APPENDIX C

Comment Analysis Report

Comment Analysis Report

During the scoping period for Izembek National Wildlife Refuge Land Exchange Environmental Impact Statement (EIS) the U.S. Fish and Wildlife Service (Service) received a total of 31,568 submissions of which 114 were unique submissions and 31,454 were form letters. Submissions included email, fax, letters, and testimony given at public scoping meetings. Comment submissions generated 640 comments which were then grouped into 149 Statements of Concern (SOCs). SOCs are summary statements intended to capture the different themes identified in the substantive comments.

The body of this appendix contains the Statements of Concern (SOCs) developed to help summarize scoping comments. The SOCs are ordered according to the grouping of issue categories, as outlined below.

Process

PUB Public Involvement and Scoping - Comments related to public involvement activities of the project and public scoping.

PUB 1
City of Cold Bay infrastructure, medical, and other service providers are stakeholders that should have been included as "project cooperators" in the process leading up to the EIS.

PUB 2
The Service should provide resources to the local stakeholder governments to participate in the process; they could truly engage in the alternative development.

PUB 3
The community needs to be able to participate in the entire process, not just during scoping. This includes having access to all interim reports and plans and the opportunity to provide comments to them.

REG Regulatory – Comments on compliance with other statutes, laws or regulations that should be considered; coordinating with Federal, state, local agencies or organizations.

REG 1
The Omnibus Public Lands Bill of 2009 authorized the analysis of a proposed road through sensitive and ecologically unique habitat in the Izembek National Wildlife Refuge.

REG 2
The National Wildlife Refuge System Improvement Act of 1997 requires a Compatibility Determination and a public interest review to be conducted as part of the EIS analysis. The determination must conclude that the exchange is in the best interest of the Izembek National Wildlife Refuge and in the best interest of the public.

REG 3
This proposal would remove the area from the refuge system ("de-designation of the wilderness area") which would subject it to the impacts of road construction, use of the road and associated activity, disturbance, and pollution; all which conflict with the purposes of the Izembek National Wildlife Refuge establishment which include:

- Conserve fish and wildlife (caribou, waterfowl, brown bears, migratory birds, shorebirds, salmon) populations and their habitats;
- Fulfill U.S. international treaty obligations for migratory birds and wetlands (four treaties, added to the Ramsar Convention on Wetlands of International Importance in 1986, Important Bird Area of global significance, sister refuge to Russia's Kronotsky State Biosphere Reserve, Migratory Birds Convention);
- Provide for continued subsistence uses by local residents; and

- Ensure water quality and quantity within the Izembek National Wildlife Refuge.

REG 4
This is the first bisection of a congressionally-designated wilderness refuge. Removal of the wilderness designation would open the door/set a dangerous precedent ("pave the way") for similar actions at other refuges, National Parks, Forests and other Federal lands. In Alaska, many other villages will want roads.

REG 5
Alternative 6 from the King Cove Access Project Final EIS violates Federal Law because it requires construction of a road through federally designated wilderness and it was based on little field verification because mechanized equipment is prohibited in a wilderness area.

REG 6
King Cove and Cold Bay residents and Aleut people of the region feel they did not participate and/or were not heard in 1960 [national wildlife refuge designation by Congress] and Alaska National Interest Lands Conservation Act (ANICLA) 1980 land status hearing [added to the wilderness system], therefore the designation of the Izembek National Wildlife Refuge as wilderness was not in their best interest. If the land was not designated, the road access to the airport would have been completed many years ago. The Secretary of the Interior has a trust responsibility for the Aleut people with a special directive to pay attention to native people and should exercise its power to make decisions that are in their best interest, rather than comply with an unjust “public interest determination”.

REG 7
The land exchange fails to offer comparable protection or habitat for that which will be lost (no net conservation benefit to the landscape or refuge system). The upland areas offered by the State of Alaska and King Cove Corporation are inferior in quality and wildlife diversity, they do not make up for the habitat lost to construction, and they do not provide habitat for the same species. The conveyed lands of Izembek and Kinzarof Lagoon are an ecological center for the larger region as well as being relatively intact, un-fragmented, and under no threat of development. The EIS needs to compare the habitat value of the two parcels that would be traded.

REG 8
The EIS needs to recommend management measures the State should consider in the establishment of a Kinzarof State Game Refuge. What will be the hunting management regime? It will turn into state lands with state subsistence management regulations, with state sport hunting authority, and could perhaps allow mining, oil, and gas development in that corridor.

REG 9
The EIS needs to evaluate how Title XI ANILCA right-of-way law would affect road construction permits (if the land exchange were to occur).

REG 10
The costly medical facility construction, hovercraft road and links were completed in 2007 an have not been around long enough to demonstrate their effectiveness.

REG 11
The proposed action would violate the statutory principle of the Wilderness Act of 1964 which established a Wilderness Preservation System for the permanent good of the whole people. The National Wildlife Refuge System is also for the benefit of the American people. The land exchange would represent the establishment of Wilderness for the sake of a new and narrow development interest.

REG 12
Given that the land exchange and road are connected and cumulative actions, they should be dually and comprehensively addressed in this EIS.

REG 13
The proposed action is clearly contrary to and incompatible with the purposes of the Izembek National Wildlife Refuge as stated in the legislation that established it which is ANILCA. One commenter also noted that the expenditure $20 million of taxpayer funds cannot be justified in light of the recognized importance and legislation that establishes and governs its management.

