

Ambler Road Easement Application Clarification Questions

On November 5, 2021, DMLW submitted the following clarification questions by email to AIDEA regarding their application for a private exclusive easement. AIDEA responded by email November 23, 2021, and their answers are written in [blue](#).

1. There are discrepancies between the road alignment digital data (Alternative A from the BLM adjudication process) and the application materials:

- a. Easement width – The easement corridor in the digital data and in the Federal Right-Of-Way (ROW) documents is 250 ft, but the easement application states 450 ft. Is AIDEA requesting 450 ft for the road corridor (225 ft either side of centerline), or is the 450 ft to incorporate ancillary facilities (service roads, maintenance stations, etc.) outside a 250 ft corridor? Is there a reason for requesting a 450 ft width? We'll need this information when we go to public notice.

[AIDEA's DNR ROW/Easement Application is consistent with the July 2020 Ambler Road Joint Record of Decision. AIDEA's application contemplates an easement 450 feet wide to accommodate construction activities, roadway cuts and fills, and for maintenance sites, material sites, and airstrips. See, e.g., JROD Section 3.2.1. Once complete, the Ambler Road will fall within a ROW generally 250 feet wide. Id.](#)

- b. MTRS table – Several sections listed in the MTRS table submitted with the application are not consistent with the digital data. To clarify the location of state lands to be included in the road project, please have someone verify MTR sections. We identified the below issues which are detailed in the attached excel file.

- i. 14 listed sections do not intersect the road corridor or additional infrastructure.

[These sections were included in error and should be removed from the list.](#)

- ii. 1 listed section is duplicated, but the aliquot parts are different.

[Please remove. SW 1/4, SE 1/4 / AIDEA & DNR / 4,955 / SEC 31, T20N, R26E, KM / K020N026E / K020N026E31 / K020N026E31](#)

- iii. 1 listed section does not exist because it is excluded from a partial Township near the Kateel River and Fairbanks Meridian boundary line.

[Remove.](#)

- iv. Using the digital data, I have identified up to 34 sections that are not included in the MTRS table. Since we are not sure which additional

infrastructure is being included in the application, we're not sure if we should assume those sections should be included.

Please assume these sections should be included.

2. How will plans and commitments required through the federal process and ROW agreements intersect with the development plan for the state application? Specific points where this question arises include:
 - a. AAP Commitments table– how does AIDEA intend for the table to be used as part of the application? Are all these commitments intended to be included as applicable to the state authorization(s) and subject to state review and approval?
(For example: Line 34 includes a Subsistence Mitigation Plan required by the BLM Joint Record of Decision. The plan states that it will apply to sections of the road on federal lands. Does AIDEA intend to have this plan apply to the state authorization, and be submitted and subject to State review at the same time as the federal entity?)
 - b. Regarding federal plans mentioned in the Development Plan, does AIDEA intend to have them apply to state authorizations, including review?
(For example: “Financing Plan for Reclamation” and the “Closure and Reclamation Plan” described in the Closure/Reclamation Section of the submitted Development Plan.)

The Ambler Access Project (AAP) Commitments table is a living document that will be revised and updated, as appropriate, to reflect the various permits, approvals and authorizations that are now known to apply to the project or may become applicable in the future. AIDEA will operate the Ambler Access Project ROW/Easement across each segment, whether state, federal or private, consistent with provisions of ANICLA, the state Private Use Easement, the BLM Right-Of-Way Grant F-97112 and the NPS Right-Of-Way Permit No. RW GAAR-21-001, and any other ROW authorization received. Where one reviewing/approving agency requires a specific plan or authorization (e.g., the BLM Subsistence Mitigation Plan), AIDEA will implement that plan, as appropriate, across each section of its ROW/Easement, and where required by an applicable statutory or regulatory program, AIDEA will include the relevant state agency(ies) in the review process for any federal approval or authorization.

Attached is a revised and corrected version of the Ambler Access Project Development Plan supporting the state ROW/Easement application. We made appropriate revisions to the Development Plan in the section addressing “Closure/Reclamation” to reflect the fact that development of this critical surface access infrastructure will serve the state’s interests for many decades to come and that, at this point, we anticipate our only obligation to the state upon any future

termination of the easement will be to return the subject lands without any encumbrances and in a condition acceptable to the state.

3. How does the AIDEA intend to allow the public to cross the road on state land?

- a. Crossing points appear to have been addressed as part of Federal Subsistence Plans applicable to federal lands. Public users of adjacent state land will need points at which to cross the road alignment.
- b. How will the crossing point locations and number of points be determined?

Prior to closing any portion of this ROW/Easement to public access to crossing points, AIDEA will prepare and submit a Public Access Plan inclusive of construction and operations periods to the designate state agency office for review and approval. The plan will include types and locations of designated crossing points, including ramps and other suitable methods for allowing public access to crossing points, to facilitate crossing the ROW/Easement strictly for uses qualifying under Generally Allowed Uses (11 AAC 96.020); uses of these crossings exceeding Generally Allowed Uses will be required to obtain an authorization from AIDEA. AIDEA will make provisions for suitable permanent crossings of the ROW/Easement for the public where the ROW/Easement crosses or runs along existing roads, foot trails, winter trails, valid existing easements, or other routes identified through AIDEA coordination with local communities and land managers. Provisions for crossings will be implemented during Phase 1 construction and maintained through all project phases.