United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

JAN 12 2024

The Honorable Bruce Westerman
Chairman, Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Westerman:

Enclosed are responses prepared by the Department of the Interior to the questions for the record submitted to Secretary of the Interior Deb Haaland following her appearance before your Committee to discuss the President's Fiscal Year 2024 Budget Request for the Department. We apologize for the delay in our response.

Thank you for the opportunity to respond to you on this matter.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Raúl Grijalva
Ranking Member

Committee on Natural Resources
Hearing on the FY 2024 Budget
April 19, 2023

Questions from Chairman Westerman

BLM's Proposed Rule on Conservation and Landscape Health

1. **In the recently published Conservation and Landscape Health proposed rule, BLM has two statements that appear to contradict each other. The proposal says conservation leases are "not intended to provide a mechanism for precluding other uses, such as grazing, mining and recreation. Conservation leases should not disturb existing authorizations, valid existing rights, or state or Tribal land use management." The proposal also says that once a lease has been issued, the "BLM shall not authorize any other uses of the leased lands that are inconsistent with the authorized conservation use."**

    a. **Will conservation leases be in addition to other leases or issued in a way excluding other uses of the land?**

    b. **How will BLM determine lands eligible for a conservation lease?**

    c. **What will take priority if conservation leases overlap with other possible land use, such as the potential for oil and gas development leases or areas for timber or grazing?**

Response: Under the proposed rule, the BLM would continue to manage public lands according to the terms of approved resource management plans and would honor existing rights and previously approved uses. The BLM would continue to authorize land uses based on science and data. The BLM received substantial public and stakeholder comment on the conservation leasing proposal in the rule and is reviewing this input as part of the ongoing regulatory development process.

2. **The Inflation Reduction Act provided $500 million for NPS and BLM for conservation, resiliency, and restoration projects. Recently, your staff briefed my staff on the implementation of this funding. The NPS and BLM are carrying out landscape sized projects to restore and conserve land, including post fire work. DOI confirmed their ability to carry out this conservation work without the need for any new rules, regulations, or authority. Why is the BLM pushing forward a proposed rule focusing on conservation and creating conservation leases when conservation work has been ongoing without such a rule?**

Response: The historic investments in landscape health and resilience made under the Bipartisan Infrastructure Law and Inflation Reduction Act have enabled the BLM to restore degraded landscapes, build resilience to wildfire, improve wildlife habitat, and protect vulnerable ecosystems. This work is extremely important, as BLM-managed public lands face new and increasing threats driven by a changing climate, including increasingly intense wildfires and prolonged droughts. The proposed Conservation and Landscape Health rule would complement Congressional investments in land health, ensuring the BLM can continue to deliver on its multiple-use mission for present and future generations. The proposed rule would clarify how the BLM should consider conservation use, alongside other uses on BLM-managed lands, including that the BLM would rely on science and high quality data to guide investment, support responsible development, and protect important resources like forage and clean water. The proposed Conservation and Landscape Health rule would help ensure that the Congressional investments made in landscape health and resilience are durable and firmly established within the BLM's work on the landscape.

3. **How does the BLM statutorily justify the addition of a "conservation lease" and giving this designation an equal standing as other uses defined within FLPMA while maintaining the requirements of FLPMA's multiple-use and sustained-yield framework?**

Response: Authorizing conservation leases is not only consistent with, but would help to promote, the BLM's management of the public lands under the principles of multiple use and sustained yield as described in the Federal Land Policy and Management Act (FLPMA). FLPMA defines "multiple use" to include, in pertinent part, "the use of some land for less than all of the resources . . . and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output." 43 USC 1702(c). Additionally, section 302 of FLPMA authorizes the Secretary of the Interior to regulate the use, occupancy, and development of public lands through easements, permits, leases, licenses, published rules, or other instruments as the Secretary deems appropriate. Conservation leasing, as written under the proposed Conservation and Landscape Health rule, would comply with that direction under FLPMA, ensuring the BLM continues to fulfill its multiple use and sustained yield mission.

4. **Is the overall intent of this proposed rule to reduce the acreage available for FLPMA mandated uses just as grazing, energy development and transmission?**

Response: No. The intent of this proposed rule is to ensure the BLM continues to manage the public lands so the resources necessary to support activities like grazing, responsible energy development, and recreation, are available for future generations.

5. **How much staff time was used to write the recent proposed rule on conservation and landscape health?**

Response: The BLM estimates that 3,000 hours of staff time in total was used to develop the proposed rule.

6. **How many taxpayer funds were used to write the recent proposed rule on conservation and landscape health?**

Response: BLM estimates that staff time labor costs to date were approximately $200,000 and contracting costs were approximately $190,000 for a total of $390,000.

7. **Everything this rule allows BLM to do, they can already do.**

   a. **Why spend staff time, resources, and taxpayer funds to create a rule that provides no new authority to do things already being done?**

Response: Because only Congress can provide BLM with new authority, every rulemaking reflects authority under existing law. The proposed Conservation and Landscape Health rule would ensure the BLM uses the best science and data, and the tools available to it under law, to continue delivering on the agency's multiple use and sustained yield mission in the face of a changing climate and increased use of the public lands for a wide range of activities.

   b. **If you can implement conservation practices through other means, why is this necessary unless you are trying to retire multiple use through the back door?**

Response: Overall, the proposed rule provides a framework to implement conservation use in support of the BLM's multiple use and sustained yield mission, providing direction that would benefit the agency and personnel carrying out management of public lands. The rule provides additional structure and tools to pursue multiple uses across the public lands and, consistent with FLPMA, does not seek to elevate one use above others. Conservation leasing also would provide a mechanism to put compensatory mitigation dollars to work on the public lands. Ultimately, this tool would facilitate BLM's ability to permit environmentally sound development on public lands.

8. **How will the BLM evaluate and manage the conservation efforts that are laid out in the proposed rule? Will this process be done through RMPs and various land management plans, as prescribed by FLPMA, currently governing public land use?**

Response: If the proposed rule is finalized, the BLM would continue to use its resource management planning process to guide day-to-day decision-making, including its consideration of proposed projects and site-specific authorizations. The proposed rule would enhance the BLM's focus on the fundamentals of land health, which have long been used to support the BLM's rangeland management and would ensure land management decisions are underpinned by the best available science and data.

9. **It is clear BLM is already engaging in meaningful conservation work through stewardship agreements and other activities.**

    a. **How many BLM acres have been conserved, restored, or treated with mitigation measures each year in the past 10 years?**

Response: The following table shows the number of acres, by year for the past 10 years, that have been conserved, restored, or treated with mitigation measures. Vegetation treatments include biological treatments such as targeted grazing, chemical treatments such as herbicides, insecticides, pesticides, and fertilizer; basal bark spraying; cutting stump and spraying surface; fire treatments such as broadcast burning, hand pile burning, machine pile burning, and other prescribed fire; and physical treatments such as piling, hoeing, chipping, grading, digging, lop and scatter, mowing, thinning, protective mulching, pruning, plowing, regeneration harvest, planting, seeding, salvaging, pre-commercial thinning, hand pulling, cultivating, raking, and plant and seed collecting.

BLM Acres Conserved, Restored, or Treated with Mitigation Measures and Other Activities				
	Status			
CY	Completed	Data Pending	Data Validated	Grand Total
2012	369,039			369,039
2013	919,498			919,498
2014	1,205,302			1,205,302
2015	2,693,339			2,693,339
2016	1,466,411			1,466,411
2017	1,385,970			1,385,970
2018	1,516,124	345		1,516,469
2019	2,970,849	838	105	2,971,791
2020	1,506,639	1,684	922	1,509,245
2021	1,801,832	41	991	1,802,864
2022	2,410,114	177		2,410,291
2023	58,248			58,248
Grand Total	18,303,364	3,085	2,017	18,308,466

    b. **How many acres does BLM expect this new proposed rule would include?**

Response: As noted previously, under the proposed rule, BLM land management would continue to be governed by the resource management planning process, so it is difficult to provide an exact estimate of the geographic scope of future conservation use. The appropriate extent of conservation use would be determined by future land management planning processes, in collaborative engagement with local communities, public land users, Tribal Nations, and State and local governments.

10. The recent proposed rule on conservation and landscape health defines conservation as "meaning maintaining resilient, functioning ecosystems by protecting or restoring natural habitats and ecological function."

a. Will you provide any other definitions of "conservation" used by BLM?

Response: That is the definition the BLM proposes to use for conservation under the proposed rule. BLM welcomes public comment on all aspects of the proposed Conservation and Landscape Health rule, including the proposed definition of conservation.

b. How much BLM land is currently considered "conserved" by BLM's proposed definition in this rule?

Response: The BLM has not yet sought to apply this proposed definition to quantify acres considered conserved. The proposed Conservation and Landscape Health rule will enhance the BLM's capacity to use science and data to assess the fundamentals of land health, which would help the BLM better understand the condition of the lands we manage and guide future management decisions that will fulfill conservation objectives.

11. How many ACECs have been designated each year for the past 10 years?

Response: The table below shows the number of Areas of Critical Environmental Concern (ACECs) designated for each year for the past 10 years. The absence of data for a particular year reflects there were no relevant RMPs, RODs or Decision Records signed in the corresponding year.

Number of BLM ACECs Designated by Calendar Year	
ROD CY	Count of ACEC
2013	1
2014	10
2015	97
2016	254
2017	4
2020	11
Grand Total	**377**

12. How many acres have been designated as ACECs each year for the past 10 years?

Response: The table below shows the acres of ACECs designated each year for the past 10 years. The absence of data for a particular year reflects there were no relevant RMPs, RODs, or Decision Records signed in the corresponding year.

Acres of BLM ACECs Designated by Calendar Year	
ROD CY	Acres
2013	644
2014	574,697
2015	727,369
2016	8,375,148
2017	8,876
2020	48,048
Grand Total	**9,734,782**

13. Currently, ACECs can be nominated by anyone who believes an area is special enough to be protected. The agency's website says that these nominations are then "evaluated through... extensive public involvement" yet the proposed rule removes the requirement to publish the opportunity for comment in the Federal Register. How will the agency take into account the public and local communities' input if the public comment period is removed?

Response: The proposed rule would not diminish the public's opportunities to comment on proposed ACEC designations. The proposed rule would eliminate an existing requirement, specific to ACECs, to publish notice of proposed ACECs in the Federal Register. But evaluation and designation of ACECs is separately part of the resource management planning process which has its own comprehensive notice and public participation requirements. The BLM has found that the ACEC-specific Federal Register publication requirement does not provide value above and beyond that resource management planning process, which includes notices in the Federal Register. The public would still have opportunity to comment on proposed ACECs through that latter process.

14. In the recent proposed rule, the agency states, "...public lands are increasingly degraded and fragmented due to adverse impacts from climate change and a significant increase in authorized use."

a. How has climate change led to fragmented lands?

Response: Climate change is driving a host of landscape changes that degrade the health of lands and fragment habitat. For example, increasingly intense wildfires or prolonged droughts can lead to an influx of invasive species, fragmenting habitats and stressing native plants and wildlife.

b. What is the agency referencing as "authorized use"?

Response: Authorized use refers to the wide variety of uses that the BLM authorizes to occur on public lands by granting permits, leases and other land use authorizations or by providing for use in relevant management plans.

15. In the briefing BLM staff provided Congress last week, they made it clear that grazing is compatible with conservation. How will the BLM proposed rule ensure grazing is not disturbed, displaced, cancelled, or otherwise impacted by any conservation leasing system?

Response: Grazing, fuels treatments, recreation, as well as other public lands uses, can all be consistent with conservation leasing, whether as prior existing uses or as new permitted uses in places where a conservation lease has already been issued. The BLM often manages for uses that overlap on a single acre. Moreover, conservation leases, as conceived in the rule, would be narrow in scope, in support of clear restoration, land enhancement, or mitigation outcomes, including compensatory mitigation. While each individual conservation lease would be distinct, and dependent on the terms of the specific lease, these leases would generally be compatible with other uses that do not impair the restoration or mitigation activity for which the lease was secured. The BLM specifically requested comment on the appropriate terms for conservation leasing, including leasing intended to mitigate against permanent impairment elsewhere, and would welcome Congressional feedback.

16. During the hearing, Representative Lee wanted certainty that the BLM's proposed rule would not hinder renewable energy projects on BLM land. You responded, "Conservation and clean energy go hand in hand on BLM lands" and assured the proposed rule would not slow down these projects.

a. How will you measure the conservation factor of different types of energy and mineral production?

Response: The proposed Conservation and Landscape Health rule does not include a measure for a "conservation factor." However, the proposed rule would ensure the BLM uses the best available science and data to support the siting of responsible development. Moreover, the proposed conservation leasing tool could be used to support compensatory mitigation – compensating for the loss of resources that cannot be avoided, such as wildlife habitat – that could in turn support development uses on the landscape.

b. If conservation is purported to go hand in hand with clean energy – such as large-scale solar projects that can cover large swaths of land and prevent grass and trees from growing, would conservation then go hand in hand with conventional energy projects that have minimal surface area disruption?

Response: The proposed Conservation and Landscape Health rule would ensure the BLM uses the best available science and data to support the siting of responsible development. Moreover, the proposed conservation leasing tool could be used to support compensatory mitigation, which could in turn support energy development on the landscape.

c. **While you said that the rule would not slow down renewable energy projects, would renewable energy projects be able to move forward on lands included in a conservation lease?**

Response: The BLM often manages for uses that overlap on a single acre and seeks to identify the most appropriate places for proposed uses, such as areas identified as most suitable for wind and solar energy development. Moreover, conservation leases, as conceived in the rule, would be narrow in scope, in support of clear restoration, land enhancement, or mitigation outcomes, including compensatory mitigation. While each individual conservation lease would be distinct, and dependent on the terms of the specific lease, these leases would generally be compatible with other uses that do not impair the restoration or mitigation activity for which the lease was secured. The BLM specifically requested comment on the appropriate terms for conservation leasing, including leasing intended to mitigate against permanent impairment elsewhere, and would welcome Congressional feedback.

17. **In developing the BLM's proposed rule, what stakeholders did you consult – such as existing leaseholders, stakeholders, state and local BLM staff, and state and local governments?**

Response: In developing the proposed Conservation and Landscape Health rule, the BLM performed significant engagement with BLM staff and subject matter experts to ensure the rule conformed with existing authorities and would be implementable. The 90-day public comment period on the proposed rule has closed. During that period, the BLM held five public meetings – three in-person and two virtual – ensuring there were significant opportunities for public feedback and input from all stakeholders, including leaseholders, Tribal Nations, and state and local governments. To date, the BLM has received about 40,000 public comments on the proposed rule. The BLM looks forward to continued engagement with all public land users to ensure the final rule would enhance the BLM's capacity to deliver on its mission now and in the future.

18. **Will you commit to hosting multiple in person stakeholder sessions where BLM can hear from those impacted by this proposed rule?**

Response: The BLM held five public informational meetings on the proposed rule, three in-person and two virtual meetings, as follows:

- Virtual meeting on Monday, May 15, 2023, from 5-7 p.m. MT
- Denver, Colorado, on Thursday, May 25, 2023, from 5-7 p.m. MT
  Denver West Marriott, 1717 Denver West Blvd, Golden, Colorado

- Albuquerque, New Mexico on Tuesday, May 30, 2023, from 5-7 p.m. MT
  Indian Pueblo Cultural Center, 2401 12th Street NW, Albuquerque, New Mexico
- Reno, Nevada on Thursday, June 1, 2023, from 5-7 p.m. PT
  Reno-Sparks Convention Center, 4950 S Virginia Street, Reno, Nevada
- Virtual meeting on Monday, June 5, 2023, from 9:30-11:30 a.m. MT

19. Sadly, we see BLM has often failed to maintain healthy landscapes across much of the west. Areas are overrun and destroyed by wild horses and burros. Lack of active management on our timber and grasslands has led to catastrophic wildfires. The inability to actively manage lands has only furthered invasive species. These examples are the responsibility of the BLM and cannot be attributed to other multiple uses. How would this proposal help BLM be a better steward of places like overstocked Herd Management Areas and overgrown, wildfire prone areas?