REG 14
The EIS should include analysis of the following legal issues and regulations:

- Pursuant to 40 CFR 230, any permitted discharge into waters of the U.S. must be the Least Environmentally Damaging Practicable Alternative (LEDPA) that achieves the project purpose. The EIS should include an evaluation of alternatives in this context in order to demonstrate the project's compliance with the Section 404(b) (1) Guidelines (Guidelines). Otherwise, additional supplemental information may be required during the subsequent permit evaluation.
- For tidal waters (if any are present), the high tide line shall be determined as described at 33 CFR 328.3(d); For non-tidal waters, the ordinary high water mark shall be determined as described at 33 CFR 328.3(e).
- Issues that will need to be considered in the EIS if the road project is federally funded using Federal Highway Administration (FHWA) Title 23 funds:
    - Historical/Cultural Resources
    - Section 4(f) Determination
    - Threatened and Endangered Species

    - Environmental Justice Issues (for example, there may be some impacts resulting from the limits on commercial use of the road)
    - Wildlife Segmentation
    - Hazardous Waste/Materials (e.g., any military waste sites)

- The road would need to comply with Federal and State highway standards. The State will need to discuss the project with FHWA to ensure they are included in the initial planning for this project and the EIS adequately addresses any other concerns FHWA may have while working on identifying state funding for the proposed road.
- If the Secretary determines that certain areas with known or suspected historical off road vehicle (ORV) use for subsistence purpose needs to be restricted to protect refuge resources, any closure would need to be implemented by regulation, consistent with our understanding of Congressional intent and the commitment from Regional Director Rowan Gould in a letter dated March 28, 2006.
- The Alaska Coastal Zone Management Act of 1977, as amended, established policy guidance and standards for the review of federal activities within or potentially affecting Alaska's coastal zone. In addition, specific policies on activities and uses of coastal lands and water resources within coastal resource districts have been developed by the Aleutians East Borough Coastal District. Certain federal actions may require a Federal Consistency Determination in accordance with 15 CFR 930 Subpart C. The Service should contact the Alaska Department of Natural Resources (ADNR) Division of Coastal and Ocean Management, Anchorage office, to assist in determining applicability of a federal consistency determination for the land exchange.
- If the Secretary determines the land exchange (including construction of the road) is in the public's interest, the road corridor will become part of the Izembek State Game Refuge. ADNR would need to enter into an Interagency Land Management Agreement with the Alaska Department of Transportation and Public Facilities (ADOT &PF) to build and manage the roadway. Alternatively, title for the road corridor could be directly transferred to ADOT &PF. If federal funding is involved, certain standards may apply that could dictate the dimensions and design for the proposed road.

REG 15
The land exchange is unequal; the federal government is getting too much land. It is taking advantage of us with exchanging 43,000 acres for 206 acres.

REG 16
The timetable for this project is so long. It should be expedited.

REG 17
The proposed land exchange is not in the best interest of the American people and it is not compatible with the purposes of the Izembek National Wildlife Refuge, which should be managed strictly according to its original mandate when it was designated.

REG 18
The EIS process must consider the Ramsar Convention's obligations and principles when deciding whether to proceed with the proposed land exchange. The Contracting Parties to the Ramsar Convention, which by itself is non-regulatory, commit to three main pillars of implementation: The designation and conservation of sites as "Wetlands of International Importance" (Articles 2 and 3);

1. The "wise use," as far as possible, of all wetlands within their respective territories (Article 3.1); and
2. International cooperation with respect to wetlands (Article 5).

REG 19
The Service should serve as the lead agency responsible for the development of this EIS.

Purpose and Need

P&N Purpose and Need – Comments related to purpose and need for the project.

P&N 1
The balance of life safety should outweigh the concern of the limited environmental impact of the immediate adjacent ecosystem along the single lane gravel road proposed compared to the greater access and impact other national parks and conservation geographic areas allow in other more populated states.

P&N 2
Safe reliable access between King Cove and Cold Bay is the purpose and need for this project. The proposed road is in support the public interest. A basic road network within the Izembek National Wildlife Refuge will ensure accessible ground transport, with year round access in all weather conditions with cost affective operating and up-keep less than any other existing or proposed transportation alternatives. The hovercraft is not reliable and requires a substantial subsidy for operation and maintenance that cannot be sustained. Poor weather can prevent the operation of the hovercraft which limits safe and timely access to the Cold Bay airport. Air travel is hazardous and is a safety concern that negatively impacts the lives of the residents of King Cove.

P&N 3
Concerns were expressed that the proposed road is not needed. These comments included:

- The people of King Cove already have a fast, reliable hovercraft for medical evacuations bringing people from King Cove to Cold Bay in twenty minutes and that travel by a road would take more than two hours in good conditions.
- Evacuation from King Cove by road during winter could be as or more hazardous than transport by aircraft.
- The need for the road has already been solved by the hovercraft.
- Other reliable transportation alternatives exist at less environmental cost and should be encouraged instead of the proposed land exchange which has high environmental costs and no net environmental benefits.

P&N 4
The proposed project must be based on a clear purpose and need. Concern was expressed that there is not a true public need for this project and if not for the Omnibus Public Lands Bill (2009), it would be questionable whether the National Environmental Policy Act (NEPA) process should continue.

P&N 5
In order to determine if the proposed project is needed and is in the best public interest and the EIS should include a formal benefit-cost analysis which takes into account the $37.5 million already spent to fulfill the transportation need the proposed road is alleged

to address. Using a with and without framework, project benefits should be expressed in incremental terms, and limited to a discussion of benefits over and above the existing hovercraft transportation system.

P&N 6
In order to demonstrate a purpose and need for the project the Service should show that:

- Public access to medical facilities by way of the Cold Bay airport would be enhanced relative to the existing hovercraft service between King Cove and Cold Bay.
- Public safety would increase relative to the existing hovercraft service; and
- These benefits are of a magnitude that may justify loss and fragmentation of wilderness and intact ecosystems.

P&N 7
The Service will need to demonstrate through a clear purpose and need statement that the road is for safety reasons and not for access of recreation areas and/or providing a commercial transportation corridor between King Cove and Cold Bay.

P&N 8
Concern was expressed to the effect of why the community of King Cove deserves access to improve their quality of life and be connected while other remote communities in Alaska are not given the same opportunity.

P&N 9
The community of King Cove is willing to offer a large sum of Native Corporation lands for the land exchange for the purpose of safe road access to an airport for its community. This is a situation that is not always afforded by other communities.

P&N 10
Transportation accessibility is a quality of life factor for the people of King Cove that should not be taken for granted. The purpose of the road would enhance the quality of life for the community of King Cove by:

- Providing access to the Cold Bay airport whether there is an emergency or not.
- Improving access for public health to medical appointments in Anchorage and Seattle.
- Allow King Cove students, school board and borough assembly members and public health providers opportunities to travel outside their immediate community.
- Provide peace of mind to King Cove residents knowing that medical help is within reach if the weather is bad.

P&N 11
Concern was expressed questioning the need for the proposed road instead of continued use of the hovercraft when its use has been interpreted as successful for carrying out medical evacuations. It was noted that other communities in the Aleutians East Borough have decided to use a hovercraft system for access over potentially more difficult crossing areas between the Village of Akutan on Akutan Island and a proposed new airport on Akun Island.

