ALASKA LONGLINE FISHERMEN'S ASSOCIATION * ALASKA COMMUNITY ACTION ON TOXICS * ALASKA WILDERNESS LEAGUE ANIMAL WELFARE INSTITUTE* COOK INLETKEEPER * DEFENDERS OF WILDLIFE * EARTHJUSTICE * GREENPEACE USA * NORTHERN ALASKA ENVIRONMENTAL CENTER * OCEANA * OCEAN CONSERVATION RESEARCH * SIERRA CLUB * SURFRIDER FOUNDATION * SURFRIDER FOUNDATION - KENAI PENINSULA CHAPTER * THE ALASKA CENTER * TURTLE ISLAND RESTORATION NETWORK

June 16, 2025

VIA REGULATIONS.GOV

Ms. Kelly Hammerle, Program Manager
Bureau of Ocean Energy Management (VAM-LD)
45600 Woodland Road,
Sterling, VA 20166-9216

Re: Request for Information on the 11th National Outer Continental Shelf Oil and Gas Leasing Program (BOEM-2025-0015)

Dear Ms. Hammerle:

On behalf of the undersigned groups and our many members, please accept these comments on the Department of the Interior's (Interior) plan to prepare a new five year Outer Continental Shelf (OCS) Oil and Gas Leasing Program (the "11th National OCS Program" or Program). These comments focus on OCS regions offshore Alaska. Many of the undersigned groups are also submitting comments addressing other OCS regions.

As an initial matter, we urge you to abandon this effort entirely. Interior, after extensive public processes, already adopted a 2024-2029 Program (the "10th National OCS Program") on December 14, 2023.[1] Your stated reason for replacing the current Program is to expand offshore fossil fuel development.[2] But the OCS is already producing far too many hydrocarbons, considering the destructive impacts of such activity.[3] It burdens our oceans, coasts, wildlife, and communities with the unacceptable risks and impacts of offshore exploration and drilling, and undermines the urgent need to transition away from fossil fuels to avoid the worst effects of climate change. Interior's resources would be better spent furthering the needed transition to a more sustainable and secure renewable energy future.

[1] Interior, Record of Decision and Approval of the 2024-2029 National Outer Continental Shelf Oil and Gas Leasing Program (Dec. 14, 2023).
[2] 90 Fed. Reg. 17,972, 17,973 (Apr. 30, 2025) ("The initiation of a new National OCS Program development process is a key aspect of implementing President Donald Trump's Executive Order (E.O) 14154, 'Unleashing American Energy' (January 20, 2025)").
[3] *See id.* (explaining that the OCS is already "a significant source of oil and gas").

If the Secretary persists in the effort to replace the current Program, we urge the Secretary not to further consider any Alaska planning areas for leasing in the new Program. All of Alaska's planning areas, including the Chukchi Sea, Beaufort Sea, and Cook Inlet, are rightly closed to leasing under the current 10th National OCS Program. As described below, the case for excluding these areas from future oil and gas leasing has only grown stronger in recent years.

- *Leasing in much of the Alaska OCS Region is illegal.*

As an initial matter, it would be unlawful to hold lease sales in many parts of the Alaska OCS Region because Presidents Obama and Biden withdrew these areas from disposition pursuant to Section 12(a) of the Outer Continental Shelf Lands Act (OCSLA). This includes the North Aleutian Basin planning area;[4] the Chukchi and Beaufort seas planning areas;[5] and portions of the Norton Basin, Hope Basin, St. Matthew-Hall, and Navarin planning areas designated as the Northern Bering Sea Climate Resilience Area.[6] Upon taking office in January 2025, President Trump issued an executive order purporting to revoke the withdrawals.[7] However, a subsequent President does not have the authority to revoke permanent withdrawals under Section 12(a). Indeed, the only court to review a withdrawal revocation determined the action exceeded President Trump's authority. In 2017, President Trump first attempted to revoke President Obama's withdrawal of areas in the Arctic and Atlantic.[8] The federal district court in Alaska vacated the revocation as exceeding the President's constitutional and statutory authority.[9] For the reasons articulated by that opinion, President Trump's renewed attempts to re-open most of these areas by executive order were unlawful. These regions remain permanently off-limits to oil and gas leasing. Considering these areas for inclusion in a leasing schedule serves no purpose, wastes resources, and is inconsistent with OCSLA's principles.

---

[4] Presidential Memorandum -- Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition (Dec. 16, 2014).

[5] Presidential Memorandum -- Withdrawal of Certain Areas of the United States Outer Continental Shelf Offshore Alaska from Leasing Disposition (Jan. 27, 2015); Presidential Memorandum -- Withdrawal of Certain Portions of the United States Arctic Outer Continental Shelf from Mineral Leasing (Dec. 20, 2016); Memorandum on Withdrawal of Certain Areas off the United States Arctic Coast of the Outer Continental Shelf from Oil or Gas Leasing (Mar. 13, 2023).

[6] Exec. Order No. 13,754, Northern Bering Sea Climate Resilience, 81 Fed. Reg. 90,669 (Dec. 9, 2016); Presidential Memorandum, Withdrawal of Certain Areas of the United States Outer Continental Shelf from Oil or Natural Gas Leasing, 90 Fed. Reg. 6739 (Jan. 6, 2025).

[7] Executive Order No. 14,148, 90 Fed. Reg. 8237 (Jan. 20, 2025).

[8] Executive Order No. 13,795, 82 Fed. Reg. 20,815 (Apr. 28, 2017).