Response: The committed staff of the BLM work hard every day to ensure the BLM delivers on its multiple use and sustained yield mission and manages the public lands for the benefit of all Americans. However, the agency has faced and continues to face challenges, from resource constraints to a reorganization effort that led to the loss of career staff with hundreds of years of combined land management experience. Nonetheless, the BLM continues to steward the public lands and manage the resources and values they contain. The proposed Conservation and Landscape Health rule would identify conservation as one of the multiple uses on the landscape, ensure areas can be prioritized and managed for restoration, and establish tools like conservation leases that would support the BLM's ability to restore public lands back to health, including lands degraded by fire or overuse. The proposed rule would expand the assessment of land health, ensure science and data underpin decision making, and help support responsible development across the landscape. The rule also would authorize the use of third-party mitigation fund holders to facilitate compensatory mitigation on BLM-managed lands and establish criteria that third parties must meet to be approved as mitigation fund holders.

20. Will those that secure a conservation lease insist that after they have paid money to acquire these leases that they remain in conservation status in perpetuity, even after the initial 10-year lease?

Response: While it is difficult to comment on the hypothetical requests of any potential future leaseholders, conservation leasing, as conceived under the rule, would be limited in duration, narrowly tailored, and designed to support restoration, land enhancement, or compensatory mitigation. Future use of lands that were previously subject to a conservation lease would be managed as prescribed in the governing land use plan. The BLM specifically requested comment on the appropriate terms for conservation leasing, including leasing intended to mitigate against permanent impairment elsewhere, and we welcome Congressional feedback.

21. **If an oil and gas lessee is paying to produce energy with a royalty to the taxpayer and a solar right of way holder is paying rent to produce energy, is a prospective conservation lease holder paying to retire the land from multiple use?**

Response: Under the proposed Conservation and Landscape Health rule, a conservation leaseholder would be paying for a narrowly tailored, time-limited lease to support land restoration, land enhancement, or mitigation. For example, as discussed in the preamble to the proposed rule, as part of authorizing a renewable energy project on public lands, the BLM and the project proponent may agree to compensate for loss of wildlife habitat by restoring or enhancing other habitat areas. The BLM specifically requested comment on the appropriate terms for conservation leasing, including leasing intended to mitigate against permanent impairment elsewhere, and we welcome Congressional feedback.

22. **Could BLM issue a conservation lease on surface estate when an oil and gas developer has leased the minerals below that surface?**

Response: Yes, so long as the conservation lease would not conflict with the existing mineral lease or any valid existing rights.

23. **Would an oil and gas company have to obtain a conservation lease or compensatory mitigation to develop minerals already leased below the surface?**

Response: The proposed Conservation and Landscape Health rule would not require a mineral lessee to acquire a conservation lease to access fluid minerals for which they have an existing lease. The proposed Conservation and Landscape Health rule does not provide that the BLM must require conservation leases or envision scenarios where conservation leases would be an obligatory tool.

24. **If conservation use is to be on equal footing as other uses, why does the proposed rule state that the authorized officers will seek to prioritize actions that conserve (6102.1(b))?**

Response: The proposed Conservation and Landscape Health rule does not put conservation above other uses and would not impact the BLM's statutory mandate to manage the public lands under principles of multiple use and sustained yield. The public lands are increasingly challenged by a changing climate, including increasingly intense wildfires and prolonged drought, and by increased use across the landscape. To ensure the BLM can continue to deliver on its mission now and into the future, conservation will be increasingly important to protect the resources on which public lands users rely, including forage, water, fish and wildlife habitat, fiber, and other resource values.

25. **Can you commit that the compensatory mitigation procedures outlined in the proposed rule would not be utilized with any existing lease holder, such as a company that holds an oil and gas lease? Can you commit to the Committee that your proposal would only be for future leaseholders, not those currently holding a lease?**

Response: The BLM currently evaluates opportunities to avoid, minimize, and compensate for impacts of proposed actions. As we have noted, however, the proposed Conservation and Landscape Health rule does not change the terms of existing authorizations. Where seeking to carry out mitigation activities, current BLM leaseholders would be welcome, but not required, to apply for conservation leases where appropriate under local resources management plans.

26. **Is active forest management consistent with the BLM's definition of "conservation", as proposed in this rule?**

Response: Under the proposed rule, management the BLM would continue to manage public lands according to the terms of approved resource management plans, developed in collaboration with local communities, land users, Tribal Nations, and state and local governments. The rule does not specifically identify which land management techniques are compatible with conservation, as those decisions should be made locally and through resource management planning processes. That said, active forest management, a term of art typically meaning thinning, harvesting, and prescribed burning of forest resources, can help shape change in a forest system that may contribute to conservation goals and promote landscape health and resilience, where local conditions dictate. The proposed rule would expand the BLM's ability to use science and data in land management, which could inform the agency's forest management and fire resilience work.

27. **Can the Department commit that this rule will not affect the ability of the agency to manage its lands to reduce hazardous fuels to respond to wildfire, insects, disease, drought, and/or overstocked and unhealthy forests or rangelands?**

Response: Yes. The proposed Conservation and Landscape Health rule would greatly enhance the BLM's ability to manage for land health, including fire resilience, forest health, rangeland health, watershed health, and healthy fish and wildlife habitat.

28. **Is the Department considering placing any restrictions on the management of "old growth and mature forests" as part of this rulemaking?**

Response: The BLM specifically requested feedback on whether the management of mature and old growth forests should be incorporated into this rulemaking.

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Southern Border

29. How much of the southern border is DOI land?

Response: The Department manages lands that cover approximately 40 percent of the southern border, including national parks, wildlife refuges, historic sites, public lands, and wilderness areas along with infrastructure including water delivery structures.

30. How are you prioritizing Southern Border Fuels Management Initiative projects? How much land has been treated so far and how much land is anticipated to be treated?

Response: In fiscal years 2018-2020, the Department and the U.S. Border Patrol allocated approximately $11 million to fund a total of 15 Southern Border Fuels Management Initiative projects. The Department contributed $10 million to the initiative and the Border Patrol contributed $1 million. The planned work tied to these projects is 108,000 acres, and to date, Interior has accomplished 86,000 acres. Many of the projects are multi-year, so work is ongoing. Fuels management along the southern border is a priority, and as such we have incorporated this initiative into our broader fuels management strategy. In 2023, the Department plans to fund a total of nearly $7.7 million for fuels treatments on 28,000 acres of federal lands in counties adjacent the southern border.

31. Federal lands along the border are specifically targeted by criminals, drug smugglers, and human traffickers because they are remote, uninhabited, and less frequently patrolled. There are devastating environmental consequences of illegal immigration. Illegal immigrants leave behind trash, including human waste, medical products, abandoned vehicles, and plastic. What is the Department's commitment to ensuring the safety and conservation of federal land at the southern border?

Response: The Department is committed to the protection of our public lands along the southwest border and ensuring the safety of visitors to our lands everywhere, Bureau employees have worked hard to establish strong working relationships with partner agencies, including Customs and Border Protection, Office of Field Operations, and the U.S. Border Patrol. The agencies have large areas of shared responsibilities and work together to ensure that each agency's mission is fulfilled.

DOI employees regularly remove debris and vehicles from areas along the border. Vehicle tracks and "layup" areas scar critical cultural, and environmental sites. In Florida, we are working with the Florida Fish and Wildlife Conservation Commission to remove abandoned chugs (boats) used in human and drug trafficking. The vessels are often left on sensitive island beaches, leaking diesel fuel, and filled with trash, clothes, and other waste.

32. **Has DOI conducted an estimate of how much money Mexican drug cartels are making annually as a result of illegal cannabis growth on DOI lands?**

Response: The Department does not have an estimate on how much money Mexican drug cartels are making as a result of illegal cannabis growth on lands that we manage.

33. **What is the effect of illegal methamphetamine production and marijuana cultivation on threatened and endangered species and critical habitat?**

Response: The impacts of illegal activities pose a danger to employees and visitors and can impact threatened and endangered species by damaging critical habitat and disturbing sensitive areas. Cultural resource and Archeological Resource Protection Act sites have also seen increased damage from illegal migration and trafficking activities. The illegal manufacturing of methamphetamine and the cultivation of marijuana has a significant impact on the environment, wildlife habitat, and human health. These include disturbance/destruction of natural habitat, introduction of toxic chemicals into the ground/waterways, unsafe disposal practices, and health/safety concerns for humans working at the lab or members of the public and DOI employees.

34. **Does DOI have an estimate of how many new illegal methamphetamine production and marijuana cultivation sites are established each year on DOI lands? Approximately how many sites are going undetected annually?**

Response: Methamphetamine production on Department lands is limited. However, hazardous methamphetamine waste dumpsites have been discovered and removed from lands that we manage. On average, DOI investigates 50 marijuana cultivation sites per year, and estimates another 50 sites are undetected annually.

35. **Please provide the following information for illegal methamphetamine production and marijuana cultivation sites addressed by DOI staff and partners each year over the 2000-2022 period:**

    a. **The number of illegal sites identified.**

    b. **The DOI units where illegal cultivation sites were identified (delineated by bureau and individual unit).**

    c. **The states where illegal cultivation sites were identified on DOI lands.**

    d. **The pounds of trash removed.**

    e. **The miles of plastic irrigation line removed.**

    f. **The number of containers of banned and illegal pesticides removed.**

g. **The gallons of water diverted as a result of illegal sites.**

h. **The value of illegal marijuana seized from illegal cultivation sites.**

i. **The value of illegal methamphetamines seized from illegal sites.**

j. **The number of illegal cannabis plants removed.**

k. **The total amount of money spent addressing illegal sites.**

l. **The number of arrests made in connection with illegal methamphetamine production or marijuana cultivation on DOI lands.**

Response to a-l: Between 2000-2022, DOI seized over 4.5 million marijuana plants. The estimated street value of the seized plants is over $4.5 billion dollars. DOI estimates over 650 marijuana grow sites were addressed. The Department's electronic records management system, implemented in 2012, indicates that between 2013 and 2022, BLM law enforcement officers arrested 158 individuals for cultivation of marijuana on BLM managed public lands and NPS law enforcement officers arrested 8 individuals for cultivation of marijuana on NPS managed lands. During this same period, BLM law enforcement arrested 1 person for illegal methamphetamine production on BLM managed public lands. The locations of these arrests included California, Arizona, Oregon, Colorado, and Wyoming. No significant methamphetamine productions sites were reported.

30x30/"America the Beautiful"

36. **The FY 2024 budget for the Department of the Interior continues to support the 30 by 30 Initiative, which seeks to "conserve" 30 percent of lands and waters by 2030.**

    a. **Since we are now 3 years into the implementation of this Initiative, can you please tell the Committee the baseline metrics for how many acres of land and water are considered "conserved" right now?**

Response: Under the America the Beautiful initiative, the Department is coordinating with the Department of Agriculture, the Department of Commerce, and the Council on Environmental Quality to undertake an effort to develop the American Conservation and Stewardship Atlas (Atlas), which will reflect locally led, partnership-driven conservation as a continuum and the many uses of land and waters that can be consistent with the long-term health of ecosystems and help address the impacts of climate change and environmental injustices. The America the Beautiful Interagency Working Group gathered input from the public on the development of the Atlas, with more than 34,500 comments received. We are working on a "beta" version of that Atlas and will continue to update the Committee on its progress.

b. **Since DOI began implementing the 30 by 30 Initiative, how many new acres of land and water are considered "conserved"? Please provide locations for any such acres and information on what actions transitioned those acres from not conserved to conserved.**

Response: In total during his first two years in office, President Biden channeled more than $10 billion to locally led land conservation, which helped conserve millions of acres of lands and water through designations of national monuments, wildlife refuges, wilderness areas, farm bill conservation programs, and more. Select examples of conservation actions from the 2023 omnibus bill include the designation of New Philadelphia National Historic Site in Illinois, which commemorates the history of early 19th century Black pioneers; the establishment of seven new National Heritage Areas including Alabama Black Belt, Bronzeville-Black Metropolis in Illinois, Downeast Maine, Northern Neck in Virginia, St Croix, Southern Campaign of the Revolution in North Carolina and South Carolina, and Southern Maryland; the expansion of protections for important historical and natural resources by expanding the boundaries of several existing parks; and the addition of two new rivers to the Wild and Scenic Rivers System.

c. **Is DOI currently counting private lands towards the 30 by 30 goal?**

Response: The America the Beautiful initiative supports the development and implementation of locally led, partnership-driven, multijurisdictional, high-priority projects on both public and private lands. We are pursuing the President's national conservation goal in a way that is collaborative and inclusive, honors Tribal sovereignty and supports the priorities of Tribal Nations, supports voluntary stewardship efforts of private landowners and honors private property rights, fosters job creation and healthy communities, uses science as a guide, and conserves our nation's lands and waters for the benefit of all people.

d. **Does the administration plan to in the future count private lands towards the 30 by 30 goal?**

Response: One of the key principles under the initiative is that efforts to conserve and restore lands must respect private property rights and support the voluntary stewardship efforts of private landowners. The Biden-Harris administration celebrates conservation as a continuum, recognizing the varied and important contributions of voluntary conservation efforts from fishers, farmers, forest owners, ranchers, and other landowners. America the Beautiful will continue to honor private property rights and support the voluntary stewardship efforts of private landowners and fishers, a guiding principle of the initiative.

e. **How does DOI define "conservation" for the purposes of 30 by 30?**

Response: The Department is coordinating with the Department of Agriculture, the Department of Commerce, and the Council on Environmental Quality to undertake an effort to develop the Atlas, which will reflect the many uses of land and waters that can be consistent with the long-term health of ecosystems and help address the impacts of climate change and environmental injustices. Given the many types of conservation that exist on federal, state, Tribal, and private land, we expect a definition that extends beyond permanent protection to recognize conservation as a continuum. The America the Beautiful Interagency Working Group gathered input from the public on the development of the Atlas, with more than 34,500 comments received. The input received will be used in the development of the beta version of the Atlas.

f. How does DOI define "restoration" for the purposes of 30 by 30?

Response: As noted in the response to the previous question, the Department is continuing to coordinate with USDA, Commerce, and CEQ to develop the Atlas, will reflect the many uses of land and waters that can be consistent with the long-term health of ecosystems and help address the impacts of climate change and environmental injustices. The America the Beautiful Interagency Working Group gathered input from the public on the development of the Atlas, with more than 34,500 comments received. The input received will be used in the development of the beta version of the Atlas.

g. How does DOI define "30 percent of lands and waters" for the purposes of 30 by 30?

Response: As directed by Executive Order 14008, Tackling the Climate Crisis at Home and Abroad, President Biden has issued a call to action that we work together to conserve, connect, and restore 30 percent of our lands and waters by 2030 for the sake of our economy, our health, and our well-being. This effort is inclusive of state, private, Tribal, and public lands and reflects interagency coordination and leadership.

h. How does DOI define "equitable access" for the purposes of 30 by 30?

