

**DEPARTMENT OF THE INTERIOR**

**Bureau of Ocean Energy Management**

**[Docket No. BOEM-2023-0013]**

**Gulf of Mexico Outer Continental Shelf Oil and Gas Lease Sale 261**

**AGENCY:** Bureau of Ocean Energy Management, Interior.

**ACTION:** Revised Final Notice of Sale.

**SUMMARY:** On Wednesday, December 20, 2023, the Bureau of Ocean Energy Management (BOEM) will open and publicly announce bids received for blocks offered in the Gulf of Mexico (GOM) Outer Continental Shelf (OCS) Oil and Gas Lease Sale 261 (GOM Lease Sale 261), in accordance with the Outer Continental Shelf Lands Act (OCSLA), as amended, and its implementing regulations. This revised GOM Lease Sale 261 Final Notice of Sale (Final NOS) package contains information essential to potential bidders and comprises this notice, Information to Lessees, and Lease Stipulations. Bids submitted under the Revised Final NOS published on October 6, 2023 (see

**SUPPLEMENTARY INFORMATION** below) will be held and opened on December 20, 2023, unless the bidders withdraw their bid or bids in accordance with the bid withdrawal procedures described in Section VIII - “Bid Withdrawal.”

**DATES:** BOEM will hold GOM Lease Sale 261 at 9:00 am on Wednesday, December 20, 2023. All times referred to in this document are Central time, unless otherwise specified.

*Bid submission deadline:* BOEM must receive all sealed bids prior to the Bid Submission Deadline of 10:00 a.m. on Tuesday, December 19, 2023, the day before the lease sale.

For more information on bid submission, see Section VII of this document, “Bidding Instructions.”

**ADDRESSES:** Bids will be accepted by MAIL ONLY through any parcel delivery service (e.g., FedEx, UPS, U.S. Postal Service, DHL), prior to the bid submission deadline, at 1201 Elmwood Park Boulevard, New Orleans, Louisiana, 70123. Public bid reading for GOM Lease Sale 261 will be held at 1201 Elmwood Park Boulevard, New Orleans, Louisiana. The venue will not be open to the general public, media, or industry during bid opening or reading. Bid opening will be available for public viewing on BOEM’s website at <https://www.boem.gov/Sale-261/> via live-streaming video beginning at 9:00 a.m. on the date of the sale. The results will be posted on BOEM’s website upon completion of bid opening and reading. Interested parties may download the Final NOS package from BOEM’s website at <https://www.boem.gov/Sale-261/>. Copies of the sale maps can be obtained by contacting the BOEM GOM Region:

Gulf of Mexico Region Public Information Office

Bureau of Ocean Energy Management

1201 Elmwood Park Boulevard

New Orleans, Louisiana 70123-2394

(504) 736-2519 or (800) 200-GULF

**FOR FURTHER INFORMATION, CONTACT:** The New Orleans Office Lease Sale Coordinator, Greg Purvis, at [BOEMGOMRLeaseSales@boem.gov](mailto:BOEMGOMRLeaseSales@boem.gov) or 504-736-1729.

**SUPPLEMENTARY INFORMATION:** The Inflation Reduction Act of 2022 (IRA) directed BOEM to hold GOM Lease Sale 261 by September 30, 2023. On August 25, 2023, BOEM published in the *Federal Register* the Final NOS for Lease Sale 261,

which originally scheduled GOM Lease Sale 261 for September 27, 2023, in compliance with the IRA. See 88 FR 58310<sup>1</sup>. Two lawsuits then challenged the Final NOS in the U.S. District Court for the Western District of Louisiana. To implement the Memorandum Order<sup>2</sup> issued by the U.S. District Court for the Western District of Louisiana on September 21, 2023 (Case No. 2:23-CV-01157), and a subsequent order<sup>3</sup> issued by the U.S. Court of Appeals for the Fifth Circuit on September 26, 2023 (Case No. 23-30666), BOEM published a revised Final Notice of Sale on October 6, 2023, which rescheduled the sale, revised the sale area to include the blocks that were the subject of the courts' orders, modified the Lease Stipulations to remove the protected species language that was the subject of the courts' orders, updated the Information to Lessees, published a revised List of Available Blocks, and published new maps related to the sale. See 88 FR 69660. However, on October 26, 2023, the Fifth Circuit stayed the injunction that required BOEM to hold the sale by November 8. In light of the October 26 order, BOEM announced it was postponing the sale pending additional disposition of the appeal and additional direction from the Fifth Circuit. See 88 FR 77363. The Fifth Circuit issued an opinion and mandate on November 14, 2023, directing BOEM to hold the sale in accordance with the district court's preliminary injunction but extending the deadline for conducting the sale by 37 days from the date of the mandate.

Thus, in accordance with the Fifth Circuit's mandate and opinion, this revised Final NOS and associated documents provide notice to the public and potential bidders of

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<sup>1</sup> <https://www.federalregister.gov/documents/2023/08/25/2023-18342/gulf-of-mexico-outer-continental-shelf-oil-and-gas-lease-sale-261>

<sup>2</sup> <https://www.courtlistener.com/docket/67727401/82/state-of-louisiana-v-haaland/>

<sup>3</sup> [https://www.boem.gov/sites/default/files/documents/oil-gas-energy/leasing/23-30666\\_order.pdf](https://www.boem.gov/sites/default/files/documents/oil-gas-energy/leasing/23-30666_order.pdf)

the updated timing for Lease Sale 261 and makes no additional changes to the revised Final NOS published on October 6, 2023.

BOEM advises bidders that Lease Sale 261 is the subject of ongoing litigation in the U.S. District Court for the District of Columbia and the U.S. District Court of the Western District of Louisiana.

**AUTHORITY:** This revised notice of sale is published pursuant to 43 U.S.C. 1331 et seq. (Outer Continental Shelf Lands Act, as amended) and 30 CFR 556.308(a).

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## **I. Lease Sale Area**

**Blocks Offered for Leasing:** BOEM will offer for bid in this lease sale all of the available unleased acreage in the GOM OCS as identified on the map, “Final Notice of Sale, Gulf of Mexico OCS Oil and Gas Lease Sale 261, December 2023, Final Sale Area” (<https://www.boem.gov/Sale-261/>), except those blocks listed below in “Blocks Not Offered for Leasing.” Please note that, in compliance with the aforementioned court orders, the expanded Rice’s whale area (whole and partial blocks between the 100 meter (m) and 400 m isobaths across the northern GOM OCS, eastward from the Mexican border with Texas and westward from the eastern edge of the Central Planning Area) that was previously excluded from the sale is now included in Lease Sale 261, unless such blocks are otherwise subject to a separate exclusion not addressed by the District Court’s injunction and listed below.

**Blocks Not Offered for Leasing:** BOEM will exclude the following whole and partial blocks from this sale. The BOEM Official Protraction Diagrams (OPDs) and Supplemental OPDs are available online at <https://www.boem.gov/oil-gas-energy/mapping-and-data>.

