July 13, 2026

Via Federal eRulemaking Portal: http://www.regulations.gov

U.S. Department of the Interior
Director (630), Bureau of Land Management
1849 C St. NW, Room 5646
Washington, DC 20240
Attn: Acting, BLM Director

Re: Revisions of Regulations for Grazing Administration, Exclusive of Alaska. 43 CFR Part 1700 and 4100. RIN 1004-AE82. Docket BLM–2025–0001

To Whom It May Concern:

The American Petroleum Institute ("API"), Western Energy Alliance, Independent Petroleum Association of America ("IPAA"), American Exploration & Production Council ("AXPC"), Independent Petroleum Association of America ("IPAA"), Colorado Oil and Gas Association ("COGA"), New Mexico Oil and Gas Association ("NMOGA"), North Dakota Petroleum Council ("NDPC"), the Petroleum Alliance of Oklahoma, the Petroleum Association of Wyoming ("PAW"), Utah Petroleum Association ("UPA"), West Slope Colorado Oil and Gas Association ("WSCOGA"), and the Permian Basin Petroleum Association ("PBPA") — collectively, "The Associations" — respectfully submit the following coalition comments on the

Bureau of Land Management's ("BLM") proposed revisions to the grazing regulations, Grazing Administration—Exclusive of Alaska ("Proposed Rule") that was published in the Federal Register on May 12, 2026.[1] Our members support the compatible goals of multiple use and conservation on federal lands, and we offer our expertise to serve as a resource to BLM to ensure that any changes to existing land health standards ("LHS") are in the national interest and consistent with existing law.

<u>About the Associations</u>

API is a national trade association representing approximately 600 member companies involved in all aspects of the oil and natural gas industry. API's members include producers, refiners, suppliers, pipeline operators, and marine transporters, as well as service and supply companies that support all segments of the industry. API and its members are dedicated to meeting environmental requirements while economically developing and supplying energy resources for consumers. Our members lease, explore, and produce oil and gas on federal lands, giving them a substantial interest in this rulemaking.

Western Energy Alliance (the Alliance) is the leader and champion for independent oil and natural gas companies in the western United States. Working with a vibrant membership base for over 50 years, the Alliance stands as a credible leader, advocate, and champion of industry. Alliance members engage in all aspects of environmentally responsible exploration and development of oil and natural gas. Our expert staff, active member committees, and committed board members form a collaborative and welcoming community of professionals dedicated to abundant, affordable energy and a high quality of life for all.

AXPC is a national trade association representing 34 leading independent oil and natural gas exploration and production companies in the United States. AXPC companies support millions of Americans in high-paying jobs and invest a wealth of resources in our communities. Dedicated to safety, stewardship, and technological advancement, AXPC's members strive to deliver affordable, reliable energy to consumers while positively impacting the economy and the communities in which we live and operate. As part of this mission, AXPC members understand and promote the importance of advancing positive environmental and public-welfare outcomes and responsible stewardship of the nation's natural resources. AXPC's members are committed to being good stewards of federal and Indian resources and operating in compliance with all federal requirements. AXPC member companies produce more than half of U.S. onshore production each year.

IPAA serves as an informed voice for the exploration and production segment of the industry, and advocates its members' views before the United States Congress, The White House,

[1] 91 Fed. Reg. 26,852, May 12, 2026.

and federal agencies. IPAA represents the thousands of independent oil and natural gas producers and service companies across the United States.

COGA is a non-profit trade organization that represents over 200 companies throughout the state of Colorado. For nearly 40 years, COGA has sought to create a thriving, innovative and respected oil and natural gas industry in Colorado that embodies the values of our communities, prioritizes the protection of our environment, and provides the natural resources that advance our society. COGA provides a positive, unified, and proactive voice for the oil and natural gas industry in Colorado.

NMOGA is a coalition of oil and natural gas companies, individuals, and stakeholders dedicated to promoting the safe and environmentally responsible development of oil and natural gas resources in New Mexico. Representing over 1,000 members, NMOGA works with elected officials, community leaders, industry experts, and the general public, to advocate for responsible oil and natural gas policies and increase public understanding of industry operations and contributions to the state. New Mexico's oil and natural gas activity is concentrated in two areas: the Permian Basin in the southeast and the San Juan Basin in the northwest. New Mexico is one of the United States' leading producers, ranking 2nd in annual oil production and 9th in annual natural gas production. New Mexico is attracting interest and attention from around the globe, as the Permian Basin undergoes a resurgence of production and investment activity.

Established in 1952, **NDPC** is a trade association that represents more than 550 companies involved in all aspects of the oil and gas industry, including oil and gas production, refining, pipelines, transportation, mineral leasing, consulting, legal work, and oil field service activities in North Dakota, South Dakota, and the Rocky Mountain Region. Our members have an extensive history of responsible oil and gas development and environmental stewardship in North Dakota, which boasts some of the cleanest air and water in the country.