Response: The Conserving and Restoring America the Beautiful Report, issued in May 2021 and found here: https://www.doi.gov/sites/doi.gov/files/report-conserving-and-restoring-america-the-beautiful-2021.pdf, highlighted a need for Federal agencies to place a greater focus on supporting nature-deprived communities that have disproportionately less access to nature's public health and climate benefits. The report noted that the burdens associated with a lack of access to nature do not fall evenly on all people. As part of the America the Beautiful initiative, the "United States Government Interagency Memorandum of Understanding on Promoting Equitable Access to Nature in Nature- Deprived Communities" was signed by 10 Federal departments and agencies and focuses on strengthening investments in communities who have been locked out of the benefits nature provides to ensure all Americans can benefit from safe parks, natural areas, and waterways where they live, work, and play by expanding access to local parks, tree canopy cover, conservation areas, open space and water-based recreation, public gardens, beaches, and waterways.

i. **How does DOI define "underserved communities" for the purposes of 30 by 30?**

Response: As described in the 2023 America the Beautiful Challenge Request for Proposals published by the National Fish and Wildlife Foundation, underserved or under-resourced populations are those who receive inadequate or inequitable environmental services and protection, who experience quality-of-life disparities, and who by design have little power or influence over outside decisions that impact their daily quality of life. These include both urban and rural populations.

j. **Can DOI please provide examples of what is and is not considered "conservation" for the purposes of 30 by 30?**

Response: The 2022 Annual Report, found here: https://www.doi.gov/sites/doi.gov/files/final-atb-2022-annual-report-508.pdf, provides detail on efforts to advance the six areas of early focus of the America the Beautiful initiative: creating more parks and safe outdoor opportunities in nature-deprived communities; supporting Tribally led conservation and restoration priorities; expanding collaborative conservation of fish and wildlife habitats and corridors; increasing access for outdoor recreation; incentivizing and rewarding the voluntary conservation efforts of fishers, ranchers, farmers, and forest owners; and creating jobs by investing in restoration and resilience. The principles guiding this inclusive effort reflect the decades of land and water stewardship by ranchers, farmers, fishers, hunters, private property owners, conservation organizations, Tribal Nations, territories, State and local governments, and others.

k. **Over 1 year ago, the administration announced the $1 billion "America the Beautiful Challenge" Fund with only $440 million in identified funding. Yes or no, will DOI use any taxpayer resources to back fill the remaining $560 million that have not been identified yet for this Fund?**

Response: The America the Beautiful Challenge, which is administered in partnership with the National Fish and Wildlife Foundation, consolidates funding from multiple federal agencies and private philanthropy to support locally led and designed projects. In year one, the fund supported 55 projects in 42 states, three U.S. territories, and for 14 Tribal nations. The request for proposals received an unprecedented response, with applicants submitting 527 proposals representing all 50 states, Puerto Rico, and three U.S. territories requesting a total of $1.1 billion, illustrating how much impactful conservation work is ready and waiting for investments like these. In year two, the National Fish and Wildlife Foundation announced the three-month 2023 Request for Proposals in March, and approximately $116 million will be awarded in nationwide funding.

l. **Please explain the methodology and criteria for how projects are selected for funding under the America the Beautiful Challenge Fund.**

Response: The 2023 America the Beautiful Challenge Request for Proposals (RFP) evaluation criteria can be found on the RFP website, through the National Fish and Wildlife Foundation, at https://www.nfwf.org/programs/america-beautiful-challenge/america-beautiful-challenge-2023-request-proposals. Last year's America the Beautiful Challenge RFP evaluation criteria can also be found online https://www.nfwf.org/programs/america-beautiful-challenge/america-beautiful-challenge-2022-request-proposals.

m. Is DOI requesting any funds in its FY 2024 budget that it plans to use or transfer to support the America the Beautiful Challenge Fund? If yes, please provide the amounts and accounts DOI is proposing this money come from.

Response: Many core programs and initiatives in the Department, as well as actions by states, local governments, Tribes, and private landowners support the objectives of the America the Beautiful initiative. As noted in the Administration's 2022 Annual Report, such actions include, generally, investments in restoration and conservation through the Great American Outdoors Act and supporting local and community-based conservation work already underway across the country. The Inflation Reduction Act and the Bipartisan Infrastructure Law were also historic investments in science-based restoration and resilience of our forests, wetlands, waterways, and coasts, and help achieve the conservation and restoration goals of the President's America the Beautiful initiative. And President Biden signed into law the Bipartisan Year-End Omnibus and the National Defense Authorization Act, which further bolstered conservation and restoration work.

n. Can funds from the America the Beautiful Challenge Fund provided by DOI be used by a recipient to fund projects that acquire new federal land?

Response: Entities eligible for America the Beautiful Challenge funding provided by the Department of the Interior include state government agencies, territories of the United States, and federally recognized Tribes. Detailed information on funding parameters can be found on the 2022 and 2023 America the Beautiful Challenge Request for Proposals websites. Projects funded through the America the Beautiful Challenge are intended to advance the principles underlying the America the Beautiful Initiative, including:

(1) Pursuing a collaborative and inclusive approach to conservation;
(2) Conserving America's lands and waters for the benefit of all people;
(3) Supporting locally led and locally designed conservation efforts;
(4) Honoring Tribal sovereignty and support the priorities of Tribal Nations;
(5) Pursuing conservation and restoration approaches that create jobs and support healthy communities;
(6) Honoring private property rights and support the voluntary stewardship efforts of private landowners and fishers;
(7) Using science as a guide; and
(8) Building on existing tools and strategies with an emphasis on flexibility and adaptive approaches.

o. Can funds from the America the Beautiful Challenge Fund provided by DOI be used by a recipient to cover the costs of litigation in which the recipient is suing the federal government?

Response: Both the 2022 and 2023 America the Beautiful Challenge Request for Proposals note that litigation is an ineligible use of program funds and matching contributions.

p. **Can funds from the America the Beautiful Challenge Fund provided by DOI be sent to a recipient who is under active investigation by Congress?**

Response: Requirements and prohibitions for receipt of grant funding under this program are included in the Request for Proposals. Entities eligible for America the Beautiful Challenge funding provided by the Department of the Interior include state government agencies, territories of the United States, and federally recognized Tribes.

q. **Can funds from the America the Beautiful Challenge Fund provided by DOI be sent to a recipient with a history of human rights abuses?**

Response: Requirements and prohibitions for receipt of grant funding under this program are included in the Request for Proposals. Entities eligible for America the Beautiful Challenge funding provided by the Department of the Interior include state government agencies, territories of the United States, and federally recognized Tribes.

r. **Can funds from the America the Beautiful Challenge Fund provided by DOI be sent to a recipient who also accepts funds from a hostile foreign nation?**

Response: Requirements and prohibitions for receipt of grant funding under this program are included in the Request for Proposals. Entities eligible for America the Beautiful Challenge funding provided by the Department of the Interior include state government agencies, territories of the United States, and federally recognized Tribes.

s. **What procedures has DOI put into place to monitor waste, fraud, and abuse of funding it provides to the America the Beautiful Challenge Fund?**

Response: The America the Beautiful Challenge is administered by NFWF. NFWF has administered programs in partnership with federal agencies for nearly four decades. NFWF has decades of monitoring and evaluation experience and has developed a standard set of America the Beautiful Challenge reporting metrics that will allow for easy comparisons and tracking of progress across projects, programs, agencies, and departments.

t. **Are national monument designations under the Antiquities Act of 1906 consistent with the principals of 30 by 30?**

Response: We look forward to providing updates to the Committee and members of the public on how the Administration will measure and track progress toward the administration's goals. We would anticipate that most national monuments are consistent with the goals and principles of America the Beautiful.

u. Are wilderness areas consistent with the principals of 30 by 30?

Response: We look forward to providing updates to the Committee and members of the public on how the Administration will measure and track progress toward the administration's goals. We would anticipate that wilderness areas are consistent with the goals and principles of America the Beautiful.

v. Are mineral withdrawals consistent with the principals of 30 by 30?

Response: We look forward to providing updates to the Committee and members of the public on how the Administration will measure and track progress toward the administration's goals. Depending on the purpose for the withdrawal, we would anticipate that many areas that are under a withdrawal are consistent with the goals/principles of America the Beautiful.

Wildlife Corridors

37. **On March 21, the Council on Environmental Quality released new "Guidance for Federal Departments and Agencies on Ecological Connectivity and Wildlife Corridors." The guidance document shows your office – the Office of the Secretary of the Interior - as well as the Fish and Wildlife Service, were part of the interagency working group developing the guidance. You have been aware of this forthcoming direction from the White House.**

    a. **How is the implementation of this guidance reflected in the DOI's budget submission for FY24?**

    b. **If it is not reflected in your budget, how will it impact the budget request you submitted?**

Response to a and b: The Department has made wildlife corridors and connectivity a priority, helping to restore free-flowing rivers and key wildlife habitat for big game and other species. For instance, $200 million in BIL funding will be used to vastly expand fish passage projects across the country, which will improve aquatic habitat connectivity, ensure access to habitat for all life stages of migratory fish and other aquatic species, and improve overall fish population health. The Department will continue to support habitat and mapping work covering 11 Western states in support of Secretary's Order (S.O.) 3362, Improving Habitat Quality in Western Big Game Winter Range and Migration Corridors. Projects completed because of this S.O. are removing barriers to migrating wildlife and improving the habitat conditions on public and private lands.

Much of the FWS 2024 budget supports habitat connectivity overall, and approximately $3 million within the Partners for Fish and Wildlife program is targeted specifically to support these migration corridor activities. For many years, USGS has led development of the co-produced science needed to manage migration corridors, which is critical to ecologically and culturally important species, including elk, deer, and other ungulates that roam across western landscapes.

Because of the widely recognized value of this work and the recognition of increasing threats to western landscapes from drought, fire, invasive species, and climate change, the 2024 USGS budget increases support for migration corridor mapping and management science by $2 million, for a total of $2.4 million.

The BLM 2024 budget includes $2.5 million to support migration corridor activities. The FWS budget includes $18.5 million for the Migratory Bird Joint Ventures program, which includes support for continued collaboration with a multitude of partners to ensure the migratory flyways of our Nation's birds remain connected and provide the necessary requirements for sustainable populations.

Energy and Mineral Development

38. For the last year, President Biden and Secretary Granholm have called on the oil and gas industry to increase U.S. production to help meet U.S. and global demand and both have acknowledged that oil and gas will be needed for decades to come.

a. Do you agree with President Biden and Secretary Granholm that oil and gas will be needed for decades to come?

Response: Like the President, I have said many times that oil and gas production will continue for many years as we transition to a clean energy future. Oil and gas production from federal lands is at an all-time high. On federal lands, industry has what it needs – thousands of permits on the public lands sit unused by industry, and more than half of onshore and offshore areas already under lease are non-producing.

b. What are you doing to resume regular lease sales and expedite permitting timelines to increase U.S. production?

Response: We are committed to taking action that reflects the balanced approach to energy development and the management of our public lands. We will comply with the law and hold regular lease sales. Onshore, BLM held lease sales in seven states in FY 2022 and a recent sale in New Mexico brought in over $78 million. With regard to permitting, we agree that it is important that permitting be efficient and with strong community and Tribal input. Permits are being processed according to the law and we are working to improve our permitting processes. BLM is developing strategies to streamline permitting and review processes for the development and processing of minerals on public lands. The Department's FY 2024 Budget includes a proposal to allow agencies to transfer funds to FWS to support staffing needs for section 7 and other reviews and for building capacity across the Department, which will expedite the permitting process.

c. **Have you met with Secretary Granholm and/or the White House to develop an energy plan to increase oil and gas production to and reduce gasoline and utility prices for American families?**

Response: The President has the Administration focused on creating energy independence for American families through a transition to clean energy. Implementation of the Bipartisan Infrastructure Law and the provisions of the Inflation Reduction Act are helping us to reform the oil and gas programs; develop a balanced portfolio of energy resources to create a secure energy future; and address climate change by developing needed clean energy infrastructure.

39. **Congress gave the BLM the ability to save the agency time and resources by Section 390 of the Energy Policy Act by allowing for full compliance with NEPA by categorically excluding from redundant analysis those areas that met certain agreed upon requirements. Can you provide the amount of Applications for Permit to Drill (APDs) (broken out by Field Office) over the last 5 years that have benefitted from the use of the statutorily authorized categorical exclusions under Section 390?**

Response: Over the past five years, approximately 360 permits have been processed using the Section 390 Categorical Exclusion (CX), of which about 50 are in preparation.

- New Mexico State Office: Carlsbad Field Office (FO) (186); Oklahoma FO (34); and Farmington FO (5).
- Wyoming State Office: Cody FO (14); Buffalo FO (12); Pinedale FO (4); Rawlins FO (4); Casper FO (2); Lander FO (2); and Worland FO (1).
- Montana/Dakotas State Office: North Dakota FO (19); and South Dakota FO (1).
- Other offices: Colorado-White River (4); Eastern States-Southeastern States (1); and Alaska (1).

40. **Can you speak to the Bureau's process and analysis for evaluating the current number of active or pending APDs to permitting staff ratios, and the process for ensuring that staffing numbers remain in parody with application volumes?**

Response: The BLM evaluates staffing numbers based on the overall workload. The permitting staff also manages the lifecycle of the well once approval is granted to ensure permit and lease compliance. When APD workload decreases, the permitting staff increase their work on the post approval workload such as managing idled wells and ensuring reclamation goals are met.

41. **The Energy Policy Act of 2005 and more specifically, the BLM's Onshore Order No. 1, require DOI to approve or deny an APD within 30 days upon receipt of a complete APD package or defer the decision and list the actions needed for approval; however, the current review process frequently requires many months if not multiple years.**

    a. **What percentage of APDs has BLM approved within 30 days of receipt under this administration?**

Response: All APDs are deferred, denied, or approved within 30 days of the BLM determining the APD package to be complete, in accordance with the Energy Policy Act of 2005. Few are completed within 30 days of receipt, and that has historically been the case. Upon receiving an APD, the BLM typically conducts an onsite inspection with surface and/or mineral estate owners, resource specialists, the operator, and when applicable, other Surface Management Agencies (or SMAs, such as states, tribal representatives, or other Federal agencies like the USDA Forest Service). After completing these inspections, the BLM, together with any other relevant SMAs, conducts a NEPA analysis, and then approves, approves with modifications, denies, or defers action on the application. Deferred action or denials can occur because the operator fails to provide all the necessary information or due to severe resource concerns.

    b. **What is currently the reported BLM backlog of unprocessed APDs? Please provide a record of this by State Office, along with trends of such permit backlog over the past two Administrations.**

Response: As of May 2023, there were 4,889 pending Federal and 174 pending Indian APDs.

    c. **What is the current APD issuance average timeline by Field Office?**

Response: The table below shows, as of May 2023, the average number of days that it took in 2023 to process APDs, factoring in deferrals.

BLM Field Office	Average Days from Administratively Complete to Decision
Alaska State Office	12
Bakersfield Field Office	60
Buffalo Field Office	47
Carlsbad Field Office	136
Casper Field Office	136
Colorado River Valley Field Office	52
Farmington Field Office	229
Kemmerer Field Office	44
Lander Field Office	154
Little Snake Field Office	4
Miles City Field Office	13
Moab Field Office	46
Nevada State Office	5
Newcastle Field Office	226
North Dakota Field Office	101
Oklahoma Field Office	87
Pinedale Field Office	94
Price Field Office	29
Rawlins Field Office	169
Rio Puerco Field Office	56
Rock Springs Field Office	109
Roswell Field Office	144
Royal Gorge Field Office	38
Southern States District Office	69
Tres Rios Field Office	69
Utah State Office	106
Vernal Field Office	84
White River Field Office	60
Worland Field Office	37

42. **The BLM recently released its oil and gas statistics and within that data it states that in 2022 BLM waited on operators for an average of 162 days. Can you define what is categorized as "waiting on an operator" and whether court delays or other matters outside of an operators control are included within this number?**

Response: BLM uses the term "waiting on operator" to describe the period of time between the BLM's request for incomplete, missing, or illegible information and the operator's submission of that information. Court delays are not included.

