



**United States Department of the Interior  
United States Fish and Wildlife Service**

**Record of Decision**

Izembek National Wildlife Refuge  
Land Exchange/Road Corridor  
Final Environmental Impact Statement

A handwritten signature in black ink that reads "Dan M. Ashe".

Dan M. Ashe  
Director, United States Fish and Wildlife Service

12-23-13

Date

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Sally Jewell  
Secretary of the Interior

DEC 23 2013

Date

This Record of Decision (ROD) provides the determination of the U.S. Department of the Interior (Department) regarding whether to proceed with a land exchange and allow road construction through the Izembek National Wildlife Refuge, as provided for in the Omnibus Public Land Management Act of 2009. The ROD is based on an administrative record that includes the Izembek National Wildlife Refuge Land Exchange/Road Corridor Final Environmental Impact Statement (EIS), an October 28, 2013 memorandum from the Assistant Secretary for Indian Affairs regarding the medical evacuation benefits of the proposed road, and the record of the Secretary of the Interior's public meeting in King Cove. For the reasons described in this ROD, the Department has decided to adopt the "no action" alternative in the EIS. This alternative declines the offered land exchange for road construction and includes a description of a proposal for a landing craft/passenger ferry that could use the road that has been constructed to the Northeast Terminal on the border of the Refuge. In addition to stating the decision of the Department, this ROD identifies all alternatives considered in reaching this decision, specifies the alternatives that were considered to be environmentally preferable, and identifies relevant factors (including essential considerations of national policy) that the Department addressed in making this decision. Nothing in this decision precludes the State of Alaska, the Aleutians East Borough, or the communities of King Cove and Cold Bay from implementing another alternative for transportation improvements outside of the Refuge. Consistent with applicable authorities, the Department will continue to work with the State and local governments to develop viable alternatives to a road to ensure continued transportation improvements for the residents of King Cove.

### **Summary of Decision**

The Omnibus Public Land Management Act of 2009 (Public Law 111-11, Title VI, Subtitle E) (OPLMA) directed the Secretary of the Interior (Secretary) to analyze a land exchange, alternatives for road construction and operation, and a specific road corridor through the Izembek National Wildlife Refuge and the Izembek Wilderness. The proposed land exchange would transfer to the State of Alaska all right, title, and interest to a road corridor for the construction, operation, and maintenance of a single lane gravel road between the communities of King Cove and Cold Bay, Alaska. As provided in OPLMA, the road "shall be used primarily for health and safety purposes, (including access to and from the Cold Bay Airport) and only for noncommercial purposes." The OPLMA requires the Secretary to make this decision in compliance with the National Environmental Policy Act, which requires analysis of the effects of alternatives including a "no action" alternative, and any other applicable law.

With due regard for the challenges and complexities of life in the remote Alaskan communities of King Cove and Cold Bay, the Department has analyzed the difficult and controversial issues of public policy that are inherent in reaching this decision on the proposed land exchange and road construction. The Department makes this decision after weighing on the one hand the concern for more reliable methods of medical transport from King Cove to Cold Bay and, on the other hand, a globally significant landscape that supports an abundance and diversity of wildlife unique to the Refuge that years of analysis shows us would be irretrievably damaged by construction and operation of the proposed road. The Department acknowledges the willingness of the King Cove Corporation to convey 13,300 acres of its lands received under the Alaska Native Claims Settlement Act (ANCSA), and of the State of Alaska to convey 43,093 acres of

State land for the proposed exchange. We understand that the proponents of the proposed road believe it would be a reliable method of transport in most weather conditions, but conclude that other viable, and at times preferable, methods of transport remain and could be improved to meet community needs.

The EIS shows that construction of a road through the Izembek National Wildlife Refuge would lead to significant degradation of irreplaceable ecological resources that would not be offset by the protection of other lands to be received under an exchange. The Department recognizes that no transportation system can ever be perfect, especially considering the weather and topography of the area of King Cove and Cold Bay, and there will be times when weather precludes any type of travel. But, because reasonable and viable transportation alternatives exist to meet the important health and safety needs of the people of King Cove, the final decision of the Department is to adopt the no action alternative as described in the EIS. The U.S. Fish and Wildlife Service (Service) designated the no action alternative as the preferred alternative in the EIS. Under this alternative the Department would not exchange lands with the State of Alaska and the King Cove Corporation for the purpose of constructing a road between the communities of King Cove and Cold Bay, Alaska. The Department would instead look to the Service to continue managing Izembek, Alaska Maritime, and Alaska Peninsula National Wildlife Refuges, including Wilderness areas, under their current plans.

The Department does not make its decision to select the no action alternative lightly. As described in more detail below in the section entitled *Public Involvement and Comments Received*, this decision follows a lengthy public process to evaluate the potential impacts of the proposed land exchange and road construction that has spanned four years. That process included numerous public meetings between representatives of the people of King Cove, the Service, and senior officials of the Department. Those meetings included various meetings between citizens of King Cove with the Secretary, the Deputy Secretary, and the Assistant Secretary—Indian Affairs, as well as meetings with the Director and Regional Director of the Service. The Secretary, Deputy Secretary, Assistant Secretary, Director, and Regional Director each visited King Cove and heard from residents about their needs for transportation improvements and their support for a road. The Service held over 130 meetings with the cooperators to the EIS, and conducted government-to-government consultation with the local tribal governments.

Izembek National Wildlife Refuge and Izembek Wilderness require continued protection. Characterized by a narrow isthmus (~3 miles wide) of rolling tundra surrounded by sheltered wetlands, lagoons, and shallow bays, the Izembek Refuge contains important, unique, and undisturbed habitats, including the world's largest eelgrass beds. The arrangement of important habitats, their size and strategic location make Izembek Refuge a critical area for wildlife, especially migratory birds, some of which use the area exclusively during certain stages of their life history, as they rest and feed in preparation for long migrations. Other bird species—including a population of Tundra Swans that is unique to the Refuge rely on the area to overwinter. These species would be particularly vulnerable to the impacts resulting from the construction and operation of a road within this narrow isthmus. These impacts are discussed in detail below under the heading *Wildlife and Habitat Considerations*.

While there are examples in other conservation system units of wildlife and roads co-existing, the EIS documents that uses of the habitat of the Izembek Refuge by the large number of species that are dependent on the isthmus would be irreversibly and irretrievably changed by the presence of a road. Construction of a road in this roadless area would bring increased human traffic, noise, hydrological changes, damage to wetlands, run off, introduction of contaminants, and invasive species. Once a road is in place there would be a certainty of increased human access and activity. Year-round and increased human access radiating off the road corridor via pedestrian traffic or all-terrain vehicles coupled with the physical impacts caused by predictable all-terrain vehicle use on wet soils made possible by the presence of the road would have profound adverse effects on wildlife use and habitats of the narrow isthmus that comprises the Refuge. The likely increased activity associated with the road would also place a strain on Refuge management at a time of decreasing Refuge budget and capacity.

