



## **Ambler Access Project Subsistence Advisory Committee**

### **Policies and Guidelines**

#### **About**

This document provides policies and guidelines for the governance and activities of the Ambler Access Project (AAP) Subsistence Advisory Committee (SAC), as required, and described in the Joint Record of Decision issued by the Department of Interior, Bureau of Land Management (BLM) and the U.S. Army Corp of Engineers<sup>1</sup>.

The SAC functions independently of the project sponsor, Alaska Industrial Development and Export Authority (AIDEA), in formulating policy and conducting regular business in regard to project impacts on subsistence resources.

AIDEA, is the sponsor of the Subsistence Advisory Committee and the role is to host and facilitate SAC work.

The SAC is to provide meaningful input for incorporation in the design, operations and maintenance of the Ambler Road for the Ambler Access Project. AIDEA will take all reasonable actions possible to reasonably incorporate recommendations from the SAC into aspects of design and operation. The intent is to ensure road construction, operations and maintenance work carefully consider and minimize interference with subsistence activities.<sup>2</sup>

Policies and Guidelines may be changed and updated, any proposed amendments must be approved by AIDEA.

#### **Purpose of Road**

The road is a private industrial use road whose purpose is to provide transportation access to the Ambler Mining District to support mineral exploration and development.

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<sup>1</sup> Joint Record of Decision (JROD), July 2020. U.S. Department of Interior, Bureau of Land Management, and U.S. Army Corp of Engineers

<sup>2</sup> Consistent with Joint Record of Decision, Appendix D-1-15, mitigation tracking number 161.

## Requirement

The AIDEA application, as cited in the Joint Record of Decision, (DOI, BLM and U.S. Army Corp of Engineers) commits to establishing an SAC. The language is repeated here from D-1-15:

AIDEA would consult directly and regularly with affected subsistence communities, represented in the subsistence working group formed by AIDEA (see Chapter 2, Section 2.4.4 of the EIS), including the following items:

- o AIDEA would consult with directly affected subsistence communities to discuss the siting, timing, and methods of road construction and operations (see also Section 3.4.2, Transportation and Access).
- o AIDEA would make every reasonable effort, including such mechanisms as conflict avoidance agreements and mitigating measures, to ensure that road construction activities and operations and maintenance activities carefully consider and minimize interference with subsistence activities

AIDEA is expected to engage SAC, work with SAC in good faith, and to be transparent regarding issues of subsistence and road construction activities, operations, and maintenance. AIDEA will make every reasonable effort, including mitigating measures, to ensure that road construction activities, operations, and maintenance activities carefully consider and minimize interference with subsistence activities.<sup>3</sup>

## Purpose of the Subsistence Advisory Committee

The SAC is charged with advising on Subsistence matters directly affecting subsistence communities related to the siting, timing, and methods of road construction and operations (JROD C-5).

The committee will:

1. Consider potential impacts on the subsistence resources associated with AAP's actions.
2. Act as representatives for the directly affected, local subsistence communities and ANCSA Regional Corporations, as landowners, where information can flow from the communities to the Project and vice versa.
3. Have an open and ongoing dialogue with AAP-AIDEA regarding the potential impacts on the subsistence resources associated with AAP's actions, and to provide advice, recommendations, and guidance to AAP-AIDEA concerning subsistence issues.
4. Conduct itself with transparency and openness.

## SAC Role and Responsibilities

AIDEA will engage with the SAC on an ongoing basis to include road siting, methods of construction, and operations and maintenance of the road. The SAC will identify measures

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<sup>3</sup> Joint Record of Decision, Appendix D-1-15, mitigation tracking number 161.

to minimize impacts to subsistence users. During the feasibility phase, AIDEA will engage the SAC to minimize or avoid impacts to subsistence resources of feasibility activities, provide updates on the project's cultural heritage efforts and work with the Committee to determine the role of the SAC during the operations, which will include, but are not limited to providing recommendations on:

- Setting stopping distance for vehicles when migrating wildlife is spotted on the future road
- Inspection of events that disturb subsistence resources or the environment and a report on the results of addressing the event
- Design of facilities to minimize the visual impact and presence of facilities on subsistence resources as much as possible

## Membership

The Subsistence Advisory Committee is comprised of one person, who is a resident of one of the following communities; and one each, as appointed from NANA Regional Corporation, Inc. (NANA) and Doyon, Limited (Doyon), and one member from the Gates of the Arctic Subsistence (reference JROD F-37)

- Alatna
- Allakaket
- Ambler
- Evansville
- Hughes
- Huslia
- Kiana
- Kobuk
- Noorvik
- Shungnak

### Ex-Officio Members

- NANA Regional Corporation, Inc.
- Doyon, Limited
- Gates of the Arctic National Park
- Tanana Chiefs Conference

Members may not designate a substitute or proxy to participate in meetings. If a member cannot attend, their alternate must be notified their attendance is required at specific meetings.

