



August 4, 2021

Office of the Secretary of the Interior,
Regional Environmental Officer
4230 University Dr.
Anchorage, Alaska 99508

CC: Raina Thiele, Senior Advisor to the Secretary for Alaska Affairs & Strategic Priorities
Karen Cogswell, U.S. Fish and Wildlife Service Office of the Regional Director
Chad Padgett, Bureau of Land Management Alaska State Office
Phil Johnson
Grace Cochon

RE: Request for ANILCA 1110(b) In-holder Access

Dear Regional Environmental Officer

Please find attached Standard Form 299 submittal by Kaktovik Inupiat Corporation (KIC) requesting perpetual wintertime access to our community, Kaktovik, Alaska, as provided for under the 1980 Alaska National Interest Lands Conservation Act (ANILCA) Title 1110(b) for In-Holder Access. KIC has requested access to our community through Title 1110(b) for an overland route in 2020 for access to move temporary school modules following a devastating fire. That SF 299 was never processed nor responded to by the US Fish & Wildlife Service and is still pending a decision. We were able to safely move the temporary school modules under a Special Use Permit traveling over the shore fast ice at the time. Due to significant changes in sea ice conditions and the present uncertainty of having grounded sea ice in any given year; KIC and Kaktovik have come to the decision that we cannot wait on the next disaster but instead need to have certainty that we can access our community through a winter access trail. While this will provide us with peace of mind in the event of a future disaster it will also lower our cost of living by allowing annual wintertime deliveries of goods and consumables.

We look forward to working with the Department on our request. Thank you for your time and assistance.

Respectfully,

A handwritten signature in black ink, appearing to read "Matthew Rexford".

Matthew Rexford - President

APPLICATION FOR TRANSPORTATION, UTILITY SYSTEMS, TELECOMMUNICATIONS AND FACILITIES ON FEDERAL LANDS AND PROPERTY

FORM APPROVED
OMB Control Number: 0596-0249
Expiration Date: 2/28/2023

FOR AGENCY USE ONLY

NOTE: Before completing and filing the application for an authorization (easement, right-of-way, lease, license or permit), the applicant should completely review this package, including instructions, and schedule a pre-application meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the pre-application meeting.

Application Number

Date Filed

1. Name and address of applicant Matthew Rexford, President Kaktovik Iñupiat Corporation PO Box 73 4089 Hulahula Ave. Kaktovik Alaska 99747	2. Name and address of authorized agent if different from item 1 Teresa Imm 6861 MacBeth Dr. Anchorage, Alaska 99516	3. Applicant telephone number and email: Authorized agent telephone number and email:
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4. As applicant are you? (check one) a. <input type="checkbox"/> Individual b. <input checked="" type="checkbox"/> Corporation* c. <input type="checkbox"/> Partnership/Association* d. <input type="checkbox"/> State Government/State Agency e. <input type="checkbox"/> Local Government f. <input type="checkbox"/> Federal Agency * If checked, complete supplemental page	5. Specify what application is for: (check one) a. <input checked="" type="checkbox"/> New authorization b. <input type="checkbox"/> Renewing existing authorization number c. <input type="checkbox"/> Amend existing authorization number d. <input type="checkbox"/> Assign existing authorization number e. <input type="checkbox"/> Existing use for which no authorization has been received * f. <input type="checkbox"/> Other* * If checked, provide details under item 7
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6. If an individual, or partnership, are you a citizen(s) of the United States? Yes No

7. Project description (describe in detail): (a) Type of use or occupancy, (e.g., canal, pipeline, road, telecommunications); (b) related structures and facilities; (c) physical specifications (Length, width, grading, etc.); (d) term of days/years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for activity/construction (Attach additional sheets, if additional space is needed.)