43. **The BLM and the EPA both recently issued regulations related to methane. These complex and lengthy rules have potential regulatory overlap, and the same industries were asked to assess these rules simultaneously with some public meetings even occurring at the same times. Why did the Department choose not to extend the comment period for the BLM's "Waste Prevention, Production Subject to Royalties, and Resource Conservation" Rule?**

Response: This is the third proposed Waste Prevention Rule in seven years. The BLM believes commenters are familiar with the issues and previous court decisions. There were no novel concepts presented in the proposed rule that would require more time.

44. **In BLM's "Waste Prevention, Production Subject to Royalties, and Resource Conservation" Rule and EPA's NSPS OOOOb/c Rule, both agencies are both proposing similar requirements in some cases. Not only does it create duplicative requirements on the same facilities AND for the same purposes, but also in the cost-benefit analysis each agency is claiming the same emission reduction and benefits of the same action occurring (i.e. double counting). Can you explain how BLM is expecting emission reduction if the EPA rule already requires the same action occur?**

Response: The BLM's rule is grounded in the authority in the Mineral Leasing Act to reduce the waste of crude oil and natural gas from oil and gas leases administered by the BLM. In the cost-benefit analysis for the proposed rule, BLM estimated the incremental impacts associated with the rule from the current regulatory baseline. Since the EPA's NSPS OOOOb/c rules are not final (and therefore were not final when the BLM issued its proposed rule), they could not be considered as part of the regulatory baseline. When the BLM issues its final rule they will account for the EPA's rules, as appropriate.

45. In regards to certain permits to drill:

   a. Why is the BLM not issuing permits to drill on the 3,300 valid leases sold between February 2015 and December 2020 after the settlement agreement issued by Judge Contreras' court, as allowed by such agreement?

Response: The BLM is currently implementing guidance to process permits to drill on the leases issued between February 2015 and December 2020. The guidance is contained in Permanent Instruction Memorandum (PIM) 2022-001, N*ational Environmental Policy Act Compliance for Applications for Permit to Drill where the National Environmental Policy Act prepared to support the authorizing lease is under review related to litigation.*

   b. The court has never vacated these leases and there are no legal restrictions on issuing permits. Can you please provide this Committee with a State-by-State breakdown of how many permits are currently deferred due to this litigation?

Response: The BLM posts the pending APDs deferred due to this litigation online at https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/operations-and-production/permitting/apds-under-litigation. This website will provide the State-by-State breakdown of the permits deferred due to this litigation.

46. When will the Supplemental Environmental Assessment Analysis for Greenhouse Gas Emissions Related to Oil and Gas Leasing in Seven States from February 2015 to December 2020; DOI-BLM-WO-3100-2023-0001-EA be complete?

Response: The BLM is working to respond to the comments received and update the DOI-BLM-WO-3100-2023-0001-EA accordingly. The BLM hopes to post the final EA in 2023.

47. With regard to the Expression of Interest provisions in the IRA:

   a. How does the DOI plan to spend money associated with the Expression of Interest provisions contained in the Inflation Reduction Act?

Response: The use of money associated with Expression of Interest (EOI) filing fee is dependent on Congress' direction. The EOI fees from the Inflation Reduction Act will go to the Treasury as miscellaneous receipts.

   b. Is there a plan to refund the EOI fees if multiple companies submitted EOI fees, and one of those companies lost in a multi-bidder scenario? If not, what is the plan for those funds?

Response: EOI fees are non-refundable under the Inflation Reduction Act.

48. BLM's APD reports are missing for October and November 2022, due to a database reconciliation error.

a. Why are these reports not available on the Bureau of Land Management's website?

Response: The BLM transitioned its APD permitting/tracking from an old, outdated database to a newer platform. Reconciliation between the databases caused an error in the reports. The BLM worked to correct the error in order to provide accurate reports moving forward.

b. Please provide these reports to the Committee.

Response: As noted in the previous response, the reports are not available due to an error that occurred during the database reconciliation.

49. In response to questioning at the hearing, you stated that BLM has approved 20 new mines or mine modifications or expansions since 2021.

a. What were those new mines, mine modifications, or mine expansions?

Response: Please see the table below.

Mining Plans of Operation Authorized by the BLM 1/20/2021 - 05/03/2023			
State	**Owner/Operator Name**	**Date Operations/Modifications Authorized (second date captures modification authorizations)**	**Targeted Mineral(s)**
Alaska	GUILES ANNA COUP CINDY COUP JOSEPH BERRINGER ASH	9/17/2009 9/30/2021	Gold
Alaska	GREENE STEPHEN A	9/30/2011 5/11/2021	Gold
Alaska	BONACOR JOHN LESLIE ORLEN	7/22/2021	Gold
Alaska	NORDEEN KARL	5/27/2021	Gold
Alaska	SHOREY TIMOTHY A	4/8/2021	Gold
Alaska	HOTTINGER DOROTHY (SUE) CRARY WALTER TRAVIS SCOTT	5/6/2021	Gold
Alaska	MYSTERY CREEK RESOURCES, INC.	11/16/2020 09/16/2021	Gold
Alaska	JOSEPH ROJAS	6/9/2022	Gold
Alaska	RALPH HAMM	3/15/2023	Gold
Alaska	COUP JOSEPH BERRINGER ASH	3/17/2023	Gold
Arizona	ANTLER OPERATIONS INC	2/8/2023	Zinc
California	US GYPSUM CO	2/7/2022	Gypsum
California	GLACIAL MINERALS INC	8/17/2022	Gold
California	ROACH JOHN M	9/22/2022	Gold
Idaho	TAYLOR ROBERT	7/14/2021 7/14/2022	Gold
Idaho	TREASURE CANYON CALCIUM INC	8/11/2022	limestone
Idaho	SHULL JASON	9/26/2022	Gemstone
Nevada	WK MINING (USA) LTD	2/19/2021	Gold
Nevada	BEACH MINING LLC	7/6/2021	Gold

Nevada	PURE ENERGY MINERALS LTD SCHLUMBERGER TECHNOLOGY CORP	7/28/2021 12/16/2021	Lithium
Nevada	WK MINING (USA) LTD WK-ALLIED HASBROUK LLC	10/14/2016 7/30/2021	Gold
Nevada	WALKER LANE MINERALS CORP	5/21/2018 9/16/2021	Gold
Nevada	GEMFIELD RESOURCES LLC	7/29/2019 9/27/2021	Gold
Nevada	GULLSIL, LLC	10/5/2021	Gold
Nevada	SIO2 PARTNERS LLC	3/14/2022	Gemstone
Nevada	HALLELUJAH PARTNERS LLC	3/24/2022	Gemstone
Nevada	PANKOW JERRY	8/10/2022	Gold
Nevada	LITHIUM NEVADA CORP	2/22/2023	Lithium
Utah	ROCK LOVERS LLC	12/1/2021	Gemstone
Wyoming	WILSON BROTHERS CONSTRCTN INC	9/24/2021	Bentonite Clay
Wyoming	WILSON BROTHERS CONSTRCTN INC	9/24/2021	Bentonite Clay

b. How many were related to projects for critical minerals?

Response: Operators are not required to provide information on what minerals are being developed, as the claim provides a possessory property right to all locatable minerals under the Mining Law of 1872. However, it is known that two projects are listed as critical mineral projects: Clayton Valley Lithium and Thacker Pass Lithium.

50. Have there been any new coal leases or lease modifications approved, either for thermal or met coal, under your leadership at the Department of the Interior?

Response: One new lease application has been approved. The BNI2 Lease by Application, in North Dakota, for 630 acres of thermal lignite coal was approved, with the lease signed on April 1, 2021.

51. How many coal lease or lease modification applications are currently pending before the Department of the Interior, and how long have those applications been pending?

Response: As of July 2023, there were 15 Lease by Applications (LBA) and 5 Lease Modification Applications (LMA) pending before the BLM. Of the 15 LBAs, 7 were on hold at the applicant's request. Applicants requested to withdraw 3 LBAs. The remaining 5 were in various stages of being processed. Of the 3 LMAs, one was on hold at the applicant's request, the other two were either establishing cost recovery or in the National Environmental Policy Act (NEPA) evaluation process. Often LBAs or LMAs are put on hold at the request of the operator or require additional information or additional environmental studies to complete NEPA or the Fair Market Value determination, making the length of time those applications have been pending highly variable.

Wildfires and Forest and Rangeland Management

52. Please provide the amount of acreage treated by the Department (delineated by bureau) to reduce hazardous fuels on DOI lands for each of the past 10 years.

Response: The table below contains the Department's fuels management accomplishments for the past ten years.

DOI Summary of Accomplished - Fuels Treatments by Fiscal Year

Fiscal Year	Bureau	Regular Appropriation	BIL Appropriation	Total
2013	BIA	161,633	0	161,633
	BLM	246,506	0	246,506
	FWS	108,623	0	108,623
	NPS	124,895	0	124,895
2013 DOI Total		**641,657**	**0**	**641,657**
2014	BIA	168,707	0	168,707
	BLM	451,028	0	451,028
	FWS	178,219	0	178,219
	NPS	94,202	0	94,202
2014 DOI Total		**892,156**	**0**	**892,156**
2015	BIA	211,035	0	211,035
	BLM	406,394	0	406,394
	FWS	190,563	0	190,563
	NPS	131,129	0	131,129
2015 DOI Total		**939,121**	**0**	**939,121**

2016	BIA	180,273	0	180,273
	BLM	563,507	0	563,507
	FWS	200,654	0	200,654
	NPS	115,825	0	115,825
2016 DOI Total		**1,060,259**	**0**	**1,060,259**
2017	BIA	143,347	0	143,347
	BLM	653,440	0	653,440
	FWS	177,917	0	177,917
	NPS	221,626	0	221,626
2017 DOI Total		**1,196,330**	**0**	**1,196,330**
2018	BIA	201,246	0	201,246
	BLM	666,473	0	666,473
	FWS	192,905	0	192,905
	NPS	206,265	0	206,265
2018 DOI Total		**1,266,889**	**0**	**1,266,889**
2019	BIA	153,965	0	153,965
	BLM	845,468	0	845,468
	FWS	183,004	0	183,004
	NPS	230,837	0	230,837
2019 DOI Total		**1,413,274**	**0**	**1,413,274**
2020	BIA	352,403	0	352,403
	BLM	782,585	0	782,585
	FWS	230,141	0	230,141
	NPS	169,026	0	169,026
2020 DOI Total		**1,534,155**	**0**	**1,534,155**

2021	BIA	340,156	0	340,156
	BLM	870,026	0	870,026
	FWS	264,888	0	264,888
	NPS	197,511	0	197,511
2021 DOI Total		**1,672,581**	**0**	**1,672,581**
2022	BIA	289,841	8,713	298,554
	BLM	969,529	103,355	1,072,884
	FWS	335,120	66,355	401,475
	NPS	185,930	9,565	195,495
2022 DOI Total		**1,780,420**	**187,988**	**1,968,408**
2023*	BIA	114,280	7,838	122,118
	BLM	226,630	166,160	392,790
	FWS	313,194	37,414	350,608
	NPS	3,091	250,273	253,364
2023 DOI Total*		**657,195**	**461,685**	**1,118,880**
Grand Total		**12,921,092**	**617,708**	**13,538,800**

*Acres from 2023 are not yet complete and reflect accomplishments reported as of 6/6/2023.

53. How many acres of land does DOI plan to treat in FY 2024 on its lands?

Response: The Department plans to treat a total of 2 million acres of land in FY 2024 with funding from the Bipartisan Infrastructure Law and funding requested in the President's FY 2024 Budget.

54. Why does the Department not publish hazardous fuels reduction treatments completed in prior years on a publicly available website?

Response: The Department is committed to ensuring that its prior year fuels management accomplishments are up to date and posted on a public facing website. Currently, the Department's fuels management accomplishments dating back to 2003 are posted online and are publicly available on the Forest and Rangelands website, here:
https://www.forestsandrangelands.gov/documents/resources/reports/2022/doi-fs-fuels-

accomplishments-fy2003-2022.pdf. Forests and Rangelands is a cooperative effort between the Department, the United States Department of Agriculture, and their land management bureaus.

55. Will the Department commit to publishing hazardous fuels reduction treatments it completes on an annual basis on its website?

Response: Yes, see the response to the previous question.

56. How many acres of DOI land does the Department plan to treat to reduce hazardous fuels on its lands over the next 5 years?

Response: Under current budget scenarios, and including Bipartisan Infrastructure Law funding, the Department plans to complete approximately 10 million acres of fuels treatments over the next five years.

57. When the Department is reporting hazardous fuels reduction treatments it completes, does the Department ever record the same acre more than once? If yes, what is the acreage the Department treated last year, only accounting for each acre treated once?

Response: The Department tracks and reports fuels treatment accomplishments each time funding is spent on an action to ensure accountability for the funding and the work completed. Therefore, the same acre may be reported more than once. For example, fuels treatments such as thinning, piling, and burning that require multiple treatments over varying time periods, or the retreatment of areas that require maintenance to keep them in a reduced hazard condition. The Department would require additional time and information to focus data results referenced in the question.

58. The FY 2024 budget proposes extending Good Neighbor Authority (GNA) and Stewardship Contracting to NPS and USFWS.

a. How will GNA help these agencies reduce wildfire risk and restore forest and rangeland health?

Response: Good Neighbor Authority (GNA) has been an important tool for the Bureau of Land Management and U.S. Forest Service to enter into cooperative agreements and contracts with states, Tribes, and counties to allow these entities to perform watershed, rangeland, and forest restoration services on public lands. These treatments can cover a wide range of forest needs, including hazardous fuels reduction, insect and disease treatment, and habitat restoration. Extending GNA to the FWS and National Park Service will provide the agencies with significant additional resources to tackle the land management needs they face. Additionally, the lands the agencies manage are frequently found near rural communities, and natural resource management on public lands often has a direct correlation to fire risk, water quality, fish and wildlife populations, and the economy in local communities.

b. How will Stewardship Contracting help these agencies reduce wildfire risk and restore forest health?

Response: Stewardship Contracting Authority allows participating agencies to enter into agreements with any non-federal partners to protect forest health, restore water quality, improve fish and wildlife habitat, and reduce hazardous fuels that pose risks to communities and ecosystem values. This authority leverages federal funding by allowing the value of timber or other forest products to be applied towards the cost of the services provided by non-federal partners and allows for the stability of long-term contracts. Extending this authority to include the National Park Service and FWS will significantly expand the agencies' opportunities to leverage relationships with non-federal partners to reduce wildfire risk and restore forest health.

DOI Telework and Personnel Policies

59. With regards to BLM onboarding procedures:

a. Can you provide an overview of the current onboarding process for new hires within the BLM?

Response: Upon selection of an applicant by the hiring official in BLM, the HR office issues a tentative job offer to the selectee. If the selectee accepts the job offer, the HR office sends the selectee paperwork and, upon receipt of the completed and signed preemployment forms, sends the hiring package to the Office of Personnel Security (OSO). The OSO completes the personnel security check and clears the applicant for the position. The Enter on Duty (EOD) date is negotiated between the losing and gaining organizations, or by the gaining office with the applicant for new selectees who are not current Federal employees. Once the EOD is established, the HR office issues the firm offer to the selectee.

