

BOEM requires bidders to use EFT procedures for payment of one-fifth bonus bid deposits for GOM Lease Sale 259, 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, 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 and Final NOS package, 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 259*

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 <http://www.boem.gov/Oil-and-Gas-Energy-Program/Leasing/Regional-Leasing/Gulf-of-Mexico-Region/Bid-Adequacy-Procedures.aspx>.

#### *Lease Award*

Leases issued as a result of GOM Lease Sale 259 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 in the case of an event that the BOEM GOM RD deems could interfere with a fair and orderly lease sale process. 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. 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.

**Elizabeth Klein,**

*Director, Bureau of Ocean Energy Management.*

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#### **DEPARTMENT OF THE INTERIOR**

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

**[Docket No. BOEM-2023-0022]**

#### **Gulf of Mexico, Outer Continental Shelf, Oil and Gas Lease Sale 259**

**AGENCY:** Bureau of Ocean Energy Management (BOEM), Interior.

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

**SUMMARY:** BOEM announces the availability of the Record of Decision (ROD) for Gulf of Mexico (GOM) Outer Continental Shelf (OCS) Oil and Gas Lease Sale 259 (GOM Lease Sale 259). This ROD identifies the selected alternative for GOM Lease Sale 259, which is analyzed in the *Gulf of Mexico*

*OCS Lease Sales 259 and 261: Final Supplemental Environmental Impact Statement* (GOM Lease Sales 259 and 261 Supplemental EIS).

**ADDRESSES:** The ROD and associated information are available on BOEM's website at <https://www.boem.gov/GoM-Sales-259-and-261-SEIS>.

**FOR FURTHER INFORMATION 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:** BOEM is required to hold GOM Lease Sale 259 on or before March 31, 2023, pursuant to the Inflation Reduction Act of 2022 (IRA, Pub. L. 117-169), signed into law on August 16, 2022. While Section 50264(d) of the IRA requires BOEM to hold GOM Lease Sale 259, the IRA does not disturb the bulk of BOEM's normal leasing process, including the resolution of particular questions regarding the scope of the lease sale and the terms of the resulting leases. GOM Lease Sale 259 will provide qualified bidders the opportunity to bid on unleased blocks in the Gulf of Mexico OCS in order to explore for, develop, and produce oil and natural gas. BOEM evaluated five alternatives in the GOM Lease Sales 259 and 261 Supplemental EIS. While BOEM has no discretion in whether to hold GOM Lease Sale 259, BOEM issued the GOM Lease Sales 259 and 261 Supplemental EIS in accordance with its normal leasing process to the fullest extent practicable, and to inform the decisionmaker on impacts from a representative lease sale, mitigations, and other action alternatives.

After careful consideration, the Department of the Interior (DOI) has selected a subset of the blocks analyzed as Alternative D in the GOM Lease Sales 259 and 261 Supplemental EIS. That is, to hold oil and gas Lease Sale 259 as a GOM lease sale, with the exclusion of whole and partial blocks that were otherwise proposed to be subject to the Topographic Features Stipulation, the Live Bottom (Pinnacle Trend) Stipulation, and the Blocks South of Baldwin County, Alabama, Stipulation. Additional blocks have also been excluded to help reduce identified space-use conflicts or competing interests in the Gulf of Mexico while BOEM studies whether these areas are compatible for use by more than one infrastructure type.

Therefore, as selected by DOI, Lease Sale 259 is a GOM regionwide lease sale encompassing all three planning areas, i.e., the Western Planning Area, Central Planning Area, and a small portion of

the Eastern Planning Area, with the following exclusions: (1) whole and portions of 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*; (2) 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; (3) whole and partial blocks within the boundary of the Flower Garden Banks National Marine Sanctuary as of the July 14, 2008, *Memorandum on Modification of the Withdrawal of Areas of the United States Outer Continental Shelf from Leasing Disposition*; (4) whole and partial blocks that would otherwise have been subject to the Topographic Features Stipulation; (5) whole and partial blocks that would otherwise have been subject to the Live Bottom (Pinnacle Trend) Stipulation; (6) whole and partial blocks that otherwise would have been subject to the Blocks South of Baldwin County, Alabama, Stipulation; (7) draft and final identified Wind Energy Areas; (8) designated Significant Sediment Resource Area blocks; and (9) Depth-restricted, segregated block portions (Block 299, Main Pass Area, South and East Addition). The excluded blocks are identified by their block number in the Final Notice of Sale for Lease Sale 259. The lease sale area encompasses approximately 13,600 OCS blocks covering approximately 73.3 million acres. The unleased OCS blocks that BOEM will offer for lease are listed in the document entitled "Lease Sale Area," which is included in the Final Notice of Sale package for GOM Lease Sale 259.

