

U.S. Forest Service

National Forests in Alabama



WORKING TOGETHER TO ADDRESS THE NEEDS OF ALABAMA'S COMMUNITIES AND THEIR NATIONAL FORESTS

Federal Oil and Gas Leasing Laws and the Forest Plan

Forest Land Management Plan - The Forest Service develops land management plans for national forests in accordance with the National Forest Management Act of 1976 and current Forest Service planning regulations. When analyzing National Forest lands for potential oil and gas leasing, the desired conditions, objectives, suitability of areas and other criteria are considered. The Forest Service seeks public input under the National Environmental Policy Act (NEPA) during the establishment of the Forest Plan, prior to exploration, and after a company submits an application for permit to drill (APD) to the Bureau of Land Management (BLM).

Two Levels of Forest Planning Regarding Leasing

- (1) Forest Plan Level – Forest Plan determines lands administratively available for oil and gas leasing and consents to lease the available lands to the Bureau of Land Management (BLM). NEPA analysis is done on the Forest Plan that involves extensive public involvement.
- (2) Project Level – After leases are sold, the Forest Service is responsible for above ground resources and ground water. Project level NEPA is done prior to exploration and before drilling based on the application to drill and surface use plan operation submitted by the lessee.

Oil and Gas Leasing Laws and Regulations - The mandates for leasing federal oil and gas deposits are the 1920 Mineral Leasing Act, the 1930 Right-of Way Leasing Act, and the 1947 Acquired Lands Leasing Act. These Acts authorized the leasing of oil and gas and other minerals except for the 1930 Act which authorized leasing of only oil and gas.

Federal Government's Mining and Minerals Policy of 1970 - The Forest Service is directed to provide commodities for current and future generations while continuing to sustain the long-term health and biodiversity of ecosystems.

Federal Land Policy and Management Act of October 21, 1976 - Requires that public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use.

Oil and Gas Leasing Reform Act of 1987—Amended the Mineral Lands Leasing Act of 1920 regarding competitive leasing of oil and gas for onshore federal lands. Sets forth guidelines for the promulgation of regulations regarding lease sales, and prohibits the issuance of oil or gas leases upon certain lands allocated or designated as Wilderness areas.

36 CFR 228 -Minerals—Sets forth the rules and procedures through which use of the surface of National Forest System lands, in connection with mining and mineral operations, shall be conducted so as to minimize adverse environmental impacts on National Forest System surface resources.

National Forests Areas Closed to Oil and Gas Leasing - Forest Service policy states that lands withdrawn from mineral leasing shall be requested only in circumstances where there are sensitive, unique surface resources that cannot be adequately protected under current public laws and federal regulations. For example, National Forest areas within limits of incorporated cities or wilderness areas are closed to leasing.