



July 6, 2026

Bureau of Land Management
Alaska State Office
Attention: NPR-A Production Site EIS
222 West 7th Avenue, #13
Anchorage, AK 99513-7599

Submitted via BLM ePlanning Portal

NEPA No. DOI-BLM-AK-0000-2026-0012-EIS

<https://eplanning.blm.gov/Participate-Now/?id=d8c3f3ae-ca53-f111-bec6-001dd8084607&ppid=0270fccb-9850-f111-bec6-001dd8029ed0>

**Re: Scoping Comments on Production Site Development in the National Petroleum Reserve in Alaska
EIS NEPA No. DOI-BLM-AK-0000-2026-0012-EIS**

Dear Bureau of Land Management,

The Northern Alaska Environmental Center submits the following scoping comments on the Bureau of Land Management's Environmental Impact Statement in support of rulemaking for Production Site Development in the National Petroleum Reserve in Alaska. BLM's scoping materials state that the agency is evaluating the Alaska Oil and Gas Association's May 12, 2026, Petition for Rulemaking to create a Development Permit Program in the NPR-A and has initiated a rulemaking process supported by an Environmental Impact Statement. BLM further states that the EIS will evaluate the environmental impacts of the rulemaking and reasonably foreseeable actions that could be authorized pursuant to the rule.

NAEC strongly urges BLM to reject any rulemaking alternative that would convert future NPR-A production-site approvals into a streamlined, ministerial, or permit-by-rule process. The EIS must fully evaluate the environmental, subsistence, cumulative, climate, hydrologic, permafrost, and public-participation consequences of replacing project-specific review with a standardized approval pathway for oil and gas production sites, rights-of-way, gravel roads, pipelines, ice roads, pads, camps, waterbody crossings, and associated infrastructure.¹

AOGA's petition asks BLM to amend 43 C.F.R. Part 3160 to create a new program governing authorization and construction of production sites and associated rights-of-way in the NPR-A. AOGA

¹ Bureau of Land Management, Production Site Development in the National Petroleum Reserve in Alaska, NEPA No. DOI-BLM-AK-0000-2026-0012-EIS, Project Home, <https://eplanning.blm.gov/Project-Home/?id=0270fccb-9850-f111-bec6-001dd8029ed0>



describes the purpose of the requested modifications as creating “a new program governing the authorization and construction of production sites and the authorization of associated rights-of-way” in the NPR-A. The petition further states that the intent of the requested rule is to create a “uniform and efficient permit approval process” for production sites, pipelines, and access roads.

AOGA identifies the components of common NPR-A production sites such as gravel pads, gravel access roads, pipelines, supporting facilities, ancillary infrastructure, power and fiber optic lines, and water access for ice-road construction. The petition also notes that pipelines are typically constructed within 1,000 feet of roads to allow visual inspection from the road. They are large, linear and pad-based industrial infrastructure projects with foreseeable effects on wetlands, permafrost, hydrology, fish passage, caribou movement, subsistence access, noise, air quality, visual resources, and cumulative landscape fragmentation.

BLM’s own scoping materials confirm that the EIS must analyze reasonably foreseeable effects on subsistence resources and uses, wildlife and habitat, including caribou, polar bear, migratory birds, and fish, surface water, wetlands, and permafrost, air quality, noise, cultural and historic resources, visual resources, and socioeconomic conditions. NAEC requests that BLM treat these categories as minimum required issue areas and not as exhaustive.

I. BLM must analyze the legal and practical consequences of eliminating project-specific environmental review.

AOGA’s requested rule would significantly alter how BLM reviews future oil and gas production-site approvals. Under AOGA’s proposed § 3166.5, BLM would review an application within 14 days to determine whether the project meets the definition of “Production Site” and whether the application is complete. If those criteria are met, BLM “shall issue an Approval within 60 days” of receiving the application.

This provision must be analyzed as a major change from the existing project-by-project review framework. BLM’s scoping slides acknowledge that historically BLM has analyzed proposed work on a project-by-project basis through Environmental Impact Statements and Environmental Assessments. AOGA’s petition, by contrast, seeks a standardized approval program based on prior NEPA analyses and mitigation measures.