As part of the decision to hold GOM Lease Sale 259, all practicable means to avoid or minimize environmental harm at the lease sale stage are being adopted. In addition, post-lease activities (e.g., exploration and development plans), which may be expected as a result of GOM Lease Sale 259, will undergo additional environmental review and may include additional project-specific mitigation measures applied as conditions of individual plan approvals. The various mitigation measures adopted for the lease sale, and those that may be applied during post-lease reviews, are summarized below.

**Lease Stipulations**—Because the OCS blocks that otherwise were proposed to be subject to the Topographic Features Stipulation; Live Bottom (Pinnacle Trend) Stipulation; and Blocks South of Baldwin County, Alabama, Stipulation have all been removed from leasing under the chosen alternative, these

stipulations will not be applied to leases. Eight lease stipulations have been adopted as lease terms where applicable, and they will be enforceable as part of the leases issued. The GOM Lease Sale 259 and 261 Supplemental EIS describes these lease stipulations, which are included in the Final Notice of Sale Package. These lease stipulations include the following: Military Areas; Evacuation; Coordination; Protected Species; United Nations Convention on the Law of the Sea Royalty Payment; Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico; Restrictions Due to Rights-of-Use and Easements for Floating Production Facilities; and Royalties on All Produced Gas.

**Post-Lease Measures**—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.

The decision to hold GOM Lease Sale 259 meets the purpose of and need for the proposed action, as identified in the GOM Lease Sales 259 and 261 Supplemental EIS and provides for orderly resource development with protection of 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:** 42 U.S.C. 4321 *et seq.* (National Environmental Policy Act) and 40 CFR parts 1505 and 1506.

**Elizabeth Klein,**

Director, Bureau of Ocean Energy Management.

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## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

[RR83550000, 234R5065C6, RX.59389832.1009676]

### Quarterly Status Report of Water Service, Repayment, and Other Water-Related Contract Actions

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of contract actions.

**SUMMARY:** Notice is hereby given of contractual actions that have been proposed to the Bureau of Reclamation (Reclamation) and are new, discontinued, or completed since the last publication of this notice. This notice is one of a variety of means used to inform the public about proposed contractual actions for capital recovery and management of project resources and facilities consistent with section 9(f) of the Reclamation Project Act of 1939. Additional announcements of individual contract actions may be published in the **Federal Register** and in newspapers of general circulation in the areas determined by Reclamation to be affected by the proposed action.

**ADDRESSES:** The identity of the approving officer and other information pertaining to a specific contract proposal may be obtained by calling or writing the appropriate regional office at the address and telephone number given for each region in the **SUPPLEMENTARY INFORMATION** section of this notice.

#### FOR FURTHER INFORMATION CONTACT:

Michelle Kelly, Reclamation Law Administration Division, Bureau of Reclamation, P.O. Box 25007, Denver, Colorado 80225–0007; [mkelly@usbr.gov](mailto:mkelly@usbr.gov); telephone 303–445–2888.

**SUPPLEMENTARY INFORMATION:** Consistent with section 9(f) of the Reclamation Project Act of 1939, and the rules and regulations published in 52 FR 11954, April 13, 1987 (43 CFR 426.22), Reclamation will publish notice of proposed or amendatory contract actions for any contract for the delivery of project water for authorized uses in newspapers of general circulation in the affected area at least 60 days prior to contract execution. Announcements may be in the form of news releases, legal notices, official letters, memorandums, or other forms of written material. Meetings, workshops, and/or hearings may also be used, as appropriate, to provide local publicity. The public participation procedures do not apply to proposed contracts for the sale of surplus or interim irrigation water for a term of 1 year or less. Either of the contracting parties may invite the public to observe contract proceedings. All public participation procedures will be coordinated with those involved in complying with the National Environmental Policy Act. Pursuant to the "Final Revised Public Participation Procedures" for water resource-related contract negotiations, published in 47 FR 7763, February 22, 1982, a tabulation is provided of all proposed contractual actions in each of the five Reclamation