P&N 12
Concerns were raised that the hovercraft has not been in use long enough to be weighed against the need for construction the proposed road.

P&N 13
Commenters expressed concern that if the proposed land exchange is in the public interest, the EIS should describe how it would enhance the value of the Izembek National Wildlife Refuge as a staging area for migratory waterfowl and how potential negative impacts of the new road would be balanced with the need for the road.

P&N14
A clear and concise statement of the purpose and need of the project is essential (40 CFR 1502.13). The project purpose statement must be articulated in such a manner as to ensure a reasonable range of alternatives can be formulated that accomplish the underlying purpose and need.

Proposed Action and Alternatives and Mitigation Measures

PAA Proposed Action and Alternatives - Comments related to the practicability/feasibility/cost of alternatives; environmentally preferred alternative; LEDPA; additional alternatives that should be considered; issues associated with hovercraft operations; issues associated with road construction, operations, traffic volumes, and long term costs; usage fees associated with roads; helicopter operations and maintenance; and funding sources for alternatives.

PAA 1
Commentators expressed concerns in support of a no action alternative that would continue to protect the designated wilderness and habitat of the Izembek National Wildlife Refuge by not building a road.

PAA 2
Support for a no action alternative was expressed through comments that the proposed land exchange and construction of the road was considered unnecessary as it could result in irreparable impacts to designated wilderness and wetland habitats that are considered internationally significant ecosystems. The road may have effects on Kinzarof Lagoon. Lands on Sitkinak Island should not be exchanged. The hovercraft operation has already proven to be effective for transporting medical emergencies to Cold Bay.

PAA 3
The land exchange and proposed road are not in the best interest of the public. The Izembek National Wildlife Refuge is there to sustain the resources and public uses and the Service should remain objective in terms of serving the public.

PAA 4
The previous EIS (2003) found that a road would be devastating to the Izembek National Wildlife Refuge. That EIS evaluated the road as a "no action alternative" when determining which transportation tool would be best to enable medical evacuations from King Cove to Cold Bay.

PAA 5
The proposed project has provided alternatives to minimize the physical impact on the Izembek National Wildlife Refuge with the gravel material, single lane and alignment around or avoiding sensitive vegetation, geographic features, and wildlife habitat. These measures mitigate environmental impact far more than in other like projects in national interest lands.

PAA 6
An alternative to consider instead of building a road is the development of a wave barrier and/or a small protected harbor at Cold Bay that would provide safe access to the shore. This alternative should be evaluated differently than making improvements to the existing dock that is considered unsafe in poor weather. A safer faster marine transport

vessel such a tri hull high speed ferry operating from Lenard Bay near King Cove or from the City of King Cove could be used for this alternative. A marine route alternative would be no cost and require no maintenance. Commercial vessels are able to access Cold Bay. A small boat harbor would also then benefit the economy of Cold Bay, fishing industry, and recreational boaters. A small boat harbor could have less environmental impact by lessening road traffic in the areas of Russell Creek.

PAA 7
Consider an alternative that uses a railroad system instead of the proposed road. A narrow gauge railway could cross from the King Cove Airport to Cold Bay, crossing the barrier islands at the entrance to Kinzarof Lagoon. This option would not only meet all the criteria expressed by the people of King Cove but in addition remove the restricted access requirement and could potentially allow for commerce between the two communities. Commerce between the two communities would provide a revenue stream for the operating and maintenance costs of this type of system. Construction costs and maintenance costs may be lower than for a road. Another type of railroad alternative that could be evaluated is a light rail system that is hydro powered from King Cove. A cost analysis and feasibility analysis for a rail alternative should be constructed.

PAA 8
The proposed road through this wilderness area should be a last resort and not selected as an alternative until all other alternatives have been examined.

PAA 9
Evaluate the continued use of the hovercraft as an alternative with consideration given to:

- The existing access route for medical emergencies through use of the hovercraft should be evaluated as an alternative including subsidizing future sustainable operation and maintenance versus construction and maintenance of the proposed road.
- Subsidies could be used for design improvements to the hovercraft for improving its safety during windy weather and low winter temperatures.
- The hovercraft is viewed by some commentators as having solved the issue of safe public access for medical emergencies from King Cove to Cold Bay.
- Use of the hovercraft for medical evacuations brings people from King Cove to Cold Bay in 20 minutes; the proposed road could take more than 2 hours in good conditions and could be unusable in poor conditions.
- The hovercraft can operate in a much broader set of weather conditions than the proposed road.
- The quality of transport on hovercraft should also be evaluated as part of this alternative. This alternative could consider construction of a road to a landing facility or marine terminal at Lenard Bay to support hovercraft operations.

PAA 10

Consider as an alternative making improvements to the dock at Cold Bay. This dock is not considered to be safe when unloading passengers. A lift system could be installed on the existing dock or a floating dock could be built adjacent to the Cold Bay dock. This could be a more cost efficient means of transporting people to Cold Bay than construction of the proposed road.

PAA 11
The proposed road is the best alternative to connect King Cove and Cold Bay. Concerns that were expressed in support of this alternative included:

- The hovercraft is too expensive to operate, is undependable, and its use is limited due to weather.
- Improvements to the existing runway at King Cove would not take away the risk of bad weather and airport improvements will always be limited by the topography of the area.
- While boats are used to transport patients to Cold Bay the dock at Cold Bay is unsafe.
- The Coast Guard is only used when other alternatives have been exhausted.
- There may be a benefit to the environment through the land exchange by placing such a large acreage into refuge status that would negate any negative impacts.

PAA 12
Consider alternatives for access from King Cove to Cold Bay including:

- Use funds to upgrade the medical facilities to accommodate and treat emergencies in King Cove which could also be considered an investment in the health of the community.
- Consider the use of helicopters or form a partnership with the Coast Guard for use of rescue helicopter as this could be less expensive than building and maintaining the proposed road that would be used for medical evacuations to Cold Bay.
- Use the hovercraft and hire professionals to maintain and operate the hovercraft.
- Take no further action with the land exchange or proposed road in consideration that King Cove is located in a remote area with harsh geographic and climate conditions. Consider that a precedent may be established by the proposed action and that many other remote villages may demand a road to an all weather airport.

