



DEPARTMENT OF THE INTERIOR

Office of the Secretary

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National Environmental Policy Act Implementing Procedures: Wintertime Oil and Gas Exploration in the National Petroleum Reserve in Alaska Categorical Exclusion

AGENCY: Office of the Secretary, Interior.

ACTION: Notice.

SUMMARY: This notice announces a revision to the Department of the Interior (Department)'s National Environmental Policy Act (NEPA) procedures adding a new categorical exclusion (CE) for National Petroleum Reserve in Alaska (NPR-A) wintertime oil and gas exploration activities to the *DOI Handbook of NEPA Implementing Procedures, Appendix 2: Bureau Categorical Exclusions*.

DATES: The CE is effective [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: The web address for the Department's Handbook of NEPA Implementing Procedures where the new CE is being added is: [https://www.doi.gov/document-](https://www.doi.gov/document-library/handbook/516-dm-1-handbook-national-environmental-policy-act-implementing)

[library/handbook/516-dm-1-handbook-national-environmental-policy-act-implementing](https://www.doi.gov/document-library/handbook/516-dm-1-handbook-national-environmental-policy-act-implementing).

The "Substantiation of Proposed National Environmental Policy Act Categorical Exclusion for NPR-A Wintertime Oil and Gas Exploration Activities" (Substantiation Report) for the CE is available at the BLM National NEPA Register: <http://eplanning.blm.gov> (NEPA number: DOI-BLM-AK-0000-2026-0021-OTHER_NEPA).

FOR FURTHER INFORMATION CONTACT: Wayne Svejnoha, Acting Deputy State Director, Resources, at (907) 271-4407, or wsvejnoh@blm.gov. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711

(TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

I. Background

The NPR-A consists of approximately 23 million acres on the North Slope of Alaska, administered by the Bureau of Land Management (BLM). Congress established the primary statutory framework for the NPR-A through the Naval Petroleum Reserves Production Act of 1976, Pub. L. 94–258, 42 U.S.C. 6501 *et seq.* (NPRPA), which transferred administrative jurisdiction over the Petroleum Reserve from the Secretary of the Navy to the Secretary of the Interior and redesignated it as the National Petroleum Reserve in Alaska. In 1980, Congress amended the NPRPA through the Department of the Interior Appropriations Act for Fiscal Year 1981 to direct the Secretary to conduct an expeditious program of competitive leasing of oil and gas in the NPR-A, while providing for such conditions, restrictions, and prohibitions as the Secretary deems appropriate to mitigate reasonably foreseeable and significantly adverse effects on the surface resources of the Petroleum Reserve. That legislation also exempted management of the NPR-A from the Federal Land Policy and Management Act's land use planning and wilderness review requirements, reflecting Congress's intent to dedicate management of the area to the primary purpose of oil and gas leasing and development, with access as a necessary component of that purpose. The NPRPA is thus a dominant-use statute, and BLM is required to manage the NPR-A primarily for oil and gas leasing, exploration, development, and production, while protecting environmental, fish and wildlife, and historical or scenic values within the NPR-A to the extent consistent with that overriding purpose.

This notice notifies the public of the Department's establishment of the Wintertime Oil and Gas Exploration (WOGEx) CE for use by the BLM for the approval of seismic

surveys, Applications for Permit to Drill (APDs), and grants of Rights of Way (ROWs) in the NPR-A. Each of these types of actions is a narrowly specified type of action, whose environmental consequences are well understood and, as such, is particularly suited for inclusion in a CE. Across Federal oil and gas provinces in the United States, the NPR-A is unique in terms of statutory framework, stakeholders and inhabitants, geography, geology, remoteness, climate, and types of feasible development. This has generally contributed to a relatively expansive project-by-project approach to NEPA compliance, with numerous environmental assessments (EAs) having been completed for individual permitting actions within the NPR-A, each supporting a finding of no significant impact (FONSI) or finding of no new significant impact (FONNSI) for that individual action. This approach to permitting is inefficient –especially for well-understood individual permitting actions in the NPR-A. Improving the efficiency of environmental review is especially important in the NPR-A, where seasonal restrictions and severe weather can constrain when oil and gas companies can pursue construction and operations as authorized by the BLM.

This CE advances U.S. energy policy and U.S. policy for resource development in Alaska by providing a tool for NEPA compliance that reflects the BLM’s experience with these individual permitting actions. As set forth in E.O. 14154, *Unleashing American Energy* (Jan. 20, 2025), the Department and other agencies must "undertake all available efforts to eliminate delays within their respective permitting processes, including through, but not limited to, the use of general permitting and permit by rule.” As explained in E.O. 14153, *Unleashing Alaska’s Extraordinary Resource Potential* (Jan. 20, 2025), it is the policy of the United States to “efficiently and effectively maximize the development and production of the natural resources located on both Federal and State lands within Alaska” and “expedite the permitting and leasing of energy and natural resources projects in Alaska.” While this CE is neither a general permit nor a permit by rule, it is a procedure for NEPA compliance that recognizes the limited environmental consequences of each of these

types of permitting actions. The defined criteria for individual proposed permitting actions that may qualify for use of this CE is intended to limit the application of this CE to proposed actions that share common, well-studied characteristics.