The EIS must disclose what review steps would no longer occur for future production-site approvals, including whether the rule would eliminate or substantially narrow site-specific Environmental Assessments, Environmental Impact Statements, Environmental Records of Review, alternatives



analysis, public comment, Tribal consultation, mitigation development, route modification, and agency discretion. The EIS should include a table comparing current approval procedures with each proposed rulemaking alternative.

II. BLM must reject a 60-day approval deadline for complex Arctic infrastructure.

A mandatory 60-day approval deadline is incompatible with the complexity of Arctic oil infrastructure review. AOGA's proposed rule would require BLM to issue approval within 60 days of receipt of a complete application if the project meets the definition of a Production Site. The petition also describes BLM's duty under § 3166.5 as "narrow and without discretion."

The EIS must evaluate whether 60 days is sufficient for BLM to review site-specific impacts to wetlands, permafrost, hydrology, fish-bearing waters, caribou movement, subsistence access, cultural resources, air quality, spill risk, gravel sources, ice-road water withdrawals, and cumulative impacts. The EIS must also evaluate whether affected Tribes, Alaska Native Corporations, the North Slope Borough, local governments, subsistence users, cooperating agencies, and the public could meaningfully review and respond to site-specific information within that timeframe.

The EIS should analyze an alternative that prohibits any mandatory approval deadline for production sites and instead requires review timelines to be determined by the complexity, location, seasonal constraints, and potential impacts of each proposed project.

III. BLM must analyze the full scope of infrastructure that could qualify as a "Production Site."

AOGA's proposed definition of "Production Site" is broad. In Appendix A, the requested rule defines a Production Site as infrastructure for maintaining or increasing NPR-A oil production, including gravel, wells, pipelines, gravel access roads, waterbody crossings in the form of bridges or culverts, construction and drilling equipment, modules, camps, wellhead shelters, storage areas, communication and power cables, temporary ice roads, ice pads, and camps.

The EIS must not analyze the rule as if it applies only to small drill pads. The reasonably foreseeable footprint includes roads, pads, pipelines, bridges, culverts, ice roads, water withdrawals, camps, staging areas, gravel sources, aircraft use, vehicle traffic, and utility infrastructure. BLM should quantify the maximum reasonably foreseeable development that could be approved under the rule over 5-year, 10-year, 20-year, and 30-year timeframes.

The EIS should include spatial analysis of where qualifying production sites and rights-of-way could be located, including overlap with wetlands, lakes, rivers, fish-bearing streams, Special Areas, subsistence



use areas, caribou movement corridors, polar bear denning habitat, migratory bird habitat, and culturally significant areas.

IV. Prior NEPA analyses do not substitute for site-specific review.

AOGA's central premise is that prior NPR-A and North Slope NEPA analyses have already evaluated similar infrastructure and mitigation measures. The petition states that BLM has approved multiple production sites in the NPR-A and adjacent lands and that the effects of those developments have been analyzed in multiple EISs over nearly three decades. BLM's scoping slides similarly list Alpine, Greater Mooses Tooth 1, Greater Mooses Tooth 2, the Areawide Integrated Activity Plan, and Willow as previous NPR-A environmental review processes.

Those prior analyses may inform the EIS, but they cannot replace project-specific review. Future production sites will have different impacts depending on location, route alignment, drainage patterns, permafrost condition, waterbody crossings, fish habitat, proximity to subsistence use areas, aircraft and vehicle traffic, gravel source location, construction timing, and cumulative relationship to existing and future infrastructure.

The EIS must analyze the risk of tiering too broadly from prior hypothetical or programmatic development scenarios. AOGA's petition notes that the 2020 IAP/EIS evaluated low, medium, and high development scenarios over a 20-year period, including up to 250 miles of roads, 240 miles of elevated pipeline, 20 satellite pads, three processing facilities, two seawater treatment plants, and two barge landings under the high-development scenario. The existence of those scenarios does not establish that any future site-specific project within that general range has been adequately reviewed.

