

TITLE 16--CONSERVATION

CHAPTER 51--ALASKA NATIONAL INTEREST LANDS CONSERVATION

SUBCHAPTER III--FEDERAL NORTH SLOPE LANDS STUDIES, OIL AND GAS LEASING
PROGRAM AND MINERAL ASSESSMENTS

Sec. 3148. Oil and gas leasing program for non-North Slope
Federal lands

(a) Establishment; restrictions

The Secretary shall establish, pursuant to the Mineral Leasing Act of 1920, as amended [30 U.S.C. 181 et seq.], an oil and gas leasing program on the Federal lands of Alaska not subject to the study required by section 3141 of this title, other than lands included in the National Petroleum Reserve--Alaska. Such program shall not be undertaken by the Secretary on those lands where applicable law prohibits such leasing or on those units of the National Wildlife Refuge System where the Secretary determines, after having considered the national interest in producing oil and gas from such lands, that the exploration for and development of oil or gas would be incompatible with the purpose for which such unit was established.

(b) Study of oil and gas potential and impact of development and
production; permits; consultations; State studies

(1)(A) In such areas as the Secretary deems favorable for the discovery of oil or gas, he shall conduct a study, or studies, or collect and analyze information obtained by permittees authorized to conduct studies under this section, of the oil and gas potential of such lands and those environmental characteristics and wildlife resources which would be affected by the exploration for and development of such oil and gas.

(B) The Secretary is authorized to issue permits for study, including geological, geophysical, and other assessment activities, if such activities can be conducted in a manner which is consistent with the purposes for which each affected area is managed under applicable law.

(2) The Secretary shall consult with the Secretary of Energy regarding the national interest involved in exploring for and developing oil and gas from such lands and shall seek the views of the Governor of the State of Alaska, Alaskan local governments, Native Regional and Village

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Corporations, the Alaska Land Use Council, representatives of the oil and gas industry, conservation groups, and other interested groups and individuals in determining which land should be studied and/or leased for the exploration and development of oil and gas.

(3) The Secretary shall encourage the State to undertake similar studies on lands associated, either through geological or other land values or because of possible transportation needs, with Federal lands. The Secretary shall integrate these studies, to the maximum extent

practicable, with studies on Federal lands so that needs for cooperation between the Federal Government and the State of Alaska in managing energy and other natural resources, including fish and wildlife, can be established early in the program.

(c) Repealed. Pub. L. 100-203, title V, Sec. 5105(1), Dec. 22, 1987, 101 Stat. 1330-259

(d) Issuance of leases; competitive bidding

Pursuant to the Mineral Leasing Act of 1920, as amended [30 U.S.C. 181 et seq.], the Secretary is authorized to issue leases, on the Federal lands described in this section, under such terms and conditions as he may, by regulation, prescribe.

(e) Repealed. Pub. L. 100-203, title V, Sec. 5105(1), Dec. 22, 1987, 101 Stat. 1330-259

(f) Exploration plan

Prior to any exploration activities on a lease issued pursuant to this section, the Secretary shall require the lessee to describe exploration activities in an exploration plan. He shall approve such plan if such activities can be conducted in conformity with such requirements as may be made by the Secretary for the protection and use of the land for the purpose for which it is managed under applicable law.

(g) Development and production plan

Subsequent to a discovery of oil or gas in paying quantities, and prior to developing and producing such oil and gas, the Secretary shall require the lessee to describe development and production activities in a development and production plan. He shall approve such plan if such activities may be conducted in conformity with such requirements as may be made by the Secretary for the protection and use of the land for the purpose for which it is managed under applicable law.

(h) Revised development and production plan

The Secretary shall monitor the performance of the lessee and, if he determines that due to significant changes in circumstances regarding that operation, including environmental or economic changes, new requirements are needed, he may require a revised development and production plan.

(i) Suspension and cancellation of lease

If the Secretary determines that immediate and irreparable damage will result from continuation in force of a lease, that the threat will not disappear and that the advantages of cancellation outweigh the advantages of continuation in force of a lease, he shall suspend operations for up to five years. If such a threat persists beyond such five-year suspension period, he shall cancel a lease and provide compensation to the lease under such terms as the Secretary establishes, by regulation, to be appropriate.

(Pub. L. 96-487, title X, Sec. 1008, Dec. 2, 1980, 94 Stat. 2454; Pub. L. 100-203, title V, Sec. 5105, Dec. 22, 1987, 101 Stat. 1330-259.)