- **Whole and Partial Blocks withdrawn from leasing by Presidential Withdrawal in the September 8, 2020, *Memorandum on the Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition:***

<b>GOM Protraction Areas</b>	<b>Block</b>
Pensacola (Leasing Map NH 16-05)	Whole Blocks: 751-754, 793-798, 837-842, 881-886, 925-930, 969-975
Destin Dome (Leasing Map NH 16-08)	Whole Blocks: 1-7, 45-51, 89-96, 133-140, 177-184, 221-228, 265-273, 309-317, 353-361, 397-405, 441-450, 485-494, 529-538, 573-582, 617-627, 661-671, 705-715, 749-759, 793-804, 837-848, 881-892, 925-936, 969-981
DeSoto Canyon (Leasing Map NH 16-11)	Whole Blocks: 1-15, 45-59, 92-102
	Partial Blocks: 16, 60, 61, 89-91, 103-105, 135-147
Henderson (Leasing Map NG 16-05)	Partial Blocks: 114, 158, 202, 246, 290, 334, 335, 378, 379, 422, 423

- Whole and Partial Blocks within the boundary of the Flower Garden Banks National Marine Sanctuary (East and West Flower Garden Banks and the Stetson Bank) as of the July 14, 2008, *Memorandum on Modification of the Withdrawal of Areas of United States Outer Continental Shelf from Leasing Disposition:***

<b>GOM Protraction Areas</b>	<b>Block</b>
High Island, East Addition, South Extension (Leasing Map TX7C)	Whole Block: A-398
	Partial Blocks: A-366, A-367, A-374, A-375, A-383, A-384, A-385, A-388, A-389, A-397, A-399, A-401
High Island, South Addition (Leasing Map TX7B)	Partial Blocks: A-502, A-513

- Whole and Partial Blocks that are adjacent to or beyond the U.S. Exclusive Economic Zone in the area known as the northern portion of the Eastern Gap:**

<b>GOM Protraction Areas</b>	<b>Block</b>
Lund South (Leasing Map NG 16-07)	Whole Blocks: 128, 129, 169 - 173, 208-217, 248-261, 293-305, 349
Henderson (Leasing Map NG 16-05)	Whole Blocks: 466, 508-510, 551-554, 594-599, 637-643, 679-687, 722-731, 764-775, 807-819, 849-862, 891-905, 933-949, 975-992
	Partial Blocks: 335, 379, 423, 467, 511, 555, 556, 600, 644, 688, 732, 776, 777, 820, 821, 863, 864, 906, 907, 950, 993, 994
Florida Plain (Leasing Map NG 16-08)	Whole Blocks: 5-24, 46-67, 89-110, 133-154, 177-197, 221-240, 265-283, 309-327, 363-370

- **Depth-restricted, segregated block portion(s). The current block meeting this criterion is: Block 299, Main Pass Area, South and East Addition (as shown on Louisiana Leasing Map LA10A), containing 1,125 acres from the surface of the earth down to a subsea depth of 1,900 feet with respect to the following described portions:**

SW<sub>1/4</sub>NE<sub>1/4</sub>; NW<sub>1/4</sub>SE<sub>1/4</sub>NE<sub>1/4</sub>; W<sub>1/2</sub>NE<sub>1/4</sub>SE<sub>1/4</sub>NE<sub>1/4</sub>; S<sub>1/2</sub>S<sub>1/2</sub>NW<sub>1/4</sub>NE<sub>1/4</sub>;  
S<sub>1/2</sub>SW<sub>1/4</sub>NE<sub>1/4</sub>NE<sub>1/4</sub>; S<sub>1/2</sub>SW<sub>1/4</sub>SE<sub>1/4</sub>NE<sub>1/4</sub>NE<sub>1/4</sub>; N<sub>1/2</sub>SW<sub>1/4</sub>SE<sub>1/4</sub> NE<sub>1/4</sub>;  
SW<sub>1/4</sub>SW<sub>1/4</sub>SE<sub>1/4</sub>NE<sub>1/4</sub>; NW<sub>1/4</sub>SE<sub>1/4</sub> SE<sub>1/4</sub> NE<sub>1/4</sub>; N<sub>1/2</sub>NW<sub>1/4</sub>SW<sub>1/4</sub>SE<sub>1/4</sub>SE<sub>1/4</sub>NE<sub>1/4</sub>;  
N<sub>1/2</sub>SE<sub>1/4</sub>SW<sub>1/4</sub>SE<sub>1/4</sub>NE<sub>1/4</sub>; N<sub>1/2</sub>S<sub>1/2</sub>SE<sub>1/4</sub>SW<sub>1/4</sub>SE<sub>1/4</sub>NE<sub>1/4</sub>; S<sub>1/2</sub>NE<sub>1/4</sub>NW<sub>1/4</sub>;  
S<sub>1/2</sub>S<sub>1/2</sub>N<sub>1/2</sub>NE<sub>1/4</sub>NW<sub>1/4</sub>; N<sub>1/2</sub>SE<sub>1/4</sub>NW<sub>1/4</sub>; S<sub>1/2</sub>SE<sub>1/4</sub>NW<sub>1/4</sub>NW<sub>1/4</sub>; NE<sub>1/4</sub>SE<sub>1/4</sub> NW<sub>1/4</sub>NW<sub>1/4</sub>;  
E<sub>1/2</sub>NE<sub>1/4</sub>SW<sub>1/4</sub>NW<sub>1/4</sub>; N<sub>1/2</sub>SE<sub>1/4</sub>SE<sub>1/4</sub>NW<sub>1/4</sub>; NE<sub>1/4</sub>SW<sub>1/4</sub>SE<sub>1/4</sub>NW<sub>1/4</sub>;  
N<sub>1/2</sub>NW<sub>1/4</sub>SW<sub>1/4</sub>SE<sub>1/4</sub>NW<sub>1/4</sub>; SE<sub>1/4</sub>SE<sub>1/4</sub>SE<sub>1/4</sub>NW<sub>1/4</sub>; E<sub>1/2</sub>SW<sub>1/4</sub>SE<sub>1/4</sub>SE<sub>1/4</sub>NW<sub>1/4</sub>;  
N<sub>1/2</sub>NW<sub>1/4</sub>NE<sub>1/4</sub>SW<sub>1/4</sub>NW<sub>1/4</sub>; N<sub>1/2</sub>S<sub>1/2</sub>NW<sub>1/4</sub>NE<sub>1/4</sub>SW<sub>1/4</sub>NW<sub>1/4</sub>;  
N<sub>1/2</sub>N<sub>1/2</sub>NE<sub>1/4</sub>NE<sub>1/4</sub>NE<sub>1/4</sub>SW<sub>1/4</sub>; N<sub>1/2</sub>N<sub>1/2</sub>N<sub>1/2</sub>NW<sub>1/4</sub>NW<sub>1/4</sub>SE<sub>1/4</sub>;  
N<sub>1/2</sub>N<sub>1/2</sub>NW<sub>1/4</sub>NE<sub>1/4</sub>NW<sub>1/4</sub>SE<sub>1/4</sub>