[9] *League of Conservation Voters v. Trump*, 363 F. Supp. 3d 1013 (D. Alaska 2019), *vacated and remanded sub nom. League of Conservation Voters v. Biden*, 843 F. App'x 937 (9th Cir. 2021). On appeal, the district court's ruling was vacated as moot because President Biden revoked President Trump's unlawful order. However, the district court is currently considering whether to reinstate its ruling after President Trump attempted to revive his previous unlawful order earlier this year. *See* Pls. Rule 60(b)(6) Mot., *League of Conservation Voters v. Trump*, Case No. 3:17-cv-00101-SLG (Feb. 19, 2025), Doc. 99. Additionally, litigation challenging President Trump's new unlawful attempts to revoke withdrawals is ongoing. *E.g.* Compl. for Declaratory and Injunctive Relief, *N. Alaska Env't Ctr. v. Trump*, Complaint for Declaratory and Injunctive Relief, Case No. 3:35-cv-00038 (Feb. 19, 2025), Doc. 1.

- *Leasing in the High Arctic Planning Area is inappropriate.*

In addition to areas withdrawn under OCSLA section 12(a), it is inappropriate for Interior to consider leasing in the claimed "extended continental shelf"[10], including in the entirety of the new "High Arctic" planning area.[11] One critical problem is that Interior will run afoul of international law by leasing in the extended continental shelf. The U.S. has unilaterally laid claim to these areas, purporting to be "in accordance with the relevant provisions of the 1982 United Nations Convention on the Law of the Sea (Convention)."[12]

The Convention requires party states to submit information on their extended continental shelf claims to the Commission on the Limits of the Continental Shelf (Commission).[13] The Commission must then make recommendations on the extended continental shelf limits before the Convention recognizes them as binding.[14] While the U.S. is not a party to the Convention and generally not bound by its provisions, the U.S. Department of State has consistently referred to portions of the Convention, particularly those establishing jurisdictional limits, as "customary international law" binding on all nations.[15] Therefore, if the U.S. was a party to the Convention, its claim to the extended continental shelf would be, at best, premature.[16] As a non-party, the U.S. would still need to submit its extended continental shelf claim information package to the Commission for its expansion declaration to gain any legal validity.[17] But it is unclear if the Commission is willing to accept an extended continental shelf claim from a non-party.[18] Additionally, other countries dispute much of the area claimed by the U.S.[19] Leasing activity in

---

[10] *See generally,* U.S. Department of State, *The Outer Limits of the Extended Continental Shelf of the United States of America, Executive Summary* (Revised 2025) (ECS Executive Summary).
[11] 90 Fed. Reg. 17,790, 17,791-92, Fig. 1 (Apr. 30, 2025).
[12] ECS Executive Summary at 6.
[13] United Nations Convention on the Law of the Sea art. 76(8), Dec. 10, 1982, 1833 U.N.T.S 397 (Convention).
[14] *Id*.
[15] ECS Executive Summary at 7 (originally published in 2023, this document was revised by the Trump Administration in 2025 to reflect a change to the name of the Gulf of Mexico. The Administration had the opportunity to revise the acknowledgement of the Convention as reflecting customary international law at the time, but did not.).
[16] *See* M. Salavitch*, The United States Has Declared the Boundaries of Its Extended Continental Shelf: What Comes Next?*, FORDHAM INT'L LAW J. (Apr. 30, 2024) (Salavitch 2024) (explaining that the U.S. "boundaries were not determined 'based on the recommendations' of the [Commission] and therefore are not 'final and binding' as a matter of treaty law under [the Convention].") (citing Convention art. 76(8)).
[17] *See* ECS Executive Summary at 7.
[18] *See* Salavitch 2024 ("One open question is whether, as a non-signatory party, the United States may make a submission to the [the Commission] for their review.").
[19] *See, e.g.,* I. M. Stevenson, *3 questions answered about Interior's High Arctic plans*, ENERGYWIRE (May 5, 2025), (explaining that more than 94,000 square miles of the High Arctic overlaps with Canada's claims).

these areas would not only cause conflicts with neighboring states but could also further violate the Convention.[20]

Legality aside, leasing in the High Arctic does not make sense because Interior recently concluded that the area's "petroleum potential is negligible."[21] In addition, the oil spill response problems discussed below would be magnified in the extremely remote high seas of the Arctic. Further, the expense and risk of exploration and drilling—already excessive throughout Alaska—would be exacerbated in such a far-flung area.

- *Leasing anywhere in the Alaska OCS Region is a bad idea because it presents unacceptable risks, is contrary to established science, and neglects alternative solutions.*

Though only parts of the Alaska OCS Region are withdrawn under OCSLA 12(a) or outside of the sovereign jurisdiction of the U.S., leasing should not be conducted anywhere on the Alaska OCS due to the unacceptable risks of exploration and development.

  - *The current five-year plan excludes Alaska for good reasons.*

As Interior acknowledged in the 10th National OCS Program, "[t]he burden of environmental risk resulting from OCS oil and gas activities is borne primarily by the marine and coastal areas adjacent to and within areas where oil and gas activities occur."[22] Interior did not schedule any Alaska sales in the current Program because it recognized that the risks posed by such sales outweigh any benefits they may provide. For Alaska, Interior found that the cumulative effects of oil and gas leasing "would be expected to be higher than in any other OCS region due to ongoing stressors, projections of future climate change, and a greater number of potential impacts[.]"[23] It predicted significant impacts throughout Alaska from the noise, traffic, routine discharges, bottom/land disturbance, lighting, visible infrastructure, space-use conflicts, and potential oil spills associated with new oil and gas activity.[24] Interior's ultimate decision to exclude Alaska from the Program is supported by extensive scientific studies, the practical reality of operating in the region, and public sentiment.

