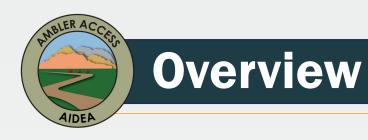
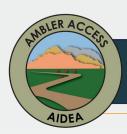


# **Subsistence Advisory Committee**





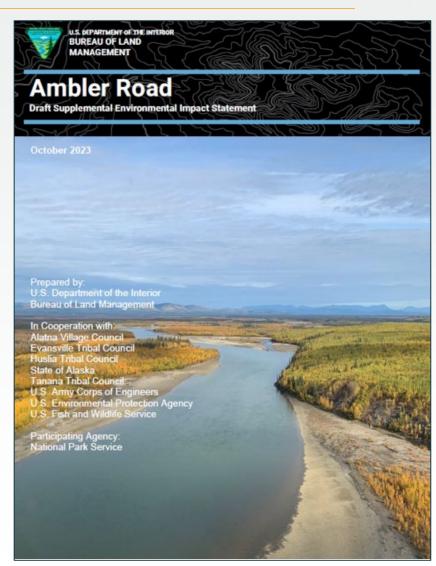
- NEPA Process how did we get here?
- Reason for the Supplemental EIS
- Final and Draft Supplemental EIS differences
- Subsistence resources in the Draft Supplemental EIS
- AIDEA's comments on the Draft Supplemental EIS
- Additional studies published since the FEIS
- Next steps

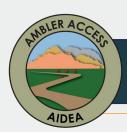


## **NEPA Process – How did we get here?**

## Timeline – 43 years and counting

- December 1980: Access between the Dalton Highway and the Ambler Mining District preserved in the passage of ANILCA
- November 2015: AIDEA submits right-of-way application to BLM
- 2017: BLM begins scoping for the EIS to identify key issues
- 2019: Draft EIS released
- March 2020: Final EIS released
- July 2020: Record of Decision released; Alternative A selected
- May 2022: Court grants BLM a voluntary remand to re-evaluate deficiencies in subsistence impacts and tribal consultation
- October 2023: BLM publishes Draft Supplemental EIS
- December 22, 2023: end of Draft SEIS comment period
- 2024: Final SEIS and Record of Decision (ROD)





## **Reason for the Supplemental EIS**

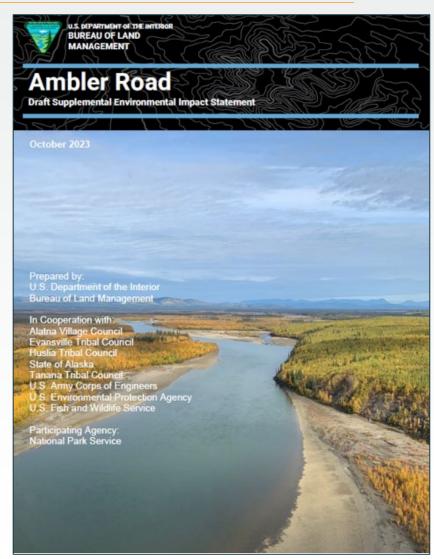
## BLM requested court remand

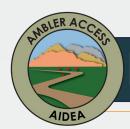
- Response to opposition lawsuits
- 6 months since ROD
- Change in presidential administration and Secretary of Interior

## BLM cited the need to reconsider two topics:

- ANILCA Section 810 analysis
- Government-to-government consultation with Tribes

NEPA states a SEIS should be prepared when there is substantial new information relevant to environmental concerns that have bearing on the proposed action or its effects.





#### **Format**

- Includes original analyses
- Added text highlighted in yellow

#### Content

- Expanded scope of analysis from remand
- Alternatives analysis
- Expanded ANILCA 810 impact geography

Ambler Road Draft Supplemental EIS Chapter 1. Introduction

#### 1. Introduction

#### 1.1. Introduction

The Bureau of Land Management (BLM) Fairbanks District Office has prepared this Draft Supplemental Environmental Impact Statement (Draft Supplemental EIS) to consider the environmental effects of issuing federal authorizations in response to a right-of-way (ROW) application from the Alaska Industrial Development and Export Authority (AIDEA). To assist readers in identifying new information in this Draft Supplemental EIS, new or substantially revised text is highlighted in light yellow (as shown in this paragraph). Substantial revisions include changes to the text or underlying data that have changed the analysis or analysis conclusion. All sections that are new or include significant or substantial revisions include an asterisk (\*) at the end of the section heading, all new or substantially revised tables and figures also include an asterisk at the end of the table title or figure caption.