- **Whole and Partial Blocks that were previously subject to the Blocks South of Baldwin County, Alabama, Stipulation:**

<b>GOM Protraction Areas</b>	<b>Blocks</b>
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Mobile (Leasing Map NH16-04)	826-830, 869-874, 913-918, 957-962, 1001-1006
Viosca Knoll (Leasing Map NH 16-07)	33-35

- **Whole and Partial Blocks that were previously subject to the Topographic**

**Features Stipulation:**

<b>GOM Protraction Area</b>	<b>Blocks</b>
East Breaks (Leasing Map NG 15-01)	121-124, 165-168, 173, 217
East Cameron Area (Leasing Map LA2)	361-363, 377-379
Eugene Island Area (Leasing Map LA4)	335, 355-356, 381-383, 390-391, 397
Ewing Bank (Leasing Map NH 15-12)	903, 932-933, 944-945, 947, 975-977
Garden Banks (Leasing Map NG 15-02)	26-31, 33, 61-63, 70-77, 81-85, 95-98, 102-110, 119-121, 126-128, 133-136, 138-146, 148-155, 177-180, 192-198, 237-239
Green Canyon (Leasing Map NG 15-03)	4-7, 49-50, 90
High Island Area, East Addition (Leasing Map TX7A)	A446-A448, A463-A465, A486-A488, A501-A503, A512-A514, A527-A529, A534-A535, A573, A578-A580, A589-A591, A596
High Island Area, East Addition, South Extension (Leasing Map TX7C)	A311-312, A 327-A 332, A 340, A 346-A403
Mississippi Canyon (Leasing Map NH 16-10)	316
Mustang Island Area (Leasing Map TX3)	A3-4, A9, A16, A54, A61-A62, A86-A87, A95, A117-A118, A136-A137
North Padre Island Area (Leasing Map TX2)	PN A30-A31, A40-A41, A72, A83-A84
South Marsh Island Area, North Addition (Leasing Map LA3D)	161-163, 169-173, 176-180, 185-188, 193-197, 200-204
Ship Shoal Area (Leasing Map LA5)	325-329, 334-339, 348-353, 356-359
South Timbalier Area (Leasing Map LA6)	314-317
Vermilion Area (Leasing Map LA3)	284-286, 297-300, 303-306, 317-320, 361-363, 369-372, 382-396, 403-412
West Cameron Area (Leasing Map LA1)	569-570, 589-592, 611-614, 633-638, 645-646, 648-663

West Delta Area (Leasing Map LA8)	147-148
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- **Whole blocks that contain banks that are adjacent to blocks previously included in the Topographic Features Stipulation:**

<b>GOM Protraction Area</b>	<b>Blocks</b>
Garden Banks (Leasing Map NG 15-02)	181

- **Whole and Partial Blocks that were previously subject to the Live Bottom (Pinnacle Trend) Stipulation:**

<b>GOM Protraction Area</b>	<b>Blocks</b>
Main Pass Area, South and East Addition (Leasing Map LA10A)	190, 194, 198, 219-226, 244-266, 276-290
Viosca Knoll (Leasing Map NH 16-07)	473-476, 521-522, 564-566, 610, 654, 692-698, 734, 778

- **Whole and partial blocks identified as either Wind Energy Area Options (Areas A, B, C, D, E, F, G, H)) or final Wind Energy Areas (Areas I, J, K, L, M and N):**

<b>GOM Protraction Area</b>	<b>Blocks</b>
Brazos Area (Leasing Map TX5)	430, 457-459, 466-468, 572-575, 580-584, 609-614, A22, A28-A29, A3, A30-A35, A42-A43
Brazos Area, South Addition (Leasing Map TX5B)	A102-A105, A46-A48, A55-A58, A60-A61, A73-A74
East Cameron Area (Leasing Map LA2)	96-106, 113-124
Galveston Area (Leasing Map TX6)	237, 258-259, 265-268, 286-291, 293-299, 317-327, 350-356, 386-387, 427-429, 460-462, 464-465, A1-A9, A10-A35, A40-A49, A62-A77, A84-A86, A91-A94, A97-A99, A103-A105, A110-A113
Galveston Area, South Addition (Leasing Map TX6A)	A114-A119, A138-A139, A140-A148, A169-A174, A203
High Island Area (Leasing Map TX7)	235-236, 260-261, 263-264, 292, A2-A4, A11-A15, A27-A31, A62-A64, A66-A68, A70-A90, A92-A99, A100-A111, A113-

	A116, A118-A142, A144-A152, A156-A163, A165-A166
High Island Area, East Addition (Leasing Map TX7A)	A170-A174, A177-A182, A187-A193, A195-A199, A202-A209, A211-A213, A216-217, A220-A228, A233-A241, A250-A251
High Island Area, South Addition (Leasing Map TX7B)	A404-A405, A408-A413, A420-A425, A428-A431, A434-A439, A454-A457, A480-A481
Matagorda Island Area (Leasing Map TX4)	639-642, 646-649, 673-678, A1, A3, A4
Mustang Island Area (Leasing Map TX3)	803-804, 810-812, 826-828, 832-834, 847-849, 853-854
South Padre Island Area, East Addition (Leasing Map TX1A)	1078, 1097-1098, 1117-1119, A35-A36, A46-A52, A59-A64
West Cameron Area (Leasing Map LA1)	188-190, 195-196, 205-213, 224-230, 241-245, 256
West Cameron Area, West Addition (Leasing Map LA1A)	302-303, 314-318, 328-334, 343-352, 359-360, 362-364, 372-379, 393-396, 398-400

- **Whole and Partial BOEM-designated Significant Sediment Resource Area**

**Blocks:**

<b>GOM Protraction Area</b>	<b>Blocks</b>
Bay Marchand Area (Leasing Map LA6C)	2-5
Breton Sound Area (Leasing Map LA10B)	24, 25, 39, 41-44, 53-56
Chandeleur Area (Leasing Map LA11)	1, 4, 5, 8, 16, 28, 30-34
Eugene Island Area (Leasing Map LA4)	10, 18-35, 37-96, 111, 112
Galveston Area (Leasing Map TX6)	265, 290, 291, 293, 294, 295, 322
Galveston Area, South Addition (Leasing Map TX6A)	1A, 2A, 3A, 4A, 5A
Grand Isle Area (Leasing Map LA7)	15, 25
High Island Area (Leasing Map TX7)	19-21, 35-39, 45-49, 60-65, 69-76, 83-91, 111-119, 131-137, 158-164, 171-175, 196-205, 230-234, 261-264, 292, A6-A10, A16-A22, A37-A42, A60-A65
High Island Area, East Addition	6, 10, 38-42, 45, 46, 60-65, 74-76, 83, 84, 85,