See Attachment 1 - Project Description

8. Attach a map covering area and show location of project proposal.

9. State or Local government approval: Attached Applied for Not Required

10. Nonrefundable application fee: Attached Not required To be determined by agency

11. Does project cross international boundary or affect international waterways? Yes No (if "yes," indicate on map)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

The North Slope Borough (NSB), will provide, the financial capacity, through its contractors, to provide the technical capacity for the construction, operation, maintenance of the temporary winter overland trail for the movement of building, vehicles, and consumables to support the community of Kaktovik, Alaska. Based on current cost information provided by the NSB for construction, operation, maintenance of its Community Winter Access Trail (CWAT) system in the National Petroleum Reserve – Alaska (NPR-A) to other North Slope Communities it would cost between \$2.5 to \$5 million to construct, operate and maintain the Kaktovik Winter Access Trail. Please see attached Letter of Support from Mayor Brower in favor of our application (Attachment 4).

13a. Describe other alternative locations considered.

There is only one access route considered under this request. This request is to provide access to Kaktovik as promised under the Alaska National Interest Lands Conservation Act (ANILCA) Title 1110(b) - Special Access to In-Holders. This route includes a segment of the approved Tamayariak River to Simpson Cove RST 1649 -See Attachment 2 for segment location.

b. Why were these alternatives not selected?

The only other option for access would be on grounded shorefast sea ice which provides no certainty of access and increases risks to safety of personnel and equipment should the sea ice change during transportation. On a year-to-year basis changes in sea ice could significantly change project plans creating economic hardships for both Kaktovik and the NSB.

c. Give explanation as to why it is necessary to use or occupy Federal assets (lands or buildings).

Kaktovik is surrounded by a federal conservation unit. ANILCA provided access under Title 1110(b). Until now KIC has not exercised those rights. Changing Beaufort Sea conditions necessitates changes to methods for transporting goods and materials safely and reliably. Storms and minimal sea ice required us to have overland transportation to ensure our survival.

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)

There are no other authorizations or pending authorizations

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

a. TBD, see response #12. b. Other alternatives for moving infrastructure and goods to Kaktovik are air transport and barging. Air is higher cost and size limited; barging is less reliable due to current open-water conditions. c. Provides for lower cost of living to residents and the NSB for life, health, and safety in Kaktovik.

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

Lowering the cost of living in a remote community ensuring its long-term economic sustainability and growth. Please see community letters of support, Attachments 5 and 6.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability; and, (g) historic or archaeological resources or properties.

a. Minimum impacts due to the temporary nature of the activity. b. Minimum impacts due to the temporary nature of the activity. c. No impact to surface or ground water quality and quantity. d. NONE. e. Minimum impacts due to the temporary nature of the activity. f. NONE

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plant life, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

a. There will be no impact to fish, plant life, wildlife, and marine life. A Wildlife Management and Polar Bear Avoidance Plan will be developed with respect to large animals and threatened species (polar bears) for the temporary overland access program. b. There will be no hunting, capturing, collecting, or killing of any animals allowed under this operation.

19. State whether any hazardous material, as defined in this paragraph, would be used, produced, transported or stored on or in a federal building or federal lands or would be used in connection with the proposed use or occupancy. "Hazardous material" shall mean (a) any hazardous substance under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601(14); (b) any pollutant or contaminant under section 101(33) of CERCLA, 42 U.S.C. § 9601(33); (c) any petroleum product or its derivative, including fuel oil, and waste oils; and (d) any hazardous substance, extremely hazardous substance, toxic substance, hazardous waste, ignitable, reactive or corrosive materials, pollutant, contaminant, element, compound, mixture, solution or substance that may pose a present or potential hazard to human health or the environment under any applicable environmental laws. The holder shall not store any hazardous materials at the site without prior written approval from the authorized officer. This approval shall not be unreasonably withheld. If the authorized officer provides approval, this permit shall include (or in the case of approval provided after this permit is issued, shall be amended to include) specific terms addressing the storage of hazardous materials, including the specific type of materials to be stored, the volume, the type of storage, and a spill plan. Such terms shall be proposed by the holder and are subject to approval by the authorized officer.

There may be hazardous material under category (c) that will be transported during operation such as diesel fuel annual stocking for the Community of Kaktovik. Other items to be transported will be non-hazardous building modules, ancillary material, and equipment. Movement of category (c) substances will be identified on an annual basis. If category (c) substances are determined to be necessary for transportation they will be transported in DOT certified double-walled tanks.

20. Name all the Federal Department(s)/Agency(ies) where this application is being filed.

See Attachment 7 Agency filing information.