V. The EIS must evaluate impacts to subsistence resources and subsistence access under both direct and cumulative impact frameworks.

The NPR-A rulemaking must include a rigorous subsistence analysis. BLM's scoping materials identify subsistence resources and uses as a reasonably foreseeable effect category. AOGA's petition also acknowledges that prior NPR-A analysis evaluated impacts to subsistence users from impacts on subsistence species, direct disturbance of hunts, displacement of resources from traditional harvest areas, and hunter avoidance of industrialized areas.

The EIS must evaluate impacts to subsistence access, harvest success, safety, travel routes, fuel costs, time costs, displacement from traditional areas, and cumulative effects on food security. This analysis should include, at minimum:

1. Caribou distribution, movement, avoidance, and harvest accessibility;



2. Fish habitat, fish passage, stream crossings, and access to fishing areas;
3. Bird and egg harvesting areas;
4. Marine mammal and coastal travel impacts where applicable;
5. Effects of roads, pipelines, aircraft, vehicle traffic, gravel mining, lighting, noise, and dust on subsistence resources and practices;
6. Effects of industrial infrastructure on hunter behavior and access;
7. Cumulative effects from multiple production sites and roads over time.

BLM should not assume that “subsistence tundra access turnouts and ramps” are sufficient mitigation. The location, design, and legal accessibility of any ramps, pullouts, or road-use provisions must be developed through community-specific consultation and analyzed before approval.

VI. The EIS must analyze hydrology, wetlands, fish passage, and permafrost impacts at a site-specific scale.

AOGA’s proposed mitigation measures implicitly confirm the range of impacts requiring analysis. The requested rule includes conditions addressing ice roads, waterway crossings, fish-bearing waterbodies, streambanks, produced water, drainage, fish-passage culverts, cross-drainage culverts, bridges, trenching, heated buildings, gravel thickness, dust control, and permafrost protection. These measures demonstrate that future production sites may affect hydrology, fish passage, wetlands, tundra, and permafrost even if they are characterized as “common” or “repeatable” infrastructure.

The EIS must evaluate whether standardized mitigation is sufficient under changing Arctic conditions, including warming permafrost, altered hydrology, increased thermokarst risk, changing snow conditions, changing ice-road seasons, increased erosion, and altered timing of spring breakup. BLM should require site-specific hydrologic modeling for each proposed road, pad, bridge, culvert, ice road, and water withdrawal.

The EIS should also evaluate whether a streamlined permitting rule would reduce BLM’s ability to require route changes, facility relocation, additional culverts, bridge redesign, road realignment, or denial where hydrologic or permafrost risk is unacceptable.

VII. BLM must retain discretion to modify, deny, suspend, or rescind approvals.

AOGA’s requested rule would substantially restrict BLM discretion. Appendix A provides that BLM shall not, pursuant to 43 C.F.R. § 2885.11(b), modify the proposed use or change the route or location of facilities stated in an application for approval. It also provides that BLM shall not rescind an approval unless the approval was fraudulently obtained.



The EIS must analyze the environmental consequences of removing or limiting BLM's discretion to require route changes, facility relocation, additional mitigation, supplemental review, suspension, or rescission. This is especially important in the Arctic, where new information about permafrost instability, hydrologic connectivity, fish habitat, subsistence use, cultural resources, or wildlife movement may arise after an application is submitted or even after an approval is issued. BLM should consider an alternative that expressly preserves full agency discretion to deny, condition, modify, suspend, or rescind approvals based on site-specific impacts, new information, changed environmental conditions, failure of mitigation, Tribal concerns, subsistence impacts, or cumulative effects.

VIII. Mitigation exemptions and deviations require separate analysis and public review.

AOGA's proposed rule states that conditions and restrictions would apply unless an exemption or deviation is granted. The requested rule would allow the authorized officer to grant exemptions or deviations where a substitute measure is more effective, technology has changed, or the condition is otherwise not applicable.

The EIS must analyze how exemptions and deviations would be reviewed, documented, monitored, and enforced. BLM should not adopt a rule that allows mitigation measures to be weakened or waived without public notice, Tribal consultation, affected community review, and written findings supported by site-specific evidence.