Ex officio members may also have an identified alternate.

SAC member can be removed by a vote of the majority of the Subsistence Advisory Committee.

## Terms

Members serve three-year terms that will be staggered to preserve continuity. In order to achieve staggered terms of the committee the first SAC will have five members serve 2-year terms and five members serve 3-year terms. At the first meeting of the SAC in 2022, members will “draw straws,” to determine their length of service.

Members may serve more than one term.

## Selection

The selection of the *initial* committee is done through submitted application and review by the SAC Working Group. The Working Group (temporary) was established to develop criteria which was described and provided on the SAC application; and to determine the process of selection which comprised a vote of the respective working group members by region, e.g. each region working group members reviewed applicants of their communities and recommended SAC members.

Notification is provided through a letter signed by the co-chairs.

## Application

Individuals indicate interest and willingness to serve through submission of an application, available on the Ambler Access Project website ([ambleraccess.org](http://ambleraccess.org)), local Tribal or City office, or through a direct request for the application made to AAP.

Organizations such as Tribes, Elders and the City may choose to promote and support individuals for SAC. The application includes a place to indicate such support.

## Co-Chairs

The SAC operates with two Co-chairs, one from the NANA region and the other from the Doyon/TCC from the residing communities of impact and knowledgeable region.

The first Co-chairs are appointed (having served initially as co-chairs of the Working Group) and will continue provisionally for the first year (2022) to enable continuity and provide the groundwork during the start-up period of the committee.

The following Co-chairs will be elected by the SAC, serving staggered terms. The regular term of the Co-chairs is two years.

Determination of the first election will be based upon the outcome of the “drawing of straws.” If needed, the two Co-chairs will draw straws to determine length of Co-chairmanship, which will be one or two years.

## Meetings

The Subsistence Advisory Committee will meet no less than quarterly and additional meetings can be scheduled, as needed. A quorum of simple majority must be achieved to convene.

Committee members who travel to the designated location for the meeting must attend it in person. Video and audio conferencing with a toll-free call-in number will be accommodated for those not unable to attend in person.

Invitations may be extended to AIDEA, Ambler Metals, agency officials, and others to attend and participate in SAC meetings, as required.

Meeting agendas will be sent to members no later than two weeks prior to the meeting. Agendas will be posted on the Ambler Access website upon release of the agenda.

Others may attend as listeners and observers of the meeting, but may not participate in the meetings. Only committee members and invitees of the committee from AIDEA, Ambler Metals, and agency officials may participate.

Public notice of date and time for meetings, and information regarding how to observe or listen to the meetings, will be posted on the Ambler Access Project website at least two weeks prior to the meetings being held.

## SAC Coordination

Meetings will be coordinated by AAP staff, which may be a contractor. These meetings will be coordinated together with the Co-chairs.

Meeting preparation activities including follow up tasks from meetings may include requests for information, invitations to other state and federal agencies, develop complete meeting notes and task lists, and to follow up on committee member requests, among other required needs.

SAC coordination will be provided by AIDEA-designee who serves as a single point of contact. This designee ensures meaningful engagement and timely incorporation of suggestions.

## Decision Making and Formal Recommendations to the AAP

The SAC will provide recommendations to the AAP regarding issues directly affecting subsistence communities related to the siting, timing, and methods of road construction, operations and maintenance. The committee will vote on recommendations with those receiving a simple majority to be presented to AAP officials.

The AAP will be responsible for responding to the SAC on all formal recommendations. This can be done through communication to the Co-Chairs, dialog with the SAC during a regular meeting, and as a written response.

Does not preclude advice and perspectives shared during the meeting to be addressed and otherwise incorporated.

## Compensation

Subsistence Committee Members will be paid \$500 per day for each meeting and related work session (if extra day) attended.

Per diem will be paid using the State of Alaska rates. Meals paid for by AAP will be calculated in the per diem paid for a given day, and a deduction will be made in per diem when meals are provided as part of the meeting.

Partial day per diem will be paid based upon the time of arrival at the meeting location.

The Co-Chairs will be compensated for \$500 per month for the meetings they have, in between quarterly meetings of the SAC.