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant

Date

August 5, 2021

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

ATTACHMENT 1 - SF 299 – ITEM 7 – Project Description

7. Project description (describe in detail):
 - a. Type of system or facility.
 - i. A perpetual winter overland snow, rolligon trail, or other best available future technology, between the Staines River to Kaktovik, Alaska located on Barter Island. The route will traverse through the Coastal Plain of the Arctic National Wildlife Refuge (CP) to transport goods and consumables in the winter to the community of Kaktovik.
 1. **Trail Route** – This route will originate at the Point Thomson facility, operated by ExxonMobil eastward and across the outer portion of the Canning River connecting to RS2477 – Tamayariak River-Simpson Cove Segment RST 1649 where it will continue eastward within 0.25 miles of the coast until it crosses onto private land owned by Kaktovik Iñupiat Corporation continuing to Kaktovik on Barter Island, this route is approximately 75 miles from the Staines River to Kaktovik (Red route on Attachment 2c).
 - b. Related structures and facilities;
 - i. None at this time.
 - c. Physical specifications;
 - i. The width of the overland winter trail is planned to be approximately less than or equal to 25 feet.
 - ii. The estimated length of is 75 miles across the CP.
 - d. Term of years needed;
 - i. This winter access trail is requested for use in perpetuity as provided under the 1980 Alaska National Interest Lands Conservation Act Title 1110(b) provision for in-holder access.
 - e. Time of year of use or operation;
 - i. The winter access trail will be used during the approved period for overland tundra travel from the period of mid-January through mid-May annually. Timing of use will be dependents on winter overland travel conditions as developed by the State of Alaska, Department of Natural Resources for tundra opening.
 - f. Volume of amount of product to be transported.
 - i. Low-ground pressure vehicles utilized by Kaktovik Iñupiat Corporation (KIC), the North Slope Borough (NSB) and/or its contractors will be the main form of transport to the community. The NSB will implement best practices used for its Community Winter Access Trail (CWAT) program in the National Petroleum Reserve – Alaska (NPR-A) and on State Lands. Vehicles with low ground pressure of 1 psi will be utilized if required to build the preferred route. Items for identified for transport during the term of this access proposal will include but is not limited to the following:
 1. Movement of permanent school for Kaktovik.
 2. Other building module transport.
 3. Movement of community vehicles.
 4. Movement of diesel fuel for school and community power station.
 5. Other consumables.

The number of round trips will vary year-to-year depending on community needs. All product will be transported across the winter overland trail on low-ground pressure, rolligon vehicles described as below:

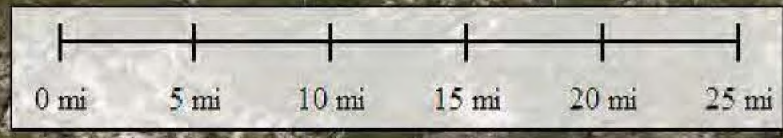
1. The rolligons have less than 1lb per square inch ground pressure
2. Each vehicle weighs 96,000 lbs
3. All rolligon vehicles are equipped with 2-250 gallon double-walled saddle fuel tanks that met DOT specifications.
4. 1 rolligon will have extra double walled fuel storage of 400 gallons

- g. Duration and timing of construction.
 - i. Pre-scouting of the annual route will be completed no-later than mid-March. Pioneering of the annual route will commence following the pre-scouting and determination of conditions along the approved route. Use and hauling along the route will occur between mid-February and mid-May. This is dependent on the annual conditions with respect to snow cover and ground freeze depths.
- h. Temporary work areas needed for construction.
 - i. None at this time.