Finally, as discussed in greater detail below, the administrative record before the Department demonstrates that there are viable transportation alternatives to meet the health and safety needs of the people of King Cove. To date, \$37.5 million in Federal funds have been spent on improving transportation access and medical services in the area, including investments in the King Cove Clinic, which is a qualified emergency care facility. Residents of King Cove have several other transportation options, including, fishing vessels (year round), air service, and ferry service provided by the Alaska Marine Highway System (during summer months). As discussed in greater detail below, the Aleutians East Borough has indicated it will develop an alternative marine-road transportation link between King Cove and Cold Bay should the road not be approved. That alternative would use the entire length of the road that has been built. The marine link to the Cold Bay Airport would involve a shorter eight (8) mile passage across Cold Bay than what was utilized by a hovercraft during its three years of operation. The EIS also updates the Army Corps of Engineers Alaska District's (Corps) 2003 EIS analysis of necessary improvements to the docking facility at Cold Bay.

Because of the unique and exceptional resources in the Izembek Refuge, the consequent degradation of resources that would result from construction and operation of a road, and the availability of other viable modes of transportation from King Cove to Cold Bay, the Service designated the no action alternative as its preferred alternative, and the Department is hereby adopting that alternative in this ROD.

### **Background: Establishment of Izembek National Wildlife Refuge**

The Izembek Range was established by the Secretary of the Interior on December 6, 1960 in Public Land Order 2216. The area was reserved as "a refuge breeding ground and management area for all forms of wildlife." With enactment of the Alaska National Interests Lands Conservation Act (ANILCA) in 1980, the Range was renamed Izembek National Wildlife Refuge and 300,000 of the 315,000 acres were designated as Wilderness. The ANILCA states that the four purposes of the Refuge are:

- (i) To conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, waterfowl, shorebirds, and other migratory birds, brown bears, and salmonoids;

- (ii) To fulfill the international treaty obligations of the U.S. with respect to fish and wildlife and their habitats;
- (iii) To provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents; and
- (iv) To ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and necessary water quantity within the refuge.

The Izembek Refuge has also been internationally recognized for its environmental significance. In 1986, the Izembek Refuge received global attention as one of the first U.S. sites to be designated a "Wetland of International Importance" by the Ramsar Convention on Wetlands of International Importance. Izembek Refuge supports internationally important migratory bird populations that the United States is obligated to protect pursuant to treaties such as those implemented by the Migratory Bird Treaty Act. Because of its unique, irreplaceable, and internationally recognized habitats that provide critical support to a rich diversity of species, the Izembek Refuge is an invaluable part of the network of lands and waters that constitute the National Wildlife Refuge System.

### **History of Road Proposal and Access Improvements for King Cove**

The idea of a road connecting King Cove and Cold Bay has been discussed since at least the 1980s. Residents of King Cove community have long expressed interest in a road to improve access to Cold Bay and its airport for personal, medical, and commercial purposes. During this EIS process, the State of Alaska, City of King Cove, King Cove Corporation, Agdaagux Tribe of King Cove, Native Village of Belkofski, and Aleutians East Borough have identified the need for a road connecting the City of King Cove to the Cold Bay Airport as a safe, reliable, and affordable means of year round access to medical services not available to the City of King Cove, including infrequent but time-sensitive medical emergency evacuations. Comments during the EIS process from residents indicate their interest in a road for a number of purposes, such as better access between communities for school events, improved mail delivery, and enhanced travel opportunities. As noted above, OPLMA directed the Department to consider a land exchange that would allow a road that "shall be used primarily for health and safety purposes, (including access to and from the Cold Bay Airport) and only for noncommercial purposes." The use of taxis, commercial vans for public transportation, and shared rides is exempted from the prohibition on commercial uses for the road.

At least \$37.5 million in Federal funds have been directed to providing improvements and access between the communities of King Cove and Cold Bay. The *King Cove Health and Safety Act (Section 353) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999* (Public Law 105-277) provided appropriations of \$37.5 million for the Aleutians East Borough (Borough). The funds were appropriated to construct a marine-road link between the communities of King Cove and Cold Bay (\$20 million), improve the King Cove Airport (\$15 million), and upgrade the King Cove Clinic (\$2.5 million). The appropriations were provided to specifically address the health and safety issues for the citizens of King Cove without the necessity of constructing a road across the unique and internationally important habitat of the Izembek Refuge and the Izembek Wilderness.

The Corps was responsible for completing the King Cove Access Project EIS (2003 EIS) and subsequently issued a ROD addressing the marine-road link alternative. As a result of the 2003 EIS ROD, funding for improvements to the King Cove Airport was redirected to the marine-road link at the request of the Borough. A road was constructed to Lenard Harbor, where hovercraft support facilities were installed. A hovercraft—purchased with appropriated funds—began operating in 2007, and service was provided by the Borough until November 2010. During this time the hovercraft served as the primary means of medical evacuation transport between the cities of King Cove and Cold Bay, successfully completing at least 22 medical evacuations. In November 2011, citing cost and reliability concerns, the Borough announced that hovercraft service would not resume between King Cove and Cold Bay. The hovercraft was subsequently modified and moved to Akutan in 2012 to provide transportation between the City of Akutan and the Akutan Airport on Akun Island.

Even with the improvements described above, efforts continued to construct a road. In 2009, OPLMA authorized the Secretary of the Interior to exchange lands within the Izembek National Wildlife Refuge for lands owned by the State of Alaska and the King Cove Corporation for the purpose of constructing a single lane gravel road between the communities of King Cove and Cold Bay, Alaska. The OPLMA directed the Secretary of the Interior to prepare an EIS in accordance with the terms of the Act and the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), and its implementing regulations (40 C.F.R. Parts 1500-1508). Congress specified that the EIS must analyze the land exchange, potential road construction and operation, and identify a specific road corridor through the Izembek National Wildlife Refuge and the Izembek Wilderness in consultation with the State of Alaska, the City of King Cove, and the Agdaagux Tribe of King Cove (Section 6402(b)(2)).

While Section 6402(a) of OPLMA provides the Secretary with the discretionary authority to undertake an exchange, it does not mandate an exchange nor does it set forth criteria that the Secretary must consider in reaching a decision not to proceed. If the lands are conveyed, they “shall be transferred for the purpose of constructing a single-lane gravel road between the communities of King Cove and Cold Bay, Alaska.” Section 6402(d)(1) requires a finding that the exchange is in the public interest as a condition for completing the exchange (“to carry out the land exchange ... the Secretary shall determine that the land exchange (including the construction of a road between the City of King Cove, Alaska, and the Cold Bay Airport) is in the public interest.”). The OPLMA does not require a public interest determination for the selection of alternatives that do not include the land exchange. Thus, Congress has required the Department to identify and consider fully the impacts of such an exchange, but has left the final decision as a policy choice on whether to proceed. This ROD completes the required processes under the OPLMA and NEPA.