The EIS should include an alternative requiring that any exemption, deviation, or modification to mitigation measures be subject to public notice, consultation with affected Tribes and communities, cumulative impact review, and a written determination that the change will be at least as protective as the original measure.

IX. The EIS must include climate and downstream emissions analysis.

AOGA's petition acknowledges that prior NPR-A analysis evaluated greenhouse gas emissions from exploration, development, and downstream consumption of oil. Because the purpose and effect of the requested rule is to accelerate or streamline oil production approvals, BLM must analyze direct, indirect, and cumulative greenhouse gas emissions from construction, drilling, production, transportation, and downstream combustion.

BLM must also analyze the interaction between climate change and infrastructure impacts. This includes reduced ice-road reliability, increased tundra disturbance risk, permafrost thaw, thermokarst, altered hydrology, increased erosion, changing fish habitat, changing caribou movement, altered wildfire and vegetation patterns, and increased risk of infrastructure failure.



X. The EIS must analyze Special Areas and sensitive habitat separately.

AOGA's petition notes that Willow overlaps with designated Special Areas, including the Teshekpuk Lake Special Area and the former Colville River Special Area. The EIS must analyze whether a streamlined permitting framework would apply within Special Areas or affect Special Area resources indirectly through roads, pipelines, hydrologic changes, aircraft activity, or cumulative industrialization. BLM should analyze an alternative that excludes Special Areas, Teshekpuk Lake-area resources, key wetlands, river corridors, fish-bearing waters, high-value migratory bird habitat, caribou movement areas, and priority subsistence use areas from any streamlined approval process.

XI. Requested alternatives for analysis.

NAEC requests that BLM analyze, at minimum, the following alternatives:

- **Alternative A, No Action:** Do not adopt AOGA's requested rule. Continue project-specific review for production sites, roads, pipelines, pads, camps, ice roads, water crossings, rights-of-way, and associated infrastructure.
- **Alternative B, Project-Specific Review Required:** Retain full site-specific NEPA review for all future production sites and associated rights-of-way, including alternatives analysis, public comment, Tribal consultation, cumulative impacts analysis, and enforceable mitigation.
- **Alternative C, No Streamlining in Sensitive Areas:** Prohibit streamlined approvals in Special Areas, wetlands, river corridors, fish-bearing waters, key subsistence use areas, caribou movement corridors, polar bear denning habitat, and high-value migratory bird habitat.
- **Alternative D, Enhanced Subsistence Protection:** Require project-specific subsistence impact analysis, community-developed access protections, enforceable avoidance measures, and denial authority where impacts to subsistence access or harvest cannot be avoided or fully mitigated.
- **Alternative E, Full Climate and Cumulative Impacts Review:** Require approval-level analysis of direct, indirect, downstream, and cumulative greenhouse gas emissions, as well as climate-related impacts to permafrost, hydrology, ice-road feasibility, and infrastructure stability.
- **Alternative F, No Mitigation Waivers Without Public Review:** Require public notice, Tribal consultation, affected community review, and written findings before BLM grants any exemption or deviation from mitigation measures.



XII. Conclusion.

BLM should not adopt a rule that converts complex Arctic oil infrastructure approvals into a short-deadline administrative process. The infrastructure covered by AOGA's petition includes gravel pads, roads, pipelines, waterbody crossings, ice roads, camps, communications and power infrastructure, and associated rights-of-way. These activities have foreseeable and potentially significant impacts to subsistence, wetlands, permafrost, hydrology, fish, caribou, migratory birds, polar bears, cultural resources, climate, and communities.

NAEC requests that BLM prepare a full EIS that rigorously evaluates the environmental consequences of the requested rule, preserves project-specific review, protects Tribal consultation and public participation, analyzes cumulative and climate impacts, and maintains BLM's discretion to deny, modify, suspend, or rescind approvals where necessary to protect surface resources, subsistence uses, and the public interest.

Thank you for considering these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Lapp", with a stylized, sweeping flourish at the end.

Krystal Lapp
Interim Executive Director