

LEASE REINSTATEMENTS

Process steps for reviewing and documenting Resource Management Plan Conformance and National Environment Policy Act Adequacy

Using an Existing RMP – No Ongoing Plan Revision or Amendment	
Existing NEPA is Adequate – New Stipulations Not Warranted	
The RMP and associated leasing NEPA analysis (RMP/EIS or lease sale EA) conducted for the original lease remains adequate and new lease stipulations are not warranted.	
Documentation: DNA	The lease is eligible for reinstatement. Approve the reinstatement if the petition for reinstatement meets the other requirements in the regulations (43 CFR 3108.2-2 (Class I) or 3108.2-3 (Class II)).
Existing NEPA is Inadequate Additional or Modified Stipulations May or May Not Be Warranted	
The existing NEPA analysis is inadequate. Complete the necessary NEPA Analysis. Through the analysis, and if appropriate, consider adding additional existing RMP lease stipulations to the lease parcel (see H-1601-1, Chapter VI, Section H.3 and 4) or modifying existing stipulations on the lease (see H-1601-1, Chapter VI, Section H.5 and WO-IM-2008-032 “Exceptions, Waivers, and Modifications of Fluid Minerals Stipulations...”).	
Analysis: EA	Additional or Modified Stipulations are not Warranted: The lease is eligible for reinstatement. Approve the reinstatement if the petition for reinstatement meets the other requirements in the regulations (43 CFR 3108.2-2 (Class I) or 3108.2-3 (Class II)).
	Additional or Modified Stipulations are Warranted: Condition reinstatement on lessee’s agreement to additional or modified stipulations. Justify stipulations provided for in the RMP through plan maintenance. If RMP amendment or revision would be necessary to apply entirely new stipulations (those not provided for in the existing RMP), deny the reinstatement if an RMP amendment is not practical.
Using an Updated RMP – No Ongoing Plan Revision or Amendment	
NEPA Analysis was Conducted Subsequent to Original Lease Issuance – New or Modified Stipulations are Warranted and the Area Remains Open to Leasing	
The NEPA adequacy review or a recent NEPA document (e.g., an updated RMP/EIS) identifies the need for new or modified stipulations on the lease.	
Documentation: DNA	If the lessee concurs with new or modified stipulations, approve the reinstatement if the petition for reinstatement meets all other requirements.
	If the lessee rejects new or modified stipulations, deny the reinstatement and refund the pre-paid rental and publication costs.
NEPA Analysis was Conducted Subsequent to Original Lease Issuance – All or Portion of	

the Lease Area Is Closed to Leasing	
The existing RMP or RMP revision or amendment approved subsequent to issuance of the lease closes all or a portion of the lease area to leasing.	
Documentation: DNA	Deny the reinstatement and refund the pre-paid rental and publication costs.
During Ongoing Land Use Planning	
RMP Revision or Amendment Initiated	
The Draft Plan or Plan Amendment has not yet been released for public comment.	
Analysis: EA	Determine whether to approve or deny reinstatement using existing plan decisions (see H-1601-1, Chapter VII, Section E).
RMP Revision or Amendment Initiated	
Draft released for public comment or at the Proposed Plan or Proposed Plan Amendment Stage.	
Analysis: EA	If the preferred alternative specifies no leasing for the area, deny the reinstatement petition and refund the pre-paid rental and publication costs.
	<p>If the preferred alternative would apply new or modified stipulations to the lease area, condition the reinstatement on the lessee's agreement to the new or modified stipulations.</p> <ul style="list-style-type: none"> • If the lessee concurs with new or modified stipulations, approve the reinstatement, if the petition meets all other requirements. • If the lessee rejects the new or modified stipulations, deny the reinstatement and refund the pre-paid rental and publication costs.