

Gulf of Mexico Regional OCS Oil and Gas Programmatic EIS

Consultations

Endangered Species Act

Federal agencies must ensure that any action authorized, funded, or carried out by the agency is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of critical habitat of those species. When the action of a Federal agency may affect a protected species or its critical habitat, that agency is required to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS), depending upon the protected species.

Magnuson-Stevens Fishery Conservation and Management Act

Federal agencies are required to consult with NMFS on any action that may result in adverse effects on Essential Fish Habitat (EFH). Certain Outer Continental Shelf (OCS) activities authorized by BOEM may result in adverse effects on essential fish habitat (EFH) and, therefore, require consultation with NMFS. The regional programmatic EFH consultation includes conservation recommendations and provisions for initiating supplemental discussions should it be determined that site-specific or activity-specific consultation is necessary.

National Historic Preservation Act (Section 106)

Section 106 of the NHPA requires Federal agencies to consider the effects of their actions on historic properties and provide the Advisory Council on Historic Preservation an opportunity to comment. BOEM will complete its Section 106 review process after performing the necessary site-specific analysis of post-lease activities and additional consultations may take place at that time, if appropriate.

Coastal Zone Management Act

Federal actions that are reasonably likely to affect any land or water use or natural resource of the coastal zone of a State must be consistent to the maximum extent practicable with relevant enforceable policies of each affected State's federally approved Coastal Management Program (CMP). BOEM performs a consistency review pursuant to the Coastal Zone Management Act (CZMA), and consistency determinations (CDs) are prepared for each coastal State along the Gulf of Mexico with a federally approved CMP prior to each oil and gas lease sale.

Federally Recognized Tribes

BOEM recognizes the unique legal relationship of the U.S. with tribal governments, and the Bureau is required to consult with federally recognized Native American Tribes when a BOEM action has tribal implications. BOEM has initiated government-to-government consultations with Tribes and continues to consult with Tribes on GOM oil- and gas-related activities and other BOEM-authorized activities proposed on the Gulf of Mexico OCS.

For more information, visit the [GOM Oil and Gas Programmatic EIS webpage](#).