(Leasing Map TX7A)	
Mobile (Leasing Map NH 16-04)	765-767, 778, 779, 809-824, 826-830, 853-874, 897-918, 942, 946, 947, 954-962, 991, 999-1006
Main Pass Area (Leasing Map LA10)	6, 39-44, 58-60, 86-90, 92-120, 125-129, 139,
Main Pass, South and East Addition (Leasing Map LA10A)	161, 162, 180, 181
South Pelto Area (Leasing Map LA6B)	1-20, 23-25
Sabine Pass Area (LA) (Leasing Map LA12)	8-16
South Marsh Island Area, North Addition (Leasing Map LA3D)	207-237, 241-249, 259-261, 267, 268
Ship Shoal Area (Leasing Map LA5)	24-26, 37, 38, 63-75, 84-100, 107-114, 119, 120
South Timbalier Area (Leasing Map LA6)	9-11, 16-18, 34, 51, 52, 54, 55, 66, 67, 72
Sabine Pass Area (TX) (Leasing Map TX8)	9, 17, 18, 40, 44
Viosca Knoll (Leasing Map NH 16-07)	23, 34-38, 67, 78-82, 111, 155
Vermilion Area (Leasing Map LA3)	11, 30, 49, 51-54, 68-77, 86-96, 108-111
West Cameron Area (Leasing Map LA1)	20-22, 41-45, 56-60, 78-83, 90-95, 113-118, 128-134, 146-150, 153-157, 160, 161, 162, 168-172, 181
West Cameron Area, West Addition (Leasing Map LA1A)	154-157, 160-162, 287
West Delta Area (Leasing Map LA8)	20-31, 32, 43-50, 56-61

The final list of blocks available for bid is posted on BOEM's website at <https://www.boem.gov/Sale-261/> under the Final NOS tab.

## II. Statutes and Regulations

Each lease is issued pursuant to OCSLA, 43 U.S.C. 1331 et seq., as amended, and is subject to OCSLA implementing regulations promulgated pursuant thereto in 30 CFR part 556, and other applicable statutes and regulations in existence upon the effective date of the lease, as well as those applicable statutes enacted and regulations promulgated

thereafter, except to the extent that the after-enacted statutes and regulations explicitly conflict with an express provision of the lease. Each lease is subject to amendments to statutes and regulations, including but not limited to OCSLA, that do not explicitly conflict with an express provision of the lease. The lessee expressly bears the risk that such new or amended statutes and regulations (i.e., those that do not explicitly conflict with an express provision of the lease) may increase or decrease the lessee's obligations under the lease.

BOEM reserves the right to reject any and all bids received, regardless of the amount offered (see 30 CFR 556.516).

### **III. Lease Terms and Economic Conditions**

#### **OCS Lease Form**

BOEM will use Form BOEM-2005 (February 2017) to convey leases resulting from this sale. This lease form can be viewed on BOEM's website at <https://www.boem.gov/BOEM-2005>. The lease form will be amended to include specific terms, conditions, and stipulations applicable to the individual lease. The final terms, conditions, and stipulations applicable to this sale are below.

#### **Primary Terms**

Primary terms are summarized in the following table:

<b>Water Depth (Meters)</b>	<b>Primary Term</b>
<b>0 to &lt; 400</b>	The primary term is 5 years; the lessee may earn an additional 3 years (i.e., for an 8-year extended primary term) if a well is spudded targeting hydrocarbons below 25,000 feet True Vertical Depth Subsea (TVDSS) during the first 5 years of the lease.
<b>400 to &lt; 800</b>	The primary term is 5 years; the lessee will earn an additional 3 years (i.e., for an 8-year extended primary term) if a well is spudded during the first 5 years of the lease.
<b>800 +</b>	10 years

- 1) The primary term for a lease in water depths less than 400 meters issued as a result of this sale is 5 years. If the lessee spuds a well targeting hydrocarbons below 25,000 feet TVDSS within the first 5 years of the lease, then the lessee may earn an additional 3 years, resulting in an 8-year primary term. The lessee will earn the 8-year primary term when the well is drilled to a target below 25,000 feet TVDSS; or the lessee may earn the 8-year primary term in cases where the well targets, but does not reach, a depth below 25,000 feet TVDSS due to mechanical or safety reasons that are beyond the lessee’s control, and that are supported by sufficient evidence from the lessee. To earn the 8-year primary term, the lessee is required to submit a letter to the BOEM GOM Regional Supervisor, Office of Leasing and Plans, as soon as practicable, but no more than 30 days after completion of the drilling operation, providing the well number, spud date, information demonstrating a target below 25,000 feet TVDSS and whether that target was reached, and if applicable, any safety or mechanical reasons encountered that prevented the well from reaching a depth below 25,000 feet TVDSS. In the letter, the lessee must request confirmation from BOEM that the lessee earned the 8-year primary term. The BOEM GOM Regional Supervisor for Leasing and Plans will confirm in writing, within 30 days of

receiving the lessee's letter, whether the lessee has earned the extended primary term and accordingly update BOEM's records. The extended primary term is not effective unless and until the lessee receives confirmation from BOEM. A lessee that has earned the 8-year primary term by spudding a well with a hydrocarbon target below 25,000 feet TVDSS during the standard 5-year primary term of the lease will not be granted a suspension for that same period under the regulations at 30 CFR 250.175 because the lease is not at risk of expiring.

- 2) The primary term for a lease in water depths ranging from 400 to less than 800 meters issued as a result of this sale is 5 years. If the lessee spuds a well within the 5-year primary term of the lease, the lessee may earn an additional 3 years, resulting in an 8-year primary term. To earn the 8-year primary term, the lessee is required to submit a letter to the BOEM GOM Regional Supervisor, Office of Leasing and Plans, as soon as practicable, but no more than 30 days after spudding a well, providing the well number and spud date, and requesting confirmation from BOEM that the lessee earned the 8-year extended primary term. Within 30 days of receipt of the request, the BOEM GOM Regional Supervisor for Leasing and Plans will provide written confirmation of whether the lessee has earned the extended primary term and accordingly update BOEM's records. The extended primary term is not effective unless and until the lessee receives confirmation from BOEM.
- 3) The primary term for a lease in water depths 800 meters or deeper issued as a result of this sale is 10 years.

### **Minimum Bonus Bid Amounts**

BOEM will not accept a bonus bid unless it provides for a cash bonus in an amount equal to or exceeding the specified minimum bid, as described below.

- \$25 per acre or fraction thereof for blocks in water depths less than 400 meters; and
- \$100 per acre or fraction thereof for blocks in water depths 400 meters or deeper.

### **Rental Rates**

Annual rental rates, per acre or fraction thereof, are summarized in the following table:

<b>Water Depth (Meters)</b>	<b>Years 1–5</b>	<b>Year 6</b>	<b>Year 7</b>	<b>Year 8+</b>
0 to < 200	\$10	\$20	\$30	\$40
200 to < 400	\$16	\$32	\$48	\$64
400 +	\$16	\$22	\$22	\$22

### **Escalating Rental Rates for Leases with an 8-Year Primary Term in Water Depths Less Than 400 Meters**

Any lessee with a lease in less than 400 meters water depth who earns an 8-year primary term will pay an escalating rental rate as shown above. The rental rates after the fifth year for blocks in less than 400 meters water depth will become fixed and no longer escalate if another well is spudded targeting hydrocarbons below 25,000 feet TVDSS after the fifth year of the lease, and BOEM concurs that such a well has been spudded. In this case, the rental rate will become fixed at the rental rate in effect during the lease year in which the additional well was spudded.

