The Bureau of Land Management Continues to Lease Public Land to Oil and Gas Companies During Pandemic

While the majority of Americans find themselves shut-in during the pandemic, the Department of Interior (DOI) through the Bureau of Land Management (BLM) has offered more than 200,000 acres of public land to oil and gas companies in five different lease sales. These sales have continued with little to no opportunity for public oversight, other than the mandatory 10 day protest period. The duration of that protest period was shortened to 10 days from 30 days in January 2018. That year generated $1.1 billion in revenue for the BLM, nearly tripling the previous annual sales record ($408 million in 2008) and almost equaling the bureau's budget. According to the BLM Deputy Director for Policy and Programs, that's a good thing.

> *This was a historic year for oil and gas, and clearly illustrates what is possible when public lands are put to work using innovation, best science, and best practices…Our sound energy policy continues to ensure reliable, safe, abundant, and affordable energy for all Americans, without putting unnecessary burdens on industry. In fact, this policy generated nearly as much revenue as the BLM's $1.1 billion budget for 2018."*
>
> *Brian Steed, BLM Deputy Director for Policy and Programs*

But maybe it's not all it's cracked up to be.

How To Get Away With It, Legally

Oil and gas leases are nothing new for the DOI as the BLM is required to offer these competitive leases quarterly. Of the 213,000 acres offered by the BLM, 89,000 were sold at the competitive sale. The remaining acres will continue to be offered by the BLM for 10-year non-competitive leases, a process that allows oil and gas companies to control large portions of public lands for incredibly cheap. Companies with non-competitive leases, which are issued on a first-come, first-serve basis, pay $1.50 an acre for the first five years of the lease. Yet 55% of these leases are terminated early, and only 3% of them are under production at the termination at the end of their 10-year term. Those defaulted leases are returned to the BLM so they can sell them again.

> *The noncompetitive leasing program resembles a hamster wheel in which the BLM reviews parcel nominations; holds an auction; issues unsold oil and gas leases noncompetitively; terminates the leases when the companies fail to pay rent—and then repeats the cycle, often recycling the same parcels over again."*
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> *The Center for American Progress*

Bread and Circuses

Constantly listing, selling, managing, repossessing, and relisting public lands for oil and gas leases takes time and resources. These are time and resources that could be spent doing things that are less beneficial for the fossil fuel industry, like environmental impact reports. A judge in Montana recently ruled to vacate 287 oil and gas leases because they were improperly issued. According to the judge, his decision…

> *…largely relates to the absence of analysis rather than to a*

> *flawed analysis. In other words, the Court does not fault B.L.M. for providing a faulty analysis of cumulative impacts or impacts to groundwater, it largely faults B.L.M. for failing to provide any analysis.”*
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> *Federal Judge Brian Morris*

Oil and gas companies don’t care if these leases default. The amount spent on the leases is virtually equal to the Bureau of Land Management’s yearly budget. While the department is meant to represent public lands and public interests, fossil fuel money is what keeps it operating. The money spent on leases that don’t yield significant oil or gas deposits pays off in diverting resources and influence.

> *The BLM is spending taxpayer money on an ineffective and unnecessary program. Furthermore, Americans are losing out on a fair return for the use of their resources, and the BLM’s hands are tied from actively managing the public lands for conservation, recreation, or other beneficial purposes. The BLM is already stretched thin, lacking adequate staff and resources to fulfill its complex multiple use mission on public lands, of which oil and gas development is a fraction. Devoting significant time to this program that, for all intents and purposes, appears to mainly benefit companies looking to pad their books or engage in speculative practices, takes away much-needed resources that the BLM could better use for public benefit elsewhere.”*
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> *Center for American Progress*

This not a new practice from either the government or the fossil fuel industry. The government makes its decisions based on the resources they have available. These resources are provided by the interests the government is elected to regulate. The pandemic has not changed their businesses at all, essential or not. In fact, the pandemic and subsequent

shutdown have served to further remove roadblocks for the massive corporations that rule our nation.

Sources:

- *Giving Away Our Lands as Americans Shelter in Place* – National Resources Defense Council