PAA 13
The proposed road alternatives developed for this EIS should state which government entity will be responsible for construction, operation, enforcement, and maintenance of the proposed road and how this will be funded. Maintenance could be a significant cost for the road and alternatives in the EIS should outline costs associated with maintenance, which may include grading equipment, snow removal equipment, labor, and annual gravel costs. An engineering feasibility analysis should be performed. A long-term

projected traffic analysis should be performed. Consideration of sensitive land conditions, cost and socioeconomic factors, proper design, engineering and construction could address certain adverse environmental impacts while providing safe, accessible and reliable ground transportation.

PAA 14
An alternative to consider could be the use of fishing vessels for medical transport. A financial subsidy program could be established for local fishing boats to provide medical transport to Cold Bay from King Cove or to provide another access option for King Cove residents to reach the Cold Bay airport throughout the year.

PAA 15
It would be valuable for the public to understand the costs associated with each alternative, understand the level of natural and physical environmental impacts to be involved in the screening criteria development for these alternatives.

PAA 16
The proposed alternative needs to clarify:

- The actual acreage to be exchanged. In the Statement of Work for selecting an EIS consultant reference is made to 43,093 acres of land to be added to the Congressionally-designated wilderness in the Izembek National Wildlife Refuge. The 5,430 acres of valid King Cove Corporation selection in the Izembek wilderness which is being relinquished needs to be included. Also, approximately 2,400 acres from the "bookends" adjacent Kinzarof Lagoon needs to be included. Consequently, about 51,000 acres of new wilderness designations will result from the proposed land exchange.
- The EIS needs to address whether the corridor will be retained by the Corporation or whether a right-of-way will be reserved for the Corporation as part of the conveyance. Since lands transferred to the Service will become designated wilderness, Congressional approval would be needed for any right-of-way granted after completion of the land exchange.
- The EIS should address remediation of contaminated sites on Sitkinak Island prior to transfer to the State, including either razing or decontaminating and retaining the existing structures.

PAA 17
Alternatives considered in the 2003 EIS should be reassessed including:

- The use of the hovercraft;
- Determine the extent to which the use of a barrier cable could impact caribou migration;
- Determine that the land exchange is in the best public interest; and

- Evaluate if proposed vehicular traffic restrictions on the new road that would parallel caribou migrations and if any traffic on existing Cold Bay road network would intersect caribou migrations.

In addition development of alternatives should also consider if the 1994 ADOT study that ranked air and water travel routes safer and less expensive than a road is valid.

PAA 18
Development of alternatives should consider by comparison the environmental impact of the hovercraft versus the land exchange and proposed road.

PAA 19
Development of alternatives for the EIS requires the following:

- Specify the criteria used to develop the range of reasonable alternatives that meet the purpose and need. Only reasonable alternatives need be considered in detail (see 40 CFR 1502.14). Reasonable alternatives must include all those that are feasible and such feasibility must focus on the accomplishment of the underlying purpose and need (see 33 CFR 325 Appendix B 9.b. (5) (a)).
- The alternatives analysis should be thorough enough for U.S. Army Corps of Engineers to satisfy both NEPA and the Section 404(b) (1) Guidelines (40 CPR Part 230.10 (a) (4)).
- Section 404(b) (1) Guidelines allow elimination (i.e. not carried forward in detail in the EIS) of project alternatives if, after taking into account cost, logistics, and existing technology, they are found not practicable.
- The EIS should provide the information necessary to determine which of the alternatives being considered is the Least Environmentally Damaging Practicable Alternative (LEDPA).
- Use the best available science and technical data during the NEPA process.

PAA 20
The EIS alternatives analysis should consider:

- Analysis of alternative road alignments within the corridor including geotechnical considerations, and proximity to wildlife concentrations and wetlands.
- An evaluation of detailed wetland maps, location and quantities of gravel sources, and location and operation of road maintenance facilities with regard to construction and operation of the road.

PAA 21
Development of alternatives should take into consideration that the area of the proposed road is not pristine and have been used by the military and state for many years.

MIT Mitigation Measures - Comments related to suggestions for or implementation of mitigation measures.

MIT 1
Federal and state mitigation measures included in permits and resource protection plans that the Aleutians East Borough agreed to for the King Cove Access Project for construction of the road, hovercraft terminals and the operation of the hovercraft could be applied as mitigation measures for the current proposed project. Mitigation measures would be expected to protect the resources that are considered valuable.

MIT 2
Appropriate regulations, enforcement of safe, controlled vehicle access with regulatory grades, signage, barriers and construction can offset adverse environmental disturbance. Snow blowers could be used for areas of drifting snow. Consider limiting access.

MIT 3
Mitigation measures that should be considered include:

- The evaluation of mitigation options and feasible and enforceable measures that will avoid or minimize any adverse impacts to the passage and migration of wildlife and migratory birds and the exchange of tidal flows as appropriate.
- Analyze and disclose the extent to which the various alternatives bisect and fragment wildlife habitat and movement routes, as appropriate. It will be important to include means to make roadways permeable to wildlife movements, such as by providing wildlife crossing structures of appropriate number, size, and locations to adequately accommodate wildlife movement. These mitigation measures could prevent vehicular-wildlife collisions, which are important for both human and wildlife safety.

MIT 4
Consider that while a barrier cable could be used as mitigation measure to keep people off the sides of the road it may hinder wildlife movement.

MIT 5
Concern was expressed that even if mitigation measures are employed there may still be adverse impacts to wildlife and waterfowl from construction of the road.

MIT 6
The EIS should discuss mitigation measures that could be implemented to reduce the likelihood of introduction and spread of invasive species with the proposed management activities. The U.S. Environmental Protection Agency encourages the Service to promote integrated weed management, with prioritization of management techniques that focus on nonchemical treatments first, and mitigation to avoid herbicide transport to surface or ground waters. Early recognition and control of new infestations is critical to stop the spread of the infestation and avoid wider future use of herbicides, which could correspondingly have more adverse impacts on biodiversity, water quality and fisheries.

MIT 7
Where a discharge of dredged or fill material into waters of the U.S. is necessary, the EIS should discuss how potential impacts would be avoided, minimized and finally mitigated. This discussion should include:

- Acreage and type of waters that would be created or restored;
- Water sources to maintain the mitigation area;
- Re-vegetation plans;
- Maintenance and monitoring plans;
- Size and location of mitigation zones;
- Responsible parties; and
- Contingency plans.