The **Petroleum Alliance of Oklahoma** is the largest oil and gas trade association in the Mid-Continent and the only trade association in Oklahoma to represent all sectors of the state's oil and natural gas industry. Representing more than 1,700 individuals and member companies, the Alliance's membership includes oil and natural gas producers, service providers to the oil and natural gas industry, midstream companies, refiners, and other associated businesses. Our members include companies of all sizes, ranging from small, family-owned companies to large, publicly traded corporations. Our members are responsible for 83% of all operated crude oil and natural gas production in Oklahoma. When non-operated production is considered, we estimate our members produce, transport, process, and refine more than 97% of Oklahoma's crude oil and natural gas. Additionally, our members have operations, assets, or interests in most of the United States' oil and natural gas producing regions as well as internationally. Our members develop private, state, and federal minerals and operate on federal lands in Oklahoma and in other states.

The **PAW** represents companies involved in all aspects of responsible oil and natural gas development in Wyoming, including upstream production, oilfield services, midstream processing, pipeline transportation and essential work such as legal services, accounting, consulting and more.

UPA is a statewide oil and gas trade association established in 1958 representing companies involved in all aspects of Utah's oil and gas industry. UPA members range from independent producers to midstream and service providers, to major oil and natural gas companies widely recognized as industry leaders responsible for driving technology advancement resulting in environmental and efficiency gains. UPA members operate extensively on federal lands and have a long history of stewardship and conservation.

As a membership association representing oil and gas exploration, production, and midstream companies, **WSCOGA** members will be directly impacted by the results of this rulemaking and has a significant interest in ensuring clarity, consistency, and fairness in the further development of oil and gas regulations. WSCOGA provides a unified political and regulatory voice for the oil and natural gas industry in the Piceance Basin and the rest of Western Colorado. WSCOGA's represents over 90 member companies and its mission is to produce natural gas products for the benefit of society.

PBPA is the largest regional oil and gas association in the United States. We represent the men and women who work in the oil and gas industry in the Permian Basin of West Texas and southeastern New Mexico. The Permian Basin is the largest inland oil and gas reservoir and the largest oil and gas producing region in the world. PBPA consists of the largest producers as well as the smallest operators in the Permian Basin. Part of PBPA's mission is to promote environmentally conscious operations and sustainable economic profitability among all our members, large and small.

Our Comments

We appreciate and support the Administration's intention "to modernize the BLM's grazing program"[2] However, we note with concern that this rule, titled "Revisions of Regulations for Grazing Administration – Exclusive of Alaska," could actually impact a far broader set of stakeholders than the grazing-specific title would suggest, unless BLM provides clarification in the final rule. The proposed changes include relocating the existing Subpart 4180 framework specific to the grazing program to an entirely new 43 CFR Part 1700 ("Part 1700"), which – as presently drafted - applies LHS to all BLM programs.[3]

[2] *Id. at* 26,853.
[3] *Id. at* 26,853.

The Associations urge BLM to specifically clarify in the final rule that the sections expanding on the use of land health standards have no application beyond range lands used for grazing at this time. Specifically, any final rule should make clear that BLM is making no changes to its management of oil and gas development (or any other multiple use aside from grazing) on federal lands, and that oil and gas leaseholders possess valid existing rights that are in no way impacted by this specific rule on grazing policies.

We request that BLM limit the scope of all LHS provisions to the existing grazing regulations as pertaining to the framework under which livestock can graze on public lands (retaining or updating them within the existing Part 4100, including Subpart 4180—Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration) and drop entirely from this current rulemaking any sections that would apply LHS to all BLM programs under a proposed new Part 1700.

Any broader application of LHS should only occur through future, use-specific rulemakings with full opportunity for input from affected stakeholders, accompanied by rigorous economic and multiple-use impact analyses that meets the Administration's stated goals and objectives for energy independence and promoting economic growth. Doing so would avoid potential notice and comment issues with the Administrative Procedures Act, to the extent any future actions by BLM pursuant to this rule impact federal land users beyond those with grazing permits.

BLM recently issued a final rule fully rescinding the 2024 Conservation and Landscape Health Rule.[4] The Associations strongly supported BLM's rescission of that 2024 Rule. Prior to issuing a final grazing rule, we recommend that BLM ensure the proposal does not inadvertently reintroduce elements of the 2024 Rule that were clearly intended to be rescinded. For example, in the rescission, BLM specifically removed provisions governing LHS in applications beyond grazing, clearly stating that it "imposed procedural burdens and timing requirements that disrupted established processes."[5]

To elaborate on this nuance, BLM noted in the rescinded Conservation and Landscape Health Rule that "it will continue to apply LHS under existing grazing regulations and **may consider future refinements to that framework through separate rulemaking."[6]** However, it is also clear by the precise language that any future refinements - including clarifying or conforming revisions - were clearly intended to be confined "to that framework" or, in other words, the grazing regulations rather than "all BLM-managed public lands." BLM underscored this point by stating: "[t]he preexisting regulatory framework for LHS, which appears in the

