL REVIEW

BOEM will assess proposed activities for environmental impacts and determine mitigation measures.

If a CZMA consistency review is required, the Director will share a copy of permit application with Governors of adjacent States and Territories.

**Governors will be invited to comment on environmental assessments.**

**The proposed regulations seek to eliminate these provisions.**

**30 C.F.R. § 580.29; 30 C.F.R. § 580.31(a), (b)**

To comply with E.O. 14285, DOI states that BOEM will use streamlined environmental reviews for prospecting when appropriate. BOEM has categorically excluded G&G exploration activities that do not involve the drilling of deep stratigraphic test holes or use solid or liquid explosives from NEPA review (subject to "extraordinary circumstances").

### G&G Scientific Research Activities

#### STAGE 1

#### PERMIT APPLICATION

BOEM permits are required for using explosives, drilling deep stratigraphic tests, or developing data for proprietary use or sale.

Applicants must submit Form BOEM-0134 to the BOEM Regional Director at least 30 days before activities.

**30 C.F.R. § 580.11(a), 580.12(a)**.

#### STAGE 1

#### FILING A NOTICE

For G&G scientific research not requiring a permit, a signed notice must be filed with BOEM at least 30 days before activities begin; if not possible, oral notice must be given with a written follow-up. BOEM must also be notified in writing when work concludes.

**30 C.F.R. §§ 580.11(b), 580.12(c)**.

#### STAGE 2

BOEM's determination on the permit application.

Disapproved

Approved

Upon issuing a permit, the Director notifies interested parties. The regulations do not specify how to express interest or whether there are opportunities for public comment. **The proposed regulations seek to eliminate this provision.**

DOI's new policies will increase terms for prospecting permits from 3 to 5 years. OCSLA and its current regulations do not specify permit durations.



### STAGE 3

BOEM's determination on the permit application.

#### PROHIBITED CONDUCT

Permittees and notice holders may not:

- cause harm or damage to life, property, or the marine, coastal, or human environment;
- cause pollution;
- claim any oil, gas, sulphur, or other minerals discovered while conducting operations under a permit or notice.

*30 C.F.R. § 580.20(b), (d), (h).*

#### CONDITIONAL REPORTING

Permittees and notice holders must report to the Regional Director if they:

- detect hydrocarbon, mineral occurrences, or environmental hazards that imminently threaten life and property; or
- adversely affect the environment where they are conducting activities.

*30 C.F.R. § 580.21(a)–(b).*

#### MODIFICATIONS

To modify operations, a written request must be submitted to the Regional Director for oral or written approval. Oral requests are permitted when circumstances preclude a written request.

*30 C.F.R. § 580.22.*

#### INSPECTIONS

Permittees and notice holders must allow BOEM to inspect activities to ensure they do not harm the environment, aquatic life, archaeological resources, or other uses of the area.

*30 C.F.R. § 580.23.*

### STAGE 4

Reporting & Submission of Information

#### REGULAR REPORTING

Permittees must submit regular status reports and daily logs as specified in the permit, and a final report within 30 days summarizing activities and any resources found.

*30 C.F.R. 580.24.*

#### SUBMISSION OF GEOLOGICAL OR GEOPHYSICAL DATA

Permittees and notice holders must notify the Regional Director in writing when the initial analysis, processing, or interpretation of any geological or geophysical data and information is completed.

The Regional Director may ask if the permittee or notice holder has further analyzed, processed, or interpreted any data. When asked, the permittee or notice holder must respond to BOEM in writing within 30 days.

The Regional Director may ask the permittee, notice holder, or a third party to submit the data and information for BOEM to inspect or permanently retain. The permittee or notice holder must submit the data and information within 30 days of a request.

*30 C.F.R. § 580.40, 580.50.*

### STAGE 5

#### DISCLOSURE OF PROSPECTING DATA AND INFORMATION

The Regional Director must follow FOIA, DOI FOIA rules, OCSLA, and BOEM's OCS regulations to decide what prospecting data can be disclosed to the public, withholding exempt information unless conditions are met. The regulations:

- establish fixed confidentiality periods (e.g., 10 years for geological data, 25–50 years for geophysical data, and special rules for data related to a deep stratigraphic test);
- require contractual confidentiality commitments from contractors who handle the data;
- and allow sharing of propriety data with coastal states only under written confidentiality agreements

*30 C.F.R. §§ 580.70–580.73.*

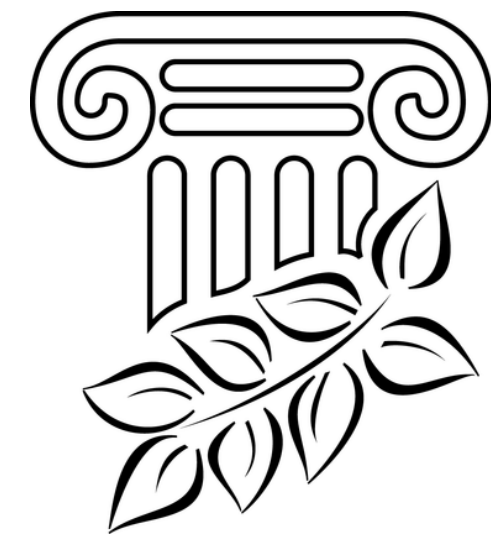
# OCSLA PROSPECTING GLOSSARY



BOEM	Bureau of Ocean Energy Management	Situated within DOI; Administers offshore energy and mineral leasing on the OCS, pursuant to OCSLA.
CZMA	Coastal Zone Management Act	This act, administered by NOAA, provides for the management of the nation’s coastal resources, including the Great Lakes.
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. 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.
FOIA	Freedom of Information Act	Provides the public the right to request access to records from any federal agency. Federal agencies are required to disclose any information requested under the FOIA unless it falls under one of nine exemptions which protect interests such as personal privacy, national security, and law enforcement.
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.
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.

# OCSLA PROSPECTING SOURCES

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## 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).
- [Coastal Zone Management Act](#), 16 U.S.C. §§ 1451–1468 (2026).
- [Freedom of Information Act](#), 5 U.S.C. § 522 (2026).

## DOI & BOEM Regulations

- [Prospecting for Minerals other than Oil, Gas, and Sulphur on the Outer Continental Shelf](#), 30 C.F.R. pt. 580 (2026).
- [Dep't of Interior, Freedom of Information Act; Records and Testimony](#), 43 C.F.R. pt. 2 (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 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).