MIT 8
Wetlands mitigation must include areas that provide important functions for the watershed, contribute significantly to the ecological sustainability of the watershed, and be permanently protected through an appropriate legal instrument.

MIT 9
The Secretary is required to develop an enforceable mitigation plan in consultation with the State and authorized entities. The EIS should provide a schedule for when this process would begin and conclude.

MIT 10
The EIS should also discuss the Project's compliance with the "Compensatory Mitigation for Losses of Aquatic Resources; Final Rule" (commonly referred to as the Final Mitigation Rule). The regulations establish performance standards and criteria for the use of permittee-responsible compensatory mitigation, mitigation banks, and in-lieu fee programs to improve the quality and success of compensatory mitigation projects.

Affected Environment, Environmental Consequences, Potential Direct, Indirect and Cumulative Impacts

BIO Biological Resources – General comments related to potential impacts to the biological environment. Comments related to a more specific area of biological concern are described in further detail within this category (e.g. fish, wildlife).

BIO 1
This EIS needs to describe and analyze the following potential impacts to biological resources including:

- Road avoidance by wildlife;
- Habitat fragmentation and degradation;
- Potential for introduction of invasive species;
- Potential impacts to threatened and endangered species;
- Short-term and long-term cumulative impacts of proposed road construction, maintenance, sediment run-off and watershed impacts, water quality, hydrology, and pollution; and
- Impacts to soil compression, fresh and salt water movement within the area and vegetation as related to fish, wildlife and vegetation and aquatic communities (such as eel grass communities).

BIO 2
Concern was expressed that potential negative environmental impacts to biological resources within the proposed road corridor could include:

- Noise impacts to wildlife leading to degradation of habitat;
- Impacts to water quality;
- Introduction of environmental invasive species;
- Disturbance of nesting habitat and dividing waterfowl loafing areas;
- Disruption of migratory waterfowl populations during molting, spring and fall; staging, and species that over winter in the area;
- Decreased productivity of caribou, tundra swans and furbearers;
- Irreversible harm to wildlife, wetlands and ponds, and wilderness values;
- Disturbance of normal animal behavior and migratory patterns due to vehicular intrusion;
- Fragmentation of the natural environment;
- Dust, noise and air pollution, road kill, and run-off from the road that disturbs vegetation; and

- Disturbance of the eel grass beds and aquatic communities that are a food source for migratory waterfowl, particularly Pacific brant.

BIO 3
A quantitative cumulative effects analysis of biological resources should examine and employ the following methodologies:

- Determine the time and geographic area over which impacts could occur.
- Focus on the resources of concern (i.e. resources that are at risk and/or are significantly impacted by the proposed project before mitigation).
- Resource Selection Model that incorporates wildlife movement monitoring data with land cover classification.
- Population Viability Analysis that incorporates subsistence harvest and predator demands with wildlife population census data.
- Establish Disturbance Coefficients that incorporate wildlife responses to road construction, maintenance and use as well as subsistence and commercial activities in the area.
- Climate Change Scenarios that capture changes in temperature and precipitation in order to develop an understanding of the stability and trajectories for change of physical and biological resources in the Izembek National Wildlife Refuge.
- Model Habitat Availability with consideration of impacts to the entire range of habitat which species use within the Izembek National Wildlife Refuge and across their entire migration routes. The importance of the isthmus wilderness may be a function of loss of or impacts to habitat outside of the Izembek National Wildlife Refuge.

BIO 4
The EIS needs to evaluate how much fill will be required to build the proposed road and what could be the impact of construction itself on the ecological values of the Izembek Wilderness Area. A determination of the ecological values of the lands to be conveyed to the Service and the adverse effects the road could have on the existing ecological values of this refuge, including wilderness values should be conducted. It should be noted that the June 2003 Draft EIS prepared by the U.S. Army Corps of Engineers examined these issues in detail and could be used as a reference.

BIO 5
The proposed road should not disturb biological resources or the Izembek National Wildlife Refuge.

BIO 6
For each biological resource analyzed, it is suggested that the EIS should:

- Identify the current condition of the resource as a measure of past impacts.
- Identify the trend in the condition of the resource as a measure of present impacts.

- Identify the future condition of the resource based on an analysis of the cumulative impacts of reasonably foreseeable projects or actions added to existing conditions and current trends.
- Assess the cumulative impacts contribution of the proposed alternatives to the long-term health of the resource and provide a specific measure for the projected impact from the proposed alternatives.
- Identify opportunities to avoid and minimize impacts, including working with other entities.

BIO 7
Assess the long-term cumulative impacts to wildlife populations and their habitats from a road bisecting the significant wetland habitat and ecological corridor in the context of how such impacts may be compounded by climate change.

BIO Fish

BIO FISH 1
The EIS should consider and evaluate the presence of salmonid habitat and Essential Fish Habitat and how the proposed project would impact these habitats.

BIO FISH 2
The Service should consider the impact on salmon spawning and passage from building bridges and culverts in the lagoons.

BIO Threatened and Endangered Species

BIO TES 1
The Service should address the potential impact to threatened and endangered terrestrial and marine species and their habitat according to the Endangered Species Act and Marine Mammal Protection Act, including appropriate consultations. The EIS should consider impacts to Steller's eiders, black brant, emperor geese and dunlin.

BIO TES 2
Special consideration should be given to Steller's eiders due to its vulnerability when a large portion of the population stages and winters at the same time in Izembek and Nelson lagoons.

BIO Vegetation

BIO VEG 1
The EIS should evaluate how road dust will impact adjacent vegetation and habitats (such as the eel grass beds) as well as the existing gravel road network from Cold Bay to the shores of Izembek Lagoon.

BIO Wetland and Aquatic Communities

BIO WET 1
The EIS should describe aquatic habitats in the affected environment (e.g., habitat type, plant and animal species, functional values, and integrity) and include maps that clearly identify all waters within the project area.

BIO WET 2
The EIS should evaluate effects on wetlands and aquatic communities from the proposed road as well as the existing gravel roads near Cold Bay. The evaluation needs to be in sufficient detail that the U.S. Army Corps of Engineers will be able to make its required findings under a Section 404 application and should include:

- Potential impacts to eel grass beds in Izembek and Kinzarof Lagoons (including sedimentation and climate related factors such as light reduction, temperature, and sea level variation);
- Potential impacts on Ramsar Wetlands;
- Fragmentation of wetlands (especially intertidal that would be gained or lost by the Service with particular attention to the Ramsar Wetland designation of Izembek Lagoon);
- Potential impacts to tundra (including potential secondary impacts associated with increase silt load and decreased fresh water flows to the Izembek Lagoons Complex);
- Potential impacts from increased human activity along with the creation of trails and campsites;
- Habitat removal; and
- Introduction of exotic species.

