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H.R. 2801, IZEMBEK AND ALASKA PENINSULA REFUGE AND WILDERNESS ENHANCEMENT AND KING COVE SAFE ACCESS ACT

LEGISLATIVE HEARING

BEFORE THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

Wednesday, October 31, 2007

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LEGISLATIVE HEARING ON H.R. 2801, TO PROVIDE FOR THE INCLUSION OF CERTAIN NON-FEDERAL LAND IN THE IZEMBEK AND ALASKA PENINSULA WILDLIFE REFUGES AND WILDERNESS IN THE STATE OF ALASKA AND FOR THE GRANTING OF A RIGHT-OF-WAY FOR SAFE AND RELIABLE ACCESS FOR THE NATIVE VILLAGE OF KING COVE, ALASKA, AND FOR OTHER PURPOSES. (IZEMBEK AND ALASKA PENINSULA REFUGE AND WILDERNESS ENHANCEMENT AND KING COVE SAFE ACCESS ACT)

Wednesday, October 31, 2007
U.S. House of Representatives
Committee on Natural Resources
Washington, D.C.

The Committee met, pursuant to call, at 2:03 p.m. in Room 1324, Longworth House Office Building, Honorable Nick J. Rahall, II [Chairman of the Committee] presiding.

Present: Representatives Rahall, Young, Kildee, Christensen, Napolitano, Grijalva, Bordallo, Costa, Inslee, Herseth Sandlin, Gilchrest and Bishop.

STATEMENT OF THE HONORABLE NICK J. RAHALL, II, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WEST VIRGINIA

The CHAIRMAN. The Committee on Natural Resources will begin.

Today's hearing is on H.R. 2801, legislation introduced by the gentleman from Alaska, the Committee's Ranking Member and my good friend, Don Young. In essence, the bill provides for a land exchange between the U.S. Fish and Wildlife Service, the State of Alaska and the King Cove Corporation in order to allow for a road to be constructed through a national wildlife refuge and wilderness area.

Lands acquired from the state and the corporation would be added to refuge wilderness under the legislation. The road would be for the purpose of providing access between the communities of King Cove and Cold Bay.

H.R. 2801 revisits a controversy which has received congressional attention in the past. In 1998, during the Clinton Administration, Congress approved $37.5 million in an effort to provide a hovercraft connection and other health and safety enhancements as an alternative to construction of the road between King Cove and Cold Bay.

This included $20 million for a hovercraft, including construction of a road, docks and marine transport facilities, $15 million to improve the airstrip in King Cove, and $2.5 million for equipment and telemedicine improvements at the King Cove Health Clinic.

In today's hearing, the Committee will get an update on how the Clinton Administration's 1998 road alternative has been implemented and consider the revised approach set forth in H.R. 2801.

At this point I will recognize the Ranking Minority Member, Mr. Young, for any opening comments he wishes to make.

[The prepared statement of Mr. Rahall follows:]

Statement of The Honorable Nick J. Rahall, II, Chairman, Committee on Natural Resources

Today's hearing is on H.R. 2801, legislation introduced by the gentleman from Alaska, the committee Ranking Member, Don Young.

In essence, the bill provides for a land exchange between the U.S. Fish and Wildlife Service, the State of Alaska, and the King Cove Corporation in order to allow for a road to be constructed through a national wildlife refuge and wilderness area. Lands acquired from the state and the corporation would be added to refuge wilderness under the legislation. The road would be for the purpose of providing access between the communities of King Cove and Cold Bay.

H.R. 2801 revisits a controversy which has received congressional attention in the past. In 1998, during the Clinton Administration, Congress approved $37.5 million in an effort to provide a hovercraft connection and other health and safety enhancements as an alternative to construction of the road between King Cove and Cold Bay. This included $20 million for a hovercraft, including construction of a road, docks and marine transport facilities, $15 million to improve the airstrip in King Cove, and $2.5 million for equipment and telemedicine improvements at the King Cove Health Clinic.

In today's hearing, the committee will get an update on how the Clinton Administration's 1998 road alternative has been implemented and consider the revised approach set forth in H.R. 2801.

STATEMENT OF THE HONORABLE DON YOUNG, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ALASKA

Mr. YOUNG. Thank you, Mr. Chairman. I am grateful that you scheduled this hearing today on H.R. 2801. This gives the Committee a chance to hear about developments on the issue we first debated in 1997 and 1998.

Mr. Chairman, I have to say that the money that you mentioned as being spent for hovercraft and for clinics and improvements to the airport are well and good, but it doesn't solve the basic problem.

It was at the insistence of Senator Stevens and myself that that money be spent because we knew the needs in King Cove and the people who live there, and we did not think even at that time, because of weather conditions, that they would be able to meet the necessities of King Cove and the population that lives there.

As you know, Mr. Chairman, it is a native village. King Cove is located in a remote corner of the world. Its transportation options are limited to riding a boat, a hovercraft, on frequently rough

waters and flying in an airplane in and out of a mountain valley that is plagued by strong crosswinds and persistent fog.

They are seeking access to an all-weather airport, a 10,000 foot runway and 6,500 cross-runway just 25 miles away. The problem is that a designated wilderness area of the Izembek National Wildlife Refuge stands in the way.

I will not say that conserving Izembek's natural resources is unimportant. You won't hear anyone in King Cove say that Izembek should be sacrificed for a greater good. They subsist on the fish and wildlife affected by a road, and they will be the last to cause them harm.

I believe, Mr. Chairman, after the hearing today you will know that we can have wildlife and the habitat and a road.

I recently heard someone, and it really still bothers me, say those people in King Cove chose to live there, and they don't have any special rights of safe and reliable access. Mr. Chairman, I submit the King Cove people were there first, not the Federal government.

People chose to live in King Cove before the Carter Administration and before Congress chose to make their aboriginal lands a wilderness area, by the way, without any input from the local people. King Cove's access problem stems from government actions, not their own. Without this Federal intrusion on their aboriginal lands, we wouldn't be here today.

H.R. 2801 offers a sweetheart deal, and I say that, a sweetheart deal, for the government. King Cove and the State of Alaska will give up 61,000 acres of pristine land—let me stress that, Mr. Chairman; 61,000 acres of pristine land—in exchange for a 206-acre road corridor and a 1,600-acre Federal inholding that is unrelated to the road. Forty-five thousand acres of lands added to the refuge will be designated as wilderness.

Frankly, as I have said before, I am not thrilled with this deal. It is a sweetheart deal for the government. I think it does a disservice to the King Cove people, but again that is their decision, and I will support that decision, which is why I introduced the bill.

The bill contains terms that no other state, to the best of my knowledge, has ever had to comply with in order to secure access rights for its citizens, and this deal points to a disturbing trend of the Federal government, which is to extract more than a fair share from American citizens in return for the right to use a small piece of Federal land.

There is also a double standard at play. The Fish and Wildlife Service has a network of roads in the Izembek Refuge right now, a network of roads, so on one side of the Bay the government employees, sport hunters and environmentalists get to enjoy the Cold Bay Airport and the local road system. On the other side of the Bay 25 miles away, people wonder how they will get to a hospital when the weather is bad. I believe, Mr. Chairman, that is just wrong.

As I said, Mr. Chairman, this deal is very good for the Federal government, very good for the refuge, but I agreed to introduce this bill at the strong urging of my constituents in the East Aleutians, and with the support of Alaska's Governor Palin I will put aside my personal reservations about the terms of the deal in the interest of getting this vital, life-saving road built.

It is hard for me to hear stories about the people in King Cove clinging to life while waiting for weather to clear. I really hope we can move this deal forward. With that, I look forward to hearing from today's witnesses.

[The prepared statement of Mr. Young follows:]

Statement of The Honorable Don Young, Ranking Member, Committee on Natural Resources

Mr. Chairman, I am grateful that you scheduled a hearing today on my bill, H.R. 2801. This gives the Committee a chance to hear about developments on an issue that we first debated in 1997 and 1998.

King Cove is a recognized Native Village located in a remote corner of the world. Its transportation options are limited to riding a boat or hovercraft on frequently rough waters, and flying an airplane in-and-out of a mountain valley that is plagued by strong crosswinds and persistent fog. They're seeking access to an all-weather airport with a 10,000-foot runway and 6,500-foot crosswind runway just 25 miles away.

The problem is that a designated Wilderness Area of the Izembek National Wildlife Refuge stands in the way.

