

**PUBLIC LANDS AND WATERS CLIMATE LEADERSHIP ACT**  
**SECTION-BY-SECTION**

Section 2. Public Lands and Waters Energy and Climate Policy. Establishes the policy that the United States needs to reduce greenhouse gas (GHG) emissions and co-pollutants aggressively, that better management of our public lands and oceans is an essential component of that, that climate impacts and human well-being need to be drivers for energy development decisions on public lands, and that environmental justice and tribal communities should be meaningfully engaged in public lands management decisions. Section 2 also states that achieving the Biden administration’s 2030, 2035, and 2050 GHG reduction targets are critical to preventing climate change’s worst impacts and that the Secretary of the Interior has expansive legal authority to reduce GHG emissions from America’s public lands and waters.

Section 3. Alignment of Federal Fossil Fuel Development with Climate Change Targets. Requires the Department of Interior (DOI) Secretary to manage public lands and waters to minimize and mitigate GHG emissions and adapt to climate change. Section 3 also prohibits the Secretary from holding new fossil fuel lease sales or approving new fossil fuel permits until DOI and the U.S. Forest Service (USFS) develop and release a public report and action plan that ensures lifecycle GHG emissions from any new fossil fuel leasing and permitting on public lands and waters is consistent with the Biden administration’s national climate change targets, which are:

- Reducing net U.S. GHG emissions by 50-52 percent from 2005 levels by 2030;
- Achieving 100 percent carbon-free U.S. electricity by 2035; and
- Achieving net-zero emissions from the entire U.S. economy by 2050.

Section 4. Emissions Reduction Strategy for Public Lands and Waters. Section 4 requires the Secretary and Chief to develop, publish, implement, and update an Emissions Reduction Strategy for Public Lands and Waters (Strategy) once every three years that covers the lifecycle GHG emissions resulting from fossil fuels produced on public lands and waters. The Secretary may hold new fossil fuel lease sales and issue new fossil fuel permits over the three years between strategies, but only if the Interior Secretary:

- Finds there is substantial progress toward compliance with the most recent Strategy;
- Finds lifecycle GHG emissions from new leasing and permitting are consistent with achieving the climate targets established in section 3; and
- Publishes a determination that the most recent Strategy will be complied with.

Under subsections (c), (d), and (e), DOI and USFS must open the Strategy for public comment for 60 days and consult with other agencies and solicit input from states, Native American tribes, indigenous groups, scientists, labor unions, nonprofit organizations, and technical experts when developing each Strategy. Subsection (f) requires DOI and the USFS to conduct outreach to environmental justice communities in developing, implementing, and updating each Strategy, including holding at least five public meetings in geographically diverse regions of the country experiencing an array of climate change threats.

Subsection (g) requires that DOI and USFS consider certain criteria when developing each Strategy, including, but not limited to:

- The potential for public lands and waters to generate and support carbon-free energy;
- The immediate and long-term benefits to States and communities that will result from the Strategy and avoiding the worst effects of climate change; and
- Costs borne by DOI, USFS, and the National Oceanic and Atmospheric Administration in mitigating climate change-amplified natural resources impacts on federal public lands and waters.

Subsection (h) requires the Secretary to publish the contents of each final Strategy on an online public dashboard, including the scientific evidence documents, reports, and materials used in the development of the Strategy and all the public comments received during the 60-day comment period.

Section 5. Climate Test Screening Tool and Conditions. Subsections (a) and (b) of section 5 require the Secretary to establish a climate screening policy and tool to evaluate whether individual fossil fuel leasing or permitting actions are consistent with the most recent Emissions Reduction Strategy required under sections 3 and 4 of the Act. Under this section, when screening a potential agency action, the tool must consider, at a minimum, 1) whether the mass lifecycle GHG emissions is consistent with pathways for meeting the climate targets in section 3 and 2) whether the resulting fossil fuel production would remain economically viable in a market that presumes the section 3 climate targets are met.

Subsection (c) requires the Secretary to reject any fossil fuel leasing or permitting proposal that does not satisfy the climate test screening tool.

Section 6. Online Publication of Greenhouse Gas Emissions. Requires the online publication of information regarding GHG emissions and avoided GHG emissions from public lands and waters.

Section 7. Accounting for Carbon Pollution in Fossil Fuel Fiscal Terms. This section requires the Secretary to reform the fiscal terms that apply to fossil fuels produced on public lands and waters to account for their damages to the climate and ensure the fiscal terms are consistent with the most recent Emissions Reduction Strategy. Section 7 directs the Secretary to use the newly-generated revenues to financially support States that utilize their portion of federal mineral leasing receipts to diversify their economies and reduce their reliance on coal, oil, and gas.

Section 8. Definitions. Section 8 defines several essential terms and phrases, including environmental justice community, which means a community with significant representation of communities of color, low-income communities, or Tribal and Indigenous communities, that experiences, or is at risk of experiencing, higher or more adverse human health or environmental effects.