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Bureau of Land Management
Department of the Interior

Attention: RIN 1004-AF57
Docket No: BLM-2026-0133-0001

**Comments of Taxpayers for Common Sense on the Proposed Rule "National Petroleum Reserve in Alaska Production Site Development"**

Dear Administrator:

Taxpayers for Common Sense (TCS) appreciates the opportunity to submit comments on the Bureau of Land Management's (BLM) Proposed Rule, *National Petroleum Reserve in Alaska Production Site Development* and the associated Draft Chapters 1 and 2 of the Environmental Impact Statement (Draft EIS, DOI-BLM-AK-0000-2026-0012-EIS).

Since 1995, TCS has served as a nonpartisan budget watchdog dedicated to ensuring that federal resources are managed responsibly and that taxpayers receive a fair return on public assets we own and do not shoulder the costs and liabilities of industry operations.

TCS supports efforts to improve efficiency that would better support the responsible management of publicly owned assets. However, the Proposed Rule would expose federal taxpayers and local communities to long-term risks and liabilities of oil and gas infrastructure and operations without allowing the public to provide input on such projects. By replacing site-specific reviews with a standardized, 60-day administrative rubber stamp across up to 17.9 million acres of sensitive Arctic landscapes, this Proposed Rule would expose federal taxpayers and local communities to the long-term financial and environmental risks and liabilities, limit public participation, and negatively affect local subsistence, hunting and angling economies.

For these reasons, TCS opposes the Proposed Rule as currently drafted (analyzed as Alternative B in the Draft EIS) as well as Action Alternatives C and D. TCS urges BLM to withdraw the Proposed Rule and select Alternative A in the Final EIS to protect taxpayers from long-term costs and liabilities.

**Background**

The United States is home to vast mineral resources in the lower 48 and the state of Alaska owned by the American public. BLM manages the development of these taxpayer-owned oil and gas resources by leasing federal mineral rights to private companies for development and production.

NPR-A represents the single largest contiguous block of public land managed by the federal government in the United States, encompassing approximately 23 million acres of vast, roadless

tundra across the remote North Slope of Alaska. NPR-A encompasses unique and sensitive landscapes and critical habitats, providing important resources like subsistence, wildlife, fish that sustain Alaska Native subsistence communities, hunters and anglers, and more. BLM administers a competitive oil and gas leasing program in the NPR-A under the Naval Petroleum Reserves Production Act of 1976 (NPRPA),[1] and applicable provisions of the Federal Land Policy and Management Act of 1976 (FLPMA).[2] Due to the extreme variability and sensitive nature of NPR-A landscapes, BLM has for nearly 30 years evaluated oil and gas management at two distinct tiers:

- **Programmatic Land Use Planning:** Areawide Integrated Activity Plans (IAPs) and accompanying EISs (including the 1998, 2008, 2012, 2020, and 2025 IAPs) that establish broad land-use allocations, lease stipulations, and Required Operating Procedures (ROPs).
- **Project-Specific Environmental Reviews:** Detailed, site-specific EISs and Supplemental EISs (SEISs) for individual development proposals—including the Alpine Satellite Development Plan Final EIS (2004), Greater Mooses Tooth One (GMT-1) SEIS (2014), Greater Mooses Tooth Two (GMT-2) SEIS (2018), and the Willow Master Development Plan (MDP) Final SEIS (2023)—before *any on-the-ground construction* can begin.

Recent legislative and administrative actions have opened up acres in NPR-A that have never been available to oil and gas leasing before. Section 50105 the One Big Beautiful Bill Act (OBBBA, P. L. 119-21) directed the Secretary of the Interior to resume competitive lease sales under the 2020 IAP terms and hold at least five lease sales offering no fewer than 4,000,000 acres each by 2035. The 2020 IAP made around 82%, or 18.6 million acres, of the NPR-A available for fluid mineral leasing, including certain ecologically sensitive areas like Teshekpuk Lake. Due to their importance for caribou and migratory birds, these areas were previously closed off from development.

On December 22, 2025, BLM issued the 2025 NPR-A IAP Record of Decision (ROD), based on the 2020 IAP Final Environmental Impact Statement (FEIS) and the 2025 IAP Environmental Assessment (EA), opening approximately 18.6 million acres to fluid mineral leasing while closing only 4.1 million acres, consistent with the 2020 IAP.

On March 18, 2026, BLM announced the results of the first OBBBA-mandated NPR-A lease sale, with industry interest heavily concentrated in a fraction of the Reserve near existing infrastructure but previously closed off to oil and gas leasing due to its vicinity to Teshekpuk Lake.[3] Out of 5.4 million acres offered, 3.2 million acres are low-potential tracts.[4] Close to 90 percent of the low-potential tracts failed to receive a single bid, and the remaining 11 percent generated just $12.8 million. High-potential tracts, on the other hand, generated around $150.9 million in bid revenue.