I will not say that conserving Izembek's natural resources is unimportant. You won't hear anyone from King Cove say that Izembek should be sacrificed for a greater good. They subsist on the fish and wildlife affected by a road, and they would be the last to cause them harm.

But we can have wildlife—and habitat—and a road.

I recently heard someone say, "Those people in King Cove choose to live there, and they don't have special rights to safe and reliable access."

I submit that King Cove was there first, not the federal government. People chose to live in King Cove before the Carter Administration and Congress chose to make their aboriginal lands a Wilderness Area. King Cove's access problem stems from government actions, not from their own. Without this federal intrusion in their aboriginal lands, we wouldn't be here today.

H.R. 2801 offers a "sweetheart deal"—for the federal government, that is. King Cove and the State of Alaska will give up 61,000 acres of pristine land in exchange for a 206-acre road corridor and a 1,600-acre federal inholding that is unrelated to the road. 45,000 acres of the lands added to the Refuge System will be designated as Wilderness.

Frankly, I am not very thrilled with this uneven deal. I do not like new Wilderness designations. The bill contains terms that no other State, to the best of my knowledge, has ever had to comply with in order to secure access rights for their citizens. And this deal points to a disturbing trend of the federal government, which is to extract more than a fair share from Americans citizens in return for the right to use a small piece of federal lands.

There is also a double-standard at play. The Fish and Wildlife Service has a network of roads in the Izembek Refuge. So on one side of the Bay, the government employees, sport hunters and environmentalists get to enjoy the Cold Bay airport and the local road system. And on the other side of the Bay, people wonder how they'll get to a hospital when the weather is bad. This isn't right.

As I said, this deal is very good for the federal government, but I agreed to introduce this bill at the strong urging of my constituents in the East Aleutians. And with the support of Alaska's Governor Palin, I will put aside my personal reservations about the terms of the deal in the interest of getting this vital, life-saving road built.

It's hard for me to hear stories about people in King Cove clinging to life while waiting for the weather to clear, and I really hope we can move this deal forward. With that, I look forward to hearing from today's witnesses.

Mr. YOUNG. Mr. Chairman, I do believe sometime we are going to have a short, four-minute film. If you will indulge me? Is that correct?

Male VOICE. Yes.

Mr. YOUNG. And will that be played now or when?

Male VOICE. When Stanley Mack goes.

Mr. YOUNG. When Stanley Mack goes. It will be played at that time.

Mr. Chairman, thank you.

The CHAIRMAN. Thank you, Mr. Young, for your very heartfelt statement. It sounded very interesting. I appreciate your bringing this to our committee's attention, as well as many constituents of yours that I know are on this first panel. Would you like to introduce them?

Mr. YOUNG. I believe they will introduce themselves and give their recognition. I could introduce them all, but, very frankly, they have their roles and I believe they can best present their points of view in the manner in which they are chosen.

The CHAIRMAN. Well, let me first welcome The Honorable Dale Hall, who is perhaps not a constituent of yours, but we feel is like a constituent of this committee. He has been here a number of times, and we welcome you, Director Hall, the U.S. Fish and Wildlife Service of the Department of Interior, back to our committee.

We also have on this first panel Dick Mylius, the Director of the Division of Mining, Land and Water, Alaska Department of Natural Resources; The Honorable Stanley Mack, the Mayor of the Aleutians East Borough; Della Trumble, the president of King Cove Corporation; David Raskin, the president of Friends of Alaska National Wildlife Refuge; and Nicole Whittington-Evans, the Assistant Regional Director of The Wilderness Society.

Dale, I guess do you want to kick it off, and then we will go down the list I just enumerated and each one can reintroduce themselves.

STATEMENT OF H. DALE HALL, DIRECTOR, U.S. FISH AND WILDLIFE SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Mr. HALL. Thank you, Mr. Chairman. It is a pleasure to be here again, Mr. Young, Mr. Grijalva. It is good to see you all again, and I do enjoy coming over here. I know that sometimes it doesn't feel that way, but I believe it is very helpful.

Male VOICE. You might think that.

Mr. HALL. Yes, sir. That is why I work for the Federal government.

You know, the Act that we are here to talk about today, H.R. 2801, would do a land transfer from the Fish and Wildlife Service of a little over 1,600 acres, but 206 of that is the real issue of discussion I think for most people. The 206 acres of land go through the wilderness area of Izembek National Wildlife Refuge.

We also understand and the Administration appreciates the hardships that Mr. Young talked about a little earlier, and in that spirit the Administration will support H.R. 2801 and ask that it be amended, though, to ensure that full NEPA analysis is included in the process. This would allow people to fully see what at least at this point we believe are the values associated with this for the American people and for the wilderness system.

I will not attempt to speak for our friends here from King Cove. We have met on several occasions, and they will do a much better job talking about the issues that they face than I will, but I would like to focus on what our responsibilities are, and those responsibilities in this case are simply to look at the value of the land ex-

change, the value for the people, both those that care about the wilderness system, and refuges, the value of the natural resource base that is there and to try and come up with a conclusion that is beneficial to the American people both today and in the future.

The Izembek National Wildlife Refuge is a very unique refuge. At 300,000 acres, it is still the smallest refuge in Alaska, but yet with that almost all of the black brant of the United States live there. Taverner's Canada geese and emperor geese inhabit the Izembek Lagoon, and Steller's eiders, a listed species, lives there as well and spends their molting period, their flightless period, in that area.

The land exchange, as you will probably see on maps later, is right at the end of the national wildlife refuge boundary line next to the lagoon. This area would traverse through there, and in exchange for that 206 acres, about a nine mile corridor across the refuge, the National Wildlife Refuge System would receive over 40,000 acres back into wilderness. That is about a 200:1 ratio.

My position has been in the past and continues to be that wilderness areas are very important inside the National Wildlife Refuge System, but if the law does allow for the transfer and land exchange to take place in a wilderness area it is my belief that the bar should be high. I am not sure how much higher the bar could be than 200 acres for every acre removed.

In addition to that, we would receive some very significant wetlands known as Martinson's Marsh, if I am saying that correctly, that I have been to and seen. I have visited the area myself. I have walked on the lands that we could walk on. I flew over the townships that would be contributed in place of this, and in my view as an average American going up there, not knowing biologically so much about Alaska, it is what I envisioned wilderness would look like.

When you fly over that country, you can see the caribou trails. It is areas where the tundra swans nest, and these are areas that we will receive in exchange for the 206 acres.

In total, we will get over 61,000 acres for the 1,600. The other areas, as were alluded to earlier, are on an island where we and the Coast Guard have some holdings that even our refuge manager does not believe that they are at the category of discussion that the 206 acres are at Izembek.

As we go through that and look at the land exchange, I do want to reiterate again that our role is not whether or not there should be a road. Our role is, is there a fair land exchange taking place here for the American people? Is there a benefit to the wilderness system? Is there a benefit to the refuge system and is there a benefit to the wildlife concerned, and at the same time trying to understand what benefits need to accrue to the people that live in the area.

There are a few things in the bill that we would like to see amended. There is Section 4 that talks about the lands and the return of lands if the road is not able to be built. Our concern on that is that we would be willing, if the bill were passed and we complete the process, to wait until all the permits were in place and they had all of the necessary requirements, but once construction begins and land exchange takes place we believe that is it.

There is no land return policy as far as we are concerned after going through all this. That is something very serious to us, and I believe Section 4 creates some uncertainty there, and I think that that should be addressed.

There are other technical issues in this bill, but we would be glad to work with the Committee or have our attorneys work with the Committee on balancing laws, ANCSA and ANILCA and the Wilderness Act and different things that are there, but all in all we look forward to working with you.

If NEPA is done, you know, we have not budgeted to do that, and that would be something we would talk with the future with the Appropriations Committees about, but at this point the Administration supports this bill with those amendments.

[The prepared statement of Mr. Hall follows:]

Statement of H. Dale Hall, Director, U.S. Fish and Wildlife Service, U.S. Department of the Interior

Chairman Rahall, Ranking Member Young, and Members of the Committee, I am H. Dale Hall, Director of the U.S. Fish and Wildlife Service (Service), and I appreciate the opportunity to testify today on H.R. 2801, the "Izembek and Alaska Peninsula Refuge and Wilderness Enhancement and King Cove Safe Access Act." This Act would convey land from the Izembek National Wildlife Refuge to the State of Alaska for the purpose of constructing a road, and would convey other non-Federal lands to the Izembek and Alaska Maritime National Wildlife Refuges and designate a portion of those additions as Wilderness.