  - *The facts and science conclusively demonstrate that oil & gas activity in Alaska must be phased out.*

Alaska's 33,904 miles of coastline host and sustain an incredible diversity of people, wildlife, environments and ecological systems.[25] The negative effects of oil and gas

---

[20] *See* Convention art. 83; *see also id.* art. 82 (requiring states to make payments for exploiting continental shelf resources beyond 200 nautical miles).
[21] Bureau of Ocean Energy Management (BOEM), Map: *Assessment of Undiscovered Technically Recoverable Oil and Gas Resources of the Nation's Outer Continental Shelf, 2021*.
[22] BOEM, 2024-2029 National OCS Oil and Gas Leasing Proposed Final Program at 9-7 (Sept. 2023) (2024-2029 Proposed Final Program).
[23] BOEM, 2024-2029 National OCS Oil and Gas Leasing Program Final Programmatic Environmental Impact Statement, Vol. I at vi (Oct. 2023) (FPEIS).
[24] *Id.* at 184 fig.4-5, 274-278.
[25] *See id.* at 72-89.

development, both due to localized destructive activities and the climate change caused by such development, are already felt throughout the state. Though Alaska ranks 48th in state population, it is 5th in U.S. oil production[26] and bears a disproportionate burden of fossil fuel development. Residents near oil and gas infrastructure have endured events such as the *Exxon Valdez* oil spill and ConocoPhillips' uncontrolled gas leak at its Alpine field in 2022.[27] More broadly, evidence is overwhelming that the Arctic is warming up to 3.5 times faster than the rest of the planet,[28] with dramatic consequences for many of the region's residents and species that render them more vulnerable to additional stress and disturbance from oil and gas activities.[29] For example, around the state, at least 31 coastal communities face "imminent existential threats" and are becoming unlivable due to erosion exacerbated by "melting sea ice, thawing permafrost, and sea-level rise" caused by fossil fuel-driven climate change.[30] The village of Newtok has already been completely displaced, and in the process of moving, its residents have faced a myriad of problems including federal mismanagement and rapid deterioration of their new, poorly-built homes.[31] At least 144 Alaska Native villages face well over $3 billion in combined costs to protect their communities from climate change-related risks over the next half century.[32]

---

[26] *See* U.S. Energy Information Administration, Alaska (last updated May 15, 2025).

[27] M. Ramirez & M. Loria*, Exxon Valdez spill shaped history 36 years ago. What have we learned?*, USA TODAY (Mar. 24, 2025) ("[T]he spill was responsible for the deaths of 250,000 seabirds, 2,800 sea otters, 300 harbor seals, 250 bald eagles and billions of salmon and herring eggs . . . It caused over $300 million in economic damage to the 32,000 people whose livelihoods depended on commercial fishing in the region[.]"); L. Ruskin, *Alaska regulators examine ConocoPhillips' 2022 Alpine gas leak near Nuiqsut* (Mar. 24, 2023) ("The Alpine leak prompted worried residents in nearby Nuiqsut to evacuate. Nuiqsut Mayor Rosemary Ahtuangaruak said villagers remain concerned about the health impacts of emissions, particularly on pregnant women, infants and elders.").

[28] *See* World Meteorological Association, *Global climate predictions show temperatures expected to remain at or near record levels in coming 5 years* (May 28, 2025) ("Arctic warming over the next five extended winters (November to March) is predicted to be more than three and a half times the global average[.]").

[29] *See* Intergovernmental Panel on Climate Change (IPCC), *Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change*, Regional fact sheet - Polar Regions (2021); IPCC, *Climate Change 2023: Synthesis Report* at 18 (2023) (IPCC Synthesis Report) ("As warming levels increase, so do the risks of species extinction or irreversible loss of biodiversity in ecosystems including . . . Arctic regions (high confidence)").

[30] Alaska Federation of Natives, Erosion and Alaska Native Communities at 4, 14 (Dec. 2018).

[31] *See* E. Schwing & A. Adams, *Forced to relocate by climate change, Alaskan villagers found a new crisis*, ANCHORAGE DAILY NEWS (May 29, 2025).

[32] Y. Rosen, *Relocation of eroding Alaska Native village seen as a test case*, ALASKA PUB. MEDIA (Apr. 22, 2024) ("Of 144 Alaska Native villages with damages from flooding, erosion, permafrost thaw or some combination of those impacts, costs for protecting infrastructure are expected to mount to $3.45 billion over the next 50 years[.]").

Many Alaskans are also heavily reliant on subsistence species that are in decline and at risk from further development.[33] In the Arctic, sea ice-dependent species such as seals, polar bears, and Pacific walruses are losing habitat, increasing their vulnerability to oil and gas activities.[34] In Cook Inlet, which already bears a heavy burden of coastal drilling in state waters, the endangered Cook Inlet beluga whale is facing extinction due to noise, habitat loss and degradation—all of which would be exacerbated by additional exploration and development.[35] The Marine Mammal Commission, a congressionally chartered expert panel charged with making recommendations to other agencies on matters related to marine mammals, has come out unequivocally in favor of deferring oil and gas leasing in the Chukchi Sea, Beaufort Sea, and Cook Inlet planning areas because of the risks of oil and gas activities to species and subsistence traditions.[36] OCS oil and gas activity also threatens Alaska's robust fishing and tourism industries.[37]

As climate change advances, the risks associated with oil and gas activities will too. According to the Intergovernmental Panel on Climate Change (IPCC), the world-leading authority on climate science, as the average temperature rises so does the likelihood of "species extinction or irreversible loss of biodiversity" in Alaska.[38] The Arctic will soon begin to have summers with no sea ice,[39] making sea ice-dependent animals even more vulnerable to development. In addition, the IPCC forecasts that within the next 25 years, "risks from permafrost thaw will be disproportionately high for industrial infrastructure along major pipeline systems in Alaska."[40] The Trans-Alaska Pipeline System, which transports oil produced in the Arctic, has already been damaged by permafrost thaw.[41] A large spill could be devastating, as the pipeline spans 800 miles "in a delicate and remote landscape where it would be extremely

---

[33] *See, e.g.*, 2024-2025 Proposed Final Program at 7-5 ("Subsistence fishing and hunting make up a substantial portion of many communities' annual diets . . . data indicate that large amounts of subsistence foods are harvested in the geographic areas adjacent to the Cook Inlet Program Area"); FPEIS, Vol. I at 41 ("The decreasing extent and duration of sea ice due to warming has dramatic consequences for Arctic species and subsistence communities that live and hunt on the sea ice.") (citation omitted); C. Lockett, *King salmon declines linked to climate, smaller size*, UNIV. ALASKA FAIRBANKS (Nov. 26, 2024); NOAA Fisheries, *Delayed Effects of Oil Spill Compromise Long-term Fish Survival* (Dec. 8, 2015, last updated Feb. 23, 2023) ("[T]he effects of the 1989 *Exxon Valdez* oil spill in Alaska . . . may have had much greater impacts on spawning fish than previously recognized.").

