

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 may be obtained on the BOEM website at <http://www.boem.gov/Sale-252> under the heading "Notification of EFT  $\frac{1}{5}$  Bonus Liability" after 1:00 p.m. on the day of the sale. All payments must be deposited electronically 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.

Submitting payment to your financial institution as soon as possible the day of bid reading, but no later than 7:00 p.m. Eastern Time the day of bid reading, 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 Region-wide Sale 252 following the detailed instructions contained on the ONRR Payment Information web page at <https://www.onrr.gov/ReportPay/payments.htm>. 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. 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 and Final

NOS package, OCSLA, or other applicable statute or regulation will be rejected and returned to the bidder. The United States Department of Justice and the Federal Trade Commission will review the results of the lease sale for antitrust issues prior to the acceptance of bids and issuance of leases.

#### *Bid Adequacy Review Procedures for GOM Region-Wide Sale 252*

To ensure that the U.S. Government receives a fair return for the conveyance of leases from this sale, BOEM will evaluate high bids in accordance with its bid adequacy procedures, which are available at <http://www.boem.gov/Oil-and-Gas-Energy-Program/Leasing/Regional-Leasing/Gulf-of-Mexico-Region/Bid-Adequacy-Procedures.aspx>.

#### *Lease Award*

BOEM requires each bidder awarded a lease to:

(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 218.155 and 556.520(a); and

(3) Satisfy the bonding requirements of 30 CFR part 556, subpart I, as amended.

ONRR requests that only one transaction be used 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 bonus bid amount or first year's rental payment.

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

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

Dated: February 12, 2019.

**Walter D. Cruickshank,**

*Acting Director, Bureau of Ocean Energy Management.*

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## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Ocean Energy Management**

[Docket No. BOEM-2019-0003]

#### **Gulf of Mexico, Outer Continental Shelf (OCS), Oil and Gas Lease Sale 252**

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

**ACTION:** Notice of availability of a Record of Decision.

**SUMMARY:** The Bureau of Ocean Energy Management (BOEM) is announcing the availability of a Record of Decision for proposed Gulf of Mexico (GOM) regionwide oil and gas Lease Sale 252. This Record of Decision identifies BOEM's selected alternative for proposed Lease Sale 252, which is analyzed in the *Gulf of Mexico OCS Lease Sale: Final Supplemental Environmental Impact Statement 2018* (2018 GOM Supplemental EIS).

**ADDRESSES:** The Record of Decision is available on BOEM's website at <http://www.boem.gov/nepaprocess/>.

**FOR FURTHER INFORMATION CONTACT:** For more information on the Record of Decision, you may contact Ms. Helen Rucker, Chief, Environmental Assessment Section, Office of Environment, by telephone at 504-736-2421 or by email at [helen.rucker@boem.gov](mailto:helen.rucker@boem.gov).

**SUPPLEMENTARY INFORMATION:** In the 2018 GOM Supplemental EIS, BOEM evaluated five alternatives for proposed Lease Sale 252. We have summarized these alternatives below:

*Alternative A—Regionwide OCS Lease Sale:* This is BOEM's preferred alternative. This alternative would allow for a proposed GOM regionwide lease sale encompassing all three planning areas: The Western Planning Area (WPA); the Central Planning Area (CPA); and a small portion of the Eastern Planning Area (EPA) not under Congressional moratorium. Under this alternative, BOEM would offer for lease all available unleased blocks within the proposed regionwide lease sale area for oil and gas operations with the following exceptions: Whole and portions of blocks deferred by the Gulf of Mexico Energy Security Act of 2006; blocks that are adjacent to or beyond the United States' Exclusive Economic Zone

in the area known as the northern portion of the Eastern Gap; whole and partial blocks within the current boundary of the Flower Garden Banks National Marine Sanctuary; and blocks where the lease status is currently under appeal. We have listed the unavailable blocks in Section I of the Final Notice of Sale for proposed Lease Sale 252 and at [www.boem.gov/Sale-252](http://www.boem.gov/Sale-252). The proposed regionwide lease sale area encompasses about 91.93 million acres (ac). As of December 2018, approximately 78.4 million ac of the proposed regionwide lease sale area are available for lease. As described in the Final 2018 GOM Supplemental EIS, the estimated amounts of resources projected to be leased, discovered, developed, and produced as a result of the proposed regionwide lease sale are between 0.211 and 1.118 billion barrels of oil (BBO) and 0.547 and 4.424 trillion cubic feet (Tcf) of natural gas.

**Alternative B—Regionwide OCS Lease Sale Excluding Available Unleased Blocks in the WPA Portion of the Proposed Lease Sale Area:** This alternative would offer for lease all available unleased blocks within the CPA and EPA portions of the proposed lease sale area for oil and gas operations, with the following exceptions: Whole and portions of blocks deferred by the Gulf of Mexico Energy Security Act of 2006; and blocks that are adjacent to or beyond the United States' Exclusive Economic Zone in the area known as the northern portion of the Eastern Gap. The proposed CPA/EPA lease sale area encompasses about 63.35 million ac. As of December 2018, approximately 51.8 million ac of the proposed CPA/EPA lease sale area are available for lease. The estimated amounts of resources projected to be leased, discovered, developed, and produced as a result of the proposed lease sale under Alternative B are 0.185–0.970 BBO and 0.441–3.672 Tcf of gas.

