



The Honorable Deb Haaland, Secretary  
Department of the Interior  
1849 C Street, NW  
Washington, DC 20240

Submitted via email to: [energyreview@ios.doi.gov](mailto:energyreview@ios.doi.gov)

April 15, 2021

**Re: Comments on the Department of the Interior's Federal Oil and Gas Program**

Dear Secretary Haaland:

Congratulations on your confirmation as Secretary of the Interior. As Tribes and Tribal organizations, we are very pleased that you are leading this important agency that affects so many Indigenous Peoples across our country. Thank you for the opportunity to provide comments on the Department of the Interior's (DOI) Oil and Gas Program in response to Executive Order 14008 on Tackling the Climate Crisis at Home and Abroad.

Kawerak Inc., Association of Village Council Presidents (AVCP), the Bering Sea Elders Group (BSEG) and the Aleut Community of St. Paul Island collectively represent over 70 Tribes in Western Alaska, the Bering Sea, and Bering Strait regions. We rely and depend on a healthy marine ecosystem for our ways of life. As stewards of our land and water, we request to be included in management decisions and that Traditional/Indigenous Knowledge and western science be equitably treated in the decision-making process.

Climate-driven disruptions in the Bering Sea have placed the ecosystem in peril, with devastating impacts to both fisheries and protected resources. The Bering Sea is an exceptional ecosystem of tremendous ecological, economic, and cultural importance. It supports one of the largest fisheries and marine mammal migrations in the world. The Bering Sea region is home to the Central Yup'ik, Cup'ik, St. Lawrence Island Yupik, Unangan, and Inupiaq people and Tribes that reside between the southern Chukchi Sea and the Aleutian and Pribilof Islands. We, the Indigenous people of the region, have an innate connection to the lands and waters and have been stewards to this area for millennia. Indigenous Peoples continue to be sustained by the incredibly productive Bering Sea region, including the countless species of seabirds, marine mammals, fish and invertebrates. Our oceans have critical cultural and subsistence value for coastal communities, and also provide jobs, food, and exports that contribute significantly to our national economy.

Due to the amplified impacts of climate change in high latitudes, the Bering Sea is warming at a significantly faster rate – up to 3 times the rate of temperate zones. The people of the region are especially vulnerable to the impacts of climate change, which we did little to create. Along with a loss of sea ice, populations of red king crab, ice seals, walrus, and other marine species we depend on have been devastated. Indicator species such as zooplankton, seabirds, and marine mammals are showing signs of stress and population declines under warmer, more acidic, and increasingly toxic conditions as a result of harmful algal blooms and increasingly ice-free ocean conditions. Climate change is an existential threat to the Bering Sea ecosystem. These unprecedented environmental changes are coupled with and compounded by human-driven stressors, including increased marine traffic, destructive commercial fishing, oil and mining exploration and extraction, marine debris, increased militarization and seabird and marine mammal unusual mortality events.

Just last year we had to respond to a major foreign marine debris event in the Bering Strait, that later reached the Pribilof Islands. A Russian LNG tanker travelling south through the Bering Strait in January 2021, lost engine power, only narrowly avoiding a major catastrophe.

In 2016, President Obama issued an Executive Order creating the Northern Bering Sea Climate Resilience Area ([Executive Order 13754](#)). It was issued in direct response to concerns expressed by Tribes along the Bering Sea coast and answered our request for a meaningful role in decision-making on policies related to the Northern Bering Sea. The Executive Order was revoked by President Trump and then reinstated on the first day of the Biden-Harris Administration in [Executive Order 13990](#). The Executive Order permanently withdrew the Norton Sound Planning Area and the lease blocks within the St. Matthew Hall Planning Area lying within 25 nautical miles of St. Lawrence Island. The President used section 12(a) under the Outer Continental Shelf Leasing Act.

In addition to the withdrawals, the Executive Order establishes a set of policies aimed at protecting our people and our subsistence ways of life in the face of increasing effects of climate change. It creates a formal, efficient mechanism for Tribes to provide their advice and recommendations on policies affecting our region by creating the *Bering Intergovernmental Tribal Advisory Council*, comprised of 9 to 11 Tribal members from the Northern Bering Sea and a *Federal Agency Task Force*, comprised of approximately 12 representatives of federal agencies. The Tribal Advisory Council is specifically charged with “providing input and recommendations on activities, regulations, guidance, or policy that may affect actions or conditions in the Northern Bering Sea Climate Resilience Area, with attention given to climate resilience; the rights, needs, and knowledge of Alaska Native Tribes; the delicate and unique ecosystem; and the protection of marine mammals and other wildlife.”