[34] Interior, Fact Sheet: President Obama Protects 125 Million Acres of the Arctic Ocean (Dec. 2016) (Interior Fact Sheet).

[35] Marine Mammal Commission, Comments to BOEM Re. the 2023-2028 National Outer Continental Shelf (OCS) Oil and Gas Leasing Proposed Program at 3 (Oct. 6, 2022).

[36] *Id*.; Marine Mammal Commission, Comments to BOEM, Re: OCS 2017-2022 Proposed Program and Draft Programmatic EIS at 4 (June 14, 2016).

[37] *See* FPEIS, Vol. I at 68, 83; 2024-2029 Proposed Final Program at 7-4 to 7-5.

[38] IPCC Synthesis Report at 77.

[39] FPEIS, Vol. I at 74.

[40] IPCC, Climate Change 2022: Impacts, Adaptation and Vulnerability, Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change, Cross-Chapter Paper 6: Polar Regions at 2335 (2022).

[41] D. Hasemyer, *Thawing Permafrost has Damaged the Trans-Alaska Pipeline and Poses an Ongoing Threat*, INSIDE CLIMATE NEWS (July 11, 2021).

difficult to clean up."[42] In an ironic turn of events, ConocoPhillips now plans to use "giant chillers" to "prevent the ground from thawing under key infrastructure" at its Willow oil and gas project.[43]

Spills in the OCS—which are nearly certain to happen with further development—would also be extremely hard or impossible to clean up. It is well documented that "shoreline cleanup operations in the Arctic and Subarctic are more challenging than those in more temperate and populated regions because of environmental and logistical challenges."[44] The head of the U.S. Coast Guard has previously remarked that Arctic Ocean sea conditions on "a pretty darned good day" are akin to those that made *Deepwater Horizon* cleanup operations "virtually impossible."[45] When President Obama withdrew parts of the Arctic Ocean, his administration noted that given the region's "harsh environmental conditions, geographic remoteness, and a relative lack of fixed infrastructure and existing oil and gas operations," the "consequences of an oil spill in this region could be substantially detrimental to the ecosystem."[46] This is particularly troubling because Interior has estimated there is a "75 percent chance of one or more large [oil] spills (1,000 barrels) occurring" if even just the Chukchi Sea were fully developed.[47] Similarly, in Cook Inlet, which has already suffered fallout from the spillover of the *Exxon Valdez* disaster,[48] "large tides and challenging conditions complicate any response actions."[49] In its analysis for the current 10th National OCS Program, Interior estimated that at least 19 and up to 62 small spills would occur if the Cook Inlet OCS was developed, and that there is a risk of a large spill from both platforms and pipelines.[50] It also projected up to 503 small spills and 6 large spills in the Chukchi Sea from potential development.[51]

Finally, and crucially, the world cannot withstand the extraction and burning of more fossil fuels from Alaska or anywhere else. There is a scientific consensus that the earth's fossil fuel resources far exceed the amount that can be extracted and burned if we are to have a

---

[42] *Id.*
[43] B. Jones, *An oil company wants to use giant chillers to refreeze the ground that climate change is thawing in order to drill for more oil — which will ultimately accelerate global warming*, BUSINESS INSIDER (Aug. 17, 2020).
[44] H. Bi *et al*., *Oil spills in coastal regions of the Arctic and Subarctic: Environmental impacts, response tactics, and preparedness*, 958 SCIENCE OF THE TOTAL ENVIRONMENT 178025 at 1 (Dec. 16, 2024) (Bi *et al*. 2024)
[45] S. Waldman & CLIMATEWIRE, *The U.S. Is Not Ready to Clean Up an Arctic Oil Spill*, SCIENTIFIC AMERICAN (July 19, 2017).
[46] Interior Fact Sheet at 1.
[47] *Id.* at 7.
[48] *See* Interior, T/V Exxon Valdez Crude Oil Spill, Case Description (explaining that the spill "contaminated portions" of "lower Cook Inlet" and also caused the death of "250,000 seabirds, 2,800 sea otters, 300 harbor seals, 250 bald eagles, up to 22 killer whales, and billions of salmon and herring eggs.").
[49] L. Mering, Cook Inletkeeper, & R. Highland, Kachemak Bay Conservation Society, Letter to Alaska Department of Environmental Conservation, Re: Proposed Changes to the ADEC Regulation Regarding Oil Discharge Prevention and Contingency Plans at 1-2 (Jan. 31, 2022).
[50] FPEIS, Vol. II, Appendix G at G-2 tbl. G-1.
[51] *Id.*

reasonable chance of avoiding the worst impacts of climate change.[52] As a consequence, the majority of those resources will have to remain in the ground and undeveloped.[53] Studies also show that developing fossil fuel resources in the Arctic is particularly incompatible with limiting climate change.[54] Interior must respond to the urgent need to stop the extraction of fossil fuels from federal lands and waters.