ATTACHMENT 2a – Winter Access Route

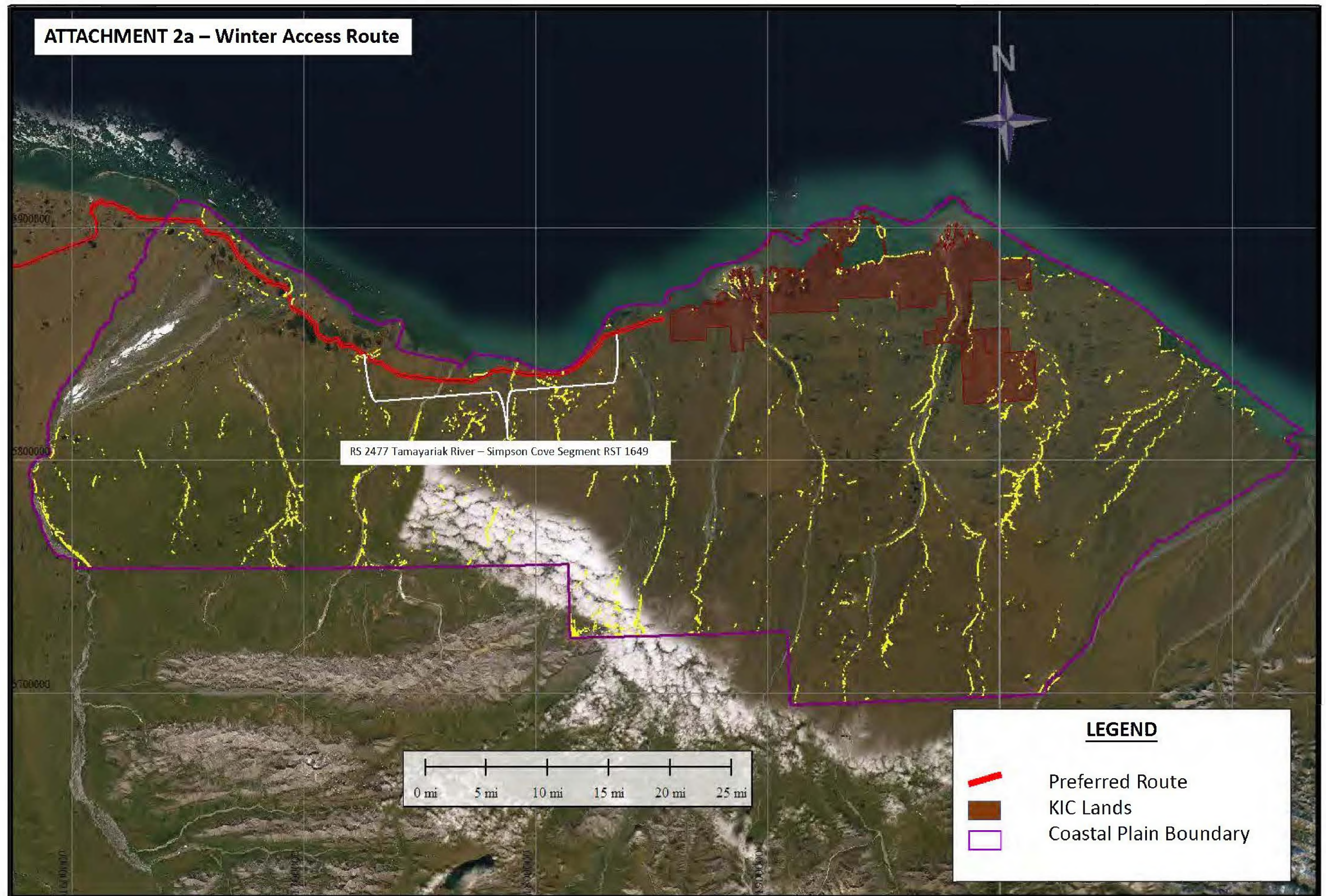


RS 2477 Tamayariak River – Simpson Cove Segment RST 1649

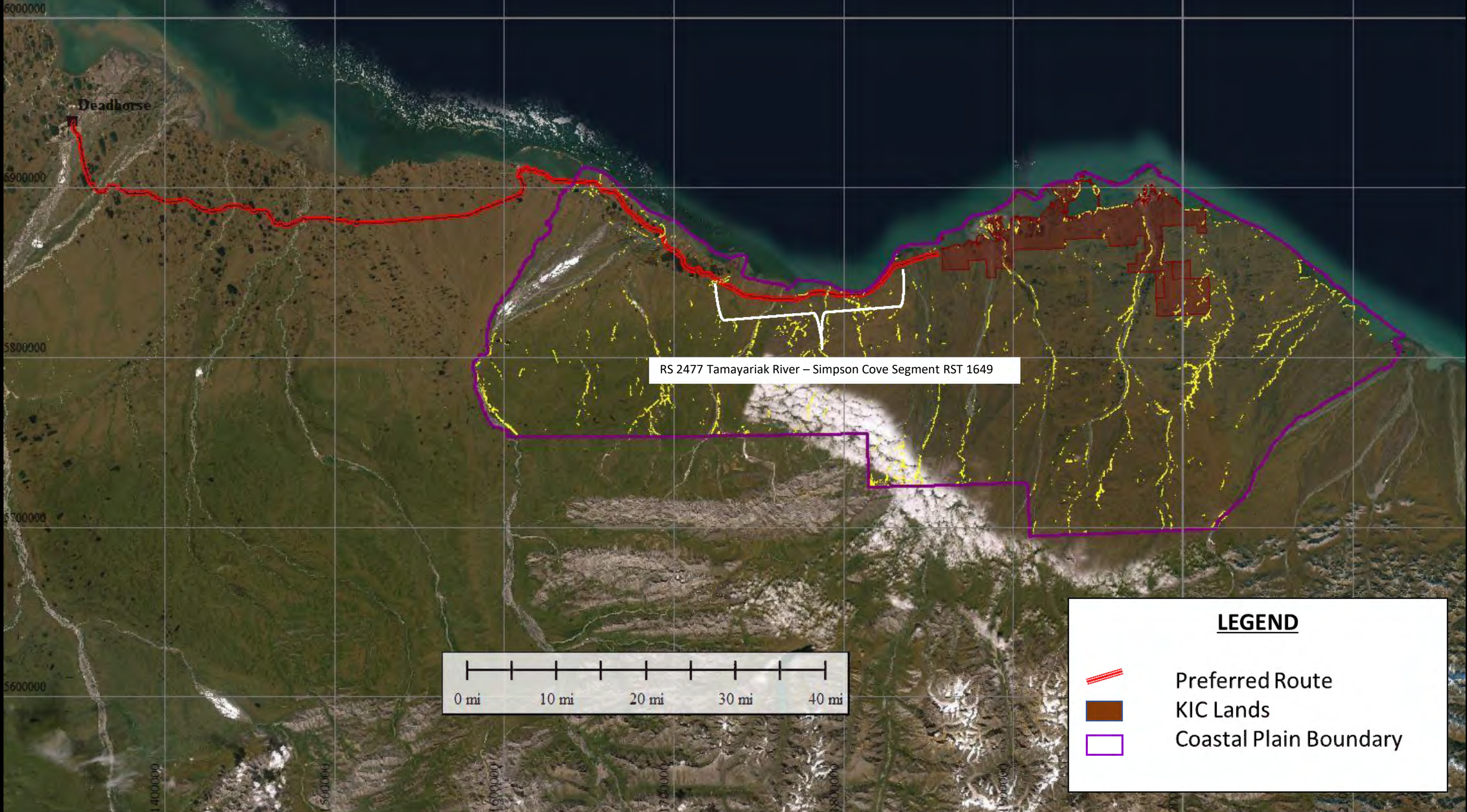


LEGEND

-  Preferred Route
-  KIC Lands
-  Coastal Plain Boundary



ATTACHMENT 2b – Winter Access Route



RS 2477 Tamayariak River – Simpson Cove Segment RST 1649

LEGEND

-  Preferred Route
-  KIC Lands
-  Coastal Plain Boundary

ATTACHMENT 3 – SF-299 – ITEM 9 - State and Local Permits

9. The following State and Local government approval are required and will be applied for:
 - a. The following State Permits will be applied for:
 - i. Alaska Department of Natural Resources - Tideland Access Permit
 - ii. Alaska Department of Fish & Game – Fish Habitat Permit
 - iii. Alaska Department of Natural Resources, State Historic Preservation Office - Letter of Concurrence
 - b. The following North Slope Borough Permit will be applied for:
 - i. Planning Department – Land Management Development Permit
 - ii. Traditional Land Use Inventory – Administrative Approval form 400

