AMBLER ROAD ACCESS
SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

SECTION 810
PUBLIC HEARING

LOCATION:
LAUGVIK SCHOOL
KOBUK, ALASKA
MONDAY, NOVEMBER 20, 2023
7:12 p.m. - 8:50 p.m.

PROJECT LEADERSHIP TEAM:
Stacie McIntosh, BLM
Geoff Beyersdorf, BLM
Sarah Lupis, SWCA
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Paul Lawrence, SRB&A

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SARAH LUPIS: Thank you all so much for coming out tonight. My name is Sarah Lupis. I'm with SWCA Environmental Consultants. I'm the event facilitator for our meeting this evening.

Thanks so much to all of you for being here this evening. Thank you so much for -- to the -- to the school, to Ms. Julie for having us. We really appreciate the hospitality and you taking care of us here.

So I think the first thing we'll do is just introduce our project team, and then we'll have a presentation that will last about 40 -- 30 to 45 minutes, and then we'll open and it up for questions and comments, and at that time we'll ask that any elders who want to speak go first.

And, yes. Then we'll start with an invocation before we begin the introductions. And Henry has graciously agreed to do that for us. So thank you.

(Invocation by Henry.)

SARAH LUPIS: So we'll start with our BLM team.

STACIE MCINTOSH: Sure. Thank you very much everyone for coming to our meeting tonight in Kobuk. I also want to thank you because I know that this isn't the
first time that you have probably come to a presentation to hear about the Ambler Road. It seems like we're doing this meeting over and over again, and your continued engagement in it is really important, so I thank you very much for coming to the meeting.

My name is Stacie McIntosh, and I am the project manager for the Ambler Road Supplemental EIS. I started as the project manager in March of 2023 just this year, and I replaced the first project manager who, for the BLM, went and took a different job. So we didn't have a project manager for a little while.

Although I moved to Alaska in 1989 and started working for the BLM in 2002, in 2022, last year, I did move to Washington, D.C., so that is where I'm currently based. Prior to that I was based in Fairbanks, Alaska, and I worked for the Fairbanks District Office, and I also worked for the Arctic District Office, which manages the National Petroleum Reserve.

I'm very happy to be here in Kobuk. It's such a beautiful place and such a beautiful community -- and thank you again for having us.

GEOFF BEYERSDORF: Hello, everybody. My name is Geoff Beyersdorf. I'm also with the Bureau of Land Management, and I'm out of Fairbanks. I've been in Alaska since 1990 in various places. I haven't spent as
much time up here. You begin to realize how big of a state it is when you start traveling to some of these other areas.

I've been with the Bureau since about 2008, and I've been in my current job based out of Fairbanks since about 2015. And my role -- I'm the -- what's called the first officer over the project.

So Stacie's kind of the liaison with our headquarters, and my role is to oversee the project a little bit more locally. So I've been doing that since about September. Specifically, really, over the Supplemental Environmental Impact Statement, and the Section 106, the cultural work, which we'll go into some of the details tonight.

Also want to thank you for your hospitality for inviting us in and for taking the time tonight to be away from your family and such, to come and hear this presentation. We're interested in hearing what you have to say, and you might have some questions, so thank you for that.

SARAH LUPIS: Thanks.

GEOFF BEYERSDORF: You've got a team too, so --

SARAH LUPIS: Yeah. So I'll just introduce the rest of my SWCA team. You maybe met her on the way
in -- so Brittany is also with SWCA, and then we also have Paul with us tonight. He's going to -- yeah.

PAUL LAWRENCE: I'm Paul Lawrence. I work for Stephen Braund & Associates, it's a anthropological firm based in Anchorage. He's been doing work around the state since 1979. He did a lot of work on the North Slope back in the '80s, like, helping get the bowhead whale quotas. Some of you may know him from that line of work.

I've been working with Steve since 2006. I was born in Palmer, and I've lived here my whole life basically, and I help BLM with the subsistence and the cultural resource section of the SEIS.

Thanks again for having us.

SARAH LUPIS: And then finally, just to introduce Louisa, who is going to be our transcriber this evening. So she will be capturing all of your comments and questions when -- when we get to that part of the meeting.

BILLIE BERNHARDT: They must not pay you very much.

SARAH LUPIS: So as -- like I said, following our presentation this evening we will invite questions and comments from all of you that you may have about the Supplemental EIS or the ANILCA 810. These questions could help -- could include things that help to inform
any comments that you might have on the -- the project, and so at that time we'll also take your comments on the project.

And that's really the purpose of tonight's meeting, really why we're here, not only to share information from -- with you, but also to hear from you and to get your comments on -- on the project.

And it's important to note tonight, that your comments will be both on the Ambler Road Draft Supplemental EIS, and the ANILCA Section 810 Evaluation, which is Appendix M of the Supplemental EIS. So any comments that you give tonight will be considered under both laws and both processes.

And so for now I will hand it over to Stacie for our presentation.

[Presentation by Stacie McIntosh; see separate Ambler Road PowerPoint Presentation]

SARAH LUPIS: Okay. So we would now invite members of the public who wish to comment or ask a question to go ahead and do so. And just as a reminder, I know Stacie said it, and I said it earlier, but tonight's meeting is both a public meeting for NEPA, as well as an ANILCA 810 hearing.

And so just a couple of, like, points before we get started. The first one is to let you know that
all comments, whether you say them here verbally or send them in through the website, however you comment, all comments are treated with equal consideration. We also ask that you be respectful of the speaker. Try to avoid side conversations and things like that. It also helps Louisa capture the comment accurately if she can hear -- hear really well. So kind of one person at a time.

And then, finally, before you give your comment or your question, please, we ask that you say your name, and Louisa may ask you to spell your name just to make sure she gets that accurately for the record.