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[1] 42 U.S.C. §§ 6501–6508.

[2] 43 U.S.C. § 1701 *et seq*.

[3] Department of the Interior (DOI), "Interior Generates over $163 million from National Petroleum Reserve in Alaska Oil and Gas Lease Sale," March 18, 2026. https://www.doi.gov/pressreleases/interior-generates-over-163-million-national-petroleum-reserve-alaska-oil-and-gas

[4] DOI, "NPR-A Oil & Gas Lease Sale - March 18, 2026 Sale Summary," https://www.blm.gov/sites/default/files/docs/2026-04/2026%20NPR-A%20Lease%20Sale%20Bid%20Recap.pdf.

As oil and gas leases in the NPR-A ramp up, the Proposed Rule would severely undermine BLM's ability to fulfill its statutory obligation to impose *"such conditions, restrictions, and prohibitions as the Secretary deems necessary or appropriate to mitigate reasonably foreseeable and significantly adverse effects on the surface resources"* [5] and assuring *"maximum protection"* of *"significant subsistence, recreational, fish and wildlife, or historical or scenic value"* [6] in designated Special Areas. Similarly, the Proposed Rule would limit BLM's ability to fulfill the mandate under FLPMA to "*take any action necessary to prevent unnecessary or undue degradation of the lands*."[7]

**Description of the Proposed Rule and Draft EIS**

The Draft EIS proposed four alternatives. BLM selected Alternative B for the purpose of the Proposed Rule:

- **Alternative A — No Action:** Projects would continue through separate development plans, permit applications, and environmental reviews. BLM estimates this scenario could result in one central production complex and nine satellite pads over the next 20 years.
- **Alternative B — Proposed Rule:** BLM would create a new permitting process for qualifying production sites located within 25 miles of existing permanent oil and gas infrastructure. BLM estimates this scenario could result in two central processing facility complexes and 18 satellite pads over the next 20 years.
- **Alternative C:** BLM would create a more limited new permitting process. Satellite sites would need to be within 15 miles of existing infrastructure, certain Special Areas would be excluded, and no more than 14 satellite pads could receive streamlined approval.
- **Alternative D:** BLM would create a broader new permitting process. Production sites could be located within 35 miles of existing permanent infrastructure, and the streamlined definition would include more types of infrastructure. BLM estimates this scenario could result in three central processing facility complexes and 27 satellite pads over the next 20 years.

**Potential Mounting Taxpayer Risks and Liabilities**

The Proposed Rule would expose taxpayers to massive fiscal liabilities including cleanup while limiting public participation and oversight at the same time. In the Draft EIS, BLM anticipates that the Proposed Rule (Alternative B) would double the pace and scale of oil and gas development in the NPR-A over the next 20 years—resulting in 18 total pads, 160 miles of all-season gravel roads, 160 miles of pipelines, and 15.29 million cubic yards of gravel fill across 1,636 acres of Arctic tundra.[8] Yet the Proposed Rule includes zero updates to NPR-A bonding regulations, which have been outdated and woefully inadequate.

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[5] 42 U.S.C. § 6506a(b).
[6] 42 U.S.C. § 6504(a).
[7] 43 U.S.C. § 1732(b).
[8] DOI-BLM-AK-0000-2026-0012-EIS, Table 2-1.

Under existing NPR-A bonding rules, BLM requires an individual lease bond of just $100,000 or an NPR-A-wide blanket bond of only $300,000.[9] These levels are extremely inadequate relative to Arctic decommissioning expenses. BLM's own Alaska Legacy and Abandoned Well Remediation program has spent over $8 million to reclaim a single well,[10] not to mention that a single satellite pad often contains multiple wells. Plugging deep horizontal wells, dismantling central processing facilities and pipelines, removing millions of cubic yards of gravel fill, and remediating thawed permafrost in one of the most remote, sensitive, and high-cost operating environments could cost tens to hundreds of millions of dollars per project. A $100,000 individual lease bond and $300,000 NPR-A-wide bond leaves federal taxpayers holding the bag for hundreds of millions of dollars in reclamation liabilities in the future.

This risk to taxpayers is further compounded by weak spill prevention and remediation standards (§ 3139.13) in the Proposed Rule. Proposed § 3139.13(c) directs operators to "immediately and completely clean up all spills, recovering 100 percent of spilled material for recycling *when possible,*" which creates loopholes for incomplete remediation and shifts long-term ecological damages and financial liabilities onto the American taxpayers and local communities. Furthermore, the proposed § 3139.9 allows a single BLM authorized officer to grant exemptions or deviations from spill prevention and remediation standards (§ 3139.13)—and even from the 2025 IAP's Required Operating Procedures (ROPs)—within just 30 days if the officer determines a substitute is equally effective, technology has rendered the requirement unnecessary, or the condition is "otherwise not applicable."