When evaluating proposals such as the one outlined in H.R. 2801, we must ensure that any change in the public estate improves the ecological and social values available to the public. In that spirit, the Administration could support H.R. 2801 if it is amended to ensure that a full National Environmental Policy Act (NEPA) analysis of the proposed exchange is required, including an analysis of the impacts of the road through Izembek National Wildlife Refuge. The NEPA analysis would provide a full disclosure of the impacts and benefits of the exchange and allow for public input into the decision-making process. The Service is currently reviewing the proposal to assess the potential benefits, values, and costs to wildlife and wilderness areas. These efforts will help inform the NEPA process. Additionally, we have identified some technical issues in the legislation that we believe must be addressed.

Background

The communities of King Cove and Cold Bay are located in the westernmost region of the Alaska Peninsula. These communities are accessible only by sea or air. King Cove and Cold Bay are separated by less than twenty miles, but there is no road between the two communities. For many years the residents of the Aleutians East Borough and King Cove have advocated building a road between King Cove and Cold Bay, across the Izembek Refuge and Wilderness for both transportation accessibility and safety. Until last year transportation options between the communities were limited to private boats and commuter air service. Residents believe that the area's stormy weather makes these modes of transport unsafe, especially during medical emergencies when rapid transport to Anchorage hospitals requires reaching Cold Bay's all-weather airport.

In 1997, legislation was introduced in, but did not pass, the House and Senate that would have resulted in construction of a road through the Izembek Refuge and Wilderness to address critical health and safety needs of the King Cove community. To address these needs, Congress appropriated $37.5 million for a compromise in the Fiscal Year 1999 Consolidated Appropriations Bill that addressed the critical health and safety needs while avoiding building a road through the Izembek Refuge and Wilderness. Specifically, $20 million was provided to construct a road-hovercraft link between King Cove and Cold Bay, $15 million was for improvements to the King Cove airstrip, and $2.5 million was for a major renovation of the King Cove health clinic. The State of Alaska determined that King Cove's location in a valley prevented improvements to the airport to accommodate jets. Roughly $9 million of the funds were then spent on a hovercraft and additional funds were directed to the road.

In 2006, the Aleutians East Borough constructed a one-lane gravel road from the King Cove airstrip to a temporary hovercraft dock four miles away where a hover-

craft now carries up to 49 passengers, an ambulance, and cargo to and from Cold Bay. An additional 14 miles of road beyond the temporary hovercraft dock have been completed or are under construction. The road does not extend into the Izembek Refuge or Wilderness, a requirement of the 1999 legislation providing the funding for the road. This marine-road system was the preferred alternative evaluated in a 2003 Final Environmental Impact Statement completed by the Army Corps of Engineers. That FEIS, which contained a partial analysis of a road only alternative, concluded that impact intensities for the road only alternative varied from negligible to significant.

After six months of training and practice runs, on August 7, 2007, the hovercraft known as the Suna-X began its commercial service runs between King Cove and Cold Bay. King Cove residents, however, continue to seek a road linking their community with Cold Bay due to concerns about the reliability of the hovercraft in severe weather and uncertainty about future funding for the operational costs associated with the hovercraft.

The Administration recognizes the legitimate needs of Alaska residents to have access to medical, dental, and other health care. At the same time, we must also fulfill our obligation to the American public to ensure that any decisions we make regarding lands held, and resources managed, in the public trust are decided in the best interests of the American public. I have personally visited Izembek Refuge and its significant wildlife values, and have flown over the areas being proposed for conveyance; I have met with the residents of King Cove and Cold Bay and discussed this issue with them.

Izembek National Wildlife Refuge

At approximately 315,000 acres, Izembek National Wildlife Refuge is the smallest and one of the most ecologically unique of Alaska's refuges. Most of the Refuge, about 300,000 acres, was designated as Wilderness in 1980 under the Alaska National Interest Lands Conservation Act. Izembek is internationally renowned for having some of the most striking wildlife diversity and wilderness values in the northern hemisphere.

At the heart of the Refuge is the 150-square mile Izembek Lagoon. The lagoon and its associated state-owned tidal lands have been protected by the State of Alaska since 1960 as the Izembek State Game Refuge. Here, shallow, brackish water covers one of the world's largest beds of eelgrass, creating a rich feeding and resting area for hundreds of thousands of waterfowl. Virtually the entire world's population of Pacific black brant, Taverner's Canada goose, and emperor goose inhabit the lagoon each fall. Steller's eiders, a species listed as threatened under the Endangered Species Act, molt and winter in Izembek and Kinzarof Lagoons.

In addition, the corridor between Izembek and Kinzarof Lagoons, through which the road proposed by this legislation would extend, is heavily used as a migration route and winter habitat for the Southern Alaska Peninsula caribou herd. Steller's eiders and sea otters, listed as threatened species, Pacific black brant, emperor geese and harlequin ducks use Izembek and Kinzarof Lagoons extensively.

To date, the Department of the Interior and the Service have opposed proposals to build a road through the Izembek Refuge and Wilderness because of the impact on wilderness values and biological resources within the refuge. Over the last year and a half the Service has met numerous times with representatives of the State of Alaska, the Aleutians East Borough, and the King Cove Corporation to discuss various interests in lands that now comprise the acreage described in H.R. 2801. The bill offers more than 61,000 acres in exchange for 1,600 acres of National Wildlife Refuge lands. Of that, more than 41,000 acres would be exchanged to make up for 206 acres of wilderness lands. These proposals would offer approximately 38 acres for every acre of wetlands and wildlife habitat, and over 200 acres for every acre of wilderness exchanged.

Technical Considerations

We have reviewed H.R. 2801 and identified a number of technical provisions we believe warrant further attention from the Committee as it considers this bill. For example, we encourage the Committee to review and amend the bill to remedy legal deficiencies or conflicts with established federal land laws such as sections 22(g) and 22(i) of the Alaska Native Claims Settlement Act and the wilderness withdrawal provisions of the Alaska National Interest Lands Conservation Act. Additionally, we note the need for a number of technical corrections concerning characterizations of ownership and management status of lands in the vicinity of the proposed road corridor, as well as various acreage figures provided in the bill. We would also be glad to provide you with more information on the lengthy and inclusive public

involvement process leading to the 1980 designation of Wilderness within the Izembek National Wildlife Refuge.

Moreover, we have significant concerns about Section 4 of the bill, which would provide for immediate reconveyance of the 61,723 acres of non-federal lands back to non-federal ownership if a court injunction prohibits construction of the road or the State or King Cove Corporation determine that the road cannot be feasibly constructed or maintained. As written, this provision shifts the risks of the road project largely to the public trust. In the event of this reconveyance there is no provision for a similar reconveyance of the road corridor back to federal ownership, nor is there provision for mitigation or rehabilitation of lands damaged by incomplete construction activities. Additionally, we are concerned about the timeline for which the Secretary must complete a cooperative planning process; we need to better understand the compatibility and construction authorization provisions of the legislation; and treatment of new and existing King Cove Corporation roads provisions. We hope our continuing review will assist in this understanding.

We are happy to meet with your staff to discuss these issues in further detail.

Conclusion

In conclusion, I look forward to working with you as you move forward on this important issue. The Administration could support passage of this legislation if it were amended to ensure a full NEPA analysis on the exchange. We have also identified a number of technical changes and issues with the bill that we would like to work with you on, as well. I appreciate the opportunity to be here today and am happy to answer any questions you may have.

The CHAIRMAN. Thank you.

Mr. Mylius?

STATEMENT OF DICK MYLIUS, DIRECTOR, DIVISION OF MINING, LAND AND WATER, ALASKA DEPARTMENT OF NATURAL RESOURCES

Mr. MYLIUS. Good afternoon, Representative Rahall and Members of the Committee, including Congressman Young. My name is Dick Mylius. I am here on behalf of the State of Alaska. I am the Director of the Department of Natural Resources, Division of Mining, Land and Water.

We thank you for the opportunity to speak to you this afternoon in support of H.R. 2801, legislation that would authorize the land exchange between the State of Alaska, the U.S. Fish and Wildlife Service, and King Cove Corporation to secure road access between the Alaskan communities of King Cove and Cold Bay.

These communities are located on the Alaska Peninsula and are accessible only by air and water. A short overland link between these communities would provide residents of King Cove with safe, dependable and economic all-weather access to the airport at Cold Bay. The need for this road link has been identified in land and transportation plans for at least 25 years, including the Alaska Department of Transportation's Southwest Alaska Transportation Plan in 2004.

