

March 30, 2018

Submitted Via E-mail

Tim LaMarr
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BLM_AK_AKSO_AmblerRoad_Comments@blm.gov

Re: Additional Information Relevant to the Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Ambler Road Project

Dear Mr. LaMarr:

Trustees for Alaska submits this letter on behalf of Alaska Wilderness League, Center for Biological Diversity, National Parks Conservation Association, Northern Alaska Environmental Center, and The Wilderness Society (collectively, “Commenters”) to bring your attention to issues raised during a recent state legislative hearing on the proposed road to Ambler. These issues are relevant to the Bureau of Land Management’s (BLM) notice of intent to prepare an Environmental Impact Statement (EIS) for the proposed Ambler Road.

On February 15, 2018, Mark Davis, Chief Infrastructure Officer for the Alaska Industrial Development & Export Authority (AIDEA) testified before the House Finance Subcommittee on Commerce, Community and Economic Development of the State of Alaska.¹ The purpose of the hearing was to review the State’s finances related to the Ambler road project, and to respond to questions and concerns raised in the media over the project.

During the hearing, Mr. Davis discussed several important pieces of information that bear on the environmental, social, and economic impacts of the project and either go beyond or are inconsistent with AIDEA’s Revised Permit Application. BLM should seek further information from AIDEA on this new information to ensure that it fully consider the potential impacts of this project, and adjust the scope of its EIS accordingly.

AIDEA’s Revised Permit Application describes a “three-phased” approach to building an industrial grade road. However, Mr. Davis repeatedly stresses during the hearing that a single-lane pioneer road may be all that is ultimately contemplated for construction at this time. He states that in further communications with interested mining companies, a single lane road is likely all that is needed at this time (27:16). Mr. Davis cites a financial report which features

¹ Unfortunately, there are no official transcripts for this subcommittee meeting, as House subcommittees are exempt from the requirement to keep official written transcripts. The State’s website maintains a video recording of the subcommittee meeting at this link: http://www.akleg.gov/basis/Meeting/Detail?Meeting=HCED%202018-02-15%2011:00:00#tab2_4e. Citations to the recording are provided in this letter. However, we encourage BLM to view the hearing in its entirety.

different construction cost numbers than those presented in their Revised Permit Application, stating that in November 2017 the numbers were redone by DOWL, adjusted for inflation and lowered construction costs (26:57). The lowered construction costs are due to the fact that AIDEA abandoned the earlier Alaska Department of Transportation and Public Facilities (DOT) approach and is no longer opting to build the road to federal highway standards (39:00). Calling this “a pure pioneer road,” Mr. Davis claims construction costs would now be about \$280 million (29:49) and that AIDEA would save a great amount of money by building only a single lane road (36:20).

It appears from Mr. Davis’s comments that AIDEA is altering the scope and potentially the design of its project — all in the middle of the environmental review process — to cut financial corners. This is deeply troubling for numerous reasons. First, it deprives the public of the opportunity to fully understand the scope and potential impacts of AIDEA’s proposal. Additionally, as explained in Commenters’ January 31, 2018 letter,² a temporary seasonal pioneer road, as contemplated in AIDEA’s application, has the potential to significantly damage the environment in ways that are different from the multi-phase road described in the Revised Permit Application. AIDEA’s plan to build this more minimal road poses a significant risk that it will degrade the hydrology and other conditions across a massive region over the long term.

We believe AIDEA should not be permitted to apply for a right-of-way for a shoddy pioneer road under the false pretense that it will later build an industrial two-lane road with fewer environmental impacts, a project that may never happen. Additionally, BLM must consider project costs in a transparent manner in its EIS, laying out all construction assumptions— those costs and assumptions currently are extremely unclear. AIDEA must not cite the low costs of a pioneer road while also claiming the environmental and safety benefits of a two-lane industrial road built to federal standards.