As we work toward implementation of the Executive Order, we want to use this opportunity to once again share our concerns about offshore drilling in the region. Tribes of the Northern Bering Sea have long opposed offshore drilling in the region since the early 1980s when the Native Villages of Gambell and Stebbins sued the Federal Government for holding lease sales in the Norton and Navarin Basin planning areas (*Native Village of Gambell v. Hodel*, 869 F.2d 1273 (9th Cir. 1989)).

More recently, when the Trump Administration proposed leasing in the 2019-2024 Five-Year Program, we were on record opposing oil and gas leasing in the Norton Sound, St. Matthew-Hall, Navarin Basin, Aleutian Basin, Hope Basin, and St. George Basin.

We remain opposed to leasing in our region and want to ensure you recognize the desire for permanent withdrawals in the Norton Sound, St. Matthew-Hall, Navarin Basin, Aleutian Basin, Hope Basin, and St. George Basin. The risks in the Bering Sea have not diminished in the forty years since the Gambell litigation on oil and gas leases in the early 80's.

To ensure that you have all of the documentation from our respective organizations on our collective efforts to protect the Northern Bering Sea from offshore oil and gas activities, we attach:

- Letter dated August 3, 2017 from Kawerak responding to the Request for Information and Comments on the Preparation of the 2019-2024 National Outer Continental Shelf Oil and Gas Leasing Program. In this letter, Kawerak encouraged BOEM to maintain the approach for the 2017-2022 Five-Year Program for waters in the Northern Bering Sea region. Should BOEM have revised the current management plan, Kawerak was opposed to oil and gas lease sales in the Hope, Norton, St. Mathew Hall, and Navarin Basin and asked to exclude the Hope, Norton, St. Mathew Hall, and Navarin Basin Planning areas from any new plans.
- Letter from AVCP and BSEG responding to the Request for Information and Comments on the Preparation of the 2019-2024 National Outer Continental Shelf Oil and Gas Leasing Program. Both organizations requested that BOEM exclude the Norton Sound, St. Matthew Hall, Navarin Basin, Aleutian Basin, and St. George Basin from the 2019-2024 Five-Year Program. The Tribes in the region were unanimous that they did not support inclusion of these areas in a five-year program and made that clear in their resolutions.
- Kawerak, Inc. Resolution 2017-08: Resolution advising all sectors of government on the importance of our Indigenous way of life in the Northern Bering Sea.
- AVCP Resolution 17-05-01: Resolution to reinstate the provisions of the Executive Order creating the Northern Bering Sea Climate Resilience Area.
- Bering Sea Elders Group Resolution dated September 22, 2017: Resolution to reinstate the provisions of the Executive Order creating the Northern Bering Sea Climate Resilience Area.
- AVCP resolution 16-10-02: Resolution to sustain tribal safety and food security in the Northern Bering Sea and Bering Strait Region to promote the self-determination of our people in the management of natural resources and habitat in the Northern Bering Sea and Bering Strait Region.
- Bering Sea Elders Group Resolution: dated June 15, 2016 Resolution to regain and sustain tribal food safety and food security in the Northern Bering Sea and Bering Strait

Region and to promote the self-determination of our people in the management of natural resources and habitat in the Northern Bering Sea and Bering Strait region.

- Kawerak, Inc. Resolution 2016-04: Resolution to sustain tribal safety and food security in the Northern Bering Sea and Bering Strait Region and to promote the self-determination of the tribes in the future management of natural resources and habitat in the Northern Bering Sea and Bering Strait region.
- Statement of support dated December 9, 2016 from the Alaska Federation of Natives: White House action on Alaskan Arctic Resilience elevates the voice of Alaska Native Tribes.
- Inuit Circumpolar Council of Alaska letter dated August 5, 2016 supporting Northern Bering Sea protections.
- Bering Sea Elders Group resolution dated September 10, 2014 expressing a vision for the Northern Bering Sea.
- 2014 and 2015 Food security resolutions adopted by tribes in the AVCP and Kawerak regions.

In closing, we continue to oppose oil and gas leasing in the Norton Sound, St. Matthew-Hall, Navarin Basin, Aleutian Basin, Hope Basin, and St. George Basin. We look forward to working with you to implement the important processes, recognitions, and protections implemented by Executive Order 13754.

Sincerely,



---

Melanie Bahnke  
President  
Kawerak, Inc.



---

Vivian Korthuis  
Chief Executive Officer  
Association of Village Council Presidents



---

Amos Philemonoff  
President  
Aleut Community of St. Paul Island



---

Mellisa Johnson  
Executive Director  
Bering Sea Elders Group