BIO WET 3
Impacts to aquatic resources should be evaluated in terms of the aerial (acreage) or linear extent, habitat types, values, and functions to be impacted.

BIO WET 4
The EIS should include a detailed description of the project impacts on aquatic resources, including the type of impact (e.g., habitat removal, fragmentation, and introduction of exotic species) and its magnitude. These effects must be evaluated in the appropriate local or regional context.

BIO WET 5
The EIS should include a delineation of all aquatic resources (wetlands and all other waters of the U.S.) which could be affected by the proposed project. The delineation of wetlands must follow the procedures set forth in the 1987 Wetlands Delineation Manual and the Alaska Regional Supplement and include all data support forms.

BIO Wildlife

BIO WILD 1
A road corridor would contribute to a significant loss of wilderness value and could compromise the long-term viability of wildlife populations.

BIO WILD 2
Special consideration should be given to impacts on:

- Black brant given that 98% of the population uses the Izembek National Wildlife Refuge as feeding grounds before migration and some may be overwintering in the lagoons.
- Caribou given that the population size is approximately 10% of the historic population size. A road corridor may separate the herd.

BIO WILD 3
The Service should consider impacts on a variety of migratory and resident birds including emperor geese, tundra swans, dunlin, and black brant as well as impacts to caribou, wolves, bears and marine mammals. Potential impacts include:

-
- Animals avoiding the road.
- Increased human disturbance (including on-road and offroad vehicles and boats), which may cause animals to flee an area.
- Habitat fragmentation (resulting in potentially splitting caribou herds to different sides of the road).
- Decreases in prey availability (ie. Disturbance to eel grass beds).
- Increased mortality through collisions with vehicles.
- Increased pollution from road construction and increased human use of the area after the road is built.
- Increased noise pollution.
- Changes in water quality and hydrology.

BIO WILD 4
The potential land exchange would impact less than 1% of the Izembek National Wildlife Refuge which indicates the likelihood of significant impact to wildlife that currently use the Izembek National Wildlife Refuge is extremely unlikely. Even with the most conservative estimates, population impacts would be below the levels that can be measured with current scientific wildlife survey techniques.

BIO WILD 5
Studies have shown that avian populations adapt quickly to disturbance therefore impact to bird populations could be negligible.

BIO WILD 6
The land that is being gained by the Izembek National Wildlife Refuge through the land transfer is not suitable habitat for many species that currently inhabit the lagoons.

BIO WILD 7
Given that many migratory birds use the lagoon complex during part of their life-cycle, the Service should consider the impacts to bird populations on a National and/or continental scale.

BIO WILD 8
The Service should consider the impacts that climate change will have on wildlife species in the Izembek National Wildlife Refuge. Impacts may include drying of lakes and wetlands, increased pests that may stress sensitive species or decreased prey availability, especially eel grass beds.

BIO WILD 9
The existing 11 miles of road in the King Cove area has not caused any negative impacts to wildlife populations, so it is not reasonable to believe that a new road will cause any significant impacts.

BIO WILD 10
The Service should determine if non-native and/or invasive species will be introduced through this project and what impact this will have on the wildlife populations that currently inhabit the Izembek National Wildlife Refuge.

BIO WILD 11
The Service should examine which species were instrumental in the Izembek National Wildlife Refuge's Ramsar designation and how the proposed land exchange would affect these species.

PHY Physical Resources – General comments related to potential impacts to the physical environment. Comments related to a more specific area of physical resources concern are described in further detail within this category (e.g. hydrology, climate and air quality).

PHY 1
The Service needs to analyze impacts of the proposed road to physical resources including: road construction, sediment run-off, watershed impacts and pollution.

PHY 2
The Service needs to analyze the current and projected impacts to the region from climate change and how these impacts will be confounded by the development of a road.

PHY 3

The Service needs to analyze cumulative impacts of the land exchange and proposed road in the context of proposed oil and gas development in and around the lands and waters of the Izembek National Wildlife Refuge and Izembek Lagoon.

PHY 4
Disturbance, sedimentation, pollution, and other adverse effects would extend far beyond the actual road corridor in the 206 acres of key Izembek Wilderness that is internationally recognized waterfowl habitat.

PHY Climate and Air Quality

PHY AQ 1
The EIS should provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards, and criteria pollutant non-attainment areas in the road corridor and surrounding areas.

PHY AQ 2
It is recommended by EPA that greenhouse gases that are anticipated to be emitted by the project are disclosed in the EIS. EPA also recommends that the EIS consider how climate change could potentially affect the project in terms of water quality and quantity, local climate, soils and other resources.

PHY Environmental Contaminants & Ecological Risk Assessment

PHY CON 1
Pollutants from the road could impact the surrounding ecosystem through input of heavy metals into the aquatic environment, and nitrogen oxide emissions and other pollutants from vehicles damaging roadside vegetation.

PHY CON 2
The EIS should disclose whether toxic vehicular air emissions would result from project construction, discuss health effects associated with air toxins and diesel particulate matter, and identify sensitive receptor groups that are likely to be exposed to these emissions.

PHY CON 3
The EIS should address potential direct, indirect and cumulative impacts of hazardous materials from construction of the project, analyze risks involving possible accidental releases of hazardous materials, and describe mitigation and emergency response measures.

PHY Hydrology

PHY HYD 1
Watershed impacts of the road may have severe ecological repercussions for the wetland ecosystem of the lagoon complexes by increasing erosion and runoff of sediments into

wetlands, reducing aquifer recharge rates, altering channel morphology, increasing stream discharge rates, impeding normal water flows, and blocking key drainages.

PHY HYD 2
The EIS should describe all waterbodies and stream crossings and potential impacts (including specific pollutants) to surface, subsurface, and ground water in the wetland area between Izembek and Kinzarof Lagoons and in the Joshua Green River Valley.