This overland link is necessary because both air and water access to King Cove is treacherous in the frequent stormy water so common to the Lower Alaska Peninsula. Cold Bay has a much larger, safer airport, and the residents of King Cove need better access to that facility for health and safety, including for emergency medical evacuation.

A combination road and hovercraft system established under the King Cove Health and Safety Act passed by Congress several years ago has not safely nor efficiently resolved access problems.

The land exchange would add valuable and significant acreage to the Izembek and Alaska Peninsula National Wildlife Refuges. Much of the land that would be added to the refuges is currently owned by the State of Alaska. Specifically the State of Alaska is offering 43,093 acres or all of the state-owned land within two townships located northeast of Izembek Refuge in exchange for a 206-acre easement dedicated to the State of Alaska through the Izembek National Wildlife Refuge and Wilderness.

The undeveloped land that the state is offering is surrounded on three sides by refuge lands and is habitat for brown bears and caribou. The state land includes the lower portion of the Cathedral River, which drains the western flanks of Pavlof Volcano, one of the most active volcanoes in Alaska. It is de facto wilderness land. This land was included in a recent state oil and gas lease sale, although no bids were received on these tracts.

The 7,900 acres being offered to the Izembek Refuge by King Cove Corporation includes valuable waterfall habitat that straddles Kinzarof Lagoon at the head of Cold Bay. This land is an inholding within the existing Izembek Wilderness Area.

The road easement that the state would acquire will run approximately 13 miles through the Izembek National Wildlife Refuge. More than half of this road already exists as primitive roads that were originally built during World War II. The total length of new road that is through the wilderness area is only 6.3 miles.

The combined offers from the State of Alaska and King Cove Corporation would immediately add 51,000 acres to the Izembek and Alaska Peninsula National Wildlife Refuges. All of the state land that is being offered in this exchange would be designated wilderness by this legislation. The state would acquire approximately 206 acres and encompass the road.

The state would also acquire a 1,600-acre Federal inholding on Sitkinak Island, which is a predominantly state-owned island of land located south of Kodiak Island.

The State of Alaska recognizes the unique value of Izembek National Wildlife Refuge. In 1972, the Alaska legislature set aside the state-owned land within Izembek Lagoon and adjacent offshore lands as a state game refuge. These state lands contain the eel grass beds that are the very heart of the Izembek Refuge.

As part of this proposal, the state would add another 4,000 acres of state-owned lands in Kinzarof Lagoon at the head of Cold Bay to that state game refuge. The exchange will require approval by our state legislature as the state lands quite likely have unequal, but greater, fair market value than the Federal lands being exchanged.

The state is well aware of concerns expressed by various groups who are opposed to this legislation. Some are concerned about the precedent set by building a road through a wilderness area, yet when the Alaska National Interest Lands Conservation Act was passed in 1980, Congress specifically recognized that transportation facilities may be needed across the 58 million acres of Federal wilderness lands in Alaska.

The Alaska Lands Act requires congressional approval for such transportation routes through wilderness, which is why we are be-

fore this committee today. There are also concerns about increased public access to the refuge wilderness.

The refuge and the wilderness area are already accessible from Cold Bay by existing roads. Through planning and enforcement of existing refuge regulations, the impact of the limited number of new users from King Cove can be mitigated.

In summary, the State of Alaska supports this legislation and stands ready to commit over 43,000 acres of state land to the National Wildlife Refuge and Wilderness System. We urge the Committee to approve this bill, and I thank you for the opportunity to speak to you about this legislation.

[The prepared statement of Mr. Mylius follows:]

Statement of Dick Mylius, Director, Alaska Department of Natural Resources Division of Mining, Land and Water

Good Afternoon Chairman Rahall, Ranking Member Congressman Young, and Members of the Committee on Natural Resources.

Thank you for the opportunity to speak to you this afternoon in support of H.R. 2801, legislation that would authorize a land exchange between the State of Alaska, the U.S. Fish and Wildlife Service and King Cove Corporation to secure road access between the Alaskan communities of King Cove and Cold Bay. These communities are located on the Alaska Peninsula and are accessible only by air or water.

A short overland link between these communities would provide residents of King Cove with safe, dependable, and economic all weather access to the airport at Cold Bay. The need for this road link has been identified in land and transportation plans for at least twenty five years. Most recently it was included in the Alaska Department of Transportation's Southwest Alaska Transportation Plan, adopted in 2004.

This overland link is necessary because both air and water access to King Cove is treacherous in the frequent stormy weather so common on the lower Alaska Peninsula. Cold Bay has a much larger, safer airport and the residents of King Cove need better access to that facility for health and safety, including emergency medical evacuations. A combination road and hovercraft system, established under the King Cove Health and Safety Act passed by Congress several years ago, has not safely nor efficiently resolved access problems.

The land exchange that is before you today is the result of numerous meetings between the Alaska Regional Office of the U.S. Fish and Wildlife Service, the City of King Cove, the Aleutians East Borough, King Cove Native Corporation, and the State of Alaska.

The land exchange would add valuable and significant acreage to the Izembek and Alaska Peninsula National Wildlife Refuges. Much of the land that would be added to the refuges is currently owned by the State of Alaska. Specifically, the State of Alaska is offering to exchange 43,093 acres, or all of the state owned land contained in Township 53 South, Range 85 West, Seward Meridian and Township 54 South, Range 85 West, Seward Meridian in exchange for an easement dedicated to the State of Alaska, through the Izembek National Wildlife Refuge and Wilderness.

This undeveloped state land is surrounded on three sides by existing refuge lands and is habitat for brown bears and caribou. This state land includes the lower portion of the Cathedral River, which drains the western flanks of Pavlof Volcano, one of the most active volcanoes in North America. It is de facto wilderness land. This state land was included in a recent state oil and gas lease sale, although no bids were received on these tracts.

The land being offered to the Izembek Refuge by King Cove Corporation includes valuable waterfowl habitat that straddles Kinzarof Lagoon at the head of Cold Bay. This land is an inholding within the existing Izembek Wilderness area, and would become part of that wilderness area through this legislation.

The road easement that the state would acquire will run approximately 13.3 miles through the Izembek National Wildlife Refuge. More than half of this 13.3 mile road already exists today as primitive roads that were originally built during World War II. Of the 13 miles, only 8.9 miles is within Refuge Wilderness, and of that, 2.6 miles is an existing unimproved road that was built prior to Wilderness designation. The total length of new road through the Wilderness area is only 6.3 miles.

The proposed road begins on the northeast side of Cold Bay, near the hovercraft terminal, and terminates on the southern boundary of the Izembek National Wildlife Refuge where it adjoins a state owned road leading into Cold Bay. The exact location of the easement will be determined in consultation with the U.S. Fish and Wildlife Service.

The combined offers from the State of Alaska and the King Cove Corporation would significantly increase the size of the Izembek and Alaska Peninsula National Wildlife Refuges. Specifically, the exchange will result in an increase of approximately 51,000 acres of Refuge lands, 43,093 acres contributed by the state and 7,900 contributed by the King Cove Corporation. All of the state land that is being offered in this exchange would be designated Wilderness by this legislation.

The state would acquire approximately 206 acres that encompass the road. The state would also acquire an additional 1,600 acres of federal land on Sitkinak Island. The 1,600-acre parcel of federal land on Sitkinak Island is a former Coast Guard station that is a federal inholding on the predominantly state-owned island. Sitkinak Island is located south of Kodiak Island and is used primarily for cattle grazing.

The State of Alaska recognizes the unique value of the Izembek National Wildlife Refuge. In 1972, the Alaska Legislature set aside the state-owned tidelands within Izembek Lagoon and adjacent offshore state lands as a State Game Refuge. These state lands contain eel grass beds that are the very heart of Izembek Refuge.

As part of this proposal, the state is offering to add more than 4,000 acres of state-owned tidelands in Kinzarof Lagoon, at the head of Cold Bay, to the State Game Refuge.

The exchange will require approval by our state legislature as the state lands are quite likely of unequal, but greater, fair market value that the federal lands being exchanged.

The state is well aware of concerns expressed by various groups who are opposed to this legislation. Some are concerned about the precedent set by building a road through a Wilderness Area. Yet, when the Alaska National Interest Lands Conservation Act was passed in 1980, Congress specifically recognized that transportation facilities may be needed across the 58 million acres of Federal Wilderness lands in Alaska. The Alaska Lands Act requires Congressional approval for such transportation corridors through Wilderness, which is why we are before this committee today.