### **Royalty Rate**

- 18 <sup>3</sup>/<sub>4</sub> percent for all leases.



### **Minimum Royalty Rate**

- \$10 per acre or fraction thereof per year for blocks in water depths less than 200 meters; and
- \$16 per acre or fraction thereof per year for blocks in water depths 200 meters or deeper.

### **Royalty Suspension Provisions**

The Department may issue leases with Royalty Suspension Volumes (RSVs) and other forms of royalty relief under 30 CFR part 560, which BOEM administers. The specific details relating to eligibility and implementation of RSVs and other royalty relief programs are found at 30 CFR part 203, which the Bureau of Safety and Environmental Enforcement administers. In this sale, the only royalty relief program being offered involves RSVs for the drilling of ultra-deep wells in water depths of less than 400 meters, as described in the following section.

### **Royalty Suspension Volumes on Gas Production from Ultra-deep Wells**

Pursuant to 30 CFR part 203, certain leases issued as a result of this sale may be eligible for RSV incentives on gas produced from ultra-deep wells. Under this program, wells on leases in less than 400 meters water depth and completed to a drilling depth of 20,000 feet TVDSS or deeper receive an RSV of 35 billion cubic feet on the production of natural gas. This RSV incentive is subject to applicable price thresholds set forth in the regulations at 30 CFR part 203. These regulations implement the requirements of the Energy Policy Act of 2005 (Pub. L. No. 109-58, 119 Stat. 594 (2005)).

#### **IV. Lease Stipulations**

On September 21, 2023, the U.S. District Court for the Western District of Louisiana issued an order<sup>4</sup> requiring BOEM to modify, for purposes of this sale, the version of Stipulation No. 4 originally published in the August 2023, Final NOS package. On November 14, 2023, the U.S. Court of Appeals for the Fifth Circuit dismissed an appeal challenging the aforementioned order and reinstated the September 21 order of the District Court, with a modified sale deadline. To comply with this order, Stipulation No. 4 no longer contains the enhanced protection measures for the Rice’s whale that previously appeared under paragraph (B)(4). BOEM has published a revised Lease Stipulations document for this sale on its website, available at <https://www.boem.gov/Sale-261/>.

One or more of the stipulations below may be applied to leases issued as a result of this sale. The applicable blocks for each stipulation are identified on the map “Final Notice of Sale, Gulf of Mexico OCS Oil and Gas Lease Sale 261, December 2023, Stipulations and Deferred Blocks” included in the Final NOS package. The full text of the following stipulations is contained in the “Lease Stipulations” section of the Final NOS package. BOEM has posted the final list of blocks available for bid and the applicable stipulations that apply to those blocks on its website at <https://www.boem.gov/Sale-261/> under the Final NOS tab.

- 1) Military Areas
- 2) Evacuation
- 3) Coordination

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<sup>4</sup> <https://www.courtlistener.com/docket/67727401/82/state-of-louisiana-v-haaland/>

- 4) Protected Species
- 5) United Nations Convention on the Law of the Sea Royalty Payment
- 6) Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico
- 7) Restrictions due to Rights-of-Use and Easement for Floating Production Facilities
- 8) Royalties on All Produced Gas

#### **V. Information to Lessees**

Information to Lessees (ITLs) provide detailed information on certain issues pertaining to specific oil and gas lease sales. The full text of the ITLs for this sale is contained in the “Information to Lessees” section of the Final NOS package and covers the following topics.

- 1) Navigation Safety
- 2) Ordnance Disposal Areas
- 3) Existing and Proposed Artificial Reefs/Rigs-to-Reefs
- 4) Lightering Zones
- 5) Indicated Hydrocarbons List
- 6) Military Areas
- 7) Bureau of Safety and Environmental Enforcement Inspection and Enforcement of Certain U.S. Coast Guard Regulations
- 8) Significant Outer Continental Shelf Sediment Resource Areas
- 9) Notice of Arrival on the Outer Continental Shelf
- 10) Bidder/Lessee Notice of Obligations Related to Criminal/Civil Charges and Offenses, Suspension, or Debarment; Disqualification Due to a Conviction under

the Clean Air Act or the Clean Water Act

- 11) Protected Species
- 12) Expansion of the Flower Garden Banks National Marine Sanctuary
- 13) Communication Towers
- 14) Deepwater Port Applications (DWP) for Offshore Oil and Liquefied Natural Gas Facilities
- 15) Ocean Dredged Material Disposal Sites
- 16) Rights-of-Use and Easement
- 17) Industrial Waste Disposal Areas
- 18) Gulf Islands National Seashore
- 19) Air Quality Permit/Plan Approvals
- 20) Provisions Pertaining to Certain Transactions by Foreign Persons Involving Real Estate in the United States
- 21) Inflation Reduction Act of 2022

## **VI. Maps**

The maps pertaining to this lease sale can be viewed on BOEM's website at <https://www.boem.gov/Sale-261/>. The following maps also are included in the Final NOS package:

### **Sale Area Map**

The sale area is shown on the map entitled, "Final Notice of Sale, Gulf of Mexico OCS Oil and Gas Lease Sale 261, December 2023, Final Sale Area."

## **Lease Terms and Economic Conditions Map**

The lease terms and economic conditions associated with leases of certain blocks are shown on the map entitled, “Final Notice of Sale, Gulf of Mexico Oil and Gas Lease Sale 261, December 2023, Lease Terms and Economic Conditions.”

## **Stipulations and Deferred Blocks Map**

The lease stipulations and the blocks to which they apply are shown on the map entitled, “Final Notice of Sale, Gulf of Mexico OCS Oil and Gas Lease Sale 261, December 2023, Stipulations and Deferred Blocks.”

## **VII. Bidding Instructions**

BOEM will return, unopened, all bids submitted by bidders under the previously issued Final NOS if the bidder submits a formal withdrawal request as outlined in the Bid Withdrawal procedures. Bidders wishing to participate in Lease Sale 261 must submit new bids or resubmit their returned bids in accordance with the terms and conditions contained in this revised Final NOS.

Bids may be submitted BY MAIL ONLY through any parcel delivery service (e.g., FedEx, UPS, USPS, DHL) at the address below in the “Mailed Bids” section. Bidders should be aware that BOEM has eliminated in-person bidding for GOM Lease Sale 261. Instructions on how to submit a bid, secure payment of the advance bonus bid deposit (if applicable), and the information to be included with the bid are as follows:

### **Bid Form**

For each block bid upon, a separate sealed bid must be submitted in a sealed envelope (as described below) and include the following items:

- Total amount of the bid in whole dollars only;

- Sale number;
- Sale date;
- Each bidder's exact name;
- Each bidder's proportionate interest, stated as a percentage, using a maximum of five decimal places (e.g., 33.33333 percent);
- Typed name and title, and signature of each bidder's authorized officer. Electronic signatures are acceptable. The typed name, title, and signature must agree exactly with the name and title on file in the BOEM Gulf of Mexico OCS Region Adjudication Section;
- Each bidder's BOEM qualification number;
- Map name and number or OPD name and number;
- Block number; and
- Statement acknowledging that the bidder(s) understands that this bid legally binds the bidder(s) to comply with all applicable regulations, including the requirement to post a deposit in the amount of one-fifth of the bonus bid amount for any tract bid upon and make payment of the balance of the bonus bid and first year's rental upon BOEM's acceptance of high bids.