PHY HYD 3
The EPA recommends collection and evaluation of data for crossings over waterbodies and incorporation of findings into the EIS for compliance with Basic Stream Project Data Needs (Site Characterization) and Data Specific to Waterbody Crossings.

PHY HYD 4
Impacts of increased sedimentation and dust from road construction and maintenance on anadromous streams, and other nearby waterbodies, needs to be addressed.

SER Social Resources – General comments related to potential impacts to the social environment. Comments related to a more specific area of socioeconomic concern are described in further detail within this category (e.g. subsistence, wildness).

SER 1
The cost-benefit analysis should consider the following factors in order to make a best interest finding that guarantees net public benefit:

- Compare the current transportation system (hovercraft) to the proposed gravel road and other transportation systems (rail, small boat harbor in Cost Bay, improvements to Cold Bay dock)
- Millions of taxpayer dollars already spent (per capita) under the King Cove Health and Safety Act for: upgrades to the King Cove clinic, purchase of the hovercraft, upgrades to the King Cove airstrip, and completion of the road from Leonard Harbor to the hovercraft pad.
- Include all market effects and costs such as road construction, maintenance (crew of at least 2 people year-round, 24 hours a day; grading equipment; snow removal equipment; annual gravel costs; year round law enforcement on private and state land), and transportation cost savings.
- Include all non-market effects using state-of-the-art valuation techniques that capture externalities of road construction and loss of passive use values for Alaska wilderness and wildlife refuges. Non-market effects are every bit as important economically, however, they do not manifest themselves in direct market transactions. Rather, they manifest themselves indirectly, through changes in home prices, recreational use patterns, subsistence hunting and fishing patterns, and expenditures on pollution control for example that are caused by changes in environmental quality associated with a policy, program, or project. Of particular

concern is "passive use values" representing an individual's willingness to pay for a resource even if they may never use it in anyway

- "Social benefit-cost analysis" because the proposed road in a public infrastructure investment that needs to make sense from an economic perspective
- Ecosystem services
- (Increased) use of the road to transport seafood products to Cold Bay airport during fishing season
- Economic benefits to both communities when they are connected
- The addition of 17 new road miles to the 40+ miles that already criss-cross the Izembek National Wildlife Refuge; and

SER 2
A road that just a few people use will not be maintained because there are roads that thousands of Alaskans use that are not maintained. The action alternative is not in the public interest. Commenters inquired who would provide the following functions related to the road:

- Road maintenance year-round including plowing (along all road segments).
- Driver rescue from weather-induced crashes into snow drifts or stalled vehicles.

SER 3
King Cove school children would benefit from the road because they can lose 50 days of instruction when teachers miss flights. Children also do not get to participate in the same opportunities for learning that access affords to Cold Bay and the airport.

SER 4
Transferring ownership of the Izembek land to the State could lead to further development including on- and off-shore oil and gas exploration, the installation of utility corridors or pipelines, or even increased commercial harvest of resident and migratory species. The EIS must analyze all reasonably foreseeable future actions that may contribute to cumulative impacts to the Izembek National Wildlife Refuge.

SER 5
The following are concerns about the road alternative siting, location, construction, safety, and maintenance:

- White-out conditions can occur from October to May in this area
- Extreme weather events (high winds and snow) will further increase maintenance and make the road extremely dangerous for travelers; wind will destroy a one-lane gravel road very rapidly
- It is unclear how the road will be adequately maintained
- More lives will be lost due to driving accidents, weather, and drunken driving than the under a no action alterative

- Conditions too poor for flying are also bad for driving
- The proposed road corridor cuts through sensitive terrain that would make road-building costly, difficult, and potentially dangerous
- Unstable wetlands would increase engineering costs and long-term maintenance; and
- Roads built on the east side of Cold Bay have experienced serious erosion and culvert wash-outs.

SER Archeological/Cultural Resources

SER ARC 1
All impacts to historic properties and cultural resources should be considered in an orderly and systematic manner, in full consultation with all concerned parties.

SER Cultural Values

SER CUL 1
A lifestyle change for the residents of Cold Bay due to an increase of vehicle traffic into the small community needs to be considered.

SER CUL 2
The EIS should document the tribal consultation and coordination process by providing a chronology with the dates and locations of meetings with tribal governments, results of the meetings, and a discussion of how tribal input was used to develop the EIS. This consultation should continue throughout the EIS development phase, which will provide an opportunity to gather traditional ecological knowledge about subsistence use and harvest, cultural resources, and other resources and lands that may be exchanged.

SER Environmental Justice

SER EJ 1
The EIS should disclose what efforts were taken to ensure effective public participation and to meet environmental justice requirements consistent with Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority and Low-income Populations).

SER Health and Safety

SER H&S 1
Many comments received describe the hardships experienced while traveling in and out of King Cove during inclement weather accidents. Some accidents have involved casualties. Some of the Health and Safety challenges faced by the community include:

- Mountainous terrain surrounding the village with hazardous and unpredictable weather conditions;

- Necessity to travel during inclement weather for medical emergencies due limited access to health services;
- Unsafe loading/unloading facilities at the boat dock;
- Illnesses requiring continual attention and medication with unreliable transport;
- Infrequent transport of medicines and other necessities via mail and freight; and
- Emotional stresses from worrying about loved-ones traveling or getting loved-ones emergency medical treatment.

SER H&S 2
Many comments received were in support of the road for Health and Safety reasons, including:

- The road to King Cove will save lives;
- The road is of utmost importance due to the recent crash at King Cove Airport;
- The road is very important for the safety of King Cove residents and others who travel between the communities; and
- The road is necessary for the survival of the whole community.

SER H&S 3
Some comments received expressed frustration over the time it has taken to resolve this access issue and the lives that have been lost and stressed the importance of human kind. One commenter stated that there is no community in the lower 48 states that would ever put up with the situation of being cut off totally when a major airport was just a short distance away.

SER H&S 4
Some commenters believe that the road would not create a safer or more efficient transport and brought up other issues the road could create such as laws regarding abandoned vehicles, traffic laws, speeding, and drunk driving.

SER Health Impact Assessment

SER HIA 1
The road will enable the spread of drugs from the King Cove School to the Cold Bay School, which doesn't currently have a drug or alcohol problem. This will affect the community.

SER Land Use, Public Use, Recreation, Visual Resources

SER Land 1
A potential legal issue to be evaluated in the EIS is the ownerships and acreages of surface and subsurface land and waters within the Izembek, Alaska Peninsula, and

Maritime refuges that are involved in the land exchange together with the acreage that would be included in the Kinzarof Lagoon State Game Refuge.

