

Alaska's Hot ROD: DOI's Recent "Record of Decision" Ignites Support for O&G Development

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On Oct. 23, 2025, the secretary of the interior (the Secretary) announced a third Record of Decision (ROD) regarding the Department of the Interior's competitive oil and gas program for the leasing, development, production and transportation of oil and gas in and from Alaska's Coastal Plain (the Coastal Plain Program). This third ROD effectively opened the entire Coastal Plain to leasing, increasing the 1.1 million acres previously offered to approximately 1.56 million acres.

A ROD is required under the National Environmental Policy Act when a federal agency prepares an Environmental Impact Statement (EIS) for a proposed federal action. The ROD (i) explains an agency's final decision regarding a proposed project, (ii) describes the alternatives the agency considered with respect thereto and (iii) discusses the mitigation and monitoring measures planned to minimize environmental harm, if necessary.

The Department of the Interior, acting through the Bureau of Land Management (the BLM), published its first ROD for the Coastal Plain Program in August 2020 prior to the first lease sale on Jan. 6, 2021. The BLM prepared such ROD, which provided five plan options to implement the Coastal Plain Program. The Secretary selected "Alternative B" as the preferred alternative, which offered the opportunity to lease the entire "program area" (1,563,500 acres) and had the fewest acres with No Surface Occupancy (NSO) stipulations. Although this ROD directed that the entire Coastal Plain program area be offered for leasing, only 1.1 million acres were ultimately provided at the sale following the Call for Nominations and Comments for the Coastal Plain Alaska Oil and Gas Lease Sale published in the Federal Register Nov. 17, 2020.¹

After taking office in 2021, President Joe Biden issued Executive Order 13990, directing the Secretary to place a temporary moratorium on the Coastal Plain Program and to conduct a new analysis of the program's potential environmental impacts. After completing a supplemental EIS, the BLM issued a second ROD for the Coastal Plain Program in December 2024 and scheduled a second lease sale in January 2025. This second ROD similarly provided for five plan options, but the Secretary selected "Alternative D2" as the preferred alternative, which limited the program area to 400,000 acres, with approximately 80 percent of that acreage subject to restrictions on surface occupancy and/or timing limitations. No bids were received for the second sale by the bid deadline, and the sale was concluded with no acres leased.

Shortly after the conclusion of the second sale, following reelection, President Donald Trump issued Executive Order 14153 ordering the Secretary to take all necessary steps to pursue additional Coastal Plain lease sales. Additionally, the order rescinded the supplemental EIS that had informed the second sale and reinstated the earlier EIS and first ROD used for the first sale. On July 4, 2025, President Trump signed into law P.L. 119-21 (the Budget Reconciliation Act), which requires the Secretary to conduct new lease sales for the Coastal Plain. Notwithstanding the subsequent issuance of the third ROD, the Budget Reconciliation Act mandates that these required new lease sales be conducted in accordance with the first ROD used for the first sale.

As noted above, the third ROD was issued on Oct. 23, 2025, which provides for five plan options to implement the Coastal Plain Program. Under this third ROD, the Secretary once again selected “Alternative B,” which contains “the lease stipulations and [Required Operating Procedures (ROPs)] included in the 2020 ROD as directed by PL 119-21.” The third ROD noted that this Alternative B uses substantively the same lease stipulations and ROPs as the Alternative B from the first ROD, with minor edits where appropriate. As previously noted, Alternative B offers the opportunity to lease the entire 1.56 million-acre program area and has the fewest acres with NSO stipulations. In addition to applicable lease stipulations, “44 ROPs [apply] to oil and gas activities to avoid, minimize, and mitigate potential adverse impacts on resources and uses.” Under Alternative B, an estimated 2,000 acres of surface development would occur and seismic exploration would be allowed across the entire Coastal Plain program area.

While the third ROD allows for the leasing of the Coastal Plain program area, it specifically states that “future on-the-ground actions requiring BLM approval, including potential exploration and development proposals, may require further environmental analysis and compliance based on the project-specific proposal and would be addressed in separate decisions.” Supporters of the Coastal Plain Program remain hopeful, however, given the statutorily directed mandate regarding the Coastal Plain Program to develop, produce and transport oil and gas in and from the Coastal Plain. For more information regarding the Coastal Plain Program, [please read our previous Client Alert.](#)

¹The detailed statement of the sale provided that the BLM may amend or withdraw tracts initially offered after taking into account information received in response to the Call for Nominations and Comments at any time prior to issuance of a written acceptance of a bid.