### **Findings and Reasons for the Decision**

The Service has evaluated the effects of proposed roads through Izembek Refuge and Wilderness in numerous analyses since 1960, including in its 1985 Comprehensive Conservation Plan and through the completion of the current EIS. The Service has consistently found that the impacts of building a proposed road on the wildlife resources, habitats and designated Wilderness would

create irreversible change and damage to a unique and ecologically important area, and especially to designated Wilderness. The no action alternative selected here supports the continued management of the Izembek Refuge consistent with the purposes for which it was established. A road through this area would not only be inconsistent with the purposes for which these lands were set aside in Public Land Order 2216, it would diminish the ability of the Service to meet the first, second, and fourth of the refuge purposes stated in ANILCA. Selection of the no action alternative is also consistent with the Secretary's obligations under the National Wildlife Refuge System Administration Act, including obligations to conserve fish, wildlife, and plants, and their habitats, sustain biological integrity, diversity and environmental health, and ensure the purposes of the Refuge System are fulfilled. Additionally, construction of a road through this Wilderness area will lead to increased human access and activity, including likely unauthorized off-road access, which will strain Refuge management resources. Finally, the administrative record shows that viable transportation alternatives are available to address the health and safety needs of the residents of King Cove.

### *Wildlife and Habitat Considerations*

By keeping the isthmus roadless, a no road alternative best protects the habitat and wildlife of the Izembek Refuge. The narrow strip of rolling tundra between Izembek and Kinzarof lagoons is a key component of the vital habitats that comprise the Izembek Refuge. It provides invaluable and potentially irreplaceable nesting and feeding areas for thousands of waterfowl and shorebirds, with essential wintering areas for many of these birds.

Conservation of the Pacific Black Brant has been a primary concern for the management of the Izembek Refuge since it was established in 1960. The eelgrass beds of Izembek Refuge (the largest such beds in the world) feed more than 98 percent of the world's approximately 130,000 Pacific Black Brant before they fly non-stop to wintering grounds in Mexico. Brant need an undisturbed area to forage and rest before their 3,000 mile migration south. Migratory birds are particularly sensitive to ground-based disturbance during staging and migration and Pacific Black Brant are very sensitive to human-caused, ground-based disturbance. Disturbance resulting in displacement from preferred sites, disruption of feeding behavior, and excessive flushing causes a reduction in body weight that affects migration readiness. Studies have shown that frequent and persistent disturbance will increase the chance of mortality in these birds on that arduous journey. The EIS documents the likely effects on Pacific Black Brant population from operation of a road, expanded all-terrain vehicle use, and human access.

Izembek Refuge also has the only non-migratory population of Tundra Swans in the world. The continental population of migratory Tundra Swans is estimated at 190,000 individuals. The current non-migratory population in Izembek numbers about 200 individuals. This population of Tundra Swans has a lower reproductive success and a 75 per cent decline in this population has been documented since 1980. Tundra Swans are highly sensitive to human-caused disturbance, especially during nesting and molting periods. The proposed road would bifurcate the nesting habitat for these swans and the human presence (in vehicles on and off the road as well as on foot) would disrupt their ability to nest and rear their young.

The Izembek isthmus is an important staging, wintering, and migrating corridor for Emperor Geese, an endemic species found only in the Bering Sea area. The global population currently numbers approximately 90,000-100,000 individuals. With its limited distribution and relatively small population size, it is one of the rarest and most vulnerable goose species on the planet. Emperor Geese winter along the Aleutian Islands and lower Alaska Peninsula. Izembek supports a high percentage of the population during the winter when open water bodies are frozen elsewhere. They take advantage of the varied food sources available to them in the coves, inlets, and open water areas without disturbance, and of the protection those areas afford them. For wintering birds, these species are at the edge of environmental and physiological tolerances. While there may be an abundance of plant and insect resources during the short, intense summer, during winter months, food resources are not as abundant so body reserves are not easily replenished. Use of a road during the winter would disturb this unique waterfowl population at critical times in its life-cycle.

Other waterfowl species rely on the wetlands as well as the lagoons – including Steller's Eiders, the U.S. population of which is threatened. A significant percentage of the world's population of these birds (up to 40% at times) winter on the Refuge. Construction and use of a road would disturb these populations at critical times in their life-cycle and set back Service efforts on the recovery of the species. Further, the proximity of the proposed road to the lagoons may affect these species and the habitat on which they rely through changing wetland functions, road runoff, changing hydrology, and myriad effects of human presence.

Brown bear, caribou, and wolves pass through the Izembek isthmus as part of their range. The Joshua Green River watershed on the northeast side of Cold Bay is a key brown bear natal area that supports the highest densities of bears on the lower Alaska Peninsula. The Refuge is currently a high quality foraging area and receives low hunting pressure because of its remoteness and relative inaccessibility. The proposed road would have a major impact on bears. The road would fragment undisturbed habitat for grizzly bear and caribou, and it would alter the behavior of wildlife in the area as well as their use of adjacent habitats. The road will likely result in reduced bear densities and poorer habitat because of increased access and all-terrain vehicle-human activities, harvests and other human/bear conflict that comes with increased access created by the road. The Izembek isthmus is also an important wintering and migration corridor for the Southern Alaska Peninsula caribou herd, connecting the southern end of the migration corridor, including Unimak Island, to the upper peninsula. The Southern Alaska Peninsula caribou herd uses wintering areas to the south of the project area and its calving areas are to the northeast. While the population is currently depressed, it has been increasing in recent years and a small subsistence harvest is allowed.

The Service would have a net gain of over 55,000 acres for the National Wildlife Refuge System under the proposed exchange and the parcels proposed to be received by the Service in the exchange include notable resource values such as caribou habitat, brown bear habitat, and Tundra Swan nesting habitat. Some of the parcels to be received would be included within the Izembek Wilderness boundary. However, the Service has determined that the increased acreage would not compensate for the overall values of the existing Izembek Refuge lands and Wilderness that would be removed. Nor would the offered lands compensate for the anticipated impacts that the proposed road would have on wildlife and the habitat that surround the road

corridor. The lands offered for exchange contain important wildlife habitat, but they do not provide the wildlife diversity of the internationally recognized wetland habitat that is proposed for exchange, nor would they compensate for the adverse effects of removing a corridor of land and constructing a road within the narrow, irreplaceable Izembek isthmus. Further, the lands proposed for exchange are not likely to be developed, if retained in their current ownership, in ways that would affect the same resources that would be affected by the construction and operation of a road through the Izembek Refuge. Thus, a conveyance of these lands to the United States does not actually offset the environmental impacts from the proposed road construction and operation.