If applicable, a Permanent Change of Station package is submitted to the Department travel office to begin arranging travel. The selectee starts in their position the first business day after the EOD date.

b. Will you provide an assessment of the current onboarding timeline associated with candidate recruitment for listed BLM positions? Please break out the results by State office and further by field office.

Response: The Bureau of Land Management has three different paths of recruitment:

- New Vacancy Request – This request is a full recruitment process.
- Additional Selection Request – This request is using a current certificate of eligible applicants to fill a vacancy.
- Onboarding New Hire Request – This request is filling a vacancy with a non-competitive hire.

Overall average recruitment time for a new BLM employee is 93.6 days.

- Hiring via a New Vacancy Request takes an average of 153.3 days
- Hiring through an Additional Selection Request takes an average of 87.3 days
- Hiring via an Onboarding New Hire Request takes an average of 63.3 days

60. On July 23, 2021, the Department of the Interior released Personnel Bulletin No: 21-07, which outlined a Telework Program, not to be confused with a remote or mobile work programs, in response to the Covid-19 pandemic. The policy applies to all DOI employees, including supervisors. In the 4th District of Arkansas, many of my constituents, from farmers to front line health care workers to grocery clerks stayed on the job, not missing a beat, in person, day in and day out over the last three years. Unfortunately, the same cannot be said for the 70,000 plus employees of the Department of the Interior. Even in my hometown of Hot Springs, the local NPS Administration buildings remain frustratingly closed to visitors.

a. Despite record investment in infrastructure, deferred maintenance, and staffing, reports of understaffing and closures continue. How many employees, or percentage of employees, are expected to report to their primary duty stations, not at home, in person, on a daily basis?

Response: Under the Department's telework policy, our employees also have not missed a beat on the job. Many of our employees are in the field and so telework is not an option. This includes park rangers, law enforcement, wildlife refuge managers, and BIA teachers. Administration appointees are in the office, and most employees are working a hybrid schedule, like the rest of the federal government and corporate America using similar remote and telework options and policies that existed pre-pandemic. We are getting the job done and flexible work arrangements are important to retention of key employees.

b. What percentage of public lands that are authorized to collect fees, such as parks and campgrounds, are currently staffed full-time, with hours that mirror the pandemic baseline?

Response: As we have indicated in the past, customer-facing employees are generally not eligible for regular telework or remote work because of the nature of their positions, which require them to be onsite and interacting with the public.

c. **For areas that are no longer open or have shorter hours, what factors do you attribute the ongoing closures to?**

Response: The Department's budget request supports efforts to rebuild our workforce. At the end of 2020 the Department's staffing was at a 10-year low, at 60,558 FTE. By the end of 2022, staffing had increased to 61,857 FTE. If fully enacted, the Department's 2024 budget would support an increase of 4,009 FTE from the 2023 level.

61. **Two weeks ago, President Biden signed Dr. Gosar's bill into law ending the COVID-19 public health emergency and the Office of Management and Budget released guidance to Departments to bring employees back into the office. You testified during the hearing that you have not yet issued guidance directing DOI employees to return to the office.**

a. **Will you commit to issuing guidance to DOI employees to return full-time to in-person work? If yes, when will you issue this guidance?**

Response: DOI is following the Office of Management and Budget's (OMB) guidance issued on April 13, 2023, M23-15 "Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments."

b. **Please tell the Committee how many DOI employees worked in person at the Department of the Interior on April 19, 2023 and what percentage worked virtually from home.**

Response: The Department employs approximately 70,000 people in 2,400 operating locations, including in parks, wildlife refuges and other field locations. Consistent with applicable law, eligible employees may be authorized to telework to the extent that approved telework arrangements do not diminish employee or organizational performance. The Department's Office of the Chief Information Officer has worked to provide employees with secure access to network capacity, appropriate agency data assets and federal records where necessary, communications tools, and equipment enabling every employee to remain fully productive while working remotely. As a result of these efforts to support telework throughout recent years, the Department has maintained — and in many respects improved — its overall performance. Excluding employees on leave, on Wednesday, April 19, 2023, approximately 60 percent of employees reported working at a government location and 40 percent reported teleworking.

National Parks

62. **As the National Park Service continues to implement the Great American Outdoors Act and address its outstanding maintenance backlog, what steps is the Service taking to ensure that its construction and maintenance cost estimating data is accurate and up to date?**

Response: In FY 2022, the NPS began phasing in the new methodology for calculating deferred maintenance and repairs (DM&R). This methodology consists of three components: (1) Parametric condition assessments; (2) Federal Highways Administration assessments; and (3) work orders. The updated DM&R methodology relies primarily on a Parametric Condition Assessment process, which is a fast, streamlined methodology for determining an asset-level modeled DM&R based on the condition score and the asset's CRV. The new methodology is considerably less burdensome, allowing for more comprehensive and timelier DM&R estimates.

- Parametric Condition Assessments (PCAs) involve rapid visual assessment of major components and systems of facilities.
- Federal Highway Administration (FHWA) condition inspection and repair, rehabilitation, and replacement cost data is used to create DM&R estimates for NPS paved roadways, parking, bridges, and tunnels inspected by FHWA.
- DM&R on concessions-managed facilities are calculated using work orders input into the Facility Management Software System; implementation of PCAs on these facilities is expected to be reflected in FY 2025 DM&R reporting.

Due to the location, age, and variety of assets entrusted to NPS, as well as the nature of construction itself, precise cost estimates for major rehabilitation, replacement, and repairs cannot be accurately determined prior to developing the final design and specifications for large construction projects. Cost estimates are conceptual in nature and are developed by professional in-house staff or cost estimating consultants throughout the planning and design phases of a project. Like our other construction fund sources, the NPS has established processes for GAOA to estimate cost escalation and evaluate bid packages. Projects also have some contingency funds set aside, allowing flexibility if bids exceed internal estimates. In times of market volatility, the NPS will hold additional contingency in a separate line to provide a further buffer for uncertainty and varying local market conditions. When bids far exceed available funding, the NPS assesses if scope or cost changes are necessary and will address those through approved change or reprogramming processes.

63. The Department's deferred maintenance backlog has grown to a staggering $31 billion, a $14 billion increase since the passage of the Great American Outdoors Act.

a. Have you issued any guidance to your senior department leadership or the heads of individual bureaus to start more aggressively implementing deferred maintenance projects to reduce the backlog?

Response: The Department has implemented an aggressive approach to target projects that will help to retire significant amounts of deferred maintenance. The primary criterion that bureaus are using for LRF project selection is a target of 75% of deferred maintenance addressed per dollar spent. In addition, to help slow the growth of the maintenance backlog, the Department is taking steps to apply a lifecycle approach to manage its assets that can help to sustain assets in the long term. This includes focusing efforts on preventative and recurring maintenance and selectively targeting assets for modernization and renewal investments, which will enable bureaus to move away from the practice of running assets to failure. This approach will help ensure the highest priority asset management needs – preventive maintenance, repair, modernization, renewal, and divesture – are targeted.

b. What is the Department doing to ensure that deferred maintenance backlogs at DOI agencies start decreasing?

Response: The GAOA Legacy Restoration Fund (LRF) is an extremely important funding stream that will help Department bureaus retire deferred maintenance and perform much needed asset repairs and condition improvements. The LRF projects are the start of addressing the backlog, with significant improvements planned to over 3,000 assets with projects in process and planned with fiscal year 2021 – 2024 funding. The only way to prevent growth of the backlog is to consistently perform maintenance when it is scheduled. To do so, additional annual maintenance funding is needed. In the 2024 budget, the Department requested more than $3.0 billion, an increase of $40.5 million above the 2023 level, to address the Department's infrastructure operations, maintenance, renewal, and modernization needs.

In addition to requesting additional funding, the Department is moving toward a proactive lifecycle management strategy based on sound investment strategies; not "worst first." This approach focuses on keeping assets in good condition when maintenance cost less rather than when assets degrade to poor condition.

It is also important to note that deferred maintenance is also not considered addressed until a project is fully administratively closed out. Since GAOA LRF projects are often multi-year projects, the positive impacts of the LRF projects on the DM&R backlog will not be realized for several years.

64. During the hearing, you testified that you transferred $200 million to the Presidio in accordance with the "Congressional intent" of the Inflation Reduction Act.

a. Please explain why you believed this to be "Congressional intent".

b. How did the Department come to the understanding this was the intent of Congress?

c. Did the Department evaluate the fact that Congress specifically amended the language in the final, passed version of the Inflation Reduction Act to remove all references to the Presidio in determining "Congressional intent"?

d. Did the Department evaluate any statements or amendments made during the September 2021 Committee markup of a draft version of budget reconciliation instructions (which later became the Inflation Reduction Act) when determining "Congressional intent"?

e. Does the Department have any written policy on how it typically assesses and implements laws based on "Congressional intent"?

i. If yes, please provide that policy and explain how this transfer was consistent with the written policy.

ii. If no, please provide a justification of why the Department spent $200 million of taxpayer funding based on a concept for which it has no written policy.

f. Did anybody in the White House direct this transfer of funding or was this a decision made by the Department?

g. Why did DOI not use the proper process typically used by NPS to select priority deferred maintenance projects under the Great American Outdoors Act?

h. If DOI had used the process NPS typically uses to select deferred maintenance funding, would the $200 million have still been transferred to the Presidio?

i. Prior to the passage of the Inflation Reduction Act, was the Department planning to transfer any taxpayer funding to the Presidio Trust?

Response to a-i: The Department responded to similar questions in its June 30, 2023, response to a letter from Chairman Westerman on this subject.

65. I have heard concerns from Members of the Montana delegation and would like to ask the following question on behalf of Congressman Zinke:

The rights of private property owners in Glacier National Park have been in the news recently. As you may be aware the Park has been locking private landowners out of their property and homes and going so far as to instruct the local public utility Co-op to turn off their electricity for months at a time. These are the very same homes these citizens pay property taxes on. These are citizens who under the Glacier Park enabling act are entitled to "the full use and enjoyment' of their land. And yet the Park has locked them out and denied them basic rights of access and enjoyment which should be available to all citizens. Do you condone the Park's actions of taking away the rights of these citizens and property owners?

Response: NPS respects the rights of private property owners in Glacier National Park and is always willing to work with owners of such properties, where it can. In June 2022, a Federal Highways Administration (FHA) project began to replace seven miles of sewer force main, electrical, and telephone lines from Apgar to the Lake McDonald Lodge along Going-to-the-Sun Road. Because electrical lines were buried where crews worked, Flathead Electric, the project contractor, followed protocol in shutting off power for the safety of the crew. Flathead Electric then worked with the FHA to replace the electrical lines. On October 1, 2022, access to Going-to-the-Sun Road from the west side was closed to the public beyond Apgar Village. However, over the fall, winter, and spring, the FHA and the NPS worked with landowners to provide them with access to check on their summer properties. The park provided over a year's advance notice to landowners that this project would be taking place.

In 2023, a project to replace Upper McDonald Creek Bridge began. This bridge leads to private properties on the north end of the lake and around to the east side of the lake. The FHA has agreed to build a temporary bridge to accommodate landowners access to their summer cabins.

During winter months, Glacier National Park follows their general management plan for winter use, including plowing snow from roads only to Lake McDonald Lodge, the road to the 1913 Ranger Station, and providing adequate parking and restrooms at the beginning of the Camas Road. The NPS does not plow Grist Road, the North Fork, or N. Lake McDonald Road. Gates are locked for the winter closure to the public, but landowners can drive in as far as roads are plowed, and snowshoe, or ski to their properties. The use of snow machines has been prohibited in the park since the 1970s.

In 2000, North Fork landowner Jack McFarland sued the NPS for denying access to his property by motorized vehicle in the North Fork. In November 2007, U.S. Judge Donald Molloy ruled in favor of the NPS, noting that McFarland's property rights had not been violated by a NPS decision that requires him to ski, snowshoe, or ride a horse to his land wholly inside Glacier National Park in the winter.

Committee on Natural Resources
Hearing on the FY 2024 Budget
April 19, 2023

Questions from Ranking Member Grijalva

1. **In the hearing, Republicans claimed the administration is proposing major cuts to wildland fire funding. Would you please explain?**

Response: The Department is not proposing cuts to wildland fire funding. The 2024 budget request for the Department's Wildland Fire Management program is nearly $1.7 billion, an increase of $243 million (17 percent) over the comparable 2023 enacted level.

Committee on Natural Resources
Hearing on the FY 2024 Budget
April 19, 2023

Questions from Rep. Bentz

1. **Section 7.5.2 of the 2016 Klamath Hydroelectric Settlement Agreement[1] commits the Bureau of Reclamation to accept title to Keno Dam when the Klamath River Renewal Corporation gives notice that removal of the J.C. Boyle facility is ready to commence. Sections 7.5.1 and 7.5.2 provide several items of due diligence, "with specific focus on addressing water quality, fish passage, transfer of title to the Keno facility from PacifiCorp to Interior, future operations and maintenance, and landowner agreements." Section 7.5.2 also conditions transfer of Keno Dam on the completion of necessary improvements to meet Department of the Interior Directives and Standards.**

   Reclamation's FY 2024 budget justification states that title to the dam will be transferred in FY 2024. The budget justification also requests $2.5 million for several Keno Dam studies that are required prior to Reclamation taking ownership. Specifically, the budget justifications state that "funding will support required studies and assessments associated with Keno Dam operations and maintenance needs, to include a condition assessment report (including seismic studies), appraisal study report (including physical design modeling for volitional fish passage options on alternative structures), and completion of a feasibility study."[2] Estimates shared with the Committee suggest that the costs range from $80 to $100 million. With that in mind:

a) **Given that Section 7.5 has been part of the KHSA for over thirteen years, what studies, if any, has Reclamation already completed? Please provide a copy of those studies to the Committee. If not, will Reclamation complete these studies, which "are required prior to Reclamation taking ownership"[3], prior to taking ownership of Keno Dam in FY 2024 as stated in the Budget Justifications?**

Response: For the past several years, Reclamation's efforts in the Klamath Basin have focused on managing one of the bureau's oldest projects amid consistently challenging hydrology, complex regulatory requirements, obligations to uphold tribal trust resources, and an extremely active litigation environment, among other sometimes competing priorities. All of this has taken place while also assessing the current condition of the Keno facility and fishway and working through the necessary statutory and regulatory processes, in order to eventually assume title to the facility when upstream dam removal occurred. To that end, Reclamation has initiated a condition assessment, but the work is still underway so we are not currently in a position to share information. The referenced studies and assessments are not required by the KHSA or KPFA but are being undertaken to inform Reclamation's long-term planning and future implementation of the KPFA.

b) If Congress provides no specific funding for identified studies, how will that affect Reclamation's plans to take title of Keno Dam? For example, will the agency request reprogramming of all or some of the funding necessary from other accounts?

Response: Reclamation does not need the requested funding in order to take title to the Keno facility. Reclamation is currently working through the acquisition process as well as its NEPA analysis, and this work is funded through regular annual funding. Without the requested funding, Reclamation will likely be unable to fully assess the Keno facility or undertake the work necessary to inform future operations, improvements, or modifications.

c) Without additional funds from Congress, or a determination/denial of reprogrammed funds, what actions will Reclamation complete in order to take title Keno Dam?

Response: Reclamation can proceed with its title and NEPA work without additional funds from Congress.

d) What improvements to Keno Dam has Reclamation identified as being necessary or potentially necessary for operations and maintenance needs?

Response: Reclamation has not yet identified any improvements or modifications that must be undertaken prior to Reclamation taking title to the Keno facility. Reclamation's initial studies and assessments have identified certain modifications, improvements, and alternatives that Reclamation would like to more robustly study and consider, but those efforts may continue after Reclamation takes title.

e) Has Reclamation completed any estimate of the costs associated with the improvements referenced in question (d)? If so, provide a copy of the estimates.