- *Offshore leasing is controversial and distracts from better solutions.*

Offshore drilling is broadly unpopular with Americans, with one poll finding that "more than 8 in 10 people said drilling in the United States should 'decrease' or 'stay as is.'"[55] In response to the most recent Program, Interior received hundreds of thousands of comments that opposed oil and gas leasing, with thousands of those comments focused specifically on Alaska.[56] Commenters opposed the proposed leasing in Cook Inlet, noting that drilling threatens "fishing, tourism, marine aquaculture, and subsistence economies in the region."[57] Responding to the draft environmental analysis for the program, "[m]any commenters" warned that OCS leasing "would increase carbon emissions in the atmosphere and worsen climate change and climate change impacts including increased sea levels, ocean acidification, decreased marine biodiversity, increased and exacerbated droughts, increased global temperature, agricultural losses, intensified storms and hurricanes, and increased climate migration."[58]

In Alaska, politicians and industry often promote the false narrative that oil and gas development can be done safely and responsibly.[59] To the contrary, spills and regulatory

[52] *See* IPCC Synthesis Report at 24.
[53] *See id* at 28.
[54] *See, e.g.*, L. Donahey *et al*., Alaska Wilderness League et al., Comments to S. Jewell, Secretary of the Interior, Re: Draft Programmatic Environmental Impact Statement for the Outer Continental Shelf (OCS) Oil and Gas Leasing Program: 2017-2022 (81 Fed. Reg. 14,885 (Mar. 18, 2016)) at 4-6, 13-16 (May 2, 2016).
[55] D. Fears & S. Clement, *Americans would rather reduce oil and gas exploration than 'drill, baby, drill'*, WASH. POST (OCT. 25, 2019); *see also* A. Villagomez, *Project 2025's Plan To 'Drill, Baby, Drill' Threatens Ocean Health and Economic Stability*, CTR. FOR AMERICAN PROGRESS (Aug. 20, 2024), ("Offshore drilling is deeply unpopular with the American public, seeing its support decline for more than a decade according to the Pew Research Center.").
[56] *See* 2024-2029 Proposed Final Program at A-60 to A-68 (Sep. 2023).
[57] *Id.* at A-3 to A-4.
[58] FPEIS, Vol. II, Appendix K at K-28.
[59] *See, e.g.*, S. Webb, *Q&A: Alaska governor talks gas, ANWR, environmental critics*, ENERGYWIRE (Feb. 7, 2025) (Alaska Governor Mike Dunleavy opining that "we have a really good track record in Alaska of protecting the environment" regarding oil and gas development).

violations are numerous and frequent,[60] and huge amounts of greenhouse gases are emitted even when projects operate as intended.[61] Alaska is a particularly expensive and risky place to explore and to drill.[62] Many do understand the risks of development and fight to keep their homes safe. When part of the Northern Bering Sea was withdrawn from leasing earlier this year, organizations that advocate for more than 70 Tribes celebrated the announcement, noting they had engaged in "40 years of Tribal advocacy to protect our food security and marine environment from oil and gas leasing."[63]

Unfortunately, the emphasis on fossil fuel development detracts from what could be a focus on building out sustainable industries for the future. For example, Alaska has vast renewable energy potential.[64] This includes significant offshore resources such as tidal and wind power.[65] In fact, the National Renewable Energy Laboratory has demonstrated that transitioning Alaska's main population centers to a 76 percent renewable electric grid by 2040 is the most

---

[60] *See* H. Bi *et al*. 2024 at 3 ("[T]he Alaska Department of Environmental Conservation documented over 1300 crude oil spills from 2000 to 2023 . . . . Approximately 72 % of crude oil spill incidents were related to offshore and onshore oil production operations[.]"); Alaska Department of Environmental Conservation, PPR Spills Database Search, https://dec.alaska.gov/Applications/SPAR/PublicMVC/PERP/SpillSearch (accessed June 4, 2025) (a search for crude oil spills since January 1, 2024 showed 59 results, most associated with oil and gas companies); A. DeMarban, *Alaska regulators propose $914,000 fine against ConocoPhillips for North Slope gas blowout and leak*, ANCHORAGE DAILY NEWS (June 28, 2023); Y. Rosen, *Alaska commission proposes $49,000 fine against Hilcorp for Cook Inlet violations*, ALASKA BEACON (May 12, 2025) ("In 2024, however, Hilcorp was the subject of five separate [Alaska Oil and Gas Conservation Commission] orders concerning violations on both the North Slope and in the Cook Inlet basin. The three North Slope cases resulted in penalties of $452,100, $260,477 and $55,000, while the two Cook Inlet cases resulted in fines of $86,000 and $50,000.").

[61] *See, e.g.*, P. Goodfellow & M. Birnbaum, Alaska Department of Environmental Conservation, Alaska Greenhouse Gas Emissions Inventory 1990-2020 at 11 (May 25, 2023) ("As of 2020, 59.2% of Alaska's emissions are generated by industrial activity which includes the state's extensive oil and gas industry."); H. Richards, *BLM analysis shows climate price of Alaska drilling*, ENERGYWIRE (Dec. 13, 2019), ("Depending on how much activity takes place, and how the Trump administration proceeds with managing the [National Petroleum Reserve – Alaska (NPR-A)], the carbon dioxide output from the fossil fuels extracted in the NPR-A ranges from 130 million metric tons to 1 billion metric tons.").

[62] *See, e.g.*, W. Early, *Cook Inlet natural gas producer says it's sitting on large deposit, but nobody wants in*, ALASKA PUBLIC MEDIA (Dec. 4, 2023) (explaining that Cook Inlet gas is "getting harder and harder to produce and more expensive to produce" and that one company is prohibited by the "need to build an offshore platform in the very harsh and unforgiving waters of Cook Inlet, at a cost of about $350 million"); A. Semanco, *Drilling in the Arctic Refuge: A Financial Disaster and a Threat to Our Future*, ALASKA WILDERNESS LEAGUE (Dec. 11, 2024) ("The Arctic isn't just remote; it's one of the most difficult environments on Earth. Extracting oil here requires specialized equipment, infrastructure to handle frozen landscapes, and significant risk mitigation for extreme weather. These challenges make Arctic drilling the costliest venture in the industry.").

[63] Kawerak, Inc., *Kawerak, Association of Village Council Presidents, and Bering Sea Elders Group Appreciate Protections for Their Waters from Oil and Gas Leasing* (Jan. 6, 2025).

[64] W. Hicks, *Alaska's Wind, Wave, Tidal Resources Could Help State Meet Future Energy Needs, NREL Determines*, NATIONAL RENEWABLE ENERGY LABORATORY (Apr. 17, 2024).