The information required for each bid is specified in the document "Bid Form" that is available in the Final NOS package, which can be found at <https://www.boem.gov/Sale-261/>. A blank bid form is provided in the Final NOS package for convenience and can be copied and completed with the necessary information described above.

### **Bid Envelope**

Each bid must be submitted in a separate sealed envelope labeled as follows:

- “Sealed Bid for GOM Lease Sale 261, not to be opened until 9 a.m. Wednesday, December 20, 2023”;
- Map name and number or OPD name and number;
- Block number for block bid upon;
- Acreage, if the bid is for a block that is split between the Central and Eastern Planning Areas; and
- The exact name and qualification number of the submitting bidder only.

The Final NOS package includes a sample bid envelope for reference.

### **Mailed Bids**

Please address the envelope containing the sealed bid envelope(s) as follows:

Attention: Leasing and Financial Responsibility Section

BOEM New Orleans Office

1201 Elmwood Park Boulevard MS-266A

New Orleans, Louisiana 70123-2394

**Contains Sealed Bids for GOM Lease Sale 261**

**Please Deliver to Mr. Greg Purvis**

**2nd Floor, Immediately**

**Please Note:** Bidders are advised to inform BOEM by email at [BOEMGOMRLeaseSales@boem.gov](mailto:BOEMGOMRLeaseSales@boem.gov) immediately after placing bid(s) in the mail. This provides advance notice to BOEM regarding pending bids prior to the bid submission deadline. In the email, please state the tracking number of the bid package, the number of bids being submitted, and the email address of the person who should receive the bid receipt for signature. If BOEM receives bids later than the bid submission deadline, the

BOEM GOM Regional Director (RD) will return those bids unopened to bidders. Please see Section XI, “Delay of Sale,” regarding BOEM’s discretion to extend the Bid Submission Deadline in the case of an unexpected event (e.g., flooding) and how bidders can obtain more information on such extensions.

### **Advance Bonus Bid Deposit Guarantee**

Bidders that are not currently an OCS oil and gas lease record title holder or designated operator, or those that have ever defaulted on a one-fifth bonus bid deposit, must guarantee (secure) the payment of the one-fifth bonus bid deposit, by Electronic Funds Transfer (EFT) or otherwise, **prior to** bid submission using one of the following four methods:

- Provide a third-party guarantee;
- Amend a development stage area-wide bond via bond rider;
- Provide a letter of credit; or
- Provide a lump sum payment in advance via EFT.

Please provide, at the time of bid submittal, a confirmation or tracking number for the payment, the name of the company submitting the payment as it appears on the payment, and the date the payment was submitted so that BOEM can confirm payment with the Office of Natural Resources Revenue (ONRR). Bidders should submit payments to their financial institution at least 5 business days prior to bid submittal to ensure that the Office of Foreign Assets Control and the U.S. Department of the Treasury (U.S. Treasury) have time to screen and process payments and that payments are posted to ONRR prior to placing the bid. ONRR cannot confirm payment until the monies have been moved into settlement status by the U.S. Treasury. Bids will not be accepted if BOEM cannot



confirm payment with ONRR before 10:00 am on Tuesday, December 19, 2023.

If providing a third-party guarantee, amending a development stage area-wide bond via bond rider, or providing a letter of credit to secure your one-fifth bonus bid deposit, bidders are urged to file these documents with BOEM well in advance of submitting the bid. This allows processing time and ensures bidders have time to take any necessary curative actions prior to bid submission. For more information on EFT procedures, see Section X, “The Lease Sale.”

### **Affirmative Action**

Prior to bidding, each bidder should file the Equal Opportunity Affirmative Action Representation Form BOEM-2032 (February 2020, available on BOEM’s website at <https://www.boem.gov/BOEM-2032/>) and Equal Opportunity Compliance Report Certification Form BOEM-2033 (February 2020, available on BOEM’s website at <https://www.boem.gov/BOEM-2033/>) with the BOEM GOM Adjudication Section. This certification is required by 41 CFR part 60 and Executive Order (E.O.) 11246, issued September 24, 1965, as amended by E.O. 11375, issued October 13, 1967, and by E.O. 13672, issued July 21, 2014. Both forms must be on file for the bidder(s) in the GOM Adjudication Section prior to the execution of any lease contract.

### **Geophysical Data and Information Statement (GDIS)**

The GDIS is composed of three parts:

- 1) A “Statement” page that includes the company representatives’ information and separate lists of blocks bid on that used proprietary data and those blocks bid upon that did not use proprietary data;
- 2) A “Table” listing the required data about each proprietary survey used (see below);

and

- 3) “Maps” that contain the live trace maps for each proprietary survey that is identified in the GDIS statement and table.

Every bidder submitting a bid on a block in GOM Lease Sale 261 or participating as a joint bidder in such a bid must submit at the time of bid submission all three parts of the GDIS. A bidder must submit the GDIS *even if a joint bidder or bidders on a specific block also have submitted a GDIS*. Please specify on the outside of the GDIS envelope if the information provided is for a joint bid, and if so, include the block number and primary bidder (company submitting the bid). Any speculative data that has been reprocessed externally or “in-house” is considered proprietary due to the proprietary processing and is no longer considered to be speculative.

The bidder and joint bidder must submit the GDIS in a separate and sealed envelope and must identify all proprietary data; reprocessed speculative data, and/or any Controlled Source Electromagnetic surveys, Amplitude Versus Offset (AVO) data, gravity data, and/or magnetic data; or other information used as part of the decision to bid or participate in a bid on the block. The bidder and joint bidder must also include a live trace map (e.g., pdf and ArcGIS shapefile) for each proprietary survey identified in the GDIS illustrating the actual areal extent of the proprietary geophysical data in the survey (see the “Example of Preferred Format” that is included in the Final NOS package for additional information). The shape file must not include cultural resources information; only the live trace map of the survey itself.