### *Wilderness Considerations*

The no action alternative protects nearly 300,000 acres of Wilderness, the most protective statutory designation of public lands, which is reserved for pristine areas where natural processes prevail with few signs of human presence. The proposed land exchange/road corridor (consisting of 131 acres in Wilderness under Alternative 2, or 152 acres under Alternative 3), would diminish the ability of the Service to meet the objectives of the Wilderness Act to protect and preserve the wilderness character of the surrounding area and to administer it for the use and enjoyment of the American people in a way that will leave the lands unimpaired for future use and enjoyment as wilderness. Nothing is more contradictory with, or destructive to, the concept of Wilderness than construction of a road. The impact of road construction on wilderness character would radiate far beyond the footprint of the road corridor. It would irreparably and significantly impair this spectacular Wilderness refuge.

### *Refuge Management Considerations*

In addition to the direct impacts of construction and vehicle traffic associated with the proposed road, there is high potential for increased off-road access with the proposed construction of a maintained, all-season gravel-surface road. All-terrain vehicle (ATV) impacts include damage to soils and vegetation reducing forage and escape/thermal cover; physiological stress or behavioral responses in wildlife that require energy reserves at times when recovery may be difficult; and displacement of wildlife from normal routines, most notably feeding and breeding. The EIS analysis shows adverse impacts resulted to Refuge lands from previous off-road vehicle or ATV use in the Refuge and documented increasing ATV use in areas immediately adjacent to existing roads near both Cold Bay and King Cove. Additional off-road use would likely occur in areas adjacent to the proposed road corridors upon completion of a road. Unfortunately, damage and impacts cannot all be prevented through regulation and enforcement and roadside barriers will not always be effective.

A road would require a significant investment of Refuge resources to enforce restrictions on refuge lands and to address habitat impacts resulting from on-road use as well as damages from off-road vehicles or ATVs leaving the road despite barriers that could be installed. Cutting a road through the middle of the Refuge would mean significant additional resources would be necessary to manage the resulting direct and indirect effects of a road to minimize habitat damage and wildlife disturbance. These resources would have to come at a time of decreasing Refuge System budgets and would be at the expense of accomplishing work directed at the Service's core mission of wildlife and habitat management.

### *Viable Transportation Alternatives*

In the EIS, the Service describes the need for safe transportation to medical services, whether to the King Cove Clinic, the Anna Livingston Memorial Clinic in Cold Bay, or beyond to Anchorage or Seattle. Like many isolated communities in Alaska, the King Cove and Cold Bay health care facilities currently have limited services. The nearest location that can provide Level II trauma care services is in Anchorage, located over 600 miles away.

The King Cove Clinic is a qualified emergency care center with an emergency room and examination rooms as well as the ability to hold two patients overnight in the emergency room and seven patients overnight if using the examination rooms. The King Cove Health and Safety Act (Section 353) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 (Public Law 105-277) provided appropriations of \$2.5 million to the Indian Health Service for facility and service improvements to the King Cove Clinic. To date, the King Cove Clinic has not been able to attract full-time doctors with expertise to handle emergencies and life threatening illnesses. As a result, physician's assistants, nurse practitioners, and health aides, supplemented by itinerant physicians and telemedicine connections provide the majority of health services at the King Cove Clinic. Other communities, including False Pass and Nelson Lagoon, and fishermen operating in the area, occasionally transfer medical emergency cases to the King Cove Clinic because of the medical service available. These patients arrive at the King Cove Clinic via air and sea. Emergency service is provided by 911 telephone service, volunteers, health aides, and auxiliary help from the King Cove Volunteer Fire and Rescue.

Medical evacuations from King Cove have occurred by air, boat, and Alaska Marine Highway System ferry in the summer to the Cold Bay Airport, where individuals are then typically taken to Anchorage or elsewhere. The Cold Bay Airport has one of the longest runways in the state and is capable of handling all types of jet aircraft including those used for medivacs. In 1980, there were four fatalities from a medical transport by air from King Cove to Cold Bay.

The Department has carefully considered the input from the State of Alaska, City of King Cove, King Cove Corporation, Agdaagux Tribe of King Cove, Belkofski Tribe, and Aleutians East Borough that a road connecting the City of King Cove to the Cold Bay Airport is the only safe, reliable, and affordable means of year round access to medical services. Transport by air is 35 minutes from the King Cove Clinic to the Cold Bay Airport. By boat, the transport time can be more than 2 hours depending on type of boat and sea conditions. It could take over an hour to transport patients from King Cove Clinic to Cold Bay Airport via hovercraft.

The proposed road is no guarantee of access to Cold Bay at all times, however, and it could take more time than other options. Air, hovercraft, and ferry may be more expedient than driving between 75 and 95 percent of the time, depending on the alternative. The road distance would be approximately 35 miles from King Cove to the Cold Bay airport, of which 11.5 or 12 miles, depending on route, would be a new one-lane gravel road. Another 6 or 9.4 miles of rebuilt road or trail on the west side near Cold Bay would be needed, depending on the route, where the speed limit would be no more than 20 miles per hour. The balance of the 35 miles would be on existing road. It is estimated that the trip from King Cove to Cold Bay would be over two hours, if the road is open and operable. This is approximately the same amount of time as required to

transport an individual from Lenard Harbor at King Cove to Cold Bay by boat, a distance of about 14 miles. The same inclement weather that can interfere with air and boat travel can also make roads impassable. Based on the analysis in the EIS, it is likely that the road would not be open during the worst weather (estimated 2 percent of the time).

The administrative record shows that there are viable alternatives to a road that would provide for the continued health and safety of King Cove residents. The Borough has indicated to the U.S. Army Corps of Engineers that, if the road through the Refuge is not approved, it will consider developing an alternative transportation link in the form of an aluminum landing craft/passenger ferry between Northeast Terminal --which is at the end of the road that has now been completed-- and the Cold Bay airport. According to the Borough, the landing craft "... holds promise ..." and could be more technically and financially viable than a hovercraft. It also would traverse a shorter eight mile distance across Cold Bay than what the hovercraft had successfully traversed when it was in service. *See* EIS Appendix I. Analysis of Alternative 5, including improvements to the harbor facilities at Cold Bay, also serves as an update to the 2003 EIS and is available for use in development of actions to address that long-standing need. Thus, while a marine link may not be preferred by proponents of the road, viable and reliable options to a road exist to meet the public health and safety needs of the King Cove residents.