And so with that, I would now invite folks who have a question or comment, if they would like to do that. And if there are elders who have a question or comment we would maybe invite them to go first.

Yeah?

LUKE JACKSON: I've got a question.

SARAH LUPIS: Yeah.

LUKE JACKSON: So in the initial EIS --

SARAH LUPIS: Oh, sorry. Really quick, just before you go, could we have your name?

LUKE JACKSON: Yeah.

SARAH LUPIS: Thank you.


LUKE JACKSON: In the initial EIS you had mentioned that there is deficiencies in -- in what was reported.

Was there reasoning behind those deficiencies, or --

STACIE MCINTOSH: Well, I think the -- so the two deficiencies that were identified by the Department of the Interior really had to do with that ANILCA 810 evaluation, and they had to do with the Section 106 process.

And with the ANILCA 810 evaluation the deficiencies were because they did not think we did enough by just looking at those 27 communities when we said that there were potential impacts to the Western Arctic Herd. We needed to consider more communities that utilize that herd, that it's -- it's important too. So that was identified as a deficiency.

Same with looking at impacts to fish. They felt that it was deficient that we were only looking at communities closest to the road corridor, when, as we know, with downstream impacts they can happen much greater distance than just right adjacent to the road corridor. So that was identified as deficiency two, and that's one of the reasons why we expanded the analysis
from 27 communities to 66 communities.

With the Section 106 process we had heard from multiple parties that they just didn't think that the prior consultation portion of the Section 106 process was done robustly enough. Like, we didn't do enough consultation.

So as a result of that, we've been going out and doing a whole lot more consultation to get input from all of the potentially affected tribes along the corridor. But those were the primary things that were relevant, right?

Because of the ANILCA 810 evaluation being tied to the analysis of subsistence in the EIS, that's what triggered us to have to do the supplemental.

So the actual EIS didn't have any identified deficiencies. It was these two associated laws and processes, but because one of them is so closely tied to the ANILCA -- to the subsistence analysis, that's why we had to do a Supplemental EIS.

BILLIE BERNHARDT: So you went from going 27 villages to 66 villages?

STACIE MCINTOSH: Yeah. Yep. Thirty-four of them we think have potentially significant restricted subsistence use. So not all 66, but we looked at 66. Yeah.
LUKE JACKSON:  How did you get the criteria to involve those 66 villages?  What would it take for a village to be a part of that?

STACIE MCINTOSH:  Right. So it was -- and we -- you know, we can have Paul speak to it because his -- his group did it, but it was primarily those initial 27 communities, right?  We looked at those again. Then we did all of the communities of the Western Arctic Caribou Herd working group, so we included everyone from the Western Arctic Caribou Herd working group, and then we looked at communities on the Yukon and Koyukuk River downstream that were connected to the waterways of the Kobuk hydraulic system.

BILLIE BERNHARDT:  Do -- do you guys -- you know, you got -- this is not the only caribou herd in Alaska. There's a lot of them. And there's a lot of these caribou herds that are on the road system like down south of us.

Have you guys looked into those and seen the studies or whatever -- look back on how they were affected by the roads or anything else like that?

STACIE MCINTOSH:  Yeah. So there is research with regard to how roads impact the Central Arctic Herd up -- that uses the area where the Dalton Highway and north-- --
BILLIE BERNHARDT: The Tesh- -- Teshekpuk Herd?

STACIE MCINTOSH: The -- yeah. The Teshekpuk is to the west, but the Central Arctic Herd is right there in the middle, right? So it's, like, Porcupine, Central Arctic, Teshekpuk, Western Arctic. Then there's east, and then there's a bunch of smaller ones.

So we looked at Western Arctic Herd research category. We looked at Red Dog Road. We've looked at Central Arctic Herd research having to do with the oil -- the -- the Dalton Highway Haul Road, and the oil and gas infrastructure, and we looked at the Teshekpuk Herd. There's been research done on all of those in regards to how they respond to the roads.

BILLIE BERNHARDT: And still there, right?

STACIE MCINTOSH: Yeah.

BILLIE BERNHARDT: Still doing good?

STACIE MCINTOSH: They are still there.

BILLIE BERNHARDT: Teshekpuk Herd is doing good?

STACIE MCINTOSH: Yep.

It -- definitely -- the Teshekpuk Herd is doing the best, and it has the least amount of roads there. The Central Arctic Herd, interestingly enough, turned into two herds that separated, and now they -- they calve in two
different areas instead of in one area. So that was how they --

BILLIE BERNHARDT: Don't you kind of see that happening to the Northwest Arctic Herd?

STACIE MCINTOSH: Yeah. So -- so here's the thing about -- we can -- we can look at what caribou herds have done for roads, and we can make assumptions on what we think the herd could do with regard to this road, but, of course, there's always going to be lots of different factors in terms of traffic, in terms of length, in terms of where it is and how it's built, and the surrounding topography and those types of things.

So we're making our best analysis that we can based on the existing data and information that we have. And it may be right or it may not.

BILLIE BERNHARDT: So you have access to the caribou -- collared -- you have access to the collared caribou?

STACIE MCINTOSH: Yeah. Yeah. And have -- yeah. Yeah.

THE COURT REPORTER: I'm sorry. What caribou?

STACIE MCINTOSH: Collared. Like --

THE COURT REPORTER: Okay. Thank you.

STACIE MCINTOSH: -- C-O-L-L-A-R-E-D.
BILLIE BERNHARDT: So as you look at the collared caribou herd, of course they crossed the Arctic to Kotzebue right now, but in the meantime there's caribou up here, is there starting to become a split in that herd? Because I -- they don't show none of that to us. I wish they would.