Response: Reclamation has made preliminary and conservative estimates of the potential costs, however as the dams are private facilities, Reclamation has limited authority to undertake action at these facilities to fully evaluate future needs. Reclamation is working within our authorities to refine these estimates by gathering documentary evidence, such as maintenance reports, existing engineering drawings, and physical observation, but these methods are incomplete.

f) Does Keno Dam currently have adequate anadromous fish passage necessary taking into consideration the pending Klamath dam removals?

Response: Reclamation has discussed the adequacy of the Keno fishway with both National Marine Fisheries Service and Oregon Department of Fish and Wildlife staff, and both confirm that the fishway at Keno is sufficient to pass salmonids that may travel upstream above the current location of J.C. Boyle Dam.

g) Does Reclamation anticipate taking title prior to any improvements to Keno Dam?

Response: Yes. As discussed above, Reclamation has not identified any improvements or modifications that must be undertaken prior to Reclamation taking title to the Keno facility.

2. For these questions, the term "Keno Costs" includes studies, improvements, rehabilitation, upgrades, operation and maintenance, and fish passage modifications including both investment and operation and maintenance.

a) Does the Department of the Interior guarantee that the "covered contractors" under the Klamath Power and Facilities Agreement will not be responsible for paying any Keno Costs incurred?

Response: The Department has committed that the "covered contractors" identified in the KPFA will not bear the costs associated with the operation or maintenance of the Keno facility. However, while the Department is making every effort to ensure that the costs associated with potential improvements, rehabilitation, upgrades, and modifications are similarly not borne by these "covered contractors," the legislation intended to provide certainty on this issue has not been enacted.

b) Has the Department of the Interior identified who will pay for the Keno Costs? If so, who?

Response: The Department will likely need to seek appropriations for any future costs associated with the improvement, rehabilitation, upgrades, and modifications of the Keno facility.

c) What level of certainty, regarding the incurred Keno Costs, does Reclamation expect to have when it takes title to the facility?

Response: Reclamation has made preliminary and conservative estimates of the potential costs, however as the dams are private facilities, Reclamation has limited authority to undertake action at these facilities to fully evaluate future needs. Reclamation intends to refine that estimate prior to taking title to the facility, working within our authorities to gather documentary evidence, such as maintenance reports, existing engineering drawings, and physical observation, but these methods are incomplete.

3. As it pertains to the entire Klamath River, has Congress been asked, or will Congress be asked, to provide funding for mitigation of the impacts to recreation connected to the Klamath dam removals, or the addition of any kind of new recreation facility that would not have been needed or proposed but for dam removal, and if so, what is the cost and when was or will the request for additional funding be made?

Response: Reclamation is not aware of any federal funding needed for recreation facilities, or to mitigate impacts to recreation as a result of the removal of the Lower Klamath Project. Any mitigation to the impacts of recreation connected with dam removal would be the responsibility of the Klamath River Renewal Corporation.

4. **A 2008 U.S. Fish & Wildlife Service final rule applied the agency's Wildlife Import/Export Licensing requirements to U.S. commercially-harvested ocean squid, calamari if you will, which are marine species managed by the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service, not Interior. Since that time Congress, NOAA, and two Regional Fishery Management Councils with jurisdiction over this resource have taken issue with Interior's questionable definition of shellfish; the ongoing treatment of a sustainably-managed, edible seafood product as if it were a Lacey Act, CITES or ESA-listed species; and the associated inspection program which we are told is both cumbersome and costly to the U.S. fishing industry on the East and West Coasts. Clearly, this is a persistent issue and the intransigence of Interior to address industry concerns is well-documented. Please provide the Committee:**

   a) **The specific nature and amounts of fees Interior has collected annually over the past 5 years from the U.S. domestic squid industry under this program.**

Response: Squid harvested domestically, that is not subsequently exported or imported, is not subject to the U.S. Fish and Wildlife Service's (FWS) 50 CFR Part 14 regulations, including fees.

Commercial importers and exporters of wildlife must be licensed by FWS. There is an annual application fee of $100 for this license. Most licensed commercial importers and exporters of wildlife are also required to pay a $93 user fee associated with the costs of providing the specialized inspection and clearance processes. This service is provided to importers and exporters who are authorized to engage in activities not otherwise authorized for the public. Our ability to effectively provide these services and the necessary support depends upon inspection fees. User fees were last adjusted in 2012. Additional fees may apply such as shipment on holidays, overtime, or other factors. These potential additional fees were also developed under the same guidance and are not routine fees.

From 2018 to 2022, FWS collected an average of $113,000 per year in fees for the import and export of shipments containing squid, including both user fees and license application fees. During that same time period, the average declared value of these shipments was $132 million per year, with FWS fees averaging .086% of the declared value of the shipments per year during this time.

   b) **Documentation sufficient to show how those funds are used.**

Response: User fees collected through FWS' wildlife inspections are used to cover the costs of FWS' inspection program. However, if costs exceed the user fee collections, wildlife inspectors are funded by FWS' Office of Law Enforcement's appropriated funds. More specifically, the inspection program's costs include personnel costs, such as salaries, benefits, background checks, training, and travel. User fees also cover space-related costs, such as leasing and utilities, vehicle costs, IT and cell phone requirements, office and operational supplies, and equipment. The Office of Law Enforcement also has a wildlife inspection K-9 program, and the user fees cover training, kenneling, and certifying costs.

c) **Documentation sufficient to show any formally documented instance of edible U.S.-harvested squid being a danger to the marine environment or conservation under the Lacey Act, CITES or ESA.**

Response: The Endangered Species Act provides FWS authority to regulate the import and export of fish and wildlife through licensing of importers and exporters, inspecting shipments, and charging and retaining reasonable fees for processing applications and performing inspections. This authority is not limited to endangered or threatened species or those protected under the Convention on International Trade in Endangered Species of Wild Fauna and Flora or the Lacey Act and covers the trade in many wildlife species used for food. This comprehensive system is designed to protect foreign and domestic wildlife from illegal trafficking, and to guard against the introduction of injurious species. Inspection and regulation of all fish and wildlife provided by this system is also critical for conservation.

Regarding U.S.-harvested squid being a danger to the marine environment, the FWS' Office of Law Enforcement does not regulate squid harvest, as that authority is within the purview of the National Marine Fisheries Service and the States.

5. **In its July 2022 Feasibility Report on the Reintroduction of Sea Otters to the Pacific Coast, the U.S. Fish & Wildlife Service concludes this effort is feasible. In this report, the agency estimates the cost to U.S. taxpayers to be upwards of $43 million.**

a) **Does this amount include the costs of research and annual population monitoring beyond 10 years?**

Response: The actual costs of reintroducing sea otters are uncertain and will vary based on factors such as the source population, distance to reintroduction sites, capture techniques, transportation methods, and number of sea otters captured annually. Because details such as potential reintroduction locations and source populations for reintroduction have not yet been identified, for the purposes of our feasibility assessment we provided a range of cost estimates that represent four possible different reintroduction scenarios. These cost estimates range from $26 million to $43 million, depending upon the scenario, over a period of 13 years. This estimate covers three years of pre-release habitat evaluation, long-term habitat monitoring, acquisition of sea otters (wild caught for five years or surrogate-reared for 10 years), population monitoring (10 years), and postmortem and spill response programs. As noted in our assessment, we did not forecast monitoring costs beyond the specified 10-year time horizon. The budget estimates presented are not limited to the anticipated contributions of FWS, but may be shared across agencies, organizations, and other public and private stakeholders and participants.

b) Does this amount include the costs associated with NEPA analyses or for any future rulemakings and public engagement?

Response: The cost estimates provided in the feasibility assessment do not include the costs associated with NEPA analyses, future rulemakings, or public engagement. We considered those costs to be part of the public involvement process and the usual costs of doing business as a federal agency.

c) The same report states that "additional work is needed to reduce uncertainty in the area of risk with regard to the potential socioeconomic impacts of sea otter reintroduction." How did Interior reach the conclusion that this action is feasible absent such critical budgetary and social and economic impact information resulting from a population expansion of such highly protected marine species in Oregon and California?

Response: In terms of socioeconomic impacts, FWS concluded that sea otter reintroduction is feasible based in part on studies indicating that areas recolonized by sea otters are most likely to experience significant net economic gains from positive effects on tourism, ecosystem services, and finfish fisheries. For example, in British Columbia, Canada, the overall estimated economic gain resulting from the effect of sea otters on finfish fisheries, ecotourism, and carbon sequestration outweighed estimated losses to invertebrate (or shell) fisheries by a factor of seven. Other studies show that wildlife viewing values associated with sea otters can lead to significant economic gain in terms of tourism and associated service industry jobs, as well as existence value.

As discussed at length in the report, FWS recognizes that the socioeconomic gains from sea otter reintroduction would not be distributed equally, and that some economic sectors could experience negative economic impacts while others experience positive economic impacts. However, we cannot more precisely estimate these impacts without knowing the potential locations for reintroductions; thus, this as an area requiring further study. FWS remains committed to working closely with those industries who may be negatively impacted to address concerns as future conversations about sea otter reintroduction occur. Understanding what the local impacts would be at potential reintroduction sites will help guide the design of a reintroduction plan that maximizes the anticipated positive socioeconomic impacts while minimizing any possible negative impacts.

6. Within FLPMA there are certain Grant lands with specific management requirements that are unlike the Public lands. Will the management objectives for these Federally designated Grant Lands be maintained?

Response: The BLM will continue to manage grant lands in accordance with all applicable laws, including FLPMA and the Oregon and California Revested Lands Sustained Yield Management Act, and in conformance with the applicable resource management plans.

Committee on Natural Resources
Hearing on the FY 2024 Budget
April 19, 2023

Questions from Rep. Case

1. **How does the Department of the Interior's budget further efforts to improve meaningful consultation between the federal government and the Native Hawaiian community as required by Executive Order 13175 dated November 6, 2000?**

Response: The Department of the Interior's budget includes funding for the Office of Native Hawaiian Relations (ONHR). Recent examples of efforts by the ONHR to improve meaningful consultation between the Native Hawaiian Community and the Federal Government, as required by EO 13175, include:

- Development of a formal consultation policy for the Department, scheduled to be finalized later this year;
- Publication of Standard Operating Procedures for Consultation with the Native Hawaiian Community;
- Maintenance of the Department's Native Hawaiian Organization List and Homestead and Beneficiary Associations List; and
- Creation of the Department's policy on the use of the Hawaiian language in official documents (e.g., place names, flora and fauna in Hawaiʻi Parks and Refuges, etc.).

ONHR also provides guidance to other departments, bureaus and offices who are seeking to initiate and engage in regular consultations with the Native Hawaiian Community. A few of the more recent consultation topics include:

- The National Nature Assessment;
- The Native American Graves Protection and Repatriation Act regulation revisions;
- Establishment of a policy for integration of Indigenous Knowledge;
- Protection of Sacred Sites;
- Consultation Policy and Plan when Native Hawaiian interests may be affected (Department Of Transportation);
- Ocean Climate Policy (Office of Science and Technology Policy-Council on Environmental Quality); and
- Indigenous Peoples Conservation Advisory Network (State Department, Environmental Protection Agency).

The 2024 budget also includes funding for the Office of Collaborative Action and Dispute Resolution to increase its capacity to provide facilitated dialogues and mediation services including Tribal consultation, indigenous environmental justice engagement, and training for Departmental bureau employees on collaboration with underserved or under-represented communities.

2. **The Department of Interior's budget does not include a request for either mandatory or discretionary Compact Impact funding. What are the current estimated financial impacts on states and localities from hosting citizens of the Freely Associated States and what proposed policies does the Biden administration support to mitigate these impacts?**

Response: When Guam and Hawaii have provided reports to the Congress estimating impacts, they have each reported impacts in excess of $100 million a year. The Biden-Harris Administration supports the Compact Impact Fairness Act of 2023, which you sponsored and that would allow Compact migrants to become eligible for key federal programs while residing in the United States. It is a long-term solution to the financial impacts of Compact migrants on state and territorial governments. The Department is committed to working with the Congress to address this issue.

3. **Hawai'i continues to be home to a large number of endangered species yet overall receives a low proportion of total endangered species funding. How does the Department of Interior's budget seek to ensure that endangered species funding is equitably distributed among all listed species?**

Response: The U.S. Fish and Wildlife Service's (FWS) recovery program is allocated based on number of listed species by regional occurrence including cooperative agreements, exemptions, and recovery plans. The Pacific Region receives the largest base allocation of any other region (i.e., approximately 26 percent or $21 million). The Pacific Islands Fish and Wildlife Office receives the highest allocation of any field office in the Pacific Region. In addition, $3.5 million is allocated to support Hawai'i State of the Birds activities, an increase of $1 million in FY2023. No other increases, aside from cost of living increases, were provided for FY2023 recovery program activities.

FWS recognizes that Hawai'i is home to a large number of unique and culturally important federally-listed endangered and threatened species and commits funding at every opportunity to address conservation and recovery. For example, in December 2022, the Department released its multiagency strategy that identified four Hawaiian forest birds at risk of imminent extinction - 'akeke'e/Hawaiian honeycreeper, 'ākohekohe/crested honeycreeper, 'akikiki/Kaua'i honeycreeper, and kiwikiu/Maui parrotbill – and evaluates potential actions that could prevent their extinction and enable recovery. In addition to investing more than $14 million in funding from the Bipartisan Infrastructure Law to implement this strategy, the Department has also prioritized this effort, by designating it as the Pacific Islands Keystone Initiative to foster native biodiversity in island ecosystems and advance climate resilience.

FWS is also dedicating $5 million of Inflation Reduction Act funding toward Hawaiian and Pacific Island Plant Conservation. Additional IRA funds will also accelerate our efforts to develop current species status assessments, recovery plans, and recovery implementation strategies for our backlog of listed species, including Hawaiian listed species, as well as increase

FWS' capacity and capabilities to create efficiencies and streamlining for future recovery planning.

Committee on Natural Resources
Hearing on the FY 2024 Budget
April 19, 2023

Questions from Rep. Fulcher

1. **During the Committee on Natural Resources hearing concerning the FY24 Interior Department budget, I touched briefly on geothermal energy, however, I did want to clarify with you on one item concerning geothermal energy.**

2. **Geothermal energy is a carbon-free and baseload electricity resource, yet the permitting process for geothermal is more prone to delays than wind, solar, and other renewable resources. It is critical that the Department pursue common sense reforms to the permitting process for geothermal, such as expanding the use of categorical exclusions for resource confirmations. Is the Department working on updating its regulations to streamline the permitting process for geothermal resource confirmations? If so, what is the timeframe to finalize such regulations?**

Response to 1 and 2: The BLM is drafting a proposed rule to update regulations for onshore geothermal resource orders and incorporate updates under the Energy Act of 2020 to allow for the leasing and co-production of geothermal energy by producing oil and gas lease operators. This activity is anticipated to be completed by mid-2024.

The BLM is also exploring business transformation activities including development of substantial enhancements to the Bureau's geothermal record system to enhance permitting tracking, facilitate improved workflow automation, and include public-facing status reporting for geothermal nomination and permitting. This activity is targeted for completion by end of 2024.