These issues raise serious questions about whether AIDEA’s revised permit application fully and accurately represents the State’s plans for the construction of this project. BLM cannot accurately or adequately evaluate this project when the applicant appears to be changing its plans mid-stream. BLM should obtain additional information and clarification from the State on its exact, current plans for this project so that BLM can fully evaluate all potential designs being considered by the State in the EIS.

Further, Mr. Davis touts the benefits of a proposed a fiber optic cable system that AIDEA would build into the road bed which he claims is part of AIDEA’s application (37:13, 40:49). He states that this utility corridor, or “utilidor,” would assist with monitoring truck traffic (37:30) and provide benefits to local villages (40:49). This fiber optic system was specifically removed from AIDEA’s Revised Permit Application³ after multiple agencies requested additional information from AIDEA related to the potential design and operation of the fiber optic line. AIDEA never provided additional information. In its Revised Permit Application, AIDEA stated

² See Letter from Commenters prepared by Trustees for Alaska, to Tim LaMarr, Bureau of Land Management, regarding the Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Ambler Road Project, 14-15 (January 31, 2018).

³ DOWL, SF299 Revised Permit Application for Ambler Mining District Industrial Access sec. 4, 2 (June 2016).

that it decided not to propose installation of a fiber optic line, but acknowledged BLM should consider it as a reasonably foreseeable future project.

Now AIDEA is touting publicly that it plans to build this utilidor as part of the project and has mysteriously resurrected that aspect of the project at this hearing. A utilidor would add additional expense to project construction costs and create additional environmental impacts (43:10). AIDEA has not provided sufficient information about the utilidor for purposes of BLM's environmental review, despite the fact that AIDEA is touting it publicly as a significant benefit of this project. BLM must determine whether AIDEA intends to construct a utilidor as part of this project and must obtain additional information from AIDEA on the associated facilities required for the utilidor, the location of such facilities, and a plan of operation and maintenance, as originally requested by multiple agencies. That information is essential to enable BLM to fully analyze the utilidor as part of its environmental review.

Mr. Davis also stated at the hearing that local communities will benefit from free fuel delivery as a result of this project. He claims that industry may leave barrels of fuel in the winter along the roadside, so that local villages may retrieve the barrels. He claims that providing free fuel is done by Teck at Red Dog, and may be done along the Ambler road to benefit the local communities (40:29). Though Mr. Davis's characterization of these practices is inaccurate and has never occurred, such a system has been proposed by Noatak.⁴ If AIDEA is seriously considering such a practice along the Ambler access road, BLM must consider the potential environmental impacts in its environmental impact statement. Fuel drums placed on the tundra may leak, leading to the contamination of soils and water. In addition, this tundra travel to retrieve fuel barrels could negatively impact vegetation, as well as create safety concerns due to increased traffic along the road corridor. BLM should obtain additional information and clarification from AIDEA about its plans, and should fully consider this proposal as part of its environmental review.

Finally, AIDEA cited several new studies that should be considered in the EIS process. Mr. Davis cites studies on sheefish (59:30) and studies of the DeLong Mountain Transportation showing that the curve on the road is likely why caribou are delayed in road crossings (58:30). These studies lead Mr. Davis to make conclusory statements that the proposed Ambler Road would have minimal impacts to both sheefish and caribou. We encourage BLM to obtain these studies, and evaluate their reliability in its EIS process.

The inconsistencies we have identified above raise serious questions about the completeness of AIDEA's Revised Permit Application, and BLM must obtain substantially more data about the project for purposes of scoping and to properly conduct its NEPA analysis. BLM must ensure that AIDEA provides the information necessary for the public and other federal agencies to meaningfully review and understand the full range of potential impacts from this project. New information provided by AIDEA must be made available to the public and other agencies, and must be fully considered in BLM's scoping report and EIS.

⁴ See <https://parkplanning.nps.gov/projectHome.cfm?projectID=62410>

Thank you for your consideration of this letter. Please contact Bridget Psarianos at bpsarianos@trustees.org or (907) 433-2011 with any questions.

Sincerely,

s/ Bridget Psarianos_____

Staff Attorney

Trustees for Alaska

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