There are also concerns about increased public access to the refuge wilderness. The refuge and wilderness area are already accessible from Cold Bay by existing local roads. Through planning and enforcement of existing refuge regulations, the impacts of the limited number of new users from King Cove can be mitigated.

The State of Alaska supports this legislation and stands ready to commit over 43,000 acres of state land to the National Wildlife Refuge and Wilderness system. We urge the Committee to approve this bill.

Thank you for the opportunity to speak to you about this legislation.

The CHAIRMAN. Mayor Mack?

STATEMENT OF THE HONORABLE STANLEY MACK, MAYOR, ALEUTIANS EAST BOROUGH

Mr. MACK. Chairman Rahall, at this time I would like to present this video to give you a feel of the area that we are talkingabout and some of our transportation problems.

[Whereupon, a video was shown.]

[NOTE: The video has been retained in the Committee's official files.]

The CHAIRMAN. Mayor?

Mr. MACK. Chairman Rahall, thank you. Good afternoon. Thank you for allowing us to watch that video as part of this testimony.

Congressman Young and other Members of the Committee, my name is Stanley Mack, and I thank you for this opportunity to testify before you today. I was born in the native village of King Cove and raised there. I come in front of you today to testify in favor

of H.R. 2801. This bill is critical for the indigenous Aleuts, and we have come a very long ways to tell you why.

Mr. Chairman, the passage of this bill is a win/win situation for all interested parties—the U.S. Government, lovers of the wildlife and wilderness, and the Aleut people. You have before you a proposed land exchange of an unprecedented magnitude, more than 61,000 acres of land from the King Cove Corporation and State of Alaska.

What the bill provides is 206 acres for a single lane gravel road through the very small portion of the Izembek Refuge. Approximately 97 acres would be the wilderness section of the refuge.

Mr. Chairman, Cold Bay is the third largest airport in Alaska. Our problem is having safe, reliable, affordable and dependable access to Cold Bay Airport.

Also, please imagine our surprise and frustration when we learned the Federal government made a wilderness out of the Izembek Refuge land with no consultation with the Aleut people of King Cove.

We do acknowledge that Congress tried to solve our transportation problem about 10 years ago with the King Cove Health and Safety Act. Unfortunately, the Act has failed to solve our problem. The hovercraft was built and operated and is in operation in King Cove at least on those days when our weather is agreeable, meaning the winds are laying down.

The hovercraft does not meet the expectations of the feasibility report. It is clear that the hovercraft will not be able to operate anywhere near the 12 month/365 day schedule. It is prohibitively expensive to operate the hovercraft now, and the cost will only go up.

A copy of the financial proforma is available on our website and as an attachment to this testimony. Detailed financial projections have concluded that a $500,000 to $700,000 annual subsidy is going to be required. Therefore, our common sense solution remains a road.

Mr. Chairman, there is a concern about setting a precedent of allowing a new road in the Izembek Wilderness. Today there are more than 14 miles of roads traversing the Izembek Wilderness and another 35 miles in the Izembek Refuge. In fact, there are roads that lead and are used today to the real heart of the Izembek Refuge, and I really want to emphasize the heart of the Izembek Refuge. That is the eel grass beds in the Izembek Lagoon.

You can trailer your boat and drive it right to the Izembek Lagoon where the internationally significant migratory waterfowl stop for about two months in the fall to feed. It is nonsense to suggest that we would risk damaging the land that feeds us.

Mr. Chairman, we grew up in this wilderness. We have hunted and fished in the wilderness all our lives. We know our grandchildren and their grandchildren will do the same. We need the freedom, safety and peace of mind to have a road connection to Cold Bay Airport.

Mr. Chairman, H.R. 2801 authorizes a land exchange of 61,723 acres of state and King Cove Corporation land, of which 45,493 acres will be designated as wilderness by this bill. Please understand this is a single lane gravel road. Finally, let me emphasize

that the road will be constructed with highway trust funds through the State of Alaska.

Mr. Chairman, we must have this road for our people to have a quality of life that all Americans expect and to protect the life, health and safety of the Aleuts and all people in King Cove. This bill is the only way to truly solve the King Cove issue. It is fair and just to the American people and to the people of King Cove.

Mr. Chairman, we urgently ask that the Committee pass this bill. It is critical to the needs of our people. They are Americans that deserve the same quality of life that other Americans enjoy.

Thank you for this time.

[The prepared statement of Mr. Mack follows:]

Statement of The Honorable Stanley Mack, Mayor, Aleutians East Borough

Good Afternoon, Chairman Rahall, Congressman Young, and other members of the Committee. My name is Stanley Mack and I thank you for the opportunity to testify before you today and tell you about the Native village of King Cove on the Alaska Peninsula where I was born and raised. My Aleut ancestors have lived and subsisted in the King Cove area for more than 4,000 years.

I come in front of you today to testify in favor of the "Izembek and Alaska Peninsula Refuge and Wildlife Enhancement and King Cove Safe Access Act of 2007". This bill is critical for the indigenous Aleuts, and we have come a very long way to tell you why. In addition to my personal life experience and knowledge that I will share with the committee today, I am also the mayor of the Alaska Aleutians East Borough, the local government equivalent to a county in the lower 48. Six communities, having a total population of about 2,500, make up the Aleutians East Borough.

Mr. Chairman, the passage of this bill is a win-win situation for all interested parties—the U.S. Government; lovers of wildlife and wilderness; and the Aleut people. You have before you a proposed land exchange of an unprecedented magnitude. More than 61,000 acres of land from the King Cove Corporation and State of Alaska are being offered to the federal government in exchange for 1,800 acres. Of these 61,000 acres being offered to the federal government, more than 45,000 acres are being recommended for wilderness status. What the bill provides is 206 acres for a road corridor through a very small portion of the Izembek Refuge. Approximately 97 acres would be in the wilderness section of the refuge.

Why Have We Asked for a Road Link for Decades Between the Two Communities?

Cold Bay is the 3rd largest airport in Alaska with a 10,000' main runway and a 6,500' crosswind runway and our only access to the outside world. It was built by the U.S. military in 1942 with help from the residents of King Cove as part of the Aleutian campaign. It is one of the most accessible airports in Alaska, and its existence in Cold Bay is the primary reason for Cold Bay's ability to continue to exist. Contrast that to the community of King Cove, which is about 10 times larger than Cold Bay, only 30 miles away, and we rely on an airstrip precariously located between two, volcanic mountain peaks.

Flights are subject to the extreme weather that we experience throughout the year with high winds and periods of thick fog being the most common culprits, resulting in delayed or canceled flights about 50% of the time. The 11 air fatalities, in and around the King Cove to Cold Bay corridor since the early 1980's, are another testament to our weather conditions. Our problem is having safe, reliable, affordable, and dependable access to the Cold Bay airport.

Our weather is some of the most treacherous in the world with 15-20 foot seas in winter and winds often more than 50 miles per hour throughout the year. In winter, we are further tormented with storm winds in excess of 100 mph. In summer, we are plagued by dense fog.

Also, please try to imagine our surprise and frustration when we learned that federal legislation made a "wilderness" out of the Izembek Refuge lands with no consultation with the Aleut people of King Cove. King Cove Aleuts eventually came to the difficult realization that their federal government, and other Izembek Refuge user groups, did not even care enough to ask what the area's indigenous residents had to say about this designation. And because there's no road between King Cove

and Cold Bay, the 800 residents of King Cove can't avail themselves to a world-class airport that members of their families helped to build. So this is why we continue to lobby for a road that we believe has been unfairly kept from us and is a common sense solution to our problem.

But, we do acknowledge that the Congress tried to solve our transportation problem about ten years ago with the King Cove Health and Safety Act. Unfortunately, the Act has failed to solve our problem. After working for almost a decade on a marine link under the terms of the Act, it is clear that this bill was passed in the good faith notion that a hovercraft and/or ferry would solve our transportation problem. It is now equally clear that it will not work for us as a long-term solution.

The hovercraft is built and operational in King Cove, at least on those days when our weather is agreeable, meaning the winds are lying down. This is what we know now that we didn't know when Congress granted us this funding:

1) The hovercraft does not meet the expectations of the feasibility report. Given the variability of the winds and weather, we cannot forecast the operational windows that will give us reliability. It is clear that the hovercraft will not be able to operate anywhere near a 12 month/365 day schedule. Current conditions allow about 80 % operations, but this will go down once the winter weather begins in earnest. This kind of uncertainty will simply not provide the people of King Cove the health, safety and quality of life they deserve.