STACIE MCINTOSH: Yeah. Well, the split that happened on the Central Arctic Herd happened after the road was put in place.

BILLIE BERNHARDT: Right.

STACIE MCINTOSH: We don't have a road yet.

BILLIE BERNHARDT: But that -- but that -- do you look at that as a bad thing?

STACIE MCINTOSH: No. It's just data. It's just data. Data --

BILLIE BERNHARDT: The herd is still going strong?

STACIE MCINTOSH: Yeah. In fact, I just want to show in this map here --

SARAH LUPIS: Here. It's actually -- here, the -- Volume IV?

STACIE MCINTOSH: Sure. Or one of these little -- where's the -- yeah. This just has some of the maps from the final EIS. And because we were able to go back and get additional data -- we have additional
four years of collared data --

BILLIE BERNHARDT: Yeah.

STACIE MCINTOSH: -- for the herd. So our last EIS ended here. This was the ANILCA 2017. Now we have collared information from '17 to 2021. So here's the migration that happens from '17 to '21 with, of course, the brighter color, the greater -- the greater caribou are. And then here's where they winter primarily.

So it's a shift from the 2012 to 2017 in Huslia to Seward Peninsula, to the area here, north of Kobuk, where they're wintering. So this is all data -- collaring data.

BILLIE BERNHARDT: So they are starting to winter northwest of us.

STACIE MCINTOSH: Yeah. That's what it's looking -- that's what the trend is right now.

BILLIE BERNHARDT: Which is towards where the road is going to be.

THE COURT REPORTER: What was that?

SARAH LUPIS: "Which is towards where the road is going to be."

THE COURT REPORTER: Thank you.

BILLIE BERNHARDT: But -- but -- but -- so you won't deny that there's becoming certain split in the
STACIE MCINTOSH: Well, I don't -- I'm not -- I'm not a -- I'm not a --
BILLIE BERNHARDT: And --
(Simultaneous crosstalk.)
STACIE MCINTOSH: I don't know --
BILLIE BERNHARDT: -- what's going to happen to the Teshekpuk Herd and the Northwest Caribou Herd? They may go in the summertime -- so who's to say some of them don't go that way?
STACIE MCINTOSH: Yeah.
BILLIE BERNHARDT: You know what I mean?
STACIE MCINTOSH: Yeah.
BILLIE BERNHARDT: Unless you get a collared one that ends up over in that --
STACIE MCINTOSH: Yeah. Yeah. Like you see up here.
BILLIE BERNHARDT: Yeah.
STACIE MCINTOSH: Yeah. Yeah.
BILLIE BERNHARDT: And then there's another thing, too -- I'm sure you guys studied the Red Dog Road, right?
STACIE MCINTOSH: Oh, yes.
BILLIE BERNHARDT: And that -- but anyway. So last year there was -- they were showing us how the
caribou come to the Red Dog Road, and then they turn around -- or, they'd come towards Red Dog Road and turn around, okay? The caribou they collared are the females, right?

STACIE MCINTOSH: Yeah.

BILLIE BERNHARDT: They collar the female. In the fall time nobody's shooting the female. The reason those caribou were going towards the road and still staying alive and turned around, is because -- because we -- off the road, and they were shooting bulls. So you're not going to see the collared ones drop. But they wouldn't talk about that. They were just trying to say how -- how it was -- how the road was affecting the caribou, you know. Like, oh, the -- you know -- but the collared ones were dropping -- in the fall time, the bulls.

STACIE MCINTOSH: Yeah. I --

BILLIE BERNHARDT: They won't even say that.

STACIE MCINTOSH: Yeah.

BILLIE BERNHARDT: They won't tell you that.

STACIE MCINTOSH: I think at -- once upon a time they tried to collar both, but I think that they collared more females than males.

BILLIE BERNHARDT: Anyway.

STACIE MCINTOSH: Yeah. Yeah.
BILLIE BERNHARDT: Well, you know they're on the road system, that caribou still exist where.

STACIE MCINTOSH: Uh-huh.

BILLIE BERNHARDT: And this one, it seems like they got to migrate -- ones that comes in towards us in the winter time --

STACIE MCINTOSH: Yeah.

BILLIE BERNHARDT: -- and the ones that are going to Kotzebue. And the road is not going to affect them down there. The road is not even going to affect the ones -- because they're below. You know, they're -- those -- those ones come down to hunt -- come down to hunt and things like that. You know, they don't -- they don't -- they don't come from here in the fall time. They don't come down this way. We're hoping they come this way and they don't.

CLARENCE GRIEPENTROG: It will affect their feeding grounds from the dust on the road.

BILLIE BERNHARDT: What's that?

CLARENCE GRIEPENTROG: It will affect their -- their feeding grounds from the dust on the road.

BILLIE BERNHARDT: But the road is up here. The road is not down there.

CLARENCE GRIEPENTROG: The wind carries that dust.
STACIE MCINTOSH: Do you have a question?

PEARL GOMEZ: I did. And my name is Pearl -- Pearl Gomez, and I had a question on what type of mining scenarios. I mean, is that pretty standard that you would issue an Environmental Impact Statement based on assumptions? Are -- are -- do you usually do that without an actual mining plan in place?

STACIE MCINTOSH: Yeah.

PEARL GOMEZ: That seems kind of backwards.

STACIE MCINTOSH: So if -- if this -- if -- if someone came to us with a proposed mine, then we would be doing the analysis on the mine. But the application we received was on a proposed road, not on a proposed mine. It just so happens that the road goes to the mining district. That mining scenario that was created was in the original EIS also, because it's recognized that the reason why AIDEA has submitted this application is because they're an economic development corporation of the state. They're trying to make resource development and greater economic diversity within the state of Alaska. That's their job.