Also, we note that construction and maintenance of the road would involve substantial costs, even if those costs are not the direct responsibility of the United States. As identified in the EIS, the preliminary estimates for road construction costs and materials acquisition are approximately \$1.1 million per mile, with a total project cost of \$21.7 million. Cost estimates were based in part on bid information provided by the Alaska Department of Transportation and Public Facilities for the King Cove Access Project from 2003. Four pieces of equipment needed to maintain the road would cost an additional \$1 million. The road alternatives would have an estimated annual maintenance cost of \$670,000 per year, including maintenance costs for the 17.6 miles of road between the King Cove Airport and the Northeast Terminal, which is comparable to the estimated annual costs of maintaining a marine/road link with a landing craft/passenger ferry. A total life cycle cost of \$34.2 million was estimated for construction and maintenance of a road, represented in terms of net present value. These costs estimates do not include importing gravel if necessary to construct the road. Though the road would cross the Refuge, the responsibility for cost of keeping the road cleared and properly maintained would not be borne by the Service.

### **Alternatives Considered in this Decision**

The OPLMA directs the Secretary of the Interior to prepare an EIS that analyzes the impacts of a proposed land exchange with the State of Alaska and the King Cove Corporation for the purpose of construction and operation of a road between the communities of King Cove and Cold Bay, Alaska. As a cooperating agency, the Army Corps of Engineers requested that the Service analyze additional alternatives to meet their NEPA requirements. The consideration of these alternatives is consistent with Council on Environmental Quality (CEQ) regulations and guidance on collaboration in development of a reasonable range of alternatives. The Service evaluated five alternatives. Alternatives 1, 2, and 3 are actionable by the Service, Alternatives 4 and 5 are outside the purview of the Service but may be used by cooperating agencies.

The OPLMA requires the analysis of at least one road alternative (single lane, gravel) that is developed in consultation with the State of Alaska, the City of King Cove, and the Agdaagux Tribe of King Cove. The OPLMA specifies several elements to minimize adverse impacts of the road corridor on adjacent refuge lands, including a cable barrier on each side of the road, unless a different barrier type is required by the ROD for the EIS; transferring the minimum acreage of federal land required for the construction of a road corridor; and incorporating roads that are in existence. Mitigation elements identified in the statute include the avoidance of wildlife impacts and mitigation of wetland loss, and the development of an enforceable mitigation plan.

#### *Alternative 1—No Action and Preferred Alternative*

The consideration of a “no action” alternative is required under NEPA and serves as a baseline of existing impacts continued into the future against which to compare impacts of action alternatives. Under Alternative 1 of the EIS for the Izembek National Wildlife Refuge Land Exchange/Road Corridor, the Service would not exchange lands with King Cove Corporation and the State of Alaska for the purpose of constructing a road between King Cove and Cold Bay, Alaska. Current modes of transportation between the cities of King Cove and Cold Bay, including air and marine routes would continue their operations and development.

Air: Regularly scheduled commercial air service between the cities of King Cove and Cold Bay would continue. Grant Aviation has assumed the role as the air carrier from King Cove to Cold Bay and is now offering regularly scheduled air service. Even though the carrier changed during the NEPA process, the analysis for this alternative remains the same in that scheduled air service between Cold Bay Airport and King Cove Airport would continue to be available. In addition, the Coast Guard would continue to provide occasional medical evacuations via helicopter when Coast Guard assets are in the vicinity and not committed to other assignments. During the winter commercial fishing season, Coast guard helicopters are periodically stationed at Cold Bay to monitor commercial fishing and to provide emergency medical evacuations from commercial fishing vessels in the Bering Sea and Pacific Ocean.

Marine: Personal transit and medical evacuation transport by local fishing vessels between the cities of King Cove and Cold Bay would continue. King Cove is primarily a fishing community with a large fleet of ocean going vessels. The Alaska Marine Highway System would continue to provide ferry service between the communities of King Cove and Cold Bay approximately twice a month beginning in late spring until early fall (approximately May through September) as part of the Southwest Alaska and Aleutian Chain schedule.

Marine-Road Link: Hovercraft service provided by the Borough from Lenard Harbor to the City of Cold Bay hovercraft site at Cross Wind Cove began in 2007 and was suspended in November 2010. In a February 24, 2012 letter to the Corps, the Borough has indicated that it will explore the option of using an aluminum landing craft/ferry to provide a marine-road link between the Northeast Terminal and Cross Wind Cove if the land exchange is not approved. The vessel described by the Borough is a 59-foot by 16-foot landing craft, consistent with the illustration and description provided in the letter to the Corps (AEB 2012). According to the Borough, the vessel could accommodate approximately 30 passengers, occasional vehicles/ambulances, and

limited cargo. The vessel bottom would be hardened with replaceable wear pads to prevent damage to the hull from abrasion, allowing the vessel to use the former hovercraft terminals. The vessel would operate between the Northeast Terminal and Cross Wind Cove, the same route analyzed in the 2003 EIS. Neither the February 24, 2012 letter to the Corps, nor subsequent correspondence with the Borough contain any description of the frequency of service being considered nor the costs associated with the acquisition and operation of a landing craft/passenger ferry.

As the Service was developing the no-action alternative in the EIS, the Service requested additional information from the Borough on its plans for a landing craft/passenger ferry. The Service also researched companies that have manufactured a similar landing craft/passenger ferry and identified such a craft. The Service identified an available high-speed craft fitted with two 500 horsepower inboard engines that is similar to the specifications described by the Borough. The vessel is designed to meet U.S. Coast Guard requirements and a number of similar landing crafts are now operating in Southeast Alaska. The manufacturer provided the Service with the following information: the total estimated one-time cost for acquisition of the landing craft and associated support equipment is \$650,000. Based on passenger loads from hovercraft operations, the Service estimated operating revenue of \$60,000 per year, with an annual operating cost of the landing craft to be around \$670,000, which is substantially less than the hovercraft costs and approximately equal to the estimate for road maintenance costs. The cost assumptions include staffing, support vehicles, fuel, supplies, insurance, administration costs, training, facility rentals, utilities, and maintenance. It is assumed that there would be no new capital costs for completion of the road to the Northeast Terminal, or for the construction of the building, fuel tanks, generator, water system, and concrete landing ramp, since these are planned for completion under the previous contract to construct the road to the Northeast Terminal. While the Northeast Terminal infrastructure was originally included in the construction project under the Borough's revised plans to discontinue hovercraft service, the Alaska Department of Transportation and Public Facilities has modified the construction plans accordingly.