The GDIS statement must include the name, phone number, and full address for a contact person and an alternate who are both knowledgeable about the geophysical

information and data listed and who are available for 30 days after the sale date. The GDIS statement must also include a list of all blocks bid upon, including those blocks where no proprietary or reprocessed geophysical data and/or proprietary information was used, as a basis for the bidder's decision to bid or to participate as a joint bidder in the bid. **All GDIS statements must be included with any submitted bids in a separate envelope identified as GDIS. All bidders must submit the GDIS statement, even if no proprietary geophysical data or information was used in its bid preparation for the block.**

An example of the preferred format of the table is included in the Final NOS package, and a blank digital version of the preferred table can be accessed on the GOM Lease Sale 261 website at <https://www.boem.gov/Sale-261/>. The GDIS table should have columns that clearly state the following:

- The sale number;
- The bidder company's name;
- The joint bidder's company's name (if applicable);
- The company that will provide the proprietary geophysical survey data to BOEM;
- The block area and block number bid upon;
- The owner of the original data set (e.g., TGS, PGS, WGC, CGG, etc.);
- The industry's original name of the survey (e.g., E Octopus);
- The BOEM permit number for the survey;
- Whether the data set is a fast-track version (intermediate product that is not final);
- Whether the data is speculative or proprietary;
- The data type (e.g., 2-D, 3-D, or 4-D; pre-stack or post-stack; time or depth);

- The migration algorithm (e.g., Kirchhoff migration, wave equation migration, reverse migration, reverse time migration) of the data and areal extent of bidder survey (i.e., number of line miles for 2-D or number of blocks for 3-D);
- The live proprietary survey coverage (2-D miles 3-D blocks);
- The computer storage size, to the nearest gigabyte, of each seismic data and velocity volume used to evaluate the lease block;
- Who reprocessed the data;
- The date on which the final reprocessing was completed (month and year);
- If the data was previously sent to BOEM, list the sale number and date of the sale for which it was used;
- Whether proprietary or speculative AVO/AVA (PROP/SPEC) was used;
- The date on which AVO or AVA was sent to BOEM, if sent prior to the sale;
- Whether AVO/AVA is time or depth (PSTM or PSDM);
- Which angled stacks were used (e.g., NEAR, MID, FAR, ULTRAFAR);
- Whether the company used Gathers to evaluate the block in question; and
- Whether the company used Vector Offset Output (VOO) or Vector Image Partitions (VIP) to evaluate the block in question.

BOEM will use the computer storage size information to estimate the reproduction costs for each data set, if applicable. BOEM will determine the availability of reimbursement of production costs consistent with 30 CFR 551.13.

BOEM reserves the right to inquire about alternate data sets, to perform quality checks, and to compare the listed and alternative data sets to determine which data set

most closely meets the needs of the fair market value determination process. See the “Example of Preferred Format” that is included in the Final NOS package.

The GDIS maps are live trace maps (e.g., pdf and ArcGIS shapefiles) that bidders should submit for each proprietary survey identified in the GDIS table. The maps should illustrate the actual areal extent of the proprietary geophysical data in the survey (see the “Example of Preferred Format” that is included in the Final NOS package for additional information). As previously stated, the shapefile must not include cultural resources information, only the live trace map of the survey itself.

Pursuant to 30 CFR 551.12 and 556.501, as a condition of the sale, the BOEM GOM Regional Director requests that all bidders and joint bidders submit the proprietary data identified on their GDIS within 30 days after the lease sale (unless notified after the lease sale that BOEM has withdrawn the request). This request only pertains to proprietary data that is not commercially available. Commercially available data should not be submitted to BOEM unless specifically requested by BOEM. No reimbursement will be provided for unsolicited data sent to BOEM. The BOEM GOM RD will notify bidders and joint bidders of any withdrawal of the request, for all or some of the proprietary data identified on the GDIS, within 15 calendar days of the lease sale. Where the BOEM GOM RD has notified bidders and joint bidders that the request for such proprietary data has been withdrawn, reimbursement will not be provided. Pursuant to 30 CFR part 551 and 30 CFR 556.501, as a condition of this sale, all bidders that are required to submit data must ensure that the data are received by BOEM no later than the 30th day following the lease sale, or the next business day if the submission deadline falls

on a weekend or Federal holiday. Please do not submit proprietary geophysical survey data in the GDIS envelope.

The proprietary geophysical survey data must be submitted to BOEM at the following address within 30 days of the sale as stated above:

Bureau of Ocean Energy Management  
Resource Studies, GM 881A  
1201 Elmwood Park Blvd.  
New Orleans, Louisiana 70123-2304

The GDIS must be submitted along with your bid envelope to:

Leasing and Financial Responsibility Section  
BOEM New Orleans Office  
1201 Elmwood Park Boulevard MS-266A  
New Orleans, Louisiana 70123-2394

**Contains Sealed Bids for GOM Lease Sale 261**

**Please Deliver to Mr. Greg Purvis**

**2nd Floor, Immediately**

BOEM recommends that bidders mark the GDIS submission's external envelope as "Deliver Immediately to DASPU." BOEM also recommends that bidders submit the GDIS in an internal envelope, or otherwise marked, with the following designation: "Geophysical Data and Information Statement for Oil and Gas Lease Sale 261", Company Name, GOM Company Qualification Number, and "Proprietary Data."

In the event a person supplies any type of data to BOEM, that person must meet the following requirements to qualify for reimbursement:

- 1) Must be registered with the System for Award Management (SAM), formerly known as the Central Contractor Registration (CCR). CCR usernames will not work in SAM. A new SAM user account is needed to register or update an entity's records. The website for registering is <https://usfcr.com/register-renew/>.
- 2) Must be enrolled in the U.S. Treasury's Invoice Processing Platform (IPP) for electronic invoicing; to enroll go to <https://www.ipp.gov/>. Access then will be granted to use the IPP for submitting requests for payment. When submitting a request for payment, the assigned Purchase Order Number must be included.
- 3) Must have a current On-line Representations and Certifications Application at <https://usfcr.com/>.

**Please Note:** Digital copies and duplicate hardcopies should be submitted for the GDIS Statement, Table and Maps. The GDIS Statement should be sent as a digital PDF. The GDIS Information Table must be submitted digitally as an Excel spreadsheet. The Proprietary Maps should be sent as PDF files and the live trace outline of each proprietary survey should also be submitted as a shapefile. Please flatten all layered PDF files, since layered PDFs can have many objects. Layered PDFs can cause problems opening or printing the file correctly. Bidders may submit the digital files on a CD, DVD, or any USB external drive (formatted for Windows). If bidders have any questions, please contact Ms. Dee Smith at (504) 736-2706 or Ms. Teree Campbell at (504) 736-3231.

Bidders should refer to the "Acceptance, Rejection, or Return of Bids" heading under Section X, "The Lease Sale," regarding a bidder's failure to comply with the

requirements of the Final NOS, including any failure to submit information required in the Final NOS package.

### **Telephone Numbers/Addresses of Bidders**

BOEM requests that bidders provide this information in the suggested format prior to or at the time of bid submission. The suggested format is included in the Final NOS package. The form must not be enclosed inside the sealed bid envelope.

### **Additional Documentation**

BOEM may require bidders to submit other documents in accordance with 30 CFR 556.107, 556.401, 556.501, and 556.513.

## **VIII. Bidding Rules and Restrictions**

### **Restricted Joint Bidders**

On October 6, 2023, BOEM published the Fall 2023 List of Restricted Joint Bidders in the *Federal Register* at 88 FR 69658. Potential bidders are advised to refer to the List of Restricted Joint Bidders that is in place at the time of the lease sale. Please refer to the joint bidding provisions at 30 CFR 556.511-556.515.