So the road that they're proposing is going to a mining district. It is reasonable for us to assume that because of this road there's going be mining. And, of course, we've known there's been exploration and mining
happening.

The unfortunate thing though is we just don't have that mining application. So that's why we came up with this scenario. It's a pretty good scenario. It follows a lot of what a typical mine for copper ore would include within it. And it does use a lot of the information that, for example, Ambler Metals has on their website as opposed to what they think their mine is going to look at. We just don't have the fine details of what it is they would actually do. It's -- it's a pretty good scenario, and it is something that we do.

Because the whole purpose of NEPA, the National Environmental Policy Act that we're required to oversee an application for a major project, is we're supposed to try to disclose to the public what we think the potential impacts could be of that project. We don't really know. We use information, we use data, we use modeling, we use what we've seen happen in other places to make inferences about what the potential impacts would be, right? Some of them could happen. Some of them might not happen. It just all depends. Because a lot of what we're doing is we're projecting, you know, this thing going out to the landscape and what would happen in the future. It's hard, but we're trying to do that because we need to disclose to the public what the potential environmental
impact is of this proposed project.

But the second thing that we're doing under NEPA as a requirement is we're providing detailed information about those potential impacts to the decision-maker, so they can make a reasoned and informed decision. Those are our two primary goals under NEPA -- it's public disclosure and potential impacts, so that we can get information to you and information from you, and also information to our decision-makers so they can make an informed decision.

BILLIE BERNHARDT: How do you -- how do you get your decision-maker then?

STACIE MCINTOSH: How do we get them?

BILLIE BERNHARDT: Yeah. Yeah.

STACIE MCINTOSH: Bas- -- well, I mean, our decision-maker at this point is -- is the remand that we were granted by the Court, which was requested by our deputy secretary for the Department of the Interior, because there were two authorizations, one for the Park Service and one for BLM, issued by the Department of the Interior, so it -- it didn't fall to the BLM to make the remand request. It fell to the Department of the Interior to make the remand request.

We assume that the signatory for the decision, that Record of Decision, is going to be that deputy
secretary of the Department of the Interior. But they will get a lot of advice and input from leadership, from our team, from our solicitors, who are lawyers, looking at the analysis -- from basically a lot of people. They'll get a lot of input from a lot of people in terms of making that decision.

And I know what's really important to our leadership in D.C., is hearing about what the people who are potentially the most affected by it think. So it's important to hear what you have to say.

BILLIE BERNHARDT: So our -- us -- we being from Kobuk, our decision is -- would be greater than an individual making a decision say from --

STACIE MCINTOSH: I can't say that, because we're required to take everyone's comments equally. Everyone is kind of treated equal, but I do know people are really concerned about what those most potentially impacted think, and you are potentially more impacted.

EVA CLEVELAND: My name is Eva. I live here in Kobuk, and I have a question about Native allotments. What if a person owns a Native allotment very close to the proposed road? What's the information you have? Have you reached out to those individual people? I know there's a couple.

STACIE MCINTOSH: Right. We haven't. It's
kind of the responsibility of AIDEA to reach out to them because those allotments are private land -- they're privately owned. But they should be -- if -- if someone is concerned they should be working with BIA to basically get ahold of AIDEA.

It is the intent of the AIDEA to avoid allotments, right? So they're not going to want to construct on them or anything like that, but I think there are a couple that the road corridor does come near. So it would be really good to start a dialog with them on that.

But for us, we're really concerned about BLM-managed lands, you know, that first 25 miles, and the way the BLM looks at allotments is those are -- those are private property. And the private owner, if -- they can enter into negotiations with AIDEA themselves. Yeah.

LUKE JACKSON: So obviously you're trying to measure all the possible impacts of what this might have on subsistence activities.

STACIE MCINTOSH: Uh-huh.

LUKE JACKSON: Is there anyone -- any other mining district or mining development that you can gauge that is very similar to what Ambler Mining District is? Because you have a 211-mile road that's purely necessary, you can't have this mining district without the road,
right? Because otherwise you'd be digging a hole with nowhere for it to go.

Is there any other project, excluding the Dalton Highway because Dalton Highway -- I've never heard of a mitigation process for Dalton Highway. As far as I know it's a public road. It's basically the same as a highway.

STACIE MCINTOSH: Yeah.

LUKE JACKSON: So it's not going anywhere. So you can't gage Dalton Highway as something in comparison. Is there any other mining development or mining district that you know of that has a 211-mile road as an access road, and it's going to be a two-way street? Dalton Highway is a one-way street because they're bringing material -- they're bringing tools and whatever else they need on that Dalton Highway, right?

STACIE MCINTOSH: Uh-huh.

LUKE JACKSON: Whereas here in the Ambler Mining District whatever they need they're going to have to bring on that road.

STACIE MCINTOSH: Yeah.

LUKE JACKSON: So that --

STACIE MCINTOSH: Right. So, like, things coming in --

LUKE JACKSON: -- means more pollution --
STACIE MCINTOSH: -- or coming out --

LUKE JACKSON: -- more disruptions to your environment.

STACIE MCINTOSH: Yeah.

LUKE JACKSON: Is there anything else that you guys can gauge, or is this kind of an unprecedented project?

STACIE MCINTOSH: No -- well, I -- I would say -- I would say interestingly enough it's a little bit unprecedented in that what we mostly see when there's the potential for a mining development -- you get an application for the mine, and the roads are after that.

Like, this one is a little unusual because they're coming for an application for a road, but there's not really any mining, yet. So that makes this one a little bit unique.

