

February 7, 2022

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

Re: Request for Tribal Consultation on Ambler Road Joint Record of Decision

Dear Secretary Haaland:

The Native Village of Kobuk Traditional Council, as the governing body of the sovereign federally recognized tribe, Native Village of Kobuk, respectfully requests that the Department of Interior (DOI) immediately honor its obligation to commence tribal consultation with us prior to any determination regarding the Ambler Access Project Joint Record of Decision (JROD). It has recently been brought to our attention that the DOI is actively engaged in consultations and discussions regarding the Ambler Access Project JROD. At this time, we do not have a reason to believe the DOI is intentionally excluding us but thus far DOI has not yet made recent contact with us regarding the apparent ongoing deliberations on the JROD. Please consider this letter a formal request to commence a timely tribal consultation with the Native Village of Kobuk regarding the Ambler Access Project JROD.

By way of background, the Native Village of Kobuk is a tribal community located on the north bank of the Kobuk River approximately 7 miles northeast of the Native Village of Shungnak. The tribal members of the Native Village of Kobuk are Iñupiat, and subsistence is central to our culture, identity, and way of life. Subsistence harvest and participation data for Kobuk establishes that 100% of the households use, receive, and try to harvest subsistence resources. Kobuk also experiences some of the highest cost of living in the United States with home heating fuel and gasoline at \$9.00 per gallon in December of 2021 and limited to no barge access in the summer months. Kobuk is situated within the Ambler Mining District in close proximity to the Ambler Road Project's right-of-way route. Kobuk would be affected by any decisions made by the DOI pertaining to the JROD as it is a community near the road terminus. The road presents both challenges and opportunities for the tribe to consider related to subsistence, reducing the cost of living, and developing local jobs and the overall economy. The Native Village of Kobuk Traditional Council, previously engaged in government-to-government consultation with Bureau of Land Management (BLM) and submitted comments relating to the Ambler Road Project. In addition, we served as a consulting party in BLM's NHPA § 106 review and we are listed as a Concurring Party in the JROD's Programmatic Agreement (PA).

We are aware and very appreciative of this administration's public commitment to strengthening nation to nation relationships and your personal commitment to meaningfully engage DOI in tribal consultations as set forth in the Joint Secretarial Order No. 3403, which you personally signed. As we understand it, since we are an affected tribe, the decision-making process related to the Ambler Project JROD and construction of the above-referenced road, necessitates an ongoing process that provides for meaningful and robust consultation regarding protection of subsistence and cultural resources.

We understand and appreciate that your Order advances this administration's commitment to meet the fiduciary trust relationship between the US Government and the tribes by requiring the DOI to collaborate with affected Indian Tribes to ensure that Tribal governments play an integral role in

decision making related to the management of Federal lands and by requiring DOI to engage affected Indian Tribes in meaningful consultation at the earliest phases of planning and decision-making. Therefore, as a party to the PA and as a sovereign federally recognized tribe, tribal consultation should be initiated immediately to afford us, as a tribal government body, the opportunity to meaningfully engage in consultation with DOI prior to any determination regarding the Ambler Road Project Joint Record of Decision.

If we have misunderstood the nature of DOI's consultations and deliberations, please do let us know. Otherwise, to the extent there are any considerations that we have not been privy to pertaining to the JROD we ask that DOI honor its public commitment and meet its fiduciary obligation to consult with us through meaningful tribal consultation. Given the lack of any recent communications inviting tribal consultation or advising us as to the status of the process, we respectfully submit this request for a timely, full, and meaningful tribal consultation pertaining to DOI's consideration of the Ambler Road Project Joint Record of Decision prior to any determination resulting thereof. If you have any questions, please do not hesitate to contact me. In the meantime, we look forward to an update and response to our request at as soon as possible. Please contact Johnetta Horner @ (907)948-5010.

Sincerely,
Johnetta Horner-Tribal President