North Slope Borough

OFFICE OF THE MAYOR



P.O. Box 69

Barrow, Alaska 99723

Harry K. Brower, Jr. Mayor

August 26, 2020

Kaktovik Inupiat Corporation

Matthew Rexford, President

P.O. Box 73

Kaktovik, AK 99747

RE: Letter in Support of Application for ANILCA Section 1110 In-Holder Community Access

Dear Mr. Rexford:

The letter is to support the Kaktovik Inupiat Corporation's application for Alaska National Interest Lands Conservation Act (ANILCA) Section 1110 In-Holder Community Access for winter access to the community of Kaktovik located on Barter Island. Please feel free to include this support letter with your application.

The North Slope Borough is the recognized unit of local government spanning the North Slope of Alaska, an area covering 89,000 square miles. The Borough's jurisdiction stretches from the United States-Canadian border across to the western border of Alaska, with a coastline that extends along the Beaufort and Chukchi Seas.

The livelihood of the residents of Kaktovik and our future depend on reasonable access to our lands and the lands of others. Due to its unique location and lack of access to the road system, the residents of Kaktovik are occasionally denied economic or benefits that other communities take for granted. Kaktovik would benefit from the requested access. The North Slope Borough supports the Kaktovik Inupiat Corporation's application.

Sincerely

A handwritten signature in blue ink that reads "Harry K. Brower, Jr."

Harry K. Brower, Jr.
North Slope Borough Mayor



Native Village of Kaktovik

P.O. Box 52
Kaktovik, AK 99747

May 21, 2021

Kaktovik Inupiat Corporation
Matthew Rexford, President
P.O. Box 73
Kaktovik, AK 99747

RE: Letter in Support of Application for ANILCA Section 1110 In-Holder Community Access

Dear Mr. Rexford:

This letter is to support the Kaktovik Inupiat Corporation's application for Alaska National Interest Lands Conservation Act (ANILCA) Section 1110 In-Holder Community Access for winter access to the community of Kaktovik located on Barter Island. Please feel free to include this support letter with your application.

The Native Village of Kaktovik is the federally recognized tribal government in Kaktovik, Alaska. The livelihood of the residents of Kaktovik and our future depend on reasonable access to our lands and the lands of others. Due to its unique location and lack of access to the road system, the residents of Kaktovik are occasionally denied economic or benefits that other communities take for granted. Kaktovik would benefit from the requested access. The Native Village of Kaktovik supports the Kaktovik Inupiat Corporation's application.

Sincerely,

Edward Rexford Sr.
Native Village of Kaktovik President

June 2, 2021

Kaktovik Inupiat Corporation
Matthew Rexford, President
P.O. Box 73
Kaktovik, AK 99747

RE: Letter in Support of Application for ANILCA Section 1110 In-Holder Community Access

Dear Mr. Rexford:

This letter is to support the Kaktovik Inupiat Corporation's application for Alaska National Interest Lands Conservation Act (ANILCA) Section 1110 In-Holder Community Access for winter access to the community of Kaktovik located on Barter Island. Please feel free to include this support letter with your application.

The City of Kaktovik is the recognized unit of local government in Kaktovik, Alaska. The livelihood of the residents of Kaktovik and our future depend on reasonable access to our lands and the lands of others. Due to its unique location and lack of access to the road system, the residents of Kaktovik are occasionally denied economic or benefits that other communities take for granted. Kaktovik would benefit from the requested access. The City of Kaktovik supports the Kaktovik Inupiat Corporation's application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amanda Kaleak', written over a horizontal line.

Amanda Kaleak
City of Kaktovik Mayor

ATTACHMENT 7 – SF 299 – ITEM 20 – AGENCIES WHERE FORM WILL BE FILED

Office of the Secretary of the Interior,
Regional Environmental Officer
4230 University Dr.
Anchorage, Alaska 99508

U.S. Fish & Wildlife Service (FWS)
Office of the Regional Director
1011 East Tudor Road
Anchorage, Alaska 99503

Alaska State Office
Bureau of Land Management
222 West 7th Avenue #13
Anchorage, Alaska 99513