Like, if you look at Donlin or if you look at Pebble, other big mine projects that have kind of gone through an EIS process lately, it was an application for a mine, and there was a road to get to the mine, right? So that one makes it a little bit unique.

With that being said, we do have lots of examples of the -- what roads -- what impacts can result from -- what impacts can result from culverts not working, what impacts can result from permafrost thawing,
and the need to put more gravel on the road because the road keeps sinking because the permafrost keeps thawing, right?

So we know a lot of what the impacts are in doing these things, and we kind of incorporate that within the analysis. I think that -- I think it's a pretty robust analysis when you look at it, of what we think the potential impacts could be.

THOMAS BERNHARDT: Has there been, like, other potential ore findings from this region or things like that? Would that cause a potential for them to branch out in the oil field the future?

STACIE MCINTOSH: We didn't -- we haven't incorporated anything like that within the analysis, like in the Rampart area or the Hughes area. What we have incorporated, because it's also this kind of road leading to the Ambler Mining District, are the -- there's four potential prospects that have been identified within that area. Everyone here is familiar with Bornite and Arctic, and then there are two other ones that they're starting to explore within this square that is the Ambler Mining District.

We also include as part of the cumulative effects analysis the Roosevelt that's over on the eastern portion, closer to the Dalton Highway, that South32 is
looking at, and they're doing some exploration in, so we've incorporated that in.

But the -- what we're required to do is look at what we call reasonably foreseeable future actions or future developments, and they have to be in a certain amount of criteria in terms of being -- actively work at this point for us to include them in the analysis.

So if they're being explored then we can include it. If it's just, like, an ore body that's kind of sitting out there but no one's doing anything with it, that's not necessarily -- that doesn't trigger reasonably foreseeable in our guidelines, so we -- we don't include that.

LUKE JACKSON: If you go with AAP as the mining -- or A&P's website, Ambler Access Project, it's very apparent that they're pushing for this mineral deposit, because they've got a very high potential, and there's a lot of land that has that high potential.

STACIE MCINTOSH: Right.

LUKE JACKSON: And I think that should be included.

STACIE MCINTOSH: We can mention it, but if it's not being actively explored, again, it doesn't -- it just doesn't meet that criteria for the reasonably foreseeable. This takes a long time, you know.
So -- but -- yeah.

LUKE JACKSON: This is just a little -- something like that I see very foreseeable because you've got a 211-mile road that's going to cost -- I mean, they're projecting $2 billion.

STACIE MCINTOSH: Right.

LUKE JACKSON: And you've got a $6 billion mining district. So that doesn't weigh out. So they're eventually going to have to push north of Arctic and Smuckers and all these other mining claims. They're not just going for Arctic. They're not just going for a statement. They're going to be pushing. They're going to be developing that. I just don't see it economically feasible for them to build a 211-mile road just for one mining section. That's just my little tidbit.

CLARENCE GRIEPENTROG: I agree with that.

BILLIE BERNHARDT: Well, that's good though. That way we'll work longer. I'll be dead, but somebody will get work. I mean, that's the big thing though -- thing here, is trying to get the local people to go to work. Get off the welfare, and get your ass to work.

LUKE JACKSON: If we don't have caribou, if we don't have fish, there's nothing to live for. We're very -- we're limited in what we have, but what we do
have -- it makes me feel pretty rich. If you take away
the caribou and you take away the fish, that sounds very
small. It sounds very menial to people outside of the
villages, but there's a reason I live here. We all live
here by choice. And if you take away those two things
there's not a lot that ties us to this land.
BILLIE BERNHARDT: I thought the reason you live here is to work for the school.

LUKE JACKSON: I'm the Inupiaq instructor. I teach Inupiaq language and culture.

BILLIE BERNHARDT: Yeah.

LUKE JACKSON: I got to have pride in what I do, and I -- I've got my --

BILLIE BERNHARDT: If you don't come back here for the job you don't come back here.

LUKE JACKSON: I'm more concerned about future generations. I don't care about the money in my pocket when I'm six feet below the grave. I'm concerned about the future generations. The future generations are the ones that stay --

BILLIE BERNHARDT: They need to go to work.

STACIE MCINTOSH: We don't need to have an argument. We're here to take public comments.

LUKE JACKSON: Yeah. I'm sorry.

STACIE MCINTOSH: That's not how --

LUKE JACKSON: I shouldn't have engaged.

STACIE MCINTOSH: It's all right.

LUKE JACKSON: I shouldn't have engaged. I apologize.

STACIE MCINTOSH: It's o- -- no, no, no. We
thank you very much for your comment.

We also thank you for your comment. But if we could have you talk to us and not talk to each other that would be great.

SARAH LUPIS: So other -- other comments?
BILLIE BERNHARDT: I'm just telling you the way it is.

SARAH LUPIS: Yeah. So other comments?
CLARENCE GRIEPENTROG: I do.

SARAH LUPIS: Thanks. If you could give us your name again, so Louisa --

BILLIE BERNHARDT: And I got a question for you too. You're from Ambler. What brings you up here?

SARAH LUPIS: So --
CLARENCE GRIEPENTROG: This is important to me.

(Simultaneous crosstalk.)
SARAH LUPIS: I'm going to -- I'm going to --
BILLIE BERNHARDT: Well, he'll go to Ambler --
SARAH LUPIS: Sir, we're going -- sir, we're going to -- we're going to let this gentleman say his comment.

Go ahead, again.

CLARENCE GRIEPENTROG: Avunga atiga Putyuk.

Good evening. I'm Clarence Wood Griepentrog. My aana
and taata are the late Clarence and Marie Wood. I'm named after my taata Clarence and he was one of my teachers. It was through him and others amongst us that I learned a lot of this land and our way of life.