### **Authorized Signatures**

All signatories executing documents on behalf of the bidder(s) must execute the same in conformance with the BOEM qualification records. Bidders are advised that BOEM considers the signed bid to be a legally binding obligation on the part of the bidder(s) to comply with all applicable regulations, including that requiring payment of one-fifth of the bonus bid on all high bids. A statement to this effect is included on each bid form (see the document “Bid Form” that is included in the Final NOS package).



### **Unlawful Combination or Intimidation**

BOEM warns bidders against violation of 18 U.S.C. 1860, which prohibits unlawful combination or intimidation of bidders.

### **Bid Withdrawal**

Bids may be withdrawn only by written request delivered to BOEM prior to the bid submission deadline via any parcel delivery service. Withdrawals will not be accepted in person or via email. The withdrawal request must be on company letterhead and must contain the bidder's name, its BOEM qualification number, the map name/number, and the block number(s) of the bid(s) to be withdrawn. The withdrawal request must be executed by one or more of the representatives named in the BOEM qualification records. The name and title of the authorized signatory must be typed under the signature block on the withdrawal request. The BOEM GOM RD, or the RD's designee, will indicate approval by signing and dating the withdrawal request.

### **Bid Rounding**

Minimum bonus bid calculations, including rounding, for all blocks are shown in the document "List of Blocks Available for Leasing" that is included in the Final NOS package. The bonus bid amount must be stated in whole dollars. If the acreage of a block contains a decimal figure, then prior to calculating the minimum bonus bid, BOEM will round up to the next whole acre. The appropriate minimum rate per acre will be applied to the whole (rounded up) acreage. The bonus bid amount must be greater than or equal to the minimum bonus bid, as calculated and stated in the Final NOS package.

## **IX. Forms**

The Final NOS package includes instructions, samples, and/or the preferred format for the items listed below. BOEM strongly encourages bidders to use the recommended formats. If bidders use another format, they are responsible for including all the information specified for each item in the Final NOS package.

- 1) Bid Form
- 2) Sample Completed Bid
- 3) Sample Bid Envelope
- 4) Sample Bid Mailing Envelope
- 5) Telephone Numbers/Addresses of Bidders Form
- 6) GDIS Form
- 7) GDIS Envelope Form

## **X. The Lease Sale**

### **Bid Opening and Reading**

Sealed bids received in response to the Final NOS will be opened at the place, date, and hour specified under the “DATES” and “ADDRESSES” sections of the Final NOS. The venue will not be open to the public. Instead, the bid opening will be available for the public to view on BOEM’s website at <https://www.boem.gov> via live streaming. The opening of the bids is for the sole purpose of publicly announcing and recording the bids received; no bids will be accepted or rejected at that time.

### **Bonus Bid Deposit for Apparent High Bids**

Each bidder submitting an apparent high bid must submit a bonus bid deposit to ONRR equal to one-fifth of the bonus bid amount for each such bid. A copy of the

notification of the high bidder's one-fifth bonus bid amount can be obtained on the BOEM website at <https://www.boem.gov/Sale-261/> under the heading "Notification of EFT 1/5 Bonus Liability" after 1:00 p.m. on the day of the sale. All payments must be electronically deposited into an interest-bearing account in the U.S. Treasury by 1:00 p.m. Eastern Time the day following the bid reading (no exceptions). Account information is provided in the "Instructions for Making Electronic Funds Transfer Bonus Payments" found on the BOEM website identified above.

Bidders must submit payment to their financial institution as soon as possible on the day of bid reading and no later than 7:00 p.m. Eastern Time on the day of bid reading. This will help ensure that deposits have time to process through the U.S. Treasury and post to ONRR. ONRR cannot confirm payment until the monies have been moved into settlement status by the U.S. Treasury.

BOEM requires bidders to use EFT procedures for payment of one-fifth bonus bid deposits for GOM Lease Sale 261, following the detailed instructions contained on the ONRR Payment Information webpage at <https://www.onrr.gov/paying>. Acceptance of a deposit does not constitute, and will not be construed as, acceptance of any bid on behalf of the United States.

### **Withdrawal of Blocks**

The United States reserves the right to withdraw any block from this lease sale prior to issuance of a written acceptance of a bid for the block.

## **Acceptance, Rejection, or Return of Bids**

The United States reserves the right to reject any and all bids, regardless of the amount offered. Furthermore, no bid will be accepted, and no lease for any block will be awarded to any bidder, unless:

- 1) The bidder has complied with all applicable regulations and requirements of the Final NOS, including those set forth in the documents contained in the Final NOS package;
- 2) The bid is the highest valid bid; and
- 3) The amount of the bid has been determined to be adequate by the authorized officer.

Any bid submitted that does not conform to the requirements of the Final NOS, OCSLA, or other applicable statutes or regulations will be rejected and returned to the bidder. The U.S. Department of Justice and the Federal Trade Commission will review the results of the lease sale for any antitrust issues prior to the acceptance of bids and issuance of leases.

## **Bid Adequacy Review Procedures for GOM Lease Sale 261**

To ensure that the U.S. Government receives fair market value for the conveyance of leases from this sale, BOEM will evaluate high bids in accordance with the bid adequacy procedures that are effective on the date of the sale. The bid adequacy procedures are available on BOEM's website at <https://www.boem.gov/oil-gas-energy/leasing/bid-adequacy-procedures>.

## **Lease Award**

Leases issued as a result of GOM Lease Sale 261 are expressly limited to oil and gas exploration and development. As noted in Section 19 of the lease form, all rights in

the leased area not expressly granted to the Lessee by the Act, the regulations, or this lease are hereby reserved to the Lessor.

BOEM requires each bidder that is awarded a lease to complete the following:

- 1) Execute all copies of the lease (Form BOEM-2005 [February 2017], as amended);
- 2) Pay by EFT the balance of the bonus bid amount and the first year's rental for each lease issued in accordance with the requirements of 30 CFR 1218.155 and 556.520(a); and
- 3) Satisfy the bonding requirements of 30 CFR part 556, subpart I, as amended.

ONRR requests that bidders use only one transaction for payment of the balance of the bonus bid amount and the first year's rental. Once ONRR receives such payment, the bidder awarded the lease may not request a refund of the balance of the bonus bid amount or first year's rental payment.

#### **XI. Delay of Sale**

The BOEM GOM RD has the discretion to change any date, time, and/or location specified in the Final NOS package if the RD deems that an emergent event could interfere with a fair and orderly lease sale. Such events could include, but are not limited to, natural disasters (e.g., earthquakes, hurricanes, floods), wars, riots, acts of terrorism, fires, strikes, civil disorder, or other events of a similar nature. Furthermore, the RD may change the date, time, and/or location of the lease sale to comply with court orders. In case of such events, bidders should call (504) 736-0557 or access the BOEM website at <https://www.boem.gov/> for information regarding any changes.

**Elizabeth Klein,**  
Director, Bureau of Ocean Energy Management.