#### *Alternative 2 – Land Exchange and Southern Road Alignment*

Alternative 2 proposes a land exchange between the Federal Government, the State of Alaska, and the King Cove Corporation as described in OPLMA. The estimated amount of Federal land exchanged in this alternative for the road corridor would be 201 acres, including 131 acres in Izembek Wilderness, assuming a constant 100-foot corridor width. The 19.4 miles of road under this alternative would include 16.5 miles within Izembek Refuge (10.8 of these miles are within the Izembek Wilderness). Alternative 2 would require 1 bridge, 7 culverts or bridges, and 154 cross culverts (pipes). Alternative 2 would require fill of 3.8 acres of wetlands. Under this alternative and Alternative 3, the Service would execute an administrative boundary adjustment in the vicinity of Blinn Lake, in accordance with ANILCA Section 103(b). An area that is currently designated as Alaska Peninsula National Wildlife Refuge, but administered by Izembek National Wildlife Refuge, would become part of Izembek National Wildlife Refuge.

The portion of the Alternative 2 alignment that is exclusive to this alternative (not co-located with the Alternative 3 alignment) would be located only in the watershed of Kinzarof Lagoon.

The co-located alignment would be located in the watersheds of Izembek and Kinzarof lagoons. The road corridor would be located approximately ½ mile to 1 mile north of Kinzarof Lagoon. A barrier would be constructed along both sides of the roadway to prevent vehicles from accessing the Izembek National Wildlife Refuge and Izembek Wilderness lands adjacent to the road, although the record supports the Service's conclusion that a barrier will likely be ineffective. As stated in the purpose and need section of the EIS approximately 206 acres of federal land (surface and subsurface estate) of the Izembek National Wildlife Refuge and Wilderness as well as 1,600 acres (surface and subsurface estate) within the Alaska Maritime National Wildlife Refuge on Sitkinak Island would be conveyed to the State under the proposed land exchange. In exchange, the Service would receive approximately 43,093 acres of land owned by the State of Alaska (to be designated wilderness), as well as approximately 13,300 acres of land owned by King Cove Corporation. In addition, the King Cove Corporation will relinquish 5,430 acres of selected lands within the Izembek refuge and wilderness boundary.

### *Alternative 3 – Land Exchange and Central Road Alignment*

Alternative 3 also proposes another land exchange option between the Federal Government, State of Alaska, and King Cove Corporation that would satisfy the requirements of the statute. The estimated amount of Federal land exchanged in this alternative for the road corridor would be 227 acres, including 152 acres in Izembek Wilderness, assuming a constant 100-foot corridor width. The 21.6 miles of road under this alternative would include 18.7 miles within Izembek Refuge (12.5 of these miles are within the Izembek Wilderness). Alternative 3 would require 11 miles of new construction, 9.0 miles of reconstruction of existing roads/trails, and 1.6 miles of existing road. Alternative 3 would require an estimated 158 passing turnouts, contain 1 bridge, 1 culvert or bridge and 171 cross culverts. Alternative 3 would require fill of 2.4 acres of wetlands. This alignment would be located in the watersheds of Izembek and Kinzarof Lagoons. As with Alternative 2, a barrier would be constructed along both sides of the roadway to prevent vehicles from accessing the Izembek National Wildlife Refuge and Izembek Wilderness lands adjacent to the road, although the administrative record supports the Service's conclusion that such a barrier will likely be ineffective.

### *Alternative 4 – Hovercraft Operations from the Northeast Terminal to Cross Wind Cove*

As stated earlier, this alternative was analyzed at the request of the Corps and, consistent with CEQ guidance, as part of a reasonable range of alternatives. Alternatives 4 and 5 are outside the control of the Service, but could be implemented by the Borough. Alternative 4 is the Proposed Action in the Corps' 2003 King Cove Access EIS. The road portion to the Northeast Terminal under that action was contracted for construction in 2011 and largely completed in the Fall of 2013. Alternative 4 includes operation of a hovercraft, as described in the 2003 EIS, for service 6 days per week to cover the 8-mile crossing between the Northeast Terminal and Cross Wind Cove. Since the Aleutians East Borough has indicated that it will not resume hovercraft service, Alternative 4 does not assume that the Borough would be the operator of this alternative. Under Alternative 4, a land exchange would not occur. King Cove Corporation land selection of 5,430 acres of its entitlement under ANCSA within the Izembek Wilderness may proceed to conveyance. Major components of Alternative 4 include the capital costs to purchase a new hovercraft and construct a hovercraft hangar at the Northeast Terminal. Alternative 4 would rely

on use of the existing terminals at Cross Wind Cove in Cold Bay, the Northeast Terminal, and access road. No additional ground disturbing activities beyond what was identified in the 2003 EIS would occur.

#### *Alternative 5 – Lenard Harbor Ferry with Cold Bay Dock Improvements*

Alternative 5 would use a ferry to travel 14 miles between a terminal in Lenard Harbor and a substantially modified Cold Bay dock. This alternative is similar to an alternative that was analyzed in the 2003 EIS, with the exception of project elements that have been permitted or constructed to date, including the access road to the site, a terminal building with associated utility infrastructure, and a parking area. The Final EIS updates the environmental analysis necessary for implementation of remaining aspects of this alternative, including modifications to the Cold Bay dock described and depicted in the 2003 EIS. This dock expansion would allow passengers and freight to be loaded and unloaded near water level. The 2003 EIS and this Final EIS describe the Cold Bay dock expansion to include “wave protection, a floating ramp hinged to the existing dock level, vehicle turning area, a small vessel float, and a walkway for walk-on passengers.” These modifications would accommodate a vessel with bow- or stern-loading at the level of the cargo hold and an addition for passenger travel away from the area used by vehicles. No fill or dredging would be required for dock modifications, as piles would be driven by a pile driver mounted on the dock or a barge. Since 2003, the Lenard Harbor terminal structure has been damaged by a storm, and would have to be replaced.

Under this alternative, ferry service would be provided 6 days per week and a land exchange would not occur. King Cove Corporation land selection of 5,430 acres of its entitlement under ANCSA within the Izembek Wilderness may proceed to conveyance.

#### **Environmentally Preferable Alternative**

The NEPA regulations require that the ROD specify the alternative or alternatives considered environmentally preferable. Guidance provided by the CEQ states that the environmentally preferable alternative is ordinarily considered as the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources.

In comments on the Draft EIS, the Environmental Protection Agency (EPA) stated that Alternative 4 was likely to be the environmentally preferable alternative. They also recommended that Alternative 3 was the environmentally preferable road alternative. The Service finds that Alternative 1, the no action alternative, and Alternative 4 are the environmentally preferable alternatives because they have no additional impacts on the biological and physical environment and would best protect historic, cultural, and natural resources. As stated above, a full range of alternatives was analyzed as requested by the Corps and consistent with CEQ guidance. However, Alternatives 4 and 5 are outside the purview of the Service and nothing precludes the State and local governments from proceeding with either of these alternatives in light of the Service’s adoption of the no action alternative.