Growing up here I've learned the importance of everything in our subsistence way of life. I've watched and learned how everything is intertwined together. Everything is connected to each one way or another. From the mouse, to the bear, to the caribou, to the moose, to the fox, to the beaver, the otter, the fish, the owls, the eagles, the ducks, the geese, the swans, the vegetation on our lands, the lichens, the berries, the roots, birch for our birch bark baskets, the willows -- willows. Most importantly, our clean water. Everything is connected one way or another. We must protect it from spills of ore and fuel and dust from the haul road.

We here on the Kobuk River should know something about fuel spills. Three summers ago we had roughly 15,000 gallons of fuel spilt in Shungnak. Think and remember all the damage that that spill has caused, and remember we have to protect our lands for our future generations.

Triology and Trilogy's partners can't be trusted to protect our land. They will destroy our land
and we will be left with chump change from anything that's taken from these mines on this road.

We will not be enriched from that -- this road brings with any of the mines. We won't get shareholder hire preference from any of these mines. We will be left with memories of our once beautiful land we call home, and it will be empty of everything as we know it as today.

It will be filled with people who are not from here. It will be filled with their campers and their RVs, their boats, their snowmachines, their four-wheelers from all over the world.

The State of Alaska isn't fighting to protect us Inupiaq or Athabaskans or any Alaska Natives and our subsistence way of life. The State of Alaska doesn't make money from doing that.

The State of Alaska will make money from out-of-state hunters, the mine. Those out-of-state hunters will pay thousands of dollars to hunt for a pretty rack of antlers and backstraps. Those out-of-state hunters pay thousands to leave the bones and the patiqs, the best part of the caribou and moose. They leave them to waste.

You think it's bad now with hunters flying into Noatak River valley from Kotzebue? Wait until that road truly opens up our pristine homeland. Those
out-of-state hunters pay thousands of dollars when we pay five or six—$65 to the State of Alaska for our hunting license.

We use everything from our animals that we hunt. We aren't wasteful people. Our ancestors have lived here for thousands of years. This road has genocide against us Inupiaq and Alaska Natives written all over it, and that's a fact.

Who are we as a people without our caribou, without our fish, our birds, both local and migratory, without our moose, without our berries, without our roots, without our natural medicine? Who are we without our land? We are an empty people.

This road is not good for our kids and their kids. I want to ensure Inupiaq live here for thousands of years more by asking for no action, no alternative, no road.

SARAH LUPIS: Thank you for your comment.

CLARENCE GRIEPENTROG: And I'm here for future generations too.

BILLIE BERNHARDT: I'm here for future generations.

SARAH LUPIS: Yes, sir?

HENRY HORNER: (Indiscernible.)

THE COURT REPORTER: I can't hear him.
GEOFF BEYERSDORF: Henry Horner.

HENRY HORNER: We need to understand that it says private road, but then if you read it better it's a private industrial road. So when the mining people will be accessed on that road -- and if it's built, they -- I wouldn't be allowed on that road. That's one thing you have to consider. And that -- that private industrial -- it won't allow hunters to set foot. Some people think that the public will be able to come in, but it's not -- it's just for mining.

LUKE JACKSON: They can't guarantee you it will be industrial only. It says it in the SEIS.

HENRY HORNER: AIDEA is building that road for private industrial mining road. So when you look at it there's no way that we can know the streams or rivers that all come through the -- through the road, unless you deal with the company that's mining.

STACIE MCINTOSH: AIDEA has said in their application that they would allow commercial -- some commercial use of the road to the benefit of communities. So the right-of-way that they've requested is for a private industrial access road, and that is the right-of-way that we would grant.

I will say that in the SEIS we also look at other potential future scenarios. They're requesting a
right-of-way for 50 years. Fifty years. And at the end of the right-of-way they're saying that -- of that 50-year time frame, they'll take the road out.

But they're also allowing commercial access for communities, but they won't -- but they won't build the road to the community. The community has to find their own funding to connect into the road, but they would allow that during that 50-year time frame.

In our cumulative effects analysis we look at what's called trespass, which is when people who aren't allowed to use the road use it, whether it be local residents or whether it be outside hunters, right? Because that happens right now on roads in Alaska that are private. So we look at that because we want to disclose those impacts.

We look at what could happen in the future if there's no more mining, but the 50 years isn't up. What then would happen to the road?

And we do contemplate that the road could become a public road, because we already have comments from various groups saying as soon as that road is created they're going to petition the state for it to be public. We've received those letters on the first EIS, and we've received them in scoping on this EIS. They're various hunting groups and other users that have told us they will
petition the State for that.

So we look at these types of things as cumulative impacts. However, the authorization that we are contemplating granting to the company is just for private use, like you said, as an industrial access road.

BILLIE BERNHARDT: So if you guys already did a few road studies, which roads do you pick -- one of those two, right?

STACIE MCINTOSH: The first EIS shows Alternative A.

BILLIE BERNHARDT: Okay.

STACIE MCINTOSH: Shows Alternative A as proposed by AIDEA.

BILLIE BERNHARDT: Okay. So why did they throw C back in there?

STACIE MCINTOSH: When we were required to -- when the decision was given back to us we had to start from scratch in terms of a decision.

BILLIE BERNHARDT: So that's the only reason C's back in there?

STACIE MCINTOSH: That's right. C is back in there because these are the alternatives that we're looking at.

BILLIE BERNHARDT: So when you get these groups like that that write a letter saying they wanted
a public road, you know, or we're going to fight to make it a public road, could it -- you know, you've got those tree huggers or these, you know, environmental people that go on the road, right? And -- and you think it could be just a -- some part -- say, "Hey, write those letters. Delay it. Slow it down."