4 91 Fed. Reg. 25,787 (May 12, 2026).
[5] 91 Fed. Reg. at 25,788.
[6] *Id.* (emphasis added).

grazing regulations, provides sufficient authority to address land health concerns while allowing flexibility to apply standards in other contexts without imposing prescriptive mandates."[7]

As currently drafted, however, the proposed Part 1700 could be read to create an entirely new framework beyond existing grazing requirements, imposing new mandates on the scope of land health, and enabling BLM to take "appropriate action" within 2 years across all programs, including modifying permit terms and conditions.[8] In addition to our broader concern about the overall applicability of Part 1700, the Associations are particularly concerned by this statement in proposed section 1700.4, regarding Land Health Evaluation:

> Proposed section 1700.4 provides a framework for using data from the rapid landscape-scale condition assessments to conduct step down land health evaluations to measure achievement of state and regional land health standards and for conducting causal factor determinations—in which the BLM determines ***what one or more land uses or other causal factors*** are making a substantial contribution to the dynamic that causes land not to meet standards—in cases where the land health evaluation indicates that land is not meeting or making progress toward meeting those standards.[9] (emphasis added)

We understand that BLM may have intended the "other causal factors" to include activities outside of BLM's control, such as wildfires, wild horses and burros, and unpermitted recreation that are not subject to BLM permitting. However, as drafted, the emphasized text in the excerpt above could be read to apply to oil and gas development, permitted recreation activities, or other activities that are not appropriate for BLM to analyze in the context of grazing.

Furthermore, the following statement in the proposed rule contains the same ambiguity regarding application to properly permitted oil and gas activities:

> Other uses of the public lands, including their management for wild horse herds, may contribute to those lands failing to achieve and maintain the fundamentals of land health. But by focusing assessment of those fundamentals within the grazing program and, effectively, tying land health evaluation to the grazing permitting process, without other allowance for addressing concerns, it is grazing permittees who have carried a disproportionate burden of management to foster land health.

We note as well that proposed §1700.4(e)(2) contemplates "Imposition of relevant terms, conditions or stipulations for new or renewed permits, leases, and other use authorizations." Proposed section 1700.4(g) then states that appropriate action "need not include cancelation or

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[7] *Id.* at 25,789.
[8] *Id.* at 26,855.
[9] *Id.* at 26,855.

modification of a current authorized use that is determined to be a significant causal factor", which inversely implies that it could. Without establishing clear criteria, processes or guidance describing how to delineate significant causal factors from less significant ones or how to distinguish appropriate mitigation actions from unwarranted cancellations or modifications, this section could invite a range of inconsistent and discretionary actions with potentially significant impacts on permit holders and land users.

We ask BLM to clarify in the final rule that it will not and must not – rather than "need not" - take any actions intended "to facilitate achievement of land health standards" through the imposition of terms, conditions, or stipulations on oil and gas leases and permits or the cancelation of these valid existing rights, which are not "uses of the public lands" that contribute to the failure to "achieve and maintain the fundamentals of land health." Simply put, any new Section 1700 regulation created in this grazing rule should not have any impact to oil and natural gas development on public lands.

As we have stated in past comments, no statute has authorized use of "land health standards" across all BLM programs and lands.[10] We noted then and continue to emphasize that this expansive concept is left vague and ill-suited for application across all lands and programs.[11] Our position remains that land health approaches may be appropriate in particular contexts; however, Congress has never authorized use of expansive landscape-based approaches across all BLM lands in the manner set forth in the rescinded 2024 Rule.[12] Moreover, a broad application under this grazing-specific rule that extends to an array of current and future uses beyond grazing would be out of step with the President's de-regulatory agenda, and Executive Order 14154, Unleashing American Energy.

We appreciate BLM's continued commitment to combining tailored protective measures while also facilitating the continued multiple uses of federal lands. Again, the Associations support BLM's endeavor to manage landscape health and do not mean to suggest that the pursuit of a broader land health standard program is either unachievable or unwarranted. However, the importance and potential consequences of a new land health standard program that reach beyond revisions to grazing regulations are significant enough for all land users to warrant a separate rulemaking detached from this rulemaking, especially if the public is to be provided with sufficient opportunity for thoughtful input.

Our members look forward to working with BLM in their efforts for greater operational efficiencies, streamlined and strengthened government processes, lower surface impacts, and increased domestic energy production from federal lands. For long-term durability, we encourage

[10] API, AXPC, MPA, NMOGA, and UPA, Comment Letter on Conservation and Landscape Health Proposed Rulemaking, published at 88 Federal Register 19,583, (April 3, 2023), p.13. July 5, 2023. *See also*, API, Comment Letter on Rescission of Conservation and Landscape Health Rule; 90 Federal Register 43,990 (Sept. 11, 2025), Nov. 10, 2025.
[11] *Id.* at 13.
[12] *Id.*

BLM to make clear that this rulemaking applies only to grazing and has no impact on other multiple uses.

We appreciate the opportunity to comment on this rulemaking and are available for further discussions at your convenience. If you have any questions, please reach out to us.

Sincerely,

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