## **Agency Coordination and Consultation**

The Service is the lead Federal agency for this EIS. Cooperating agencies are: U.S. Army Corps of Engineers, Alaska District; Federal Highway Administration/Western Federal Lands; Agdaagux Tribe of King Cove; Native Village of Belkofski; State of Alaska; Aleutians East Borough; City of King Cove; and King Cove Corporation. The Service invited the Alaska Migratory Bird Co-Management Council to participate as a cooperating agency, as the council was identified in the Act as a potential cooperating agency. The EPA and the National Marine Fisheries Service were also invited to participate as cooperators. These entities declined a formal role; however, the Alaska Migratory Bird Co-Management Council and the EPA participated in the EIS process as time permitted.

## **Tribal and Native Corporation Consultation**

This decision has been made considering the Department's special responsibilities to Alaska Natives. This decision is also made in compliance with the requirements of EO 12898, *Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations*, and the Department of the Interior Policy on Consultation with Indian Tribes, dated December 1, 2011, to ensure there are no disproportionately high adverse human health or environmental effects when making the decision in this ROD. In furtherance of these considerations the Department, including the Service, made concerted efforts to reach out to Tribal governments potentially affected by the project throughout the NEPA process. The Tribal governments were invited to participate in government-to-government consultation at the beginning of the NEPA process and when the draft EIS was released. Government-to-government consultations were held throughout the EIS process, including after the release of the Final EIS.

In compliance with Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*, the Service initiated government-to-government consultation with twelve potentially affected Federally Recognized Tribes: Agdaagux Tribe of King Cove; Native Village of Belkofski; Chevak Native Village; Native Village of False Pass; Native Village of Hooper Bay; Native Village of Nelson Lagoon; Newtok Village; Native Village of Paimiut; Pauloff Harbor Village; Native Village of Scammon Bay; Qagan Tayagungin Tribe of Sand Point Village; and Native Village of Unga. The Service contacted the Federally Recognized Tribes on June 16, 2010 stating that public scoping recently occurred and the Service offered to conduct separate meetings to explain the proposal and hear their thoughts. The Service specifically requested information on the topics of cultural, traditional, or religious sites that could be affected; any known graves or archaeological sites in the project area; any formal tribal positions on the proposal; any information on fish and wildlife that may be affected and any other input the tribe would like to contribute. One Tribal consultation meeting was held on August 25, 2010 in King Cove with representatives from the Agdaagux Tribe of King Cove and the Native Village of Belkofski, both of which also participated as cooperators in the development of the EIS and signed Memoranda of Agreement with the Service in 2010 and 2011, respectively.

In January 2012, contemporaneous with the release of the Preliminary Draft EIS, the Service again sent letters to all twelve tribes plus the King Cove Corporation to re-initiate consultation.

The Agdaagux and Belkofski tribes indicated that they wanted to consult with the Service. Therefore, the Regional Director, Alaska Refuge Chief, and the Chief of Planning visited King Cove for formal consultation with the two tribes on February 22, 2012. The Service also consulted with the Qagan Tayagungin Tribe of Sand Point Village on November 26, 2012, and the Native Village of Unga and the Pauloff Harbor Village on November 27, 2012, in Sand Point.

On March 21, 2013, then-Secretary Salazar directed the Assistant Secretary—Indian Affairs to undertake additional government-to-government consultations in King Cove, Alaska, related to the proposed Izembek Land Exchange/Road Corridor. Specifically, the Assistant Secretary was asked to conduct consultations, tour the area, assess the needs of the community, and the potential medical evacuation benefits of the proposed road, and report back to the Secretary of the Interior. The memorandum directed him to address the emergency medical needs of King Cove, after consultation with the Indian Health Service (IHS). The Assistant Secretary conferred with the IHS and the Eastern Aleutian Tribes, Inc., a non-profit tribal consortium that has a P.L. 93-638 self-determination contract to operate the clinics at King Cove and Cold Bay. On June 26, 2013, the Assistant Secretary conferred extensively in Anchorage with the Alaska Native Tribal Health Consortium (ANTHC) and toured the Alaska Native Medical Center, the only Level II trauma center in Alaska. Between June 27 and 29, 2013, the Assistant Secretary traveled to Cold Bay and King Cove for government-to-government consultation with the Agdaagux Tribe of King Cove and public meetings in the communities. Attached to this ROD are the Secretary's March 21, 2013 memorandum to the Assistant Secretary and the Assistant Secretary's October 28, 2013 memorandum reporting back to the Secretary.

On August 30, 2013, Secretary Jewell traveled to King Cove and Cold Bay for a public meeting in King Cove and other meetings in the communities. A transcript of the public meeting in King Cove is attached to this ROD. The Secretary has also received perspectives from other Alaska Native groups, including the Association of Village Council Presidents for 56 Alaska Native villages in the Yukon-Kuskokwim Delta region of Alaska, which describe their subsistence uses of waterfowl species that depend on the Izembek Refuge. On August 29, 2013, Secretary Jewell met with the President of the Native Village of Hooper Bay, who reiterated the opposition of these Yukon-Kuskokwim Delta villages to the proposed road based on the effects a road would have on Brant and Emperor geese populations that nest in the Delta and depend on the Izembek Refuge for feeding during their spring and fall migration.

## **Public Involvement and Comments Received**

### *Overview*

The EIS process began on March 30, 2009 with the signing of the Omnibus Public Land Management Act of 2009. The first Service meeting with King Cove and the State was on May 6, 2009. Since then, the Service and the Department have met numerous times with all parties that may be affected by this project. Secretary Salazar met with the residents of King Cove in Washington, D.C. in February 2013 after then-Deputy Secretary Hayes, Director Ashe, and Regional Director Haskett had visited King Cove, where they met with and listened to the residents who spoke on the need for a road. Service leadership and staff have met with the

residents of King Cove on numerous other occasions, including public meetings, as well as site visits to the area. Over 130 meetings with the cooperators have been held and government-to-government consultations with the local tribes have occurred as described above.

### *Scoping*

Public involvement and comments were requested, considered and incorporated throughout the EIS Process. The Notice of Intent to prepare an EIS was published in the *Federal Register* on August 6, 2009 (74 FR 39336). A revised Notice of Intent was published in the *Federal Register* on February 24, 2010 (75 FR 8396), to announce the public scoping meetings and invite suggestions on the scope of issues to be addressed in the EIS. Seven public scoping meetings were conducted in March and April 2010 in Washington, D.C. and Anchorage, Alaska, as well as Cold Bay, False Pass, King Cove, Nelson Lagoon, and Sand Point, Alaska. The Service distributed newsletters with project updates discussing opportunities for public involvement and the results of public input. The Service received 31,569 submissions during the scoping period which were used to identify issues and draft alternatives for evaluation in the Draft EIS.