**Alternative C—Regionwide OCS Lease Sale Excluding Available Unleased Blocks in the CPA and EPA Portions of the Proposed Lease Sale Area:** This alternative would offer for lease all available unleased blocks within the WPA portion of the proposed lease sale area for oil and gas operations, with the following exception: Whole and partial blocks within the current boundary of the Flower Garden Banks National Marine Sanctuary. The proposed WPA lease sale area encompasses about 28.58 million ac. As of December 2018, approximately 26.5 million ac of the proposed WPA lease sale area are available for lease. The estimated amounts of resources projected to be leased, discovered, developed, and

produced as a result of the proposed lease sale under Alternative C are 0.026–0.148 BBO and 0.106–0.752 Tcf of gas.

**Alternative D—Alternative A, B, or C, with the Option to Exclude Available Unleased Blocks Subject to the Topographic Features, Live Bottom (Pinnacle Trend), and/or Blocks South of Baldwin County, Alabama, Stipulations:** This alternative could be combined with any of the Action alternatives above (*i.e.*, Alternative A, B, or C) and would allow the flexibility to offer leases under any alternative with additional exclusions. Under Alternative D, the decisionmaker could exclude from leasing any available unleased blocks subject to any one and/or a combination of the following stipulations: Topographic Features Stipulation; Live Bottom Stipulation; and Blocks South of Baldwin County, Alabama, Stipulation (not applicable to Alternative C). This alternative considered blocks subject to these stipulations because these areas have been emphasized in scoping, can be geographically defined, and adequate information exists regarding their ecological importance and sensitivity to OCS oil- and gas-related activities.

A total of 207 blocks within the CPA and 160 blocks in the WPA are affected by the Topographic Features Stipulation. There are currently no identified topographic features protected under this stipulation in the EPA. The Live Bottom Stipulation covers the pinnacle trend area of the CPA, affecting a total of 74 blocks. Under Alternative D, the number of blocks that would become unavailable for lease represents only a small percentage of the total number of blocks to be offered under Alternative A, B, or C (<4%, even if blocks subject to all three stipulations were excluded). Therefore, Alternative D could reduce offshore infrastructure and activities in the pinnacle trend area, but Alternative D also shifts the location of offshore infrastructure and activities farther from these sensitive zones and would not lead to a reduction in overall offshore infrastructure and activities.

**Alternative E—No Action:** This alternative is not holding proposed regionwide Lease Sale 252 and is identified as the environmentally preferred alternative.

**Lease Stipulations—**The 2018 GOM Supplemental EIS describes all lease stipulations, which are included in the Final Notice of Sale Package. In the Record of Decision for the 2017–2022 Five-Year Program, the Secretary of the Interior required the protection of biologically sensitive underwater

features in all Gulf of Mexico oil and gas lease sales as programmatic mitigation; therefore, we are adopting the Topographic Features Stipulation and Live Bottom Stipulation and applying them to designated lease blocks in proposed Lease Sale 252.

The additional eight lease stipulations for proposed regionwide Lease Sale 252 are the Military Areas Stipulation; the Evacuation Stipulation; the Coordination Stipulation; the Blocks South of Baldwin County, Alabama, Stipulation; the Protected Species Stipulation; the United Nations Convention on the Law of the Sea Royalty Payment Stipulation; the Below Seabed Operations Stipulation; and the Stipulation on the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico. We will add these eight stipulations as lease terms where applicable and they will be enforceable as part of the lease. Appendix B of the *Gulf of Mexico OCS Oil and Gas Lease Sales: 2017–2022; Gulf of Mexico Lease Sales 249, 250, 251, 252, 253, 254, 256, 257, 259, and 261; Final Multisale Environmental Impact Statement* provides a list and description of standard post-lease conditions of approval that BOEM or the Bureau of Safety and Environmental Enforcement may require as a result of their plan and permit review processes for the Gulf of Mexico OCS Region.

After careful consideration, BOEM has selected the preferred alternative (Alternative A) in the 2018 GOM Supplemental EIS for proposed Lease Sale 252. BOEM's selection of the preferred alternative meets the purpose of and need for the proposed action, as identified in the 2018 GOM Supplemental EIS, and provides for orderly resource development with protection of the human, marine, and coastal environments while also ensuring that the public receives a fair market value for these resources and that free-market competition is maintained.

**Authority:** This Notice of Availability of a Record of Decision is published pursuant to the regulations (40 CFR part 1505) implementing the provisions of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*).

Dated: February 12, 2019.

**Walter D. Cruickshank,**

*Acting Director, Bureau of Ocean Energy Management.*

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