2) It is prohibitively expensive to operate the hovercraft now and costs will only go up. Given the choice between a hovercraft and conventional ferry, the hovercraft had the smaller operational cost. It's like a public transit system anyplace in the United States requiring a major governmental subsidy. A copy of the financial pro forma is available on our web site (www.izembekenhancement.org). Detailed financial projections have concluded that a $500,000 to $700,000 annual subsidy is going to be required. This annual subsidy is simply not in the realm of fiscal or political reality for a government organization the size of the Aleutians East Borough. Therefore, our common sense solution remains the road.

Many Roads Already Exist in the Izembek Refuge and Wilderness.

We have heard talk of impacts about waterfowl and caribou from the road we must have. There is concern of setting a "precedent" of allowing a new road in the Izembek wilderness. Today, there are more than 14 miles of roads, traversing the Izembek Wilderness and another 35 miles in the Izembek Refuge. In fact, there are roads that lead and are used today to the real heart of the Izembek Refuge, the eelgrass beds of the Izembek Lagoon. You can trailer your boat and drive it right to the Izembek Lagoon where the internationally significant migratory waterfowl stop for about two months in the fall. (See 1995 letter from G. Siekaniec attached).

The land that is called Izembek (a name "bestowed" by a Russian in 1827) has been the Aleut people's backyard for 4,000 years. The land that is designated the Izembek National Wildlife Refuge (a name "bestowed" by the federal government, without anyone in King Cove being consulted) has been King Cove's backyard now for almost 50 years. Aleuts will be here, living and caring for this land, even as the names on maps may change. I suggest that we know how to "leave no mark" on the land, otherwise how do you square the successful co-existence of our people with this land for all these centuries? It is nonsense to suggest that we would risk damage to the land that feeds us.

Mr. Chairman, Aleuts don't need a regulation to define wilderness for them. We grew up in this wilderness. We have hunted and fished in this wilderness all our lives. We know our grandchildren and their grandchildren will do the same. We need the freedom, safety and peace of mind of having a road connection to the Cold Bay airport.

What H.R. 2801 Provides

Mr. Chairman, H.R. 2801 authorizes a land exchange of 61,723 acres of State and King Cove Corporation land of which 45, 493 acres will be designated as wilderness by this bill. This will be the first wilderness designated in a national park or refuge Alaska in over 25 years. In return, the State of Alaska will obtain a 206 acre road corridor and a 1600 acre island near Kodiak which the Coast Guard will soon surplus. The bill requires special protection for the environment. Please understand this is a single lane, gravel road.

Finally, let me emphasize that the road will be constructed with highway trust funds through the State of Alaska. We are not asking for federal funding to construct or maintain this road.

Mr. Chairman, we love our rugged homeland, but this is a life and death issue to the Aleut people. We are completely supported by all local governments, our

tribes, the State of Alaska, the Aleut Corporation, and the Alaska Federation of Natives in this endeavor.

We must have this road for our people to have a quality of life that all Americans expect and to protect the life, health, and safety of the indigenous Aleuts and all people in King Cove. To ensure that Congress will act on request, we and the State of Alaska have proposed an unprecedented land exchange which will benefit all Americans.

We want to thank the State of Alaska and Governor Sarah Palin and her predecessor Frank Murkowski for the state's strong support of this proposal. The state has truly been a partner to us every step of the way. We also want to thank the Aleut Corporation, the Agdaagux Tribe and the Alaska Federation of Natives for their strong support. We also want to thank the shareholders of the King Cove Corporation for putting its own resources, the land, into this proposed exchange. The key lands at Mortensen's Lagoon are a critical part of this proposal and could only have been made available because of the willingness and need for the King Cove shareholders to take care of the life, health, safety and quality of life of the King Cove residents.

In your consideration, please let science, common sense and fairness be the standards used to evaluate our offer. We urge this Committee to approve this bill.

Conclusion

I want to close with a passage from a book which describes the difficult situation which the exchange will address. Noted author Tony Horwitz, author of the popular bestseller ("Confederates in the Attic") described the wind in King Cove in his book "Blue Latitudes" which tracked the legendary voyages of Capt. James Cook:

"The wind blew so hard that I (Horwitz) was almost crawling on all fours by the time I reached the end of the pier." Quoting one of the King Cove locals: "This is a nice day today. Last month we clocked the wind at one hundred thirty seven miles an hour."

Horwitz also quoted Capt. James Cook—"This country is more rugged than any part we had yet seen."

This bill is the only way to truly solve the King Cove issue. It is fair and just to the American people and to the people of King Cove. Mr. Chairman, we urgently ask that the Committee pass this bill. It is critical to the needs of our people. They are Americans that deserve the same quality of life that other Americans enjoy. I thank you for your time and I will be happy to answer any questions you may have.

Submissions for the record:

1. Alaska Federation of Natives Resolution
2. Agdaagux Tribal Resolution
3. Aug. 7, 1995 - Letter from Greg Siekaniec, Izembek Refuge Manager
4. Questions and Answers on H.R. 2801
5. Northern Economics Study re: Hovercraft
6. "Blue Latitudes"—Excerpt

[NOTE: Attachments have been retained in the Committee's official files.]

The CHAIRMAN. Thank you very much.

Ms. Trumble?

STATEMENT OF DELLA TRUMBLE, PRESIDENT, KING COVE CORPORATION

Ms. TRUMBLE. Good afternoon, Chairman Rahall, Congressman Young and other congressional Members of the House Natural Resources Committee. My name is Della Trumble. I am an Aleut and was born and raised in King Cove, Alaska.

It is my privilege this afternoon to speak to you on behalf of all the shareholders of the King Cove Corporation, of which I am the president, and as a member of the Agdaagux Tribe of King Cove and all other residents of King Cove.

I speak to you today as an Aleut, a mother, a shareholder, an Alaskan and a citizen of the United States. I am deeply connected to the land that you know as the Izembek Refuge through my ancestors, who have lived and subsisted on this wilderness for 4,000

years. They speak through me today in asking for your support of H.R. 2801.

On behalf of my ancestors, I look to the future of the lands that are the Izembek Refuge. I ask you to hear me now in a way that we were not heard when this wilderness designation was first established years ago.

I remain puzzled and angered by the fact that the designation of these lands as wilderness were made without a single public hearing in King Cove. The records state that meetings were held in Cold Bay and Anchorage, but not in King Cove, the community most affected by the decision to create wilderness.

I would be proud to show you the beautiful community that is King Cove, nestled between sea and volcanic mountains. Gale force winds and fog can dominate our weather. Air travel between our community airstrip and the all-weather airport in Cold Bay is delayed or canceled about half the time.

This may sound like a minor inconvenience, unless of course it happens on a day when a child becomes suddenly very ill or a fisherman is injured or an elder is found unconscious. Then it is anguish for some families in King Cove, and it has brought tragedy.

Since 1979, 11 people have died flying between King Cove and Cold Bay in bad weather. Even today, pregnant women must leave town and temporarily relocate to Anchorage for six to nine weeks before their due date for fear of premature labor. In fact, my niece was born at sea on the galley table of a fishing vessel. The reason was her mothers' premature labor forced her to endure a dangerous three-hour ocean voyage because of prohibitive weather.

Because predictable, dependable and safe transportation access in and out of King Cove is essential for our sustainable future and a major enhancement to our quality of life, it continues to be our most important priority. We have advocated for decades now to have this access to the Cold Bay airport, an airport that King Cove residents helped to build during World War II.

As the president of the King Cove Corporation, I take my responsibilities seriously. I recognize that I have a duty to my shareholders to pursue those actions that will improve the quality of their lives and the lives of future generations in ways that are direct, quantifiable and which reflect our deep and abiding connection to the land.

We come before you today not with our hat in hand. We are offering more than 18,000 acres of King Cove Corporation lands as part of the land transfer proposal that is contained in this legislation.

This land is very important to our shareholders and the nation. It has some of the most valuable wildlife habitat in the area and is accessible to the Cold Bay Airport. It is highly valued by the Fish and Wildlife Service as a key addition to the Alaska Peninsula and the Izembek Refuge complex.

Some of our critics suggest that most of our lands, and those being offered by the State of Alaska, do not have equal value to the lands we are seeking for our road easement. This is simply not true.

This Committee will probably hear today that this land is not threatened and therefore not necessary to add to the Refuge and

Wilderness System. That is insulting to us. The Aleuts have been good stewards of all this land for 4,000 years. Are we to be punished because of this good stewardship?