[65] 2024-2029 Proposed Final Program at 7-6.

cost-effective path forward;[66] it also offers a sensible solution to southcentral Alaska's gas supply shortage. A 2023 poll showed that more Alaskans favor building renewable energy infrastructure than new oil and gas projects.[67] But instead of the state pursuing clean, sustainable solutions, Alaskans endure frivolous public spending on massive, unrealistic fossil fuel projects that make no sense from an economic or environmental standpoint.[68] Interior should stop wasting resources on risky, controversial oil and gas leasing and focus instead on enabling access to the vast untapped clean energy resources of Alaska's OCS.

- *If Interior insists on replacing the current program, it must complete an environmental impact statement pursuant to the National Environmental Policy Act.*

Interior's Request for Information asserts that an environmental analysis pursuant to the National Environmental Policy Act (NEPA) is not required.[69] However, NEPA's procedural requirements apply to a Federal agency's decisions for major actions, including approving projects or programs.[70] Here, an environmental impact statement (EIS) would examine alternatives to the proposed expansion of offshore oil and gas leasing,[71] and consider how to maximize environmental protections for Alaska and all other regions. Completing an EIS, instead of a non-NEPA "environmental analysis document" as Interior suggests,[72] is the bare minimum bar the government should meet.[73]

* * *

For all of the reasons above, we urge you to abandon your effort to replace the current five-year plan and, if you persist, to exclude all Alaska Planning Areas from further consideration for oil and gas leasing.

---

[66] *See* Renewable Energy Alaska Project, Railbelt Renewable Portfolio Standard (accessed May 16, 2025).
[67] Dittman Research, New Energy Alaska, Energy Issues Statewide Public Opinion Survey (Spring 2023), (showing 82 percent vs. 76 percent).
[68] *See, e.g.*, 544 Alaskans from 64 communities, Letter to Alaska Industrial Development Export Authority (Aug. 4, 2021) ("While AIDEA's mission is to diversify Alaska's economy, its track record shows a series of failed projects and investments almost exclusively in extractive industries. To date AIDEA has spent over $3 billion dollars on projects in Alaska and few of these projects ever fulfilled their intended use."); Pacific Environment, *Alaska's pipe dream: The economic folly of the North Slope gasline* (Jan. 23, 2025) ("For a decade and a half, the Alaska Gasline Development Corporation (AGDC) has spent nearly $500 million of Alaskans' money trying to bring natural gas from Alaska's North Slope to Southcentral Alaska for local consumption and export. These efforts have produced no tangible result[.]").
[69] 90 Fed. Reg. at 17,976.
[70] *See* 42 U.S.C. § 4332(C); 43 CFR § 46.100 (citing 40 C.F.R. § 1508.18).
[71] 42 U.S.C. § 4332(C)(iii).
[72] 90 Fed. Reg. at 17,976.
[73] *See* Congressional Research Service, *Five-Year Offshore Oil and Gas Leasing Program: History and Background* at 1 (updated Jan. 9, 2024) ("As required by [NEPA], the [Five-Year Program] planning process includes a programmatic environmental impact statement (PEIS)") (citing 42 U.S.C. §4321).

Sincerely,

Linda Behnken
Executive Director
ALASKA LONGLINE FISHERMEN'S ASSOCIATION

Pamela Miller
Executive Director
ALASKA COMMUNITY ACTION ON TOXICS

Andy Moderow
Senior Director of Policy
ALASKA WILDERNESS LEAGUE

Georgia Hancock
Director and Senior Attorney, Marine Wildlife Program
ANIMAL WELFARE INSTITUTE

Bridget Maryott
Co-Executive Director
COOK INLETKEEPER

Nicole Whittington-Evans
Senior Director, Alaska & Pacific Northwest Programs
DEFENDERS OF WILDLIFE

Hannah Payne Foster
Senior Associate Attorney
EARTHJUSTICE

Arlo Hemphill
US Project Lead, Ocean Sanctuaries
GREENPEACE USA

Sean McDermott
Arctic Program Coordinator
NORTHERN ALASKA ENVIRONMENTAL CENTER

Joseph Gordon
Campaign Director
OCEANA

Michael Stocker
Director
OCEAN CONSERVATION RESEARCH

Mike Scott
National Oil and Gas Campaign Manager
SIERRA CLUB

Pete Stauffer
Ocean Protection Manager
SURFRIDER FOUNDATION

Marcy Melville
Chair of the Kenai Peninsula Chapter
SURFRIDER FOUNDATION - KENAI PENINSULA CHAPTER

Kyla Kosednar
Advocacy Director
THE ALASKA CENTER

Joanie Steinhaus
Ocean Program Director
TURTLE ISLAND RESTORATION NETWORK

SOURCES IN SUPPORT OF
ALASKA LONGLINE FISHERMEN'S ASSOCIATION *ET AL.*'S COMMENTS ON REQUEST FOR INFORMATION ON THE 11TH NATIONAL OUTER CONTINENTAL SHELF OIL AND GAS LEASING PROGRAM (BOEM-2025-0015)
(SUBMITTED JUNE 15, 2025)

554 Alaskans from 64 communities, Letter to Alaska Industrial Development Export Authority (Aug. 4, 2021), https://northern.org/wp-content/uploads/AIDEA-Letter-8.4.2021-1.pdf

Alaska Federation of Natives, *Erosion and Alaska Native Communities* (December 2018), https://www.nativefederation.org/wp-content/uploads/2018/12/AFN-AKDayErosion-December2018-ONLINE.pdf

H. Bi *et al.*, *Oil spills in coastal regions of the Arctic and Subarctic: Environmental impacts, response tactics, and preparedness*, 958 SCI. OF THE TOTAL ENV'T 178025 (Dec. 16, 2024), https://pubmed.ncbi.nlm.nih.gov/39689468/