SER Land 2
A potential legal issue to be evaluated in the EIS is how the existing relocated Section 17(b) Alaska Natives Claims Settlement Act public access easement (EIN 9 C4) from the shoreline of Cold Bay to the existing Wilderness area will be maintained.

SER Land 3
The issue of the land exchange is irrelevant because outside hunters have had a larger effect on the Izembek National Wildlife Refuge wildlife than the small road will.

SER Land 4
The road will increase legal and non-legal access (including ORVs, poachers) as seen already in the east and northeast portion of Kinzarof Lagoon and the Prudhoe Bay haul road. Use restrictions will not be adequate to prevent this increased access to the Izembek National Wildlife Refuge. It also makes enforcement of hunting regulations within 5 miles of the road difficult.

SER Land 5
The 17 new miles of road will enhance the Izembek National Wildlife Refuge by providing access to nature enthusiasts and Cold Bay residents. The Service already invites visitors to enjoy the roads that cross the Izembek National Wildlife Refuge and Izembek Wilderness.

SER Land 6
A potential legal issue to evaluate is how additions to the Alaska Peninsula National Wildlife Refuge Wilderness would restrict existing public water and overland access to Mortensens Lagoon via an existing trail (also a 17(b) easement).

SER Land 7
The EIS should analyze the impacts from recreation, subsistence activities, and access, particularly those impacts associated with vehicle usage. The EIS should disclose all impacts associated with such activities and describe what actions will be taken to manage recreational, subsistence and access opportunities in the project area. The Environmental Protection Agency specifically encourages the Service to control and direct ORV and snowmachine use to protect resources (i.e. wildlife habitat and security) and prevent erosion, including adequate policing and enforcement.

SER Land 8
Analyze the impacts the road would have on the visual resources of the Izembek National Wildlife Refuge.

SER Land 9
The road will be used to conduct business and for joy rides. It will increase access to other lands in King Cove as well as the airport. There will be considerable pressure to open the road to heavy vehicles hauling mail and freight.

SER Public Revenue and Fiscal Considerations

SER REV 1
This current process is a waste of taxpayer money. Millions of dollars have already been provided to alleviate the problem of safe transportation (e.g., road and hovercraft) between Cold Bay and King Cove.

SER REV 2
Year-round maintenance and operation costs of this road could be the highest in the state. The EIS should state who is responsible for this and if sufficient revenue would be available to cover the costs.

SER REV 3
The road will be good for the economy and quality of life through jobs (e.g., snow removal) and commerce (e.g., access to gravel, shipping products between the communities).

SER REV 4
The authors of the EIS need to address financial connections between the oil industry seeking leases in Bristol Bay and proponents of the road across the peninsula.

SER Road Design, Bridges, Transportation, Planning and Transportation Systems

SER Road1
Although the proposed road corridor of 100 feet may reduce impacts to a designated wilderness area, a 250-foot corridor may be needed to comply with ADOT&PF standards.

SER Road 2
The EIS should address whether the existing road that runs north of Cold Bay through The Izembek National Wildlife Refuge will be affected by the land exchange and how it will [be] connected. Road design needs to consider how the proposed cable barriers could affect access to the Cold Bay road.

SER Subsistence

SER SUB 1
The EIS should evaluate effects of the land exchange and construction of the proposed road on subsistence. The evaluation should include:

- Potential impacts to subsistence use, access, and species;

- Access to subsistence resources between the communities of King Cove and Cold Bay, including the existing road providing public access to the shore of Izembek Lagoon;
- Potential increased conservation risk to species with high commercial and subsistence values (e.g., salmon migratory waterfowl, caribou, and harbor seals);
- Changes to federal subsistence management when the road corridor goes into state ownership; and
- Effect on shared subsistence harvest by residents of Cold Bay and King Cove by increasing access for King Cove residents.

SER SUB 2
The benefits of the road to the communities of Cold Bay and King Cove need to be evaluated against the impacts to natural resources and the subsistence culture of Alaska and the rest of the west coast.

SER SUB 3
To fully evaluate subsistence impacts, the EIS should gather and analyze traditional knowledge on subsistence use patterns and disclose historical information compiled on subsistence ORV use within the Izembek National Wildlife Refuge.

SER Wilderness

SER WILD 1
Consider the harmful impacts that the proposed road and land exchange would have on the wildlife and wilderness values of the Izembek National Wildlife Refuge.

SER WILD 2
The road will harm tourism prospects because wilderness and refuge "mystique" are gone. One commenter described his desire to view, experience, and photograph wildlife in solitude in its natural habitat without the affects of vehicular traffic nearby.

SER WILD 3
The Izembek National Wildlife Refuge designation recognizes the tremendous value of wilderness; therefore the removal of the designation would contribute to a significant loss of wilderness value.

SER WILD 4
Declassification of wilderness will have an effect on wilderness across the nation.

SER WILD 5
The EIS needs to include a comparative evaluation of habitat and wildness values associated with lands coming to the Service in sufficient detail to clearly show the gain and loss of high value fish and wildlife habitats and wilderness values with a road between King Cove and Cold Bay and the no action alternative (no Land Exchange/no road connection).

SER WILD 6
The EIS should include an evaluation of the fragmentation of the existing Izembek Wilderness by the 206 acre road corridor in comparison to the 43,093 acres that would be designated wilderness. This evaluation should also include the relinquishment of 5,430 acres of Native corporation land selections adjacent to the Izembek Wilderness.

General

ACK Comment Acknowledged – Entire Submission determined not to be substantive and warranted only a "comment acknowledged" response and/or duplicate comments.

ACK 1
Entire comment was determined to not to be substantive or was a request to be added to the project mailing list.

ACK 2
Comments which are duplicates of other oral testimony and/or written submissions.

DATA Data and Available Information – Comments referencing scientific studies and data that should be considered.

Data 1
Additional data received during scoping that should be considered in the development of the EIS includes:

- A list of King Cove Access Project permits and a list of mitigation measures submitted by the Aleutians East Borough;
- An Izembek Climate Summary Regarding Future Water Availability (Summary) submitted by The Wilderness Society; and
- Instructions for mitigation measures to reduce emissions during construction submitted by the US Environmental Protection Agency.