AIDEA proposes to construct; operate and maintain for an estimated 50 years; and to remove a 211-mile, all-season, industrial access road to the Ambler Mining District (District) in the Brooks Range of Alaska (Volume 4, Maps, Map 1-1). Under AIDEA's proposal, approximately 25 miles of the proposed road would cross BLM-managed lands. According to AIDEA, the road would provide access for mineral exploration, mine development, and mining operations in the Ambler Mining District (District). AIDEA is a State of Alaska (State) public corporation whose mission is to increase job opportunities and economic activity in the state. AIDEA has undertaken similar efforts, such as the industrial road that provides access to Red Dog Mine from the northwest coast of Alaska.

On November 24, 2015, and supplemented on June 20, 2016, AIDEA filed a ROW application (known as Standard Form 299 [SF 299]) for surface transportation access to currently road-inaccessible mineral deposits in the District (DOWL 2016a). AIDEA filed the application in accordance with the provisions in the Alaska National Interest Lands Conservation Act (1980) (ANILCA) for providing access to the District (see ANILCA Sections 201(4)(b) and 1101(a)). On April 29, 2019, AIDEA submitted to the BLM an amendment to the SF 299, which addresses communications facilities associated with the proposed access road (DOWL 2019a). On October 29, 2019, AIDEA submitted comments on the Draft EIS to the BLM that included clarifications and details on design commitments. On November 13, 2019, AIDEA submitted information about project financing, proposed road maintenance, and proposed reclamation details to the BLM that identified additional design features.

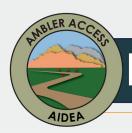
On February 5, 2020, AIDEA submitted a revised Application for Department of the Army Permit to the Alaska District of the U.S. Army Corps of Engineers (USACE) pursuant to the Rivers and Harbors Act (RHA) Section 10 and Clean Water Act (CWA) Section 404, among others, which included a revised permit application narrative.

These federal authorizations for the Proposed Ambler Mining District Industrial Access Project (Ambler Road) were originally analyzed in the March 2020 Final EIS and authorized in a joint Record of Decision (JROD) issued in July 2020 by the BLM and the USACE. Litigation commenced with suits from multiple parties in August and October 2020. In February 2022, the U.S. Department of the Interior (DOI) requested the U.S. District Court for Alaska grant voluntary remand, stating that additional legal analysis revealed deficiencies in the BLM's analysis of subsistence impacts under ANILCA Section 810 and

<sup>&</sup>lt;sup>1</sup> The term "Mining District" applies traditionally to grographic areas described by miners, and such districts are often governed under bylaws drawn up by miners. The Arabler Mining District, however, is an informal descriptive term applied to the approximant area mapped in this Dorff Supplemental ESs and has no formal or legal standing. In construct, the many individual mining claims and mining agreements that exist within the mapped area do have legal rights and responsibilities under state and federal law (Psesono 2016; mindat or as 2019).

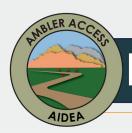






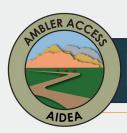
Content: Expanded scope of analysis from remand

- Remand request specified deficiencies with ANILCA Section 810 and NHPA analyses
  - ANILCA Section 810
    - Potential impacts to subsistence caribou harvest from vegetation (forage) impacts
    - Potential impacts to subsistence fish harvest from construction and operation dewatering needs
    - New information regarding declines in Yukon River salmon runs and Western Arctic Caribou Herd population: "deteriorating conditions now warrant thorough reconsideration."



Content: Expanded scope of analysis from remand

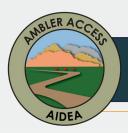
- Remand request specified deficiencies with ANILCA Section 810 and NHPA analyses
  - National Historic Preservation Act (NHPA) Analysis
    - Programmatic Agreement (PA) developed with Final EIS and included tribes who indicated interest in being involved.
       Required signatories are Federal agencies and SHPO.
    - BLM requested to revisit consultation obligations with sovereign tribal governments and consider if tribes should be invited as PA signatories.



