

# Forest Service proposes expedited energy permitting

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The Forest Service has issued new rules to streamline permitting for oil, gas and mining development on national forest lands. Pictured here are the Ozark-St. Francis National Forests. Forest Service

The Trump administration is proposing streamlined permitting for oil, gas and mineral projects in federal forests and grasslands.

In two notices of proposed rulemaking slated for publication in tomorrow's *Federal Register*, interim Forest Service chief Victoria Christiansen says the efforts are part of President Trump's push to spur energy development.

"The changes listed here have the potential to decrease the burden on industry, thus promoting domestic energy production primarily by making the leasing decision process simpler, and by aligning the Forest Service process with the [Bureau of Land Management] so that operators have one simplified permitting system," the [oil and gas](#) notice says.

The service said it intends to identify National Forest System tracts that BLM could offer for oil and gas leasing.

Environmental groups and conservation groups protested, calling on the White House to cease its search for federal minerals.

"Now we see the Trump administration targeting our national forests for energy dominance, as if their ongoing efforts to destroy other protections for waters and wildlife for our wildest forests were not enough," said Nada Culver, senior counsel and director of the Wilderness Society's BLM Action Center. "The Forest Service has a stand-alone responsibility to consider whether leasing and drilling should occur, yet now they are considering how to cede that to the Bureau of Land Management, which has already removed environmental review and public oversight while speeding through efforts to lease millions of acres across our nation."

BLM in the past year has moved to streamline environmental reviews of energy production on public lands ([Energywire](#), Aug. 14).

Since last December, the agency has issued a series of directives to agency field offices across the West, altering onshore Obama-era leasing reforms devised by former Interior Secretary Ken Salazar in 2010.

Implementing the policy changes has not always gone smoothly for BLM.

For example, a planned December lease sale in Colorado has garnered strong objections from state leaders for its potential to negatively affect more than 108,000 acres of greater sage grouse habitat.

Colorado Gov. John Hickenlooper (D) and Sen. Michael Bennet (D-Colo.) both sent letters yesterday to Gregory Shoop, BLM's acting Colorado state director, complaining about the streamlined process and the ability of policymakers and residents to review parcels and comment on them in a shortened time frame ([Greenwire](#), Sept. 12).

"Coloradans expect the opportunity to weigh in on the management of their public lands," Bennet wrote in his two-page [letter](#).

"I am concerned that the BLM's new oil and gas leasing process ... is leading to a rushed process for oil and gas leasing in Colorado."

The Forest Service's [mining notice](#) aims to expedite project reviews and make its rules consistent with BLM's.

The General Mining Act of 1872 prohibits federal agencies from blocking mining once a claim is staked if the project meets environmental standards.

The service's review process, known as Part 228, hasn't been significantly updated since its creation in 1974.

"Several inefficiencies and problems associated with them have become apparent to operators, members of the public, and the agency," the notice states.

Frequent delays in the federal review process have made permitting reform the top issue for the mining industry.

"The current permitting process is plagued by uncertainties and delays arising from duplication among federal and state agencies, the absence of firm timelines for completing environmental assessments and failures in coordination of responsibilities between various agencies," National Mining Association spokeswoman Ashley Burke said. "These obstacles are harming American competitiveness, and any progress in addressing them is welcome."

The industry group argues the average mine takes between seven and 10 years to permit, but environmentalists point to a 2016 Government Accountability Office report that found a two-year average ([E&E News PM](#), Feb. 22, 2016).

In the notice today, the Forest Service agreed with the Government Accountability Office's conclusion that delays were often caused by "the low quality of information operators include in those plans."

To address that, the service intends to create a uniform process for submitting a plan of operations, starting with a meeting between a company and local federal officials before an application is filed.

The notice also indicates the agency will try to act on recommendations made in a 1999 National Research Council report to improve the process for crafting mine plan modifications to address new or potential pollution and create an expeditious process for mineral exploration affecting 5 acres or less.

Specifically, the service will consider changes to "support the safe, efficient development of uranium, an important potential and current domestic energy resource, and thorium, a potential domestic energy resource."

Interior included uranium on its list of critical minerals for which Trump has ordered increased domestic production to reduce reliance on foreign suppliers ([Greenwire](#), May 18).

"This is yet another attempt to shift pollution's costs from the polluters to the taxpayers, the environment and future generations," senior policy counsel Aaron Mintzes for the nonprofit Earthworks said. "If the Trump administration truly cares about our forests or the communities that rely on them, it should reform the 1872 Mining Law."

Environmentalists pledged to resist both new rules.

"Both rules will meet fierce fights," said Taylor McKinnon, public lands campaigner for the Center for Biological Diversity.