These King Cove Corporation lands are important to us both culturally and for subsistence, but the need for safe, reliable and affordable travel for our Aleut indigenous people is even more important.

Now we are proposing to return a significant portion of those lands to the Federal government to resolve this transportation access problem. Please let our voices be heard this time. We are here in good faith to ask that the value of this land exchange be given an objective and thorough review. Please, we ask to pass H.R. 2801 so our people can finally have the access they deserve.

Thank you, Mr. Chair.

[The prepared statement of Ms. Trumble follows:]

Statement of Della Trumble, President, King Cove Corporation

Good afternoon, Chairman Rahall, Congressman Young and other Congressional members of the House Natural Resources Committee.

My name is Della Trumble. I am an Aleut and was born and raised in King Cove, Alaska. It is my privilege this afternoon to speak to you on behalf of all the shareholders of the King Cove Corporation, of which I am the President. I am also speaking as a member of the Agdaagux Tribe of King Cove, and for all other residents of King Cove.

I speak to you today as an Aleut, a mother, a shareholder, an Alaskan and a citizen of the United States. I am deeply connected to the land that you know as the Izembek Refuge through my ancestors, who have lived and subsisted on this wilderness for 4,000 years. They speak through me today in asking for your support of H.R. 2801.

My father came from the village of Belkofski, about 20 miles from King Cove. This village has since ceased to exist, in part because of its remote location and difficult access, which made living there impossible. "Disappearing" villages are phenomena that our Aleut culture has had to endure. We have lost a number of villages because of isolation and the lack of transportation that other Americans including Indigenous residents of the lower 48 take for granted.

As a mother, and on behalf of my ancestors, I look to the future of the lands that are the Izembek Refuge. I ask you to hear me now in a way that we were not heard when this wilderness designation was first established many years ago.

As an Aleut, and a U.S. citizen, I remain puzzled and angered by the fact that the designation of these lands as wilderness were made without a single public hearing in King Cove. The records state that meetings were held in Cold Bay and Anchorage, and not in King Cove—the community most affected by the decision to create wilderness.

No one from the federal government ever let us tell our story and why the wilderness would cut us off from the outside world with no hope of protecting our life, health, safety and quality of life. That is why we continue to fight for a just and fair solution to this problem. The passage of H.R. 2801 will provide that solution.

I would be proud to show you the beautiful community that is King Cove, nestled between sea and volcanic mountains. Gale force winds and fog can dominate our weather. One result is that air travel between our community airstrip, located between two mountain peaks, and the all-weather airport in Cold Bay, is delayed or canceled about half of the time. This may sound like a minor inconvenience, unless of course it happens on a day when a child becomes suddenly very ill, or a fisherman is injured, or an elder is found unconscious. Then it is anguish, and for some families in King Cove, it has brought tragedy. Since 1979, eleven people have died flying between King Cove and Cold Bay in bad weather.

Even today, pregnant women must leave town and temporarily relocate to Anchorage for 6-9 weeks before their due date for fear of unpredictable weather, premature labor and complications. We think about this all the time because in a town as small as King Cove, we know who is facing this situation. In fact, my niece was born at sea on the galley table of a fishing vessel. Her mother's premature labor forced her to endure a dangerous 3-hour ocean voyage because of high winds and blizzard conditions.

Because predicable, dependable, affordable and safe transportation access in and out of King Cove is essential for our sustainable future and a major enhancement to our quality-of-life, it continues to be our most important priority. We have advocated for decades now to have this access to the Cold Bay airport—an airport that King Cove residents helped to build in World War II.

As President of the King Cove Corporation, I take these responsibilities seriously. I recognize that I have a duty to our shareholders to pursue those actions that will improve the quality of their lives and the lives of future generations in ways that are direct, quantifiable and which reflect our deep and abiding connection to the land. It is my intent here today to do just that with my testimony in favor of H.R. 2801.

We come before you today not with our "hat in hand." We are offering more than 18,000 acres of King Cove Corporation lands as part of the land transfer proposal that is contained in this legislation. This land is very important to our shareholders and the nation. It is some of the most valuable wildlife habitat in the area. It is accessible to the Cold Bay Airport, and it is highly valued by the Fish and Wildlife Service as a key addition to the Alaska Peninsula and the Izembek Refuge complex.

Some of our critics suggest that most of our lands, and those being offered by the State of Alaska do not have equal value to the land we are seeking for our road easement. This is simply not true.

We also hear and this Committee will probably hear today that this land is not threatened and therefore not necessary to add to the Refuge and Wilderness Systems. That is insulting to us. The Aleuts have been good stewards of all this land for 4,000 years. Are we to be punished because we have been good stewards of our land?

Congress rejected that same argument in 1980 when the Alaska National Interest Lands Conservation Act was passed. Most of the Izembek Refuge and more than 50 million acres of "non-threatened" lands were turned into wilderness in 1980 by this Committee under ANILCA. Nevertheless, Congress deemed these "non-threatened" lands as necessary for protection in the wilderness system. Such statements are confusing to us.

These King Cove Corporation lands are important to us, both culturally and for subsistence, but the need for safe, reliable and affordable travel for our Aleut indigenous people is even more important.

The federal government's objective for the Alaska Native Claims Settlement Act in the early 1970's was the settling of all aboriginal land claims throughout the state in order to access the oil wealth in northern Alaska. Now, we are proposing to return a significant portion of those lands to the federal government to resolve this transportation access problem that another arm of the federal government created for us.

Please let our voices be heard this time. We are here today in good faith to ask that the value of this land exchange is given an objective and thorough review. Please pass H.R. 2801 so our people can finally have the access they deserve.

Thank you for your time, Mr. Chairmen and members of the committee. I'll be happy to take any questions that you have.

The CHAIRMAN. Thank you.

Mr. Raskin?

STATEMENT OF DAVID RASKIN, PRESIDENT, FRIENDS OF ALASKA NATIONAL WILDLIFE REFUGES

Mr. RASKIN. Thank you, Chairman Rahall, Representative Young and Members of the Committee. My name is David Raskin. I am president of the Friends of Alaska National Wildlife Refuges. We thank you for the opportunity to comment on H.R. 2801.

Our volunteer organization works with the Fish and Wildlife Service to protect and enhance the 16 national wildlife refuges in Alaska. Our membership includes Alaskan natives, sportsmen, business leaders, conservationists and concerned citizens throughout Alaska.

I also offer this testimony on behalf of the National Wildlife Refuge Association, whose membership is comprised of current and

former Fish and Wildlife staff, more than 100 affiliate groups nationwide.

We strongly oppose H.R. 2801, which includes a proposal to build a nine mile road through the biological heart of the Izembek National Wildlife Refuge Wilderness for the ostensible purpose of giving King Cove emergency medical access to jet service at Cold Bay.

Since hovercraft service now provides King Cove rapid access to Cold Bay, the proposed road simply is not needed. Congress previously rejected a road through the Izembek isthmus because of unacceptable harm to wildlife and wilderness.

Instead, Congress appropriated $37.5 million to improve the King Cove medical clinic and airport and purchase the $9 million state-of-the-art hovercraft which has performed at least 16 rapid medical evacuations to Cold Bay. With millions of American children having no health care coverage whatsoever, it seems indefensible to spend further Federal funds on a health care problem that has been solved.

The Izembek National Wildlife Refuge was established in 1960 to protect critical habitat for the Pacific black brant. The heart of this internationally recognized refuge is a narrow isthmus between Kinzarof and Izembek Lagoons, which contains two of the largest eel grass beds in the world on which the Pacific brant and other avian species depend for survival.

Fish and Wildlife Service has repeatedly declined to exchange lands for a 33 mile road connecting King Cove and Cold Bay, stating the road through the key wildlife habitat and designated wilderness is not in the public interest.

The Army Corps of Engineers determined that an isthmus road would have the most significant environmental impact of all six alternatives they considered. They recommended the road hovercraft link to Cold Bay.

King Cove accepted $37.5 million from the Federal government, and the Suna-X hovercraft now operates successfully from the dock in Leonard Harbor just five miles from King Cove Airport. In 20 minutes it transports 50 passengers, an ambulance and cargo to Cold Bay. As of July 19, the Suna-X had transported more than 1,090 passengers, 110 vehicles and 110,000 pounds of freight.

Traveling 33 miles around Cold Bay on a gravel road could have deadly consequences in a medical emergency, particularly during high winds, ice, winter avalanches and blowing and drifting snow. Extreme high tides, coupled with high winds, could severely damage the road and would pose profound dangers and severe health risk to an ill passenger subjected to an estimated 110 minute trip on a rugged, remote road.

