

# Environmental Analysis

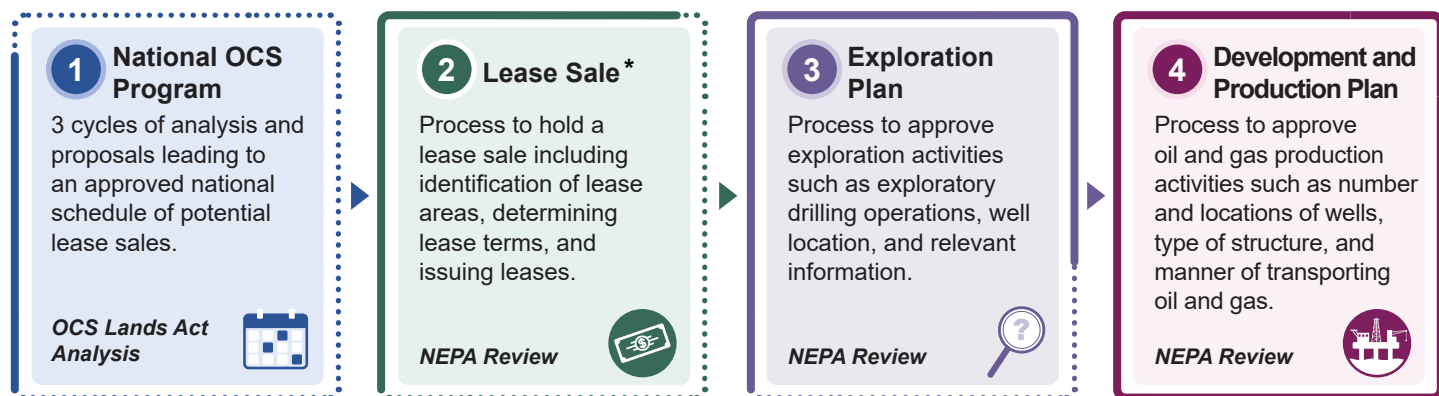
Under the **Outer Continental Shelf (OCS) Lands Act**, the Secretary of the Interior prepares and maintains an offshore oil and gas leasing program. When preparing a National OCS Program, the Secretary considers, in part, the potential impact of oil and gas activities on the marine, coastal, and human environments.

In the past, BOEM prepared a Programmatic Environmental Impact Statement (EIS) pursuant to the **National Environmental Policy Act (NEPA)** to support environmental analyses required by the OCS Lands Act.

A NEPA analysis is not required for the National OCS Program because the schedule of sales is not a **final decision** on whether a lease sale takes place.<sup>1</sup> To simplify how BOEM presents the analysis for developing a National OCS Program, BOEM is preparing an **environmental analysis document** that contains OCS Lands Act requirements to inform the Secretary of the potential environmental impacts of the Program. While not a NEPA document, it does provide substantively similar content to what is included in a Programmatic EIS.

| OCS Lands Act Environmental Document                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Programmatic EIS Document                                                                                                                                                                                                                                                                                                                                                                          |
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| <ul style="list-style-type: none"><li>▶ Description of the current and expected <b>environmental conditions</b></li><li>▶ Analysis of the <b>impacts</b> from oil and gas activities on the marine, coastal, and human environments</li><li>▶ Analysis of the Secretary's <b>Program Options</b> – that is, the areas the Secretary is considering at each stage of Program development</li><li>▶ Analysis of potential exclusions of areas that could reduce potential environmental impacts</li></ul> | <ul style="list-style-type: none"><li>▶ Description of the affected environment</li><li>▶ Analysis of reasonably foreseeable impacts of oil and gas activities on physical, biological, and human environments of the OCS</li><li>▶ Analysis of <b>Alternatives</b> based on the Secretary's Program Options</li><li>▶ Analysis of potential exclusions nominated through public comment</li></ul> |

National OCS Program analyses and decisions on when and where oil and gas lease sales may occur are inherently **broader and more general** than specific decisions that come later if a lease sale is held. Subsequent NEPA analyses performed at the lease sale and plan stages will provide site-specific detail of potential impacts.



*\*The lease sale process can begin during the National OCS Program development process.*

<sup>1</sup> This environmental analysis approach aligns with two decisions from the United States Court of Appeals for the District of Columbia (D.C. Circuit) (Center for Biological Diversity v. Department of the Interior, 563 F.3d 466 (D.C. Cir. 2009); Center for Sustainable Economy v. Jewell, 779 F.3d 588 (D.C. Cir. 2015)) that found that NEPA was unripe at the National OCS Program stage.