Bureau of Ocean Energy Management (BOEM), Map: *Assessment of Undiscovered Technically Recoverable Oil and Gas Resources of the Nation's Outer Continental Shelf, 2021*, https://www.boem.gov/2021-assessment-undiscovered-oil-and-gas-resources-nations-outer

Congressional Research Service, *Five-Year Offshore Oil and Gas Leasing Program: History and Background* (updated Jan. 9, 2024)

A. DeMarban, *Alaska regulators propose $914,000 fine against ConocoPhillips for North Slope gas blowout and leak*, ANCHORAGE DAILY NEWS (June 28, 2023), https://www.adn.com/business-economy/energy/2023/06/28/alaska-regulators-propose-914000-fine-against-conocophillips-for-north-slope-gas-leak/

Dittman Research, New Energy Alaska, *Energy Issues Statewide Public Opinion Survey* (Spring 2023), https://newenergyalaska.org/wp-content/uploads/2023/12/231115_NEA_1-Pager_Public-Opinion-Notes_r1v4_sm.pdf

L. Donahey, Alaska Wilderness League *et al*., Comments to S. Jewell, Secretary of the Interior, Re: Draft Programmatic Environmental Impact Statement for the Outer Continental Shelf (OCS) Oil and Gas Leasing Program: 2017-2022 (81 Fed. Reg. 14,885 (Mar. 18, 2016)) (May 2, 2016)

W. Early, *Cook Inlet natural gas producer says it's sitting on large deposit, but nobody wants in*, ALASKA PUBLIC MEDIA (Dec. 4, 2023), https://alaskapublic.org/news/2023-12-04/cook-inlet-natural-gas-producer-says-its-sitting-on-large-deposit-but-nobody-wants-in

D. Fears & S. Clement, *Americans would rather reduce oil and gas exploration than 'drill, baby, drill'*, WASHINGTON POST (Oct. 25, 2019), https://www.washingtonpost.com/climate-environment/2019/10/25/americans-would-rather-reduce-oil-gas-exploration-than-drill-baby-drill/

P. Goodfellow & M. Birnbaum, Alaska Department of Environmental Conservation, Alaska Greenhouse Gas Emissions Inventory 1990-2020 (May 25, 2023)

D. Hasemyer, *Thawing permafrost has damaged the Trans-Alaska Pipeline and poses an ongoing threat*, INSIDE CLIMATE NEWS (July 11, 2021), https://insideclimatenews.org/news/11072021/thawing-permafrost-trans-alaska-pipeline/

W. Hicks, *Alaska's Wind, Wave, Tidal Resources Could Help State Meet Future Energy Needs, NREL Determines*, NATIONAL RENEWABLE ENERGY LABORATORY (Apr. 17, 2024), https://www.nrel.gov/news/detail/program/2024/alaska-wind-wave-tidal-resources-could-help-state-meet-future-energy-needs-nrel-determines

Intergovernmental Panel on Climate Change (IPCC), *Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change*, Regional fact sheet - Polar Regions (2021), https://www.ipcc.ch/report/ar6/wg1/resources/factsheets

IPCC, *Climate Change 2022: Impacts, Adaptation and Vulnerability, Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change, Cross-Chapter Paper 6: Polar Regions* (2022), https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_CCP6.pdf

IPCC, *Climate Change 2023: Synthesis Report* (2023), https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC_AR6_SYR_FullVolume.pdf

B. Jones, *An oil company wants to use giant chillers to refreeze the ground that climate change is thawing in order to drill for more oil — which will ultimately accelerate global warming*, BUSINESS INSIDER (Aug. 17, 2020), https://www.businessinsider.com/conocophillips-chillers-refreeze-thawing-tundra-climate-change-2020-8

Kawerak, Inc., Press Release: *Kawerak, Association of Village Council Presidents, and Bering Sea Elders Group Appreciate Protections for Their Waters from Oil and Gas Leasing* (Jan. 6, 2025), https://kawerak.org/kawerak-association-of-village-council-presidents-and-bering-sea-elders-group-appreciate-protections-for-their-waters-from-oil-and-gas-leasing/

Pls. Rule 60(b)(6) Mot., *League of Conservation Voters v. Trump*, Case No. 3:17-cv-00101-SLG (Feb. 19, 2025), Doc. 99

C. Lockett, *King salmon declines linked to climate, smaller size*, UNIV. ALASKA FAIRBANKS (Nov. 26, 2024), https://www.uaf.edu/news/salmon-body-size-linked-to-declines.php#:~:text=King%20salmon%20have%20sustained%20people,the%20ocean%20and%20in%20rivers

Marine Mammal Commission, Comments to BOEM, Re: OCS 2017-2022 Proposed Program and Draft Programmatic EIS (June 14, 2016)

Marine Mammal Commission, Comments to BOEM, Re. the 2023-2028 National Outer Continental Shelf (OCS) Oil and Gas Leasing Proposed Program (Oct. 6, 2022)

Memorandum on Withdrawal of Certain Areas off the United States Arctic Coast of the Outer Continental Shelf from Oil or Gas Leasing (Mar. 13, 2023), https://bidenwhitehouse.archives.gov/briefing-room/presidential-actions/2023/03/13/memorandum-on-withdrawal-of-certain-areas-off-the-united-states-arctic-coast-of-the-outer-continental-shelf-from-oil-or-gas-leasing/

L. Mering, Cook Inletkeeper, & R. Highland, Kachemak Bay Conservation Society, Letter to Alaska Department of Conservation, Re. Proposed Changes to the ADEC Regulation Regarding Oil Discharge Prevention and Contingency Plans (Jan. 31, 2022), https://dec.alaska.gov/media/2d2m5w0a/cook-inletkeeper-comments.pdf

NOAA Fisheries, *Delayed Effects of Oil Spill Compromise Long-term Fish Survival* (last updated Feb. 23, 2023), https://www.fisheries.noaa.gov/feature-story/delayed-effects-oil-spill-compromise-long-term-fishsurvival#:~:text=A%20new%20study%20released%20today,greater%20impacts%20on%20spawning%20fish

Compl. for Declaratory and Injunctive Relief, *N. Alaska Env't Ctr. v. Trump*, Complaint for Declaratory and Injunctive Relief, Case No. 3:35-cv-00038 (Feb. 19, 2025), Doc. 1

Pacific Environment, Press Release: *Alaska's pipe dream: The economic folly of the North Slope gasline* (Jan. 23, 2025), https://www.pacificenvironment.org/press-releases/alaskas-pipe-dream-the-economic-folly-of-the-north-slope-gasline/

Presidential Memorandum -- Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition (Dec. 16, 2014), https://obamawhitehouse.archives.gov/the-press-office/2014/12/16/presidential-memorandum-withdrawal-certain-areas-united-states-outer-con.