## Content: Expanded scope of analysis from remand

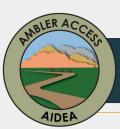
- In addition to remand topics, Draft SEIS re-analyzes:
  - Alternatives analysis
  - Air quality and climate
  - Birds
  - Mammals
  - Transportation and access
  - Environmental justice
  - Socioeconomics and communities
- Updates are also made regarding
  - Reasonably foreseeable future actions
  - Proposed mitigation measures

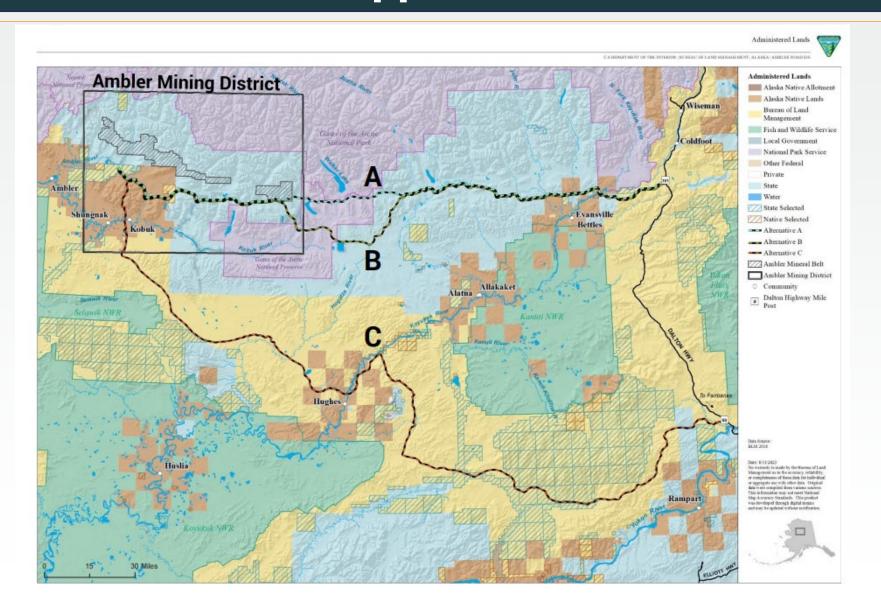


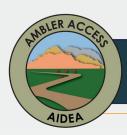


## **Content: Alternatives Analysis**

- Evaluation of Alternative A
  - Chosen by BLM and NPS in the Final EIS and selected by the U.S. Army Corps of Engineers
    as the "Least Environmentally Damaging Practicable Alternative"
- Evaluation of dismissed alternatives
  - Alternative B: 17 miles longer than A, less NPS land
  - Alternative C: 121 miles longer than A, close to Hughes, Kobuk, and Shungnak
  - Both alternatives were eliminated in earlier analysis due to environmental impacts
  - Alternative analysis not required in Supplemental NEPA process

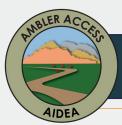






## **Summary of Alternatives**

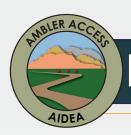
Component	Alternative A	Alternative B	Alternative C
Road length (miles)	211	228	332
Project footprint (acres)	4,524	5,138	8,210
Anadromous fish stream crossings (approx.)	40	43	270
Bridges	49	41	251
Wetland impacts (acres)	2,079	2,416	3,885
WACH habitat impacts (acres)	4,161	4,775	4,120
Ray Mtn. caribou herd habitat impacts (acres)	0	0	1,964



Content: National Historic Preservation Act (NHPA) Analysis

Document doesn't reflect ongoing activities relative to the Programmatic Agreement, which is the document developed to satisfy NHPA

- AIDEA has held more than 30 public meetings in the region to update the public and solicit questions
- Formation and proceedings of the Subsistence Advisory Committee
- Formation and proceedings of the Workforce Development Working Group
- Employment of regional shareholders through the Tribal Liaison Program to support archaeological surveys

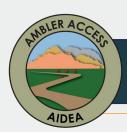


## Content: Expanded ANILCA 810 impact geography

- Analysis of potential subsistence impacts expanded to 66 communities from 27
- Cannot distinguish potential road-related impacts to communities from non-road related impacts

# Section 810 Analysis Finding of Significant Restriction to Subsistence Uses (number of communities)

Alternative A		Alternative B		Alternative C	
Final EIS	Draft SEIS	Final EIS	Draft SEIS	Final EIS	Draft SEIS
16	29	16	30	12	31



# Subsistence Resources in Draft SEIS: Caribou

- Draft SEIS states project will have negative impact on WACH
  - Current literature is inconclusive on cause of declining population
  - Does not address frequency at or time spent in the project corridor
  - Does not address existing arctic roads with minimal impacts to caribou
- Cites only selected literature about caribou behavior around roads, but only those with substantial negative effect
- "Under the No Action Alternative, there would be no reduction in the abundance of harvestable resources used for subsistence purposes."
  - Does not speculate on future trends regarding population decline or recovery, with or without the project



Photo from: https://fineartamerica.com/featured/cariboucrossing-kobuk-river-nick-jans.html

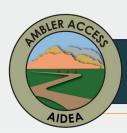


# Subsistence resources in Draft SEIS: Fish

- "Alter and degrade fish habitat both upstream and downstream from the road"
- "Bridges and culverts would eliminate and alter fish habitat"
- Does not include 2023 fish count data or AIDEA's mitigation measures
- Potential for impacts due to sedimentation, water quality, turbidity, temperature, spills, permafrost thaw, and habitat change
- Over-estimates spill frequency and impacts
- RFAs: mine development; increased access impacts
- Design commitments would minimize, but not eliminate, adverse impacts to fish and aquatic habitat
- AIDEA commitment to developing an adaptive management plan for monitoring, maintaining, and repairing road culverts, with plan oversight by the SAC.