NEPA, 42 U.S.C. 4321 *et seq.*, requires Federal agencies to consider the environmental effects of their proposed actions in their decision-making processes and inform and engage the public in that process. To comply with NEPA, agencies determine the appropriate level of review of any major Federal action—an environmental impact statement (EIS), EA, or a categorical exclusion (CE). See generally, 42 U.S.C. 4336 (b); 43 CFR part 46; DOI NEPA Handbook section 1.2 (2026). Where it is reasonably foreseeable that significant environmental effects are likely, the agency must prepare an EIS and document its decision. See generally, 42 U.S.C. 4336 (b)(1); DOI NEPA Handbook section 1.2(a)(5)(ii). Where appropriate, an agency may prepare an EA, and if it reaches a finding of no significant impact (FONSI), it need not prepare an EIS. See generally, 42 U.S.C. 4336(b)(2); DOI NEPA Handbook section 1.6; section 1.2(a)(4).

Consistent with the Department's NEPA procedures, the Department may establish CEs—categories of actions that the agency has determined normally do not significantly affect the quality of the human environment. See 42 U.S.C. 4336(a)(2); 43 CFR 46.205. If the BLM determines that a CE covers a proposed action, it then evaluates the proposed action for extraordinary circumstances, which are factors or circumstances that indicate a normally categorically excluded action may have a significant effect. 43 CFR 46.205, 46.215. If the BLM cannot categorically exclude the proposed action following review for extraordinary circumstances, it will prepare an EA or EIS, as appropriate, before issuing any decision to authorize the action. 43 CFR 46.205(c); 42 U.S.C. 4336(b). For the Department's establishment of this CE, the BLM developed a written record containing information sufficient to substantiate its determination that the category of actions normally does not significantly affect the quality of the human environment.

In developing the WOGCE, the Department consulted with the Council on Environmental Quality (CEQ) consistent with section 102(2)(B) of NEPA, 42 U.S.C. 4332(2)(B).

II. Categorical Exclusions Justification

The Department and the BLM find that the categories of actions described in the CE being added to DOI's NEPA implementing procedures normally do not significantly affect the quality of the human environment. This finding is based on the BLM's long history of authorizing, regulating, and monitoring winter oil and gas exploration activities in the NPR-A, which demonstrates that winter operations—conducted on ice infrastructure, under Required Operating Procedures (ROPs), and within required environmental safeguards—do not produce significant or lasting environmental impacts. Ongoing improvements in technology, operational practices, and community engagement further reinforce the limited nature of these impacts.

To demonstrate the finding that actions under the proposed CE would normally not significantly affect the quality of the human environment, the BLM reviewed all WOGCE projects that have been approved and implemented over the last 28 years for which the BLM prepared 47 EAs and reached FONSI and findings of no new significant impact (FONNSIs) that have been verified through post-implementation review and summarized them in the CE substantiation report included in this notice's supporting documentation. These 47 EAs that supported FONSI and FONNSIs analyzed actions that are similar to and would fall within this CE. That is, because of its extensive experience with these types of actions, the BLM can confirm that the environmental impacts of these actions do not normally rise to the level of significance that would require preparation of an EIS and need not prepare additional EAs for each new action of these types.

Notwithstanding the BLM's findings regarding the normal environmental impacts of these types of individual permitting actions, DOI recognizes that certain proposed actions,

when reviewed on a case-by-case basis, may implicate one or more extraordinary circumstances, and for those proposed actions where a normally excluded action may have a significant effect, bureaus will prepare an EA or EIS. Thus, prior to applying any CE, bureaus will review the proposed action to ensure it is covered by the CE and evaluate the proposed action for the presence of any extraordinary circumstances.

DOI requires that any action for which the new CE is applied must be documented. BLM documents CE use with a checklist to demonstrate: a) the applicability of the CE, and b) that no extraordinary circumstances are present such that a normally excluded action may have a significant effect. In such cases where a normally excluded action may have a significant effect, BLM will conduct additional NEPA analysis and prepare an EA or EIS, as appropriate, before authorizing the action.

III. Text Added to the U.S. Department of the Interior Handbook of NEPA

Implementing Procedures, Appendix 2: Bureau Categorical Exclusions

The DOI Handbook of NEPA Implementing Procedures, Appendix 2: Bureau Categorical Exclusions includes the following language:

Bureau of Land Management

11.9 Actions Eligible for Categorical Exclusion (CE)

B. Oil, Gas, and Geothermal Energy

(9) Approval of seismic surveys, applications for permit to drill, and grants of rights of way for wintertime oil and gas exploration activities within the National Petroleum Reserve-Alaska (NPR-A).

(a) Covered activities:

i) Vibroseis seismic methods;

- ii) Construction of temporary ice road and snow routes for access;
- iii) Construction of ice pads, use of camps and associated support equipment;
- iv) Water withdrawals and associated access;
- v) Appraisal or delineation activities (drilling of wells and sidetracks from existing wells), well stimulation equipment, well testing (e.g., flow tests), well suspension, and plugging, and/or abandonment; and
- vi) Helicopter-assisted summer cleanup activities associated with the prior winter drilling season.

Authorities: NEPA, as amended (42 U.S.C. 4321 *et seq.*)

Troy Finnegan,

Deputy Assistant Secretary,

Exercising the Delegated Authority of the Assistant Secretary - Policy, Management and

Budget

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