Committee on Natural Resources
Hearing on the FY 2024 Budget
April 19, 2023

Questions from Rep. González-Colón

1. **I commend the Department of the Interior (the Department) for including a proposed allocation of $41,662,000 to repair historic walls of the San Juan National Historic Site's fortifications as one of its Fiscal Year 2024 Great American Outdoors Act (GAOA) Legacy Restoration Fund (LRF) projects. However, I note that according to information published by the National Park Service, the deferred maintenance and repair backlog at park was approximately $587 million as of September 30, 2022.**

   In Fiscal Year 2021, the Department proposed and secured congressional approval for an allocation of $8.2 million under the GAOA LRF to stabilize the cliff at the San Fernando Bastion in the San Juan National Historic Site. What is the status of that project and projected timeline for completion?

Response: The acquisition approach for this project is through an Inter-Agency Agreement with the US Army Corp of Engineers (USACE) Jacksonville District office. Construction solicitation is planned for late spring 2024, with a construction contract award in fall 2024. Completion of construction is anticipated for 2025.

2. **In addition to the GAOA LRF funding, what other initiatives is the Department pursuing to address and reduce the $587 million deferred maintenance backlog at the San Juan National Historic Site?**

Response: The GAOA is a much-needed funding infusion that will help the NPS make meaningful progress in improving condition of high priority assets. The LRF portion of GAOA is supplemental to other important facility project funding sources available to the NPS, and we are focused on making strategic investments across all funding streams to maximize the benefit to the American public.

On average, San Juan National Historical Site collects around $4.2 million in annual revenue under the Federal Lands Recreation Enhancement Act, 80% of which stays directly with the park and the remaining 20% supports Service-wide priorities. Consistent with NPS policy, the park dedicates no less than 55% of its park-retained funds on facility maintenance projects with the goal of reducing the deferred maintenance backlog.

3. **In Fiscal Year 2023, the Department proposed and received congressional approval for an allocation of $3,763,000 under the GAOA LRF to replace the headquarters and visitor center of the FWS's Cabo Rojo National Wildlife Refuge. The Department had previously secured $5,237,000 in Fiscal Year 2022 Emergency Supplemental Appropriations for this project.**

   What is the status of the project and projected timeline for completion? What efforts is the Department pursuing to ensure it is carried out in a timely manner?

Response: The U.S. Fish and Wildlife Service (FWS) estimates the total cost for design and construction of the new Cabo Rojo National Wildlife Refuge (Cabo Rojo NWR) Visitor Center/Administrative Facility to be approximately $9 million. To date, we have secured $5,237,000 in Fiscal Year (FY) 2022 Disaster Supplemental funding to support this project. We have identified GAOA funding as an appropriate source for the remaining funds needed to complete the rebuild and retire the deferred maintenance backlog.

The demolition phase of the old Visitor Center/Administrative Building was completed in August 2022. A contract has been issued for the design of the new facility, which will include office space for Refuge and Ecological Services staff. On December 15, 2023, a contractor presented the complete design for a new Visitor Center/Administrative Building and the Service accepted this design. Bid solicitation is expected to begin in January 2024 with an estimated award date in March 2024. In addition, a soil study and cover land survey and topographic maps have been completed for the area.

The Caribbean Islands National Wildlife Complex, which includes Cabo Rojo NWR, held a public meeting in Cabo Rojo in June 2023 to present the current design, project status, and project timeline. A total of 20 participants participated in the meeting from different sectors (communities, agencies, Municipality of Cabo Rojo, conservation organizations, and businesses). A second public event was held on December 16, 2023, at the Refuge Salt Flats Units Visitor Center, with over 150 participants. At the event, the Service provided updates on the new Visitor Center/Administrative Building and the Cabo Rojo Salt Flats Restoration Project.

To ensure continued public engagement at the refuge, a new mobile contact station was constructed at Cabo Rojo NWR, which operates from Thursday to Saturday. The Cabo Rojo NWR also operates a visitor center at the Salt Flats unit with Caborrojeños Pro-Salud y Ambiente, a local cooperating organization.

4. **According to information shared by the U.S. Fish and Wildlife Service (FWS) with my office last year, the deferred maintenance backlog for the National Wildlife Refuges in Puerto Rico totaled more than $15 million. Per the FWS, this figure represented "an increase from the February 2021 total of $4.8 million due to the most recent Comprehensive Condition Assessment conducted at Vieques NWR in Fall 2021, which captured new deficiencies from real property assets that the Service has inherited from the Navy."**

   What is the current deferred maintenance backlog for each of the five National Wildlife Refuges in Puerto Rico? What efforts is the Department currently pursuing to address and reduce it, particularly for the Vieques National Wildlife Refuge?

Response: The current deferred maintenance (DM) backlog for Puerto Rico's national wildlife refuges is $26,062,238. Refuge-specific DM backlogs are as follows:

- $6,006,193 at Cabo Rojo National Wildlife Refuge (NWR)
- $3,533,712 at Culebra NWR
- $0 at Desecheo NWR
- $5,589,381 at Laguna Cartagena NWR
- $10,932,952 at Vieques NWR

FWS prepares and submits DM Five Year Plans for inclusion in the President's annual budget requests. For the FY 2024 to 2028 plan cycle, FWS is proposing investments at the Cabo Rojo NWR in FY 2025 and FY 2027 to further address the refuge's DM backlog.

FWS will also use FY 2023 Disaster Supplemental funding to address backlogs at the same time as the storm damage at the following National Wildlife Refuges:

- $1,753,165 at Cabo Rojo NWR
- $712,423 at Culebra NWR
- $1.466,692 at Laguna Cartagena NWR
- $2,354,578 at Vieques NWR.

For Vieques NWR, the FY 2023 Disaster Supplemental funding is supporting 40 funded projects that will encumber much of the contractor resource pool that is available to work on the island. As such, the disaster recovery projects will take precedence over other DM activities.

5. **The FWS is including $8 million for Maintenance Action Teams at multiple National Wildlife Refuges as one of its Fiscal Year 2024 GAOA LRF projects. Does the Department anticipate some of that funding will impact projects at the National Wildlife Refuges in Puerto Rico? If so, how much funding would be allocated for such projects and what is the estimated deferred maintenance that would be addressed?**

Response: There are no scheduled Maintenance Action Team projects for the Caribbean Islands National Wildlife Complex in FY 2024. However, the Complex received significant funding through recent disaster supplementals to address disaster-related damages on Puerto Rico's national wildlife refuges. FWS has allocated $52.5 million in FY 2023 Disaster Supplemental funding to support 90 projects at Puerto Rico's national wildlife refuges. These projects will address some of the DM backlog at Culebra and Vieques NWRs.

6. **In Puerto Rico, the FWS administers five National Wildlife Refuges: the Cabo Rojo, Culebra, Desecheo, Laguna Cartagena, and Vieques National Wildlife Refuges. In total they span over 22,000 acres, including approximately one-quarter of the Culebra archipelago's total land mass and approximately two-thirds of Vieques. In addition to preserving important ecosystems, they support outdoor recreation activities vital for our tourism economy. However, I am extremely concerned about a staffing shortage. I understand the FWS currently only has 10 employees to oversee the five National Wildlife Refuges in Puerto Rico, whereas ten to twelve years ago it had 28 employees. This shortage creates a series of challenges that prevent the FWS from effectively managing the sites, protecting their wildlife and natural resources, and providing services to visitors who support the local tourism and outdoor recreation economy.**

   What efforts, if any, is the FWS currently pursuing to address staffing needs at the National Wildlife Refuges in Puerto Rico?

Response: The Caribbean Islands National Wildlife Refuge Complex currently has 15 full-time employees - seven fewer FTEs than in FY 2013. To meet mission objectives and goals, the Complex has identified additional resources through contracts, cooperative agreements, internship programs, volunteering, and resource sharing between refuges. For example, the Complex is using annual contracts to provide support for maintenance, administration, and biological projects. It is also using cooperative agreements with organizations to provide support for visitor services and biological inventory and monitoring. Staffing needs at Puerto Rico's national wildlife refuges are reflective of the broader staffing challenges facing the National Wildlife Refuge System (Refuge System). Over the past decade, FTE staffing for the Refuge System has decreased by nearly 25 percent. These reductions have occurred as visitation to the Refuge System continues to grow, increasing an average of 3.8 percent per year. FWS is planning to hire term facility operations specialists to assist with hurricane recovery projects at the Complex.

7. **Last December, Congress appropriated $275 million in disaster relief funding to the FWS to address damages from recent hurricanes and natural disasters. In September 2022, Hurricane Fiona significantly impacted the Cabo Rojo and the Laguna Cartagena National Wildlife Refuges in southwestern Puerto Rico, as well as some of the FWS-supported Puerto Rican Parrot aviaries.**

   Can you provide an update on the status of the $275 million in supplemental funding provided to the FWS, including where those funds will be invested? Have any of those resources been made available to address hurricane-related damages at the FWS's sites and facilities in Puerto Rico?

Response: In response to that appropriation, FWS developed a project list with stakeholder input and approved a total project funding amount of $234,650,000 to support more than 230 projects across the country. As noted in a previous response, Puerto Rico's national wildlife refuges and aviaries will receive $52.54 million, or approximately 22%, of the total project funding to support 90 projects, including:

- 20 projects at Cabo Rojo National Wildlife Refuge (NWR) ($6,703,509)
- 8 projects at Culebra NWR ($2,182,505)
- 20 projects at Laguna Cartagena NWR ($9,423,144)
- 40 projects at Vieques NWR ($28,863,174)
- 2 projects at the Rio Abajo Aviary and El Juncte Parrot Aviaries ($5,368,154)

These projects are aligned with federal priorities for equity, economic opportunity, and sustainability to improve the island's long-term reconstruction after damages sustained from Hurricane Fiona and other natural disasters. In general, these projects will increase FWS' capacity to strengthen sustainable, cost-effective infrastructure on public lands, and subsequently local communities; increase the environmental and economic resilience of Puerto Ricans through expedited repairs; and accelerate the restoration of normal operations.

8. **Last year Congress amended the Outer Continental Shelf Lands Act to provide the Secretary of the Interior authority to conduct offshore wind leasing in federal waters off the U.S. territories. According to the Fiscal Year 2024 budget request, the Department will begin moving forward with its lease planning process in Puerto Rico in the current fiscal year (Fiscal Year 2023.)**
   During the hearing you mentioned the Department and the Bureau of Ocean Energy Management (BOEM) plan to initiate the area identification process by forming an Intergovernmental Renewable Energy Task Force. Could you provide additional information about the work this Task Force will carry out, including a timeline of planned efforts, and any ongoing or planned engagement with other federal agencies, state authorities, and local energy stakeholders such as the Puerto Rico Electric Power Authority and LUMA Energy?

Response: The authority provided in the Inflation Reduction Act represents a new opportunity for both the Department and Puerto Rico to jointly investigate commercial-scale wind energy leasing and production.

As the first step in this process, the Bureau of Ocean Energy Management (BOEM) will offer Puerto Rico and the United States Virgin Islands (USVI) the opportunity to form a regional intergovernmental task force for the purpose of investigating, and potentially establishing wind energy areas for leasing in the waters offshore Puerto Rico and the USVI for commercial wind energy generation.

A fixture of BOEM's leasing process, the regional intergovernmental task force is typically comprised of Tribal representatives, federal agencies (e.g., NOAA, USACE, FWS, USCG, etc.), and representatives from the affected state or territorial government chosen by the Governor. As part of this process, members of the public are also invited to observe and ask questions.

Engagement and participation serve as the foundation of the Department's offshore wind energy program. Together with the task force, the Department works with underserved communities, ocean users, and other key stakeholders to ensure that offshore energy development is done responsibly and relies on the best available science and knowledge.

We look forward to collaborating with Puerto Rico and your office as we consider future commercial-scale renewable energy leasing and development to sustainably meet energy needs in the Caribbean.

9. **The Cabo Rojo National Wildlife Refuge is home to the Cabo Rojo Salt Flats, a system of shallow and hypersaline lagoons that are considered the most important stopover for migratory birds in the Eastern Caribbean. The salt flats are also an important economic asset for southwestern Puerto Rico, attracting thousands of visitors and supporting a local salt mining operation. Due to recent storms and seismic activity in the region, the coastal features (mangroves, dunes, berms) that protected the system have been compromised by erosion, resulting in extensive flooding to the salt flats, in turn negatively impacting habitat quality and the viability of the local salt extraction activities. Hurricane Fiona's impact in September 2022 resulted in further damage and flooding to the Cabo Rojo Salt Flats. The U.S. Fish and Wildlife Service secured an initial $1.2 million to implement the necessary restoration efforts. An additional $5 million was provided by the National Fish and Wildlife Foundation through the America the Beautiful Challenge, which includes funding allocated to the Department of the Interior by the Bipartisan Infrastructure Law.**

   Could you provide an update on the status of the restoration project at the Cabo Rojo Salt Flats? What is the expected timeline and what efforts is the Department pursuing—with its local partners—to carry out the project in a timely manner now that the necessary funding has been secured?

Response: The Cabo Rojo NWR continues to work closely with federal, Commonwealth, and local agencies, as well as non-profit partners, on short-and long-term solutions for conserving the Cabo Rojo Salt Flats. FWS has obtained $1.2 million for a restoration project for Bahia Sucia and Punta Aguila dunes, which will restore the sand dunes to their original state. We have developed a cooperative agreement with Protectores de Cuencas, Inc., and other partners (Tetra Tech, Inc., Puerto Rico Department of Natural and Environmental Resources, the Municipality of Cabo Rojo, Sea Grant, and the University of Puerto Rico) who are supporting the project by providing technical expertise or equipment and materials.

The restoration will be completed in three phases: (1) planning and permitting (currently ongoing), (2) implementation, and (3) post-implementation monitoring. The permitting process is complex, and the design will need to incorporate climate resiliency, as evidenced by the recent impacts of Hurricane Fiona. During and following Hurricane Fiona, the Cabo Rojo Salt Flats received runoff water and heavy rains, which flooded the entire area. Storm waters exacerbated the breached dune conditions by increasing the footprint of the affected area, especially by the Laguna Fraternidad. Post-hurricane damage assessments were conducted to determine the need to modify and reinforce the sand dune project design for resiliency.

FWS is working as quickly as possible to complete planning and permitting. It has completed approximately 75% of the project design and submitted permit applications to the Puerto Rico Department of Natural Resources and U.S. Army Corps of Engineers (Joint Permit Application) in April and May 2023. An application for a Categorical Exclusion with the Puerto Rico Office of Permits pursuant to the federal government categorical exclusion approval was also submitted. Project implementation will commence as soon as permits are ready.

10. **In both Fiscal Years 2022 and 2023—at my request—Congress provided the U.S. Geological Survey (USGS) a $500,000 increase to update the combined national seismic hazard model for Puerto Rico and the U.S. Virgin Islands, which was last published in 2003. As you know, the national seismic hazard model for the contiguous 48 States is regularly updated every 6 years, and USGS has been working on updating the models for Alaska and Hawaii. These models describe the likelihood and potential impacts of earthquakes and serve as the basis for seismic provisions in building codes. According to information previously shared by USGS with my office, maintaining the funding level through Fiscal Year 2024 would allow them to deliver a draft Puerto Rico-U.S. Virgin Islands seismic hazard map in 2024 and a final, updated model in 2025. However, I am concerned the Department's Fiscal Year 2024 budget request for USGS now proposes a $500,000 reduction and would delay the release of the updated seismic hazard model for the two territories until the end of 2026. Could you please explain why the Department is proposing this $500,000 reduction and delaying the release of the updated Puerto Rico-U.S. Virgin Islands seismic hazard model until the end of 2026?**

Response: The Department understands the importance of updating the Puerto Rico and U.S. Virgin Islands components of the national seismic hazard model and will deliver an updated model by the end of FY 2026. To date, a number of critical activities, including fault mapping and characterization, ground motion analyses, a cooperative agreement with the University of Puerto Rico Mayaguez to oversee related work, and a regional workshop to improve coordination and communication, have already been completed or are in progress.