Photo from: https://alaskamagazine.com/authentic-alaska/food-drink/eskimo-food/

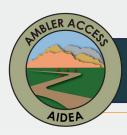


# **AIDEA Comments on the Draft SEIS**

## **Comment Topics:**

- Assumes road trespass and public use are inevitable and uncontrollable
- Selection of any alternative other than A cancels the U.S. Army Corps of Engineers permit
- Data selectively used for analyses (e.g., caribouroad deflection study)
- Downplays potential for economic impact (e.g., area residents receiving 20% of future mine jobs)
- BLM modifies AIDEA's proposed construction phasing
- Incomplete list of reasonable future actions
- Expands potential subsistence impacts from 27 to 66 communities

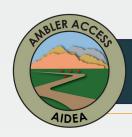
- Includes editorial content, not scientific analysis
- Limited or no discussion of potential positive impacts (e.g., economics, health, safety, education)
- States project will impact and "severely restrict access" to subsistence resources without evidence
- Omits potential ANCSA 7(i) cost sharing, access to Roosevelt state mining claims, commercial use by communities, or internet access
- Many topics outside of BLM jurisdiction (reclamation, construction methods)
- Lack of available information since 2020 FEIS (spills, dust abatement, wildlife, seeps)
- Arbitrary expansion of Area of Potential Effect (APE) for cultural resources (should be addressed in PA)



## Additional published studies since the Final EIS

#### Published topics since release of Final EIS:

- Caribou population and movement
- Fish presence, populations, and habitat
- Local and regional economic forecasts and unemployment/underemployment rates
- National security; particularly, reliance on foreign sources of critical minerals
- Dust abatement technologies and application
- Recent forecasts for potential mine developments
- Reasonably foreseeable actions (RFAs), including potential Aktiguruk and Anaaraaq development at Red Dog Mine, Roosevelt claims, and status of Alaska mining projects



# **Next Steps**

Review and comment on the Draft SEIS:

www.blm.gov/AmblerRoadEIS

Public meetings in Anchorage Dec. 13

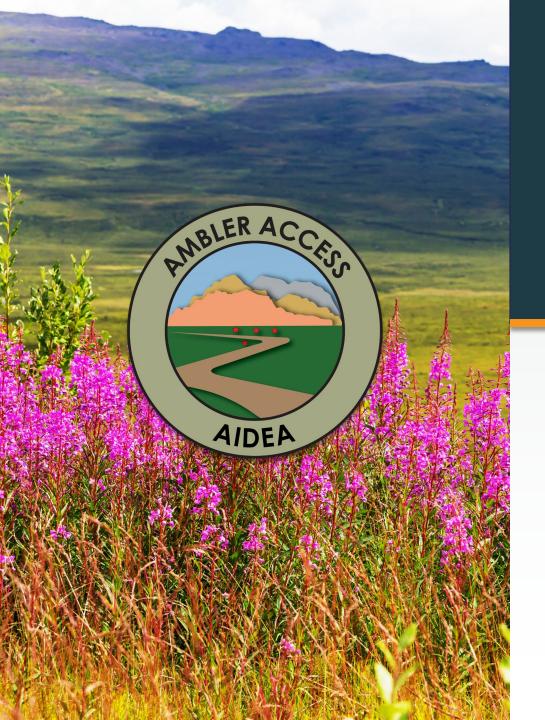
and Alatna Dec. 14

Comment period closes December 22, 2023

- Final SEIS by end of March 2024
- Record of Decision by end June 2024

Assuming the BLM and NPS right-of-way easements are reinstated, back to collecting field data to inform design, minimize impacts, and creating jobs

DECEMBER 2023								
Sun	Mon	Tue	Wed	Thu	Fri	Sat		
26	27	28	29	30	1	2		
3	4	5	6	7	8	9		
10	11	12	13	14	15	16		
17	18	19	20	2	22	23		
24 31	25	26	27	28	29	30		



# Questions or Comments

# Thank You

www.ambleraccess.org