



THE SECRETARY OF THE INTERIOR
WASHINGTON

ORDER NO. 3348

Subject: Concerning the Federal Coal Moratorium

Sec. 1 Purpose. The Federal coal leasing program is of critical importance to the economy of the United States, supplying approximately 40 percent of the coal produced in the Nation. On January 15, 2016, Secretary's Order 3338, "Discretionary Programmatic Environmental Impact Statement to Modernize the Federal Coal Program," was signed and placed a moratorium on the coal leasing program with limited exceptions. Given the critical importance of the Federal coal leasing program to energy security, job creation, and proper conservation stewardship, this Order directs efforts to enhance and improve the Federal coal leasing program.

Sec. 2 Authorities. This Order is issued under the authority of Section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), as amended. Other statutory authorities for this Order include but are not limited to the following statutes:

- a. Mineral Leasing Act, 30 U.S.C. §1181 *et seq.*
- b. Mineral Leasing Act for Acquired Lands, 30 U.S.C. § 351 *et seq.*
- c. Federal Land Policy and Management Act, 43 U.S.C. 1701-1785.
- d. Surface Mining Control and Reclamation Act, 30 U.S.C. §§ 1201-1328.

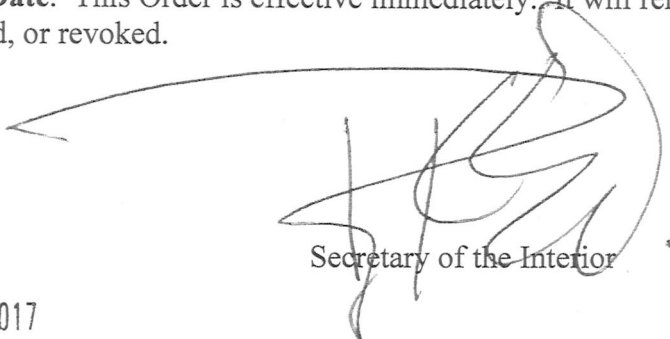
Sec. 3 Background. Secretary's Order 3338 directs the Bureau of Land Management (BLM) to analyze and "consider potential leasing and management reforms to the current Federal coal program." Secretary's Order 3338 ordered the preparation of a discretionary Programmatic Environmental Impact Statement (PEIS) to analyze potential reforms and ordered a "pause on leasing, with limited exceptions" pending completion of the discretionary Federal Coal Program PEIS. The PEIS is estimated to cost many millions of dollars and would be completed no sooner than 2019, even with robust funding.

Sec. 4 Revocation of Secretary's Order 3338. Based upon the Department's review of Secretary's Order 3338, the scoping report for the discretionary Federal Coal Program PEIS issued in January 2017, and other information provided by BLM, I find that the public interest is not served by halting the Federal coal program for an extended time, nor is a PEIS required to consider potential improvements to the program. Accordingly, consistent with the principles of responsible public stewardship entrusted to this office, I revoke Secretary's Order 3338, "Discretionary Programmatic Environmental Impact Statement to Modernize the Federal Coal Program."

Sec. 5 **Implementation.** With the revocation of Secretary's Order 3338, BLM is directed to process coal lease applications and modifications expeditiously in accordance with regulations and guidance existing before the issuance of Secretary's Order 3338. All activities associated with the preparation of the Federal Coal Program PEIS shall cease. The Deputy Secretary, Assistant Secretaries, and heads of bureaus and offices are hereby directed to make changes in their policy and guidance documents that are consistent with the revocation of Secretary's Order 3338.

Sec. 6 **Effect of the Order.** This Order is intended to improve the internal management of the Department. This Order and any resulting reports or recommendations are not intended to, and do not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person. To the extent there is any inconsistency between the provisions of this Order and any Federal laws or regulations, the laws or regulations will control.

Sec. 7 **Expiration Date.** This Order is effective immediately. It will remain in effect until it is amended, superseded, or revoked.



Secretary of the Interior

Date: MAR 29 2017