### *Draft EIS*

On March 19, 2012, a Notice of Availability and request for comments on the Draft EIS was published in the *Federal Register* (77 FR 16059). Printed copies of the entire Draft EIS were distributed to cooperating agencies and affected tribes. The Executive Summary and an electronic version of the Draft EIS, including the technical appendices, were distributed to the organizations and individuals that had expressed an interest in receiving copies of the document. The Draft EIS and all of the appendices were also available for review or download from the project website. The public review period ended on May 18, 2012.

During the review period on the Draft EIS, comments were submitted by the public, organizations, and governmental agencies by e-mail, mail, fax, or on the project website. In addition, public testimony was recorded at five public meetings held in Anchorage, Cold Bay, King Cove, and Sand Point, Alaska. A teleconference public meeting was held with residents of False Pass and Nelson Lagoon.

The Service received a total of 71,960 submissions on the Draft EIS, of these 1,849 were considered unique. Of the total comments submitted, 70,111 submissions received were considered form letters from groups including the Alaska Wilderness League (10,670 letters), Defenders of Wildlife (57,747 letters), the National Wildlife Refuge Association (347 letters) and the Sierra Club (1,346 letters), all opposing the road. A total of 390 submissions were received in support of a road alternative and of those, one petition was submitted with approximately 200 signatures in support of the proposed road. All comments received were analyzed and used to develop the EIS. The comments varied greatly in the level of detail provided, with some agencies, organizations, and individuals providing extensive comments on dozens of topics, while others more briefly expressed support or opposition to the proposed action or particular alternatives. Written responses to the substantive comments appear in Appendix G of the EIS.

### *Final EIS*

The Service issued the Final EIS on February 6, 2013; the EPA published the notice of availability of the Final EIS on February 15 which started the minimum 30-day public review period. The review period provided the public with an opportunity to understand changes made between the Draft EIS and Final EIS, to see how public comments on the Draft EIS were responded to, and to learn about the Service's preferred alternative. As part of this stage of the NEPA process, between June 27 and 29, 2013, Assistant Secretary—Indian Affairs Washburn traveled to King Cove and Cold Bay for government-to-government consultation and public meetings in the communities and on August 30, 2013, Secretary Jewell traveled to King Cove and Cold Bay for meetings in the communities.

The record of the official meetings following publication of the Final EIS, and the information received since that Final EIS publication, do not indicate any substantial changes in the proposed action that are relevant to environmental concerns or significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts. Rather, the record reflects a consistent advocacy by the residents of King Cove in favor of the selection of Alternative 2 or 3. The information provided to the Secretary, the Assistant Secretary, and the Service, is consistent with the information provided to the Service in the scoping process for the EIS and in comments on the Draft EIS. Therefore, the Department of the Interior finds that supplementation of the EIS is not required and that a supplemental environmental document will not further the purposes of NEPA.

The tours of King Cove and Cold Bay undertaken by the Secretary and the Assistant Secretary were primarily valuable in providing these senior officials with a first-hand appreciation for the difficulties of travel in this remote and challenging area. They heard accounts of the extremes that frequently challenge all modes of transportation in this part of Southwest Alaska and saw the topographic limitations on air service to King Cove. They also experienced the difficulties of maintaining reliable travel by road and by sea. In particular, the Assistant Secretary traveled by boat from King Cove and climbed the wet metal ladder in Cold Bay that remains the primary means of moving passengers from ship to shore. The Secretary, too, noted the dilapidated dock at Cold Bay and the need for a breakwater and other transportation improvements that implementation of Alternative 5 would provide at Cold Bay.

### **Subsistence Use Evaluation and Finding (Section 810 of ANILCA)**

Section 810(a) of ANILCA requires that an evaluation of the effect on subsistence uses and needs be completed for any Federal determination to "withdraw, reserve, lease, or otherwise permit the use, occupancy or disposition of public lands." If a withdrawal, reservation, lease, permit, or other use, occupancy or disposition may significantly restrict subsistence uses, then section 810(a) requires notice and hearing in the affected area. When an EIS must be prepared for an activity, such as here, an analysis of whether or not the action significantly restricts subsistence uses and needs is required by Section 810 to be incorporated into the EIS. In this case, the Service completed an analysis of the potential impacts of the proposed alternatives on subsistence uses and needs. This evaluation is found in Appendix D of the EIS. The evaluation focuses on subsistence use by the local communities in the region. It concludes that there would

be no significant restriction to subsistence uses under any of the alternatives, including the selected no action alternative (Alternative 1).

### **Measures to Minimize Environmental Harm**

Because the no action alternative has been selected, no measures to minimize environmental harm are adopted as part of this ROD as none are necessary.

### **Summary and Conclusion**

Izembek Refuge is internationally recognized for its unique and ecologically significant wetlands and wildlife. Selecting Alternative 1 preserves the integrity of the Izembek Refuge and Izembek Wilderness, ensures continued protection of unique and internationally recognized habitats, and maintains the integrity of designated Wilderness. This alternative best satisfies Refuge purposes, and best accomplishes the mission of the Service and the goals of Congress in ANILCA. Retaining the Wilderness is both consistent with the mission of the Service, and necessary to protect the unique values of the refuge lands in perpetuity. Because of the unique and exceptional resources in the Izembek Refuge, the consequent degradation of the resources that would result from construction and operation of a road, and the availability of other viable modes of transportation from King Cove to Cold Bay, the Service designated the no action alternative as its preferred alternative in the EIS, and the Interior Department has adopted that alternative in this ROD.

Through the EIS, the Service fully evaluated a land exchange/road corridor through Izembek Refuge and Wilderness. That extensive analysis supports the no action alternative. This decision protects the unique resources the Department administers for the entire Nation. There remain at least three viable transportation alternatives for the residents of King Cove to obtain access to the Cold Bay airport: resumption of the hovercraft alternative that was developed in 2003, implementation of the landing craft described by the Aleutians East Borough utilizing the infrastructure built for the hovercraft, and a ferry operating from Lenard Harbor to King Cove. Either the hovercraft or landing craft alternatives would cost less than Alternatives 2 or 3 with less impact on the human environment in and around the Izembek Refuge. The Department will continue to work with the State of Alaska, the Aleutians East Borough, and the local communities to develop viable alternatives to a road to ensure continued transportation improvements for the health and safety of the residents of King Cove.

### **Further Information**

For further information, contact Stephanie Brady, U.S. Fish and Wildlife Service, Alaska Regional Office, 1011 East Tudor Rd., Anchorage, AK 99503, telephone: 907/306-7448.

This decision to adopt Alternative 1, the no action alternative, is effective immediately.