STACIE MCINTOSH: We don't speculate on -- on conspiracy letter writing.

BILLIE BERNHARDT: But it would work -- but it would work.

STACIE MCINTOSH: We just take --

BILLIE BERNHARDT: It would work.

STACIE MCINTOSH: They're -- I mean, you can -- so all of the letters that we receive are posted online. You can see the letter from Backcountry Hunters and Anglers that was submitted that say that. You can go and look at it, and you can make a determination as to whether or not you think it's --

BILLIE BERNHARDT: And were they based -- off --

STACIE MCINTOSH: -- it's false. Huh?

BILLIE BERNHARDT: Were they based off -- but -- okay. For the road to go -- for the road to be back open to the public you'd have to go through a whole -- they'd start -- start all over again. They'd
have to go through a whole EIS process and everything like that again --

STACIE MCINTOSH: It would.

BILLIE BERNHARDT: -- for the road to become a public road --

STACIE MCINTOSH: It would.

BILLIE BERNHARDT: -- 50 years down --

STACIE MCINTOSH: For our right-of-way to become a public road, yes, it would.

LUKE JACKSON: Dalton was never supposed to be a public road. It was private in the beginning, and then it became public. It became public eventually because they had a trespass issue and it was no longer manageable. And we had the same thing with Red Dog. Red Dog was all on NANA lands. It's a 51-mile road. It became basically a public road because Kivalina hunters wanted to use it and nobody could manage them. So it became a public road.

Ambler has -- Ambler Road's going to become a public road whether we like it not. Kivalina Road is a dead end on both sides, but for -- for that -- for that road -- the reason the Dalton Highway became a public road is because they needed money in order to build -- build it.

This one here is built by AIDEA. So that -- that's out of the question, right? Is my
understanding.

STACIE MCINTOSH: So the interesting thing about this road is the BLM is only issuing a right-of-way for the first 25 miles. The rest of it is going through varying land status including the State of Alaska who hasn't even issued an authorization to AIDEA yet for what they're going to give them.

We -- we actually don't know what type of an authorization the State of Alaska is going to give at this point. And they were a cooperating agency on the SEIS, and they provided us with language for that, that we included within the SEIS.

There are examples of the State of Alaska and other places issuing roads -- rights-of-way to themselves because they intend for the road to become public in the future. It's just an example and it's included. It was for Pogo Mine Road if you know where that is outside the Delta Junction.

So, I mean, there's still a lot of uncertainties with regard to other authorizations that need to be granted with this road that we don't know. And the BLM is the lead federal agency on the EIS because we have to issue a right-of-way for the first 25 miles.

BILLIE BERNHARDT: And then you got the Native Corporation on each end?
STACIE MCINTOSH: Yep.

LUKE JACKSON: Outside hunters is -- is -- is the last of priorities. My worries is all the trucks hauling all that ore back and forth. That's what's really going to be scaring all the caribou off is all -- all the traffic -- the heavy equipment traffic on the road. It's not going to be the hunters. We're not -- we're really going to be competing as Inupiaq Eskimo. We've been chasing caribou for thousands of years. There's no problem there. The problem is going to be the heavy equipment and all the traffic on that road. That's going to be the biggest worry that we'll be dealing with.

HENRY HORNER: In hauling those material trucks will be covered so it will minimize the dust that -- that will be coming off of the vehicle and the only dust that will be on there is what the road was built with.

STACIE MCINTOSH: Yeah. I think the intention is for there to be complete covered containers, not just covered with, like, a tarp, but, like, Conex truck containers that go right from the road, onto the train, onto the ship, I think is -- is the vision. What it actually will be we're not sure, because we don't have the application, but -- yeah.
BILLIE BERNHARDT: I'll have to agree with Luke on the noise. The noise is going to scare them away. You know, we deal with that in Bornite right now -- from Bornite all summer up and down the road here, you know. One summer they weren't there, and this year, you know -- just the way it is I guess.

They -- they come down and they have -- give us a little hamburger -- hamburger and French fry.

STACIE MCINTOSH: Oh, yay.

BILLIE BERNHARDT: Eat it with a can of pop.

PEARL GOMEZ: I had a question.

STACIE MCINTOSH: Yeah.

PEARL GOMEZ: (Indiscernible.)

THE COURT REPORTER: I'm so sorry. Can you repeat that? I didn't catch that.

PEARL GOMEZ: I was asking are you going to be leaving a full copy with the tribe?

STACIE MCINTOSH: Yes.

PEARL GOMEZ: Okay.

STACIE MCINTOSH: And I also have some on USB drives if you want them, that you can plug into a computer that has all of them too. Yeah. That way you can kind of search for terms if you have a computer and you can stick it in there. You can pull it up and you can search for caribou and see every place where it has caribou,
so --

PEARL GOMEZ: We wanted to make sure we also had a hard copy.

STACIE MCINTOSH: Oh, yes.

PEARL GOMEZ: Because for some people it's hard to --

STACIE MCINTOSH: Yes.

PEARL GOMEZ: -- access online, and sometime --

STACIE MCINTOSH: That's why --

PEARL GOMEZ: -- it would be nice to --

STACIE MCINTOSH: Yeah. I'll give you those also.

BILLIE BERNHARDT: And -- and there's a -- every supplemental thing that's in there is highlighted in yellow?

STACIE MCINTOSH: That is correct. That is correct. Except for some of the appendices in the very beginning of the appendix say: We didn't highlight this in yellow because the entire thing is brand new. Because then the entire thing would be yellow. But it says that at the very beginning. But in the main body of the text it's all highlighted in yellow.