11. **Is the Department pursuing any efforts to align future updates of the seismic hazard models for the territories with the maps for all 50 States? What additional resources would USGS require to achieve this? I note that House Report 117-400, accompanying the Department of the Interior, Environment, and Related Agencies Appropriations Bill, 2023 directed USGS to explore and submit a report on this issue.**

Response: The USGS is in the final stages of drafting a report outlining requirements for aligning updates to all seismic hazard models – i.e., 50 states and territories – in future update cycles. USGS will deliver that report in the near future, in response to the request in House Report 117-400.

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Questions from Rep. Huffman

Secretary Haaland, I want to share a few observations about recent Department actions regarding tribal consultation and gaming and get your thoughts on how we can ensure Tribal governments are properly consulted moving forward. Tribal economic development is of course important to me, but doing it the right way and ensuring the rights and sovereignty of other tribes are respected is equally important.

1. **The Department is currently considering several controversial off-reservation gaming projects - in or near my district - where frankly, there has been a lack of transparency about what rules are being used using to process these applications, or even considering novel legal theories for the benefit of an individual project.**

2. **In some of these instances, the Department has not consulted with Tribes that will either have their land or government resources impacted by these projects. And;**

3. **The Department is actively considering new regulations that would make it easier to obtain land far off existing reservations for tribal gaming by removing a requirement for "greater scrutiny" the farther a project is from a Tribe's existing land base.**

Taken together, I see a concerning pattern. Will you commit to working with me, and more importantly the Tribes I represent, to ensure that off-reservation gaming projects are considered in a transparent manner, through legal means available to all Tribes, and with respect to the views of the indigenous inhabitants of the region?

Response: The Department is committed to following the law and to issuing independent decisions for each pending application once the record is complete and all required procedural steps have been met for that application. Beyond compliance with the Indian Gaming Regulatory Act (IGRA), this includes compliance with the National Environmental Policy Act, the Indian Reorganization Act, the Department's regulations, and other applicable federal law.

Specifically with regard to gaming-related applications in or near your district, applications are being processed under IGRA and the Department's regulations at 25 C.F.R. Part 292, which implements several exceptions to the IGRA's prohibition of gaming on trust lands that are acquired after October 17, 1988. When processing applications that seek to utilize one of these exceptions, the Department analyzes the applicant Tribe's argument for the gaming eligibility of the site and evaluates if that argument and supporting facts are consistent with IGRA, the Part 292 regulations, and other applicable federal law. When processing and issuing a decision on these applications, the Department will faithfully apply the IGRA's general prohibition on the conduct of gaming on lands acquired in trust after October 17, 1988, along with its enumerated exceptions to that general prohibition.

The Department is also committed to fulfilling our trust obligation to all 574 federally recognized Tribes. We have an open-door policy with regard to providing consultation to Tribes affected by the Department's actions. If any Tribe wishes to arrange a meeting with the Department for the purpose of consultation, I encourage them to contact the Office of the Assistant Secretary – Indian Affairs. Tribes may arrange a meeting by utilizing the Assistant Secretary – Indian Affairs' meeting request portal, which may be found at https://www.bia.gov/service/request-meeting. Tribes may also arrange a meeting by contacting the Assistant Secretary – Indian Affairs' Office in writing, or if the meeting request is an emergency, by calling (202) 208-7163.

Finally, the Department is not making changes to its Part 292 regulations, which implement the IGRA's general prohibition on the conduct of gaming on lands acquired in trust after October 17, 1988; rather, the Department is seeking to amend its regulations found in 25 C.F.R. Part 151, which implement the Department's process for acquiring land into trust for the benefit of tribal governments, and 25 C.F.R. Part 293, which implement the Department's review and approval process for tribal-state gaming compacts. None of the proposed changes to the Department's Part 151 and Part 293 regulations will affect the Department's longstanding process for determining if Tribal land acquired after the enactment of the IGRA will be eligible for the purposes of gaming.

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Questions from Rep. LaMalfa

1. **What steps is DOI taking to address the ever-increasing presence of illegal marijuana grow sites on federal lands, and can the Secretary agree that this is a high public and environmental safety concern?**

Response: The Department and several of its bureaus, (BIA, NPS, BLM) are members of the Office of National Drug Control Policy's Public Lands Drug Control Committee. The Committee focuses on the production of illegal marijuana grow sites located on public lands and the environmental impacts that are associated with the sites. Departmental bureaus have identified strategies that will assist in combatting illegal marijuana grows on public lands, such as:

- Conducting proactive uniformed patrols to deter and detect cultivation activities;
- Focusing on investigations likely to result in the arrest of drug trafficking organization leadership;
- Utilizing federal, state, and local partners to conduct multi-agency investigation and eradication efforts targeting illegal activities at all levels of drug trafficking organizations;
- Collecting and disseminating intelligence among cooperating agencies to maximize interdiction, eradication, and investigative efforts;
- Establishing interagency agreements, partnerships, and service contracts with state and local law enforcement agencies to support counter-drug efforts on public lands; and
- Partnering with non-law enforcement personnel/entities to rehabilitate cultivation and drug trafficking-related environmental damage to deter re-use of those areas.

2. **In communication with the National Parks and monuments in my district, their big ask from us, is of course, more funding for staff. I have read that the National Parks have seen a 20% increase in visitation, but because of insufficient federal funding, NPS has lost 3,500 employees, or 16% of its staff capacity. From a safety perspective and effectiveness perspective such statistics are unacceptable. Recent regulatory changes to parks seasonal hiring has made retaining and rehiring seasonal employees more difficult. Is your office working at resolving these regulatory challenges? What steps are you taking to make rehiring seasonal employees easier?**

Response: All Department bureaus rely on dedicated staff to carry out important work and ensuring that the NPS has the staff that it needs to carry out its mission and to improve morale is a high priority for the Department. In addition to the ongoing efforts to increase NPS FTE that the Inflation Reduction Act provided and the FY 2024 budget supports, the NPS typically hires approximately 7,000 seasonal positions annually. These positions fill critical roles across the national park system as visitation expands seasonally, and the NPS is interested in pursuing all opportunities to ensure its hiring managers have the appropriate hiring tools to meet park's needs. The FY 2024 budget also supports the construction or rehabilitation of existing facilities to provide additional employee housing. Limited housing, particularly in remote areas, is often a primary factor in prospective employees' decisions to accept a position.

3. **Are seasonal regulatory hiring constraints harming Wildland firefighter seasonal staffing?**

Response: No. The Department has effective processes in place for seasonal staffing, which has been bolstered by funding in the Bipartisan Infrastructure Law. The Department would like to work with Congress to enact its budget request and wildland firefighter compensation legislative proposals that build upon the historic reforms in the BIL to ensure wildland fire personnel receive the enhanced support they need to meet evolving mission demands.

4. **Is there concern that purchasing lands for tribes with Land & Water Conservation Funds will curtail their use in the future in a way that will prevent tribes from using these lands in a different way in the future?**

Response: The Department will consult with Tribes to implement the Tribal Land and Water Conservation Fund. However, under the proposal, the expectation is that the lands will be managed in perpetuity in line with an approved management plan. The goal of the program is to support the Tribal values of cultural preservation. The program will meet the goals of the existing Land and Water Conservation Fund (LWCF) while allowing Tribes direct access to LWCF funding for conservation and recreation LWCF projects without the existing program requirements to partner with or apply through States.

5. **It's my understanding that a lot of the funding for this program has only been put towards planning costs. Shouldn't the bulk of any money Congress chooses to appropriate for this purpose go towards implementing plan and providing tribal communities tools to use to address changes in their community?**

Response: The Bureau of Indian Affairs will primarily provide funding to Tribes to acquire lands or easements for the purposes of protecting and conserving natural resource areas that may also be of cultural importance to the Tribe or have significant recreational benefits for Tribal communities, consistent with the purposes of the Land and Water Conservation Fund. While there may be limited cases where BIA would purchase land on behalf of Tribes, it is intended that the new program will further enhance the ability of Tribes to address the climate crisis, support Tribal sovereignty and self-determination, and provide another important tool to support Tribal co-stewardship.

6. **What experience, if any, does Director Sams have working for the National Park Service?**

Response: Director Sams was confirmed by the Senate as Director of the National Park Service in November 2021. As he noted in his statement to the Senate Energy and Natural Resources Committee at his confirmation hearing, after serving the country in the Navy, he worked in natural resource and conservation management for nearly 30 years, serving in local, regional, and national organizations that have conserved fish, wildlife, and land. Prior to his nomination, he had been serving as the Umatilla Tribe's executive director, responsible for the management of over 190,000 acres of land and resources with over $700 million in assets while also co-managing with local, state, and federal agencies, 6 million acres of land. He also served as a council member of the Pacific Northwest Power and Conservation Council with a jurisdictional area covering Oregon, Washington, Idaho, and Montana, working to ensure the power needs of people and the economy were met and fish and wildlife were protected.

7. **When a national park is established by Congress, Congress drafts enabling legislation that explains the purpose of the park and the justification for why taxpayer dollars are being allotted to its administration. Historically, projects that would not specifically meet the requirements of enabling legislation would rarely if ever receive funding. But now, under this administration, DEI and racial justice funding has worked its way into mandatory annual spending of parks, despite the fact that parks explicitly asked for permanent adjustment requests to fund staffing levels or infrastructure update needs, not DEI projects and fulfilling political agendas. These parks are in great need to complete deferred maintenance, improve visitor safety and carry out the basic functions the Park was entrusted to do. Do you read and consider enabling legislation when making decisions to fund DEI and racial justice programs over fundamental operational needs of the National Park Service?**

Response: The Department and the National Park Service will always follow the requirements of a park's enabling legislation. Parks will continue to prioritize and conduct operations pursuant to the operational needs of the park and educate its visitors about each park's unique natural and cultural resources. Decisions about funding are made with the needs of each park's core operations in mind. In addition to considering the requirements of enabling legislation and a park's operational needs, an Administration may place emphasis on certain priorities, within administratively determined guidance and policies, that may include highlighting diversity, equity, and inclusion initiatives where appropriate, reaching out and welcoming new visitors from underserved communities, or implement employee recruitment strategies that seek diverse and qualified individuals. The Biden Administration has provided such guidance through Executive Orders 13985 *Advancing Racial Equity and Support for Underserved Communities* and 14091, *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.*

8. **I have learned that $13,594,000 in additional funding for racial justice programs was approved last year on top of the funding already set aside for DEI Question: is DEI a new statutory authority that justified base increase request? And how does this massive funding diversion contribute to visitor experience or address the critical infrastructure backlogs?**

Response: Congress enacted FY 2023 appropriations that included $13,594,000 for operations at parks and programs that tell the story of underrepresented communities. This funding was for core park operations. For example: $940,000 was provided to Medgar and Myrlie Evers Home National Monument in Mississippi for law enforcement, facilities maintenance, and visitor services activities that will ensure continued public access for this new park site. At Camp Nelson National Monument in Kentucky, $497,000 was provided for law enforcement, cultural resources, and facility maintenance work that will protect historical resources, provide interpretive services to the public, and ensure the safety of visitors. And at Martin Luther King, Jr. National Historical Park in Georgia, $771,000 was provided for law enforcement, cultural resources, facility maintenance, and interpretive staff to enhance the visitor experience and expand public access to the site. Additionally, $2 million was provided for interpretive projects across the park system that tell the story of the civil rights movement, the history of slavery, and Native American history.

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Hearing on the FY 2024 Budget
April 19, 2023

Questions from Rep. Wittman

1. **The Chesapeake Bay is critical to the environmental and economic health of our region and the Commonwealth. Authorized in the bipartisan America's Conservation Enhancement (ACE) Act, the Chesapeake Watershed Investments for Landscape Defense WILD grants assist in administering habitat restoration, conservation, clean water, flood protection and other ecosystem services in our nation's largest estuary. Unfortunately, this program was not included in the Presidents FY 24 budget.**

   - **What was the reasoning for this program's exclusion?**

   - **What is the Department of Interior doing to ensure the health and sustainability of the Chesapeake Bay Watershed?**

Response: The Chesapeake Bay ecosystem is an important resource that is critical to the ecological health of fish and wildlife and the economic vitality of an area that stretches from New York State to the Virginia coast. The Department's FY 2024 Budget includes $36 million for work in the Chesapeake Bay including restoration activities and management of parks and refuge lands. With regard to the Chesapeake Wild program, its goals are consistent with the Biden Administration's emphasis on locally driven conservation and equitable access to the outdoors, and funding has been prioritized through these landscape-scale partnerships.

2. **The Fish and Wildlife Service designates ports for the importation and exportation of wildlife and wildlife products. A 2019 study recommended increasing the total number of designated ports from 17 to 46. Despite this study, the Fish and Wildlife Service has failed to issue designations to the recommended number and currently only has 18 designated wildlife ports. From Fall 2019 to Spring 2021, the OMB Unified Agenda proposed an additional list of designated ports, which included Norfolk, Virginia. In Fall 2021, the FWS removed the proposed designated ports from the Unified Agenda citing issues due to the daily challenges Wildlife Inspectors faced during the COVID-19 pandemic.**

   - **With President Biden Announcing the termination of the COVID-19 national emergency on May 11, how does the Presidents FY24 budget request address the need for additional designated ports?**

Response: The FWS Wildlife Inspection Program is intended to be funded through user fee collections. As such, there is no request for appropriations for the Wildlife Inspection Program in the President's FY 2024 budget request. When circumstances arise where the costs of the Wildlife Inspection Program exceed the user fee collections, the difference is funded by FWS' Office of Law Enforcement's appropriated funds.

- **What challenges remain in preventing the list of additional FWS designated ports?**

Response: Due to challenges like inspector attrition in the last decade, recent hiring challenges, and the COVID-19 pandemic, FWS' priority has been to staff and support existing designated wildlife ports. Currently, some designated ports are understaffed, and the focus is on ensuring these ports receive the resources they need to enforce wildlife laws. Designation of additional ports would require increased staffing and resources for associated expenses with those personnel and offices. The designation of additional ports also does not necessarily correlate to an increase in overall trade and to the generation of additional user fees that would be needed to offset these expenses.

- **When should we expect a Notice of Proposed Rule Making listing additional FWS designated ports?**

Response: FWS does not have a timeframe for a proposed rule that would designate additional wildlife ports.

3. **Since coming into office, the Biden Administration has taken steps to depress domestic energy production, causing prices to skyrocket and making America reliant on our adversaries for energy.**

   - **How does the U.S. Department of the Interior plan to engage with industry stakeholders and local communities to increase sustainable and responsible access to domestic minerals and natural resources for renewable energy projects?**

Response: Like the President, I have said many times that oil and gas production will continue for many years as we transition to a clean energy future. Production from federal lands was at an all-time high in FY 2022. According to the Energy Information Administration, domestic oil production in March 2023 was 12.7 million barrels per day, an increase of nearly 1.6 million barrels, or almost 14 percent, since January 2021. On federal lands, industry has what it needs – thousands of permits on the public lands sit unused by industry, and more than half of onshore and offshore areas already under lease are non-producing. With regard to engagement, the Department continually engages with all stakeholders regarding access to domestic minerals during development of our land use plans, public comment on specific proposals, and local outreach on projects that potentially impact local communities.

- **What specific plans does the U.S. Department of the Interior have in place to facilitate and expedite the exploration, extraction, and development of natural resources and minerals on public lands, which are essential for the construction of critical infrastructure projects?**

Response: Production from federal lands was at an all-time high in FY 2022. Thousands of permits held by industry are not being used. We are continuing to follow the law and carry out the leasing program.