The Proposed Rule would exacerbate existing risks to federal taxpayers in the event of spills or when operators walk away from their cleanup liabilities. TCS urges BLM to consider these risks in its analysis of the Proposed Rule and select Alternative A in the Final EIS. At the very least, BLM should close loopholes in the proposed § 3139.13 spill prevention and remediation standards and eliminate the use of the discretionary exemption process in proposed § 3139.9. BLM should also consider updating bonding requirements for NPR-A leases to more accurately reflect the risks and cleanup costs of potential projects.

**Limiting Public Participation**

Public participation and transparency are foundational pillars of responsible management of public lands and publicly owned mineral resources and lead to better fiscal outcomes. When agencies make decisions behind closed doors on compressed timelines, costly engineering mistakes or false assumptions could go uncorrected, local community input and expert knowledge is ignored, and taxpayers bear the fiscal and environmental impacts when projects fail or get abandoned.

Under the current regulatory framework (Alternative A), major oil and gas development projects in the NPR-A undergo site-specific EAs or EISs, providing local North Slope communities, Tribal governments, subject-matter experts, and national taxpayers the opportunity to scrutinize specific

[9] 43 CFR Subpart 3134.
[10] DOI, "Alaska Legacy and Abandoned Well Remediation," Jun 10, 2029. https://govtribe.com/award/federal-vehicle/alaska-legacy-and-abandoned-well-remediation

pad locations, bridge designs, water withdrawals, and alternatives. Proposed § 3139.7(c) would permanently abolish project-level NEPA documentation and public comment for all qualifying production sites. Under § 3139.5(e), once an operator submits a completed application—which BLM has 21 days after receipt to deem complete or incomplete—BLM *would be required* to issue an approval within 60 days, leaving zero mechanism for public notice, public comment, or independent technical review of the actual project.

Rather than providing formal agency-led public hearings and meaningful government-to-government consultation on project designs, proposed § 3139.10(f) would require only that the applicant "provide project information to, and offer to meet with, affected communities, Tribes, and Alaska Native corporations within the North Slope and document those engagement efforts in the application." Allowing a private oil company to check a box certifying that it "offered to meet" with communities before filing its permit application—with no requirement to alter routes, mitigate community concerns, or allow public input during BLM's 60-day review—further undermines the interests of local communities and the general public.

BLM's handling of this rulemaking compounds the elimination of public participation. BLM published only Draft Chapters 1 and 2 of the EIS alongside the Proposed Rule, deferring the entire environmental, subsistence, and economic impact analysis to the Final EIS. Withholding the draft EIS's impact analysis until after the comment period on the Proposed Rule closes prevents taxpayers and affected communities from evaluating the true costs of the rule before it is finalized.

Federal lands and mineral resources belong to American taxpayers. Local communities and other members of the public provide valuable input into this process, helping BLM identify potential conflicts and evaluate the impacts of each development site. TCS urges BLM to abandon efforts to eliminate or undermine public participation from the review process, which could carry significant costs for taxpayers.

**Harming Ecosystem, Subsistence, and Hunting and Angling Economy**

The NPR-A offers one of the most productive and ecologically significant landscapes that support both an irreplaceable Indigenous subsistence economy and a thriving sport hunting, angling, and outdoor recreation economy. Fast-tracking the permitting process across the Reserve threatens severe economic harm to local livelihoods and the economy.

The 2025 IAP Record of Decision opened new lands for oil and gas leasing, some of which had never been made available, and allowed leasing and potential development in critical habitats. The 2026 lease sale saw some of these areas leased. The Proposed Rule failed to provide an analysis of ecological impacts and economic losses that could come as a result of the fast-tracked permitting process. Sport, commercial, and subsistence hunting and fishing are cornerstones of Alaska's economy, generating durable revenues for rural boroughs and local businesses. The potential loss of these important, durable streams of revenue will further deepen taxpayer losses in addition to potential cleanup liabilities.

The Proposed Rule would cost local economies. TCS urges BLM to account for this cost in the Final EIS and the Proposed Rule.

**Conclusion**

By abdicating site-specific review across 17.9 million acres of NPR-A, including remote and sensitive tundras and wetlands, the Proposed Rule will saddle federal taxpayers with mounting fiscal and environmental liabilities, limit valuable expert and community input, and threaten Alaska's subsistence and recreational hunting and angling economies. These risks are further exacerbated by the recent actions that opened up a significant percentage of acres in the NPR-A, including acres that have never before been made available for oil and gas leasing.

TCS urges the BLM to withdraw the Proposed Rule to ensure taxpayers are not saddled with unnecessary costs and liabilities.

Thank you for considering these comments. We welcome the opportunity to discuss these fiscal and policy concerns further with the Department of the Interior and BLM.