January 22, 2026

Kelly Hammerle
Bureau of Ocean Energy Management
45600 Woodland Road
Sterling, VA 20166-9216

RE: Public Comment for 11th National Outer Continental Shelf Oil and Gas Leasing Draft Proposed Program: 1st Analysis and Proposal (Docket No. BOEM-2025-0483)

Dear Director Hammerle,

The Central Council of Tlingit & Haida Indian Tribes of Alaska (Tlingit & Haida) is the largest federally and state recognized tribe in Alaska, representing over 38,000 Tribal Citizens in communities stretching over 43,000 square miles across the Southeast Alaska (SEAK) Panhandle. This region encompasses a 525-miles of coastline and interior waterways, bordered by Canada on the north, south, and east, with the Gulf of Alaska on the west. Since time immemorial, Tlingit and Haida peoples have stewarded our homelands and waters through traditional harvest practices that sustain our communities. Commonly referred to as subsistence, this way of life strengthens our physical, mental, and spiritual well-being while upholding our food sovereignty, culture, and language. Our way of life is embedded within ancestral memory and reflects our deep-rooted relationship with the natural environment.

Tlingit & Haida appreciates the opportunity to provide comments on Interior's 11th National Outer Continental Shelf Oil and Gas Leasing Draft Proposed Program: 1st Analysis and Proposal (DPP) (Docket No. BOEM-2025-0483). We write to urge the removal of Gulf of Alaska program areas from future consideration for oil and gas leasing.

Alaska's oceans support globally significant commercial, recreational and subsistence fisheries that provide tens of thousands of jobs, billions of dollars in income, and a critical source of food for Alaska, the nation and the world. Many Tribes and communities in Alaska rely on clean ocean waters to support subsistence hunting and fishing activities that provide healthy food and promote food security. Alaska's commercial and recreational fisheries have an

international reputation for being sustainably managed, and the Bering Sea alone produces more than half the nation's seafood. Alaska's clean and abundant waters and coastlines are a core component of the state's tourism industry – a cornerstone of our economy.

Allowing offshore oil and gas leasing in Alaska waters would put these interconnected systems in jeopardy. Offshore oil and gas activities create the risk of water, air, and noise pollution that threaten the availability of maritime resources harvested by subsistence hunters and fishers, as well as the actual or perceived safety of those food resources. Oil and gas drilling in Alaska's waters could not only pose a direct threat to the state's commercial fisheries; it could also jeopardize the reputation for healthy and clean waters on which Alaska's fisheries marketing relies. Similarly, offshore oil and gas operations would clash with Alaska's maritime tourism industry, which offers visitors natural beauty and abundant fish and wildlife.

For Indigenous communities still living with the intergenerational trauma and unresolved ecological impacts of Exxon Valdez oil spill of 1989, the risks associated with offshore oil and gas development are not abstract. The threat posed by oil spills to Alaska's wildlife is not a theoretical one, but one that was made abundantly clear by the Exxon Valdez. The spill resulted in the immediate death of hundreds of thousands of animals and billions of salmon and herring eggs, and while some populations have recovered, some like Pacific Herring (a culturally significant species) remain significantly diminished.[1] The spill caused an unprecedented impact to Alaska Native communities and irreparable harms to community well-being, mental health, and food security.

These risks of offshore oil and gas operations in Alaska are too high and unjustifiable. That's especially true when most program areas included in the draft leasing program are far from existing infrastructure and are unlikely to contain significant oil and gas resources. As the draft leasing program itself recognizes, most Alaska program areas have negligible oil and gas resources or "negligible development value." They have not been leased or explored for decades—if ever—and are unattractive targets for the oil and gas industry.

The draft proposal emphasizes national energy security, GDP contributions, and revenue generation, but does not demonstrate equitable benefit-sharing for Alaska Native Tribes whose traditional territories, waters, and subsistence resources would bear risk from Gulf of Alaska leasing. Revenue-sharing mechanisms cited (i.e. the Land Water Conservation Fund, Historic Preservation Fund, Section 8(g)) are not Tribal-specific and do not guarantee direct benefits to affected Tribes. Section 18 of the Outer Continental Shelf (OCS) Lands Act (43 U.S.C. § 1344) requires the Secretary to balance eight factors when determining the size, timing, and location of offshore lease sales, including:

[1] https://evostc.state.ak.us/status-of-restoration/

- Environmental sensitivity and marine productivity
- Other uses of the OCS, explicitly including subsistence
- Equitable sharing of developmental benefits and environmental risks
- Adverse impacts on the coastal zone

The Draft Proposed Program creates inequity where localized cultural and subsistence risk is high with diffuse national benefit, a concern directly relevant to the OCS Lands Act's "equitable sharing" factor. The Draft Proposed Program acknowledges subsistence as an "other use of the OCS" but does not apply a subsistence priority or avoidance standard, nor does it analyze whether proposed leasing could meaningfully restrict subsistence uses, contrary to ANILCA's protective purpose. The program defers detailed analysis of these cumulative impacts to later stages while still advancing GOA areas for leasing consideration, despite acknowledging that production could last 30–40 years or longer. This sequencing risks predetermination and undermines the Section 18 requirement to balance risks before advancing areas for leasing. This omission exposes the program to challenge, failing to meaningfully account for subsistence dependence in its Section 18 balancing.

Although the proposal states an intent to consult with Tribes, it frames Tribal engagement as a procedural step rather than as decision-making consultation. In addition, the proposal has no explicit recognition of Indigenous Knowledge systems as decision-weighted science, no commitment to Free, Prior, and Informed Consent, and no Tribal role in determining exclusion zones, lease deferrals, or mitigation thresholds. For Tribes actively engaged in Indigenous marine stewardship, this represents a missed opportunity to align federal leasing decisions with Tribal governance authority and knowledge. We remind the BOEM of their duty to fulfill the trust responsibility to Tribes, as a federal agency under the Department of Interior. Consultation without demonstrable influence on decisions affecting Tribal food systems risks violating the trust responsibility by reducing Tribal governments to stakeholders rather than rights-holders. Tlingit & Haida strongly encourages that any offshore lease decisions be made in consultation with adjacent Tribal sovereigns, honoring our longstanding relationships with the sea and recognizing our rights to maintain cultural and spiritual connections to the environment.

Tlingit & Haida strongly urges BOEM to remove Alaska Program Areas from further consideration and exclude them from future iterations of the 11th National Outer Continental Shelf Oil and Gas Leasing.

Gunalchéesh, Háw'aa, thank you for your consideration. If you require further information or have any questions regarding our comments, please contact the Office of the President at otp@tlingitandhaida.gov

Sincerely,

Richard J. Peterson

President