Presidential Memorandum -- Withdrawal of Certain Areas of the United States Outer Continental Shelf Offshore Alaska from Leasing Disposition (Jan. 27, 2015), https://obamawhitehouse.archives.gov/the-press-office/2015/01/27/presidential-memorandum-withdrawal-certain-areas-united-states-outer-con

Presidential Memorandum -- Withdrawal of Certain Portions of the United States Arctic Outer Continental Shelf from Mineral Leasing (Dec. 20, 2016), https://obamawhitehouse.archives.gov/the-press-office/2016/12/20/presidential-memorandum-withdrawal-certain-portions-united-states-arctic

M. Ramirez & M. Loria, *Exxon Valdez spill shaped history 36 years ago. What have we learned?*, USA TODAY (Mar. 24, 2025), https://www.usatoday.com/story/news/nation/2025/03/24/exxon-valdez-oil-spill-36-years-later/82643247007/

Renewable Energy Alaska Project, Railbelt Renewable Portfolio Standard (accessed May 16, 2025), https://alaskarenewableenergy.org/initiatives/railbelt-renewable-portfolio-standard/

H. Richards, *BLM analysis shows climate price of Alaska drilling*, ENERGYWIRE (Dec. 13, 2019), https://www.eenews.net/articles/blm-analysis-shows-climate-price-of-alaska-drilling/#:~:text=Downstream%20emissions,as%20climate%20concerns%20have%20peaked

Y. Rosen, *Alaska commission proposes $49,000 fine against Hilcorp for Cook Inlet violations*, ALASKA BEACON (May 12, 2025), https://alaskabeacon.com/briefs/alaska-commission-proposes-49000-fine-against-hilcorp-for-cook-inlet-violations/

Y. Rosen, *Relocation of eroding Alaska Native village seen as a test case*, ALASKA PUB. MEDIA (Apr. 22, 2024), https://alaskapublic.org/news/2024-04-22/relocation-of-eroding-alaska-native-village-seen-as-a-test-case

L. Ruskin, *Alaska regulators examine ConocoPhillips' 2022 Alpine gas leak near Nuiqsut*, ALASKA PUBLIC MEDIA (Mar. 24, 2023), https://alaskapublic.org/xx-statewide-news/2023-03-24/alaska-regulators-examine-conocophillips-2022-alpine-gas-leak-near-nuiqsut

M. Salavitch, *The United States Has Declared the Boundaries of Its Extended Continental Shelf: What Comes Next?*, FORDHAM INT'L LAW J. (Apr. 30, 2024), https://www.fordhamilj.org/iljonline/the-united-states-has-declared-the-boundaries-of-its-extended-continental-shelf-what-comes-next

E. Schwing & A. Adams, *Forced to relocate by climate change, these Southwest Alaska villagers found a new crisis*, ANCHORAGE DAILY NEWS (May 29, 2025), https://www.adn.com/alaska-news/rural-alaska/2025/05/29/forced-to-relocate-by-climate-change-these-southwest-alaska-villagers-found-a-new-crisis/

A. Semanco, Alaska Wilderness League, *Drilling in the Arctic Refuge: A Financial Disaster and a Threat to Our Future* (Dec. 11, 2024), https://alaskawild.org/blog/drilling-in-the-arctic-refuge-a-financial-disaster-and-a-threat-to-our-future/

I. M. Stevenson, *3 questions answered about Interior's High Arctic plans*, ENERGYWIRE (May 5, 2025), https://www.eenews.net/articles/3-questions-answered-about-interiors-high-arctic-plans/

U.S. Department of the Interior (Interior), Fact Sheet: President Obama Protects 125 Million Acres of the Arctic Ocean (Dec. 2016), https://obamawhitehouse.archives.gov/the-press-office/2016/12/20/statement-president-actions-arctic-and-atlantic-oceans

Interior, T/V Exxon Valdez Crude Oil Spill, Case Description, https://www.cerc.usgs.gov/orda_docs/CaseDetails?ID=983#:~:text=Case%20Description,spill%20in%20United%20States%20history

U.S. Department of State, *The Outer Limits of the Extended Continental Shelf of the United States of America, Executive Summary* (Revised 2025), https://www.state.gov/wp-content/uploads/2025/02/ ECS_Executive_Summary.pdf

U.S. Energy Information Administration, Alaska (last updated May 15, 2025), https://www.eia.gov/state/analysis.php?sid=AK

A. Villagomez, Center for American Progress, *Project 2025's Plan To 'Drill, Baby, Drill' Threatens Ocean Health and Economic Stability* (Aug. 20, 2024), https://www.americanprogress.org/article/project-2025s-plan-to-drill-baby-drill-threatens-ocean-health-and-economic-stability/

S. Waldman & CLIMATEWIRE, *The U.S. Is Not Ready to Clean Up an Arctic Oil Spill*, SCIENTIFIC AMERICAN (July 19, 2017), https:/www.scientificamerican.com/article/the-u-s-is-not-ready-to-clean-up-an-arctic-oil-spill/

S. Webb, *Q&A: Alaska governor talks gas, ANWR, environmental critics*, ENERGYWIRE (Feb. 7, 2025)

World Meteorological Association, *Global climate predictions show temperatures expected to remain at or near record levels in coming 5 years* (May 28, 2025)