BILLIE BERNHARDT: So -- okay. So the -- so it will go back to the Department of the Interior, whoever
signs the BLM -- whoever signs the final review, the go 
or the no-go, is that person changed every four years or 
change of, say, Biden is -- you know, if Trump -- that's 
going to be a new individual there?

STACIE MCINTOSH: Yeah. The person who we 
envision signing this document is an appointed official, 
and they have to be confirmed by congress. So it's not 
an elected position, but it is a position that the 
president basically designates, you know, nominates, and 
then they have to be confirmed by congress, yeah.

BILLIE BERNHARDT: Okay.

STACIE MCINTOSH: Anything else?

HENRY HORNER: So what if you get another 
lawsuit then? Then what.

STACIE MCINTOSH: If we get another lawsuit 
after the supplemental then we will --

HENRY HORNER: Start over?

STACIE MCINTOSH: Maybe. Maybe not. It 
depends on what the lawsuit is.

THOMAS BERNHARDT: So I worked at Red Dog for 
a while, and like to build a port room they have material 
stores sites where they get the material from. How many 
are there going to be along -- do you guys have that 
determined with this proposed road?

STACIE MCINTOSH: They proposed -- they
proposed 35.

THOMAS BERNHARDT: Thirty-five?

STACIE MCINTOSH: Within the document. However, at this point the -- the Army Corps of Engineers who require -- issue a 404 permit have only granted them along that route A, 11 material sites.

THOMAS BERNHARDT: Okay.

STACIE MCINTOSH: And then if they need more material sites they need to submit another application to the Corps for additional ones.

THOMAS BERNHARDT: Okay. So they already determined where they're going to actually get the material from, or --

STACIE MCINTOSH: They've identified material site locations, but they haven't done the geophysical investigations of those sites yet to determine whether or not those sites are of adequate quantity and quality.

THOMAS BERNHARDT: Oh, okay.

STACIE MCINTOSH: So we're not sure yet. We're not sure yet. They -- they basically have proposed 35, they'll go out and test them, and the best 11 is -- my guess what they would do is they would use the best 11 because that's what they're authorized under the Corps. And then if they need more they would go back for another application. That's my guess of how it would work.
THOMAS BERNHARDT: Oh.

STACIE MCINTOSH: Yeah.

BILLIE BERNHARDT: So they'd be buying gravel off -- if you're on State land you'd be having to pay the State for the gravel, or BLM land they'd pay BLM, or --

STACIE MCINTOSH: Yes. I mean, on BLM land they would pay BLM, on State land -- I don't know if they would pay the State. I don't know how the State works with their public corporation for economic development.

BILLIE BERNHARDT: On a Native allotment they'd pay the Native allotment.

STACIE MCINTOSH: That is correct, but I think they're trying to avoid private lands.

BILLIE BERNHARDT: We got a -- our family's got a Native allotment up there, and their -- one of their proposed gravel sites is right on the edge of the Native allotment.

STACIE MCINTOSH: Uh-huh.

BILLIE BERNHARDT: Got a Native allotment here and a proposed site is right --

STACIE MCINTOSH: Yeah.

BILLIE BERNHARDT: -- there.

STACIE MCINTOSH: Yeah.

CLARENCE GRIEPENTROG: On road C, when is the next land ownership after BLM land? Is that near Hughes?
STACIE MCINTOSH: So -- yeah. This over here is part Doyon, but primarily Hughes Village Corporation land.

CLARENCE GRIEPENTROG: And how long --

STACIE MCINTOSH: Just a little bit of the brown is Doyon there.

CLARENCE GRIEPENTROG: Okay. How long is the route before that?

STACIE MCINTOSH: You mean, this portion of it -- up to it? Gosh, I don't know. It looks like it's about halfway.

CLARENCE GRIEPENTROG: Yeah. It's pretty --

STACIE MCINTOSH: I don't know. I would have to have my GIS calculate that for you. I can do it though and e-mail it to you, but we would have to calculate that. These hash marks are State selections, right? If it's -- if -- if those lands were conveyed they would become State, but the State's over-selected lots of places, so I don't know. I'm not sure what priority this -- in terms of their selection, but that's what that hash mark there is.

BILLIE BERNHARDT: So what's your meeting for tomorrow morning though?

STACIE MCINTOSH: So tomorrow morning we invite anyone who wants to come, who goes home tonight,
thinks of additional questions they may have, thinks of things that they felt like they should have said but they didn't feel comfortable saying, thinks of anything they want to tell us. If they -- if you have mitigation measures.

If you have other things that you're concerned about, please feel free to come tomorrow. It will start at nine and go until noon. It's going to be very informal. Instead of being like this we're just going have a circle, thus the talking circle. I know -- and you guys don't do talking circles, but it's -- it's an easy way for us to have a nice conversation.

BILLIE BERNHARDT: We could argue and you won't tell me to shut up?

STACIE MCINTOSH: I won't. I promise. But I won't let you be mean to anyone, so there.

All right. Well, thank you. Thank you, everyone. Thank you so much for coming. Thank you for speaking. Thank you very much.

And, again, I said it at the beginning, but I know that this has been a really long process since 2016, and I'm just very grateful for your continued engagement in it. It -- it is important. It really is. And it's good for us to hear your thoughts.

(Proceedings concluded at 8:50 p.m.)
CERTIFICATE

I, LOUISA DENNIS, Stenographic Reporter and Notary Public in and for the State of Alaska, do hereby certify that the proceedings were taken before me at the time and place herein set forth; that the testimony and proceedings were reported stenographically by me and later transcribed by computer transcription; that the foregoing is a true record of the testimony and proceedings taken at that time; and that I am not a party to nor have I any interest in the outcome of the action herein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 11th day of December 2023.

_______________________________
LOUISA DENNIS

My Commission Expires 1/18/2027