The folly of relying on road travel is eloquently described in the testimony of Terry Mack, a long-time Alaska resident and former EMT in Cold Bay. "I witnessed the power and fury of nature, which causes me to question the sensibility of constructing a gravel road for the purpose of medical evacuation. While proponents suggest that a road is necessary for safety because planes and boats are sometimes grounded by inclement weather, I know that road vehicles are also useless under such conditions."

However, the hovercraft can operate in wave heights over 10 feet and winds over 45 miles per hour that occur less than one percent of the time. Despite the success of the hovercraft and the substantial cost to build and maintain even more road, King Cove has asked Congress to reverse its previous decision.

They spent the $26 million and completed only one-third of the road. Finishing the remaining 12 miles and constructing another 16 miles through the isthmus to Cold Bay will likely cost even more than that with annual maintenance costs extremely high in this harsh climate.

It is unreasonable for King Cove to come back to Congress 10 years later and ask for a road that cannot be justified. Meanwhile millions of Americans nationwide have no access to any health care whatsoever.

The Congressional Budget Office recently estimated that providing health care under SCHIP to one child for one year costs $1,335. The Federal dollars to construct just the isthmus portion of the road could provide health care for nearly 12,000 needy children next year.

We suggest that the residents of King Cove and Aleutians East Borough ask the State of Alaska to maintain the hovercraft as they do for the Alaska Marine Highway System. It makes sense to spend less to subsidize and maintain the faster and safer hovercraft.

In 2003, Aleutians East Borough committed to pay half of the estimated operating cost of $860,000, but reliable information indicates that that may be cut in half and could be covered by passenger and cargo revenue, leaving Aleutians East Borough with little or no cost.

The Refuge Improvement Act of 1997 requires the Secretary of the Interior to maintain the biological integrity, diversity and environmental health of the system. The offered lands are under no present threat and will not compensate for the major irreversible impacts of the proposed road.

Only three weeks ago during the oversight hearing on the National Wildlife Refuge System Improvement Act, Director Dale Hall stated that roads through refuges typically cause problems and do not contribute to the purposes of refuges. Since both law and policy are in conflict with the road through the heart of the refuge, the road must be rejected.

President Theodore Roosevelt established the National Wildlife Refuge System in 1903, which includes Izembek, internationally recognized for its significant wetlands and importance for migratory birds.

Representing 56 native villages, the Association of Village Council Presidents has reaffirmed to this committee its opposition to the proposed road because of severe threats to the important subsistence food on which they depend.

The hovercraft has proven to be the fastest, safest and most cost effective way for King Cove to have reliable emergency access to Cold Bay without impacting one of America's and the world's great national treasures.

We Alaskans urge Congress to reject House Bill 2801. Thank you very much for your consideration.

[The prepared statement of Mr. Raskin follows:]

Statement of David Raskin, President, Friends of Alaska National Wildlife Refuges, Anchorage, Alaska

Mr. Chairman and Members of the Committee:

My name is David Raskin, president of the Friends of Alaska National Wildlife Refuges. On behalf of the Friends of Alaska NWRs, I thank you for the opportunity to offer comments about H.R. 2801, the Izembek and Alaska Peninsula Refuge and Wilderness Enhancement and King Cove Safe Access Act. The Friends of Alaska NWRs is an all-volunteer organization that works with the U.S. Fish and Wildlife Service (FWS) to protect and enhance the 16 National Wildlife Refuges in Alaska. Our membership is diverse, including Alaskan sportsmen, educators, business leaders, conservationists, and concerned citizens in cities, towns, and villages. We have regional representatives all around Alaska, including two Alaska Natives who coordinate activities with five of the largest refuges. Our priority programs include rural outreach, in which we send members to villages to work with Native youth in science education camps, and the removal of invasive species that threaten the habitat of many of our refuges. We also conduct community outreach programs to educate the public about the values of wildlife refuges and involve local citizens in working with their local refuges.

I offer this testimony also on behalf of the National Wildlife Refuge Association, whose membership is comprised of current and former Fish and Wildlife staff, more than 140 Affiliate groups nationwide, and thousands of private citizens across the country who support our nation's wildlife refuges.

The Friends of Alaska NWRs strongly opposes H.R. 2801, which includes a proposal to build a road through the biological heart of the Izembek National Wildlife Refuge on the Alaska Peninsula. The proposed road seeks to connect the villages of King Cove (population 807) and Cold Bay (population 80). However, this legislation is a solution in search of a problem. Since the 98-foot Suna-X hovercraft has begun regular service between King Cove and Cold Bay, a viable, operational, and successful link between the two communities now exists. Further, the new medical clinic in King Cove provides an added level of security to deal with medical emergencies.

Background

King Cove is 25 air miles from Cold Bay, site of Alaska's third-longest runway that provides scheduled commercial jet service to Anchorage. However, during inclement weather, the short flight from King Cove to Cold Bay can be dangerous; 11 people have died in accidents flying between these villages since 1979. On the basis of their public safety concerns, residents of King Cove have sought the construction of a road to Cold Bay since the mid-1990s. Nine miles of this proposed road would cut through the Congressionally-designated Wilderness of the 315,000-acre Izembek National Wildlife Refuge.

Congress addressed the road issue in 1998 after King Cove residents argued that they lacked adequate access to medical and airport facilities. Having decided that a road through the heart of the Izembek refuge would be unacceptably harmful to wildlife and Wilderness, Congress responded by allocating $37.5 million for medical and airport improvements and a 98-foot, state of the art hovercraft that has already provided 16 rapid and successful medical evacuations to Cold Bay Airport. At a time when millions of American children have no health care coverage whatsoever, it strikes us as unconscionable and wasteful to allocate further taxpayer dollars to address a health care challenge that has already been solved. Further, a road through this majestic, federally designated Wilderness would likely have devastating impacts on wildlife, resulting in habitat fragmentation, disturbance, and pollution.

Izembek NWR—A Haven for Wildlife

The Izembek National Wildlife Refuge was established in 1960 to protect critical habitat for the Pacific black brant. At 417,533 acres, it is the smallest of the 16 Alaskan refuges, and more than 95% is designated Wilderness under the Alaska National Interest Lands Conservation Act. Although the refuge was specifically established to protect almost the entire world population of Pacific black brant, other abundant wildlife includes brown bears, moose, caribou, wolves, seals, seal lions, sea otters, five species of salmon, and numerous species of migratory birds. At the heart of the refuge is a narrow isthmus bordered by Kinzarof and Izembek Lagoons. They contain some of the largest eelgrass beds in the world, on which the Pacific brant and other avian species depend for survival.

More than 98% of the world's Pacific black brant feed voraciously on the eelgrass in the Izembek lagoon in order to fuel up prior to their nonstop, 3000-mile trip to Mexico. The nearby wetlands offer nesting sites for thousands of birds. During migrations, more than a half million birds use this refuge and its sensitive wetlands. The importance of the Izembek refuge was accorded world recognition in 1986 under the Reagan Administration when it became the first wetland area to be designated as a Wetland of International Importance by the RAMSAR Convention. In 2001, it was also designated as a Globally Important Bird Area. Given the remarkable wildlife and habitat values represented in the refuge, a road through the heart of Izembek would run counter to all that it represents.

The FWS has consistently rejected a road through the Izembek Wilderness because of its serious environmental impacts. From 1995-1997, the FWS declined offers from the King Cove Corporation to exchange lands for a right-of-way through Izembek Refuge in order to construct a 26-mile road connecting King Cove and Cold Bay. When road proponents sought legislation in 1997 to approve a road, the FWS objected and stated that a road through key wildlife habitat and designated Wilderness was not in the public interest. A compromise was reached when $37.5 million was included in the FY 1999 Omnibus Appropriations Act to implement The King Cove Health and Safety Act. This legislation funded a road-hovercraft link between King Cove and Cold Bay and improvements to the King Cove Airport and clinic. Following passage of that Act, in 2004 the Army Corps of Engineers completed the King Cove Access Project EIS and recommended construction of a road-hovercraft link between King Cove and Cold Bay, thereby avoiding the Refuge. For comparison purposes, the EIS evaluated the impacts of a road from King Cove to Cold Bay, which was found to have the most significant impacts to wildlife of all six alternatives they had considered.

By early 2006, the Aleutians East Borough (AEB) completed a one-lane 5-mile gravel road from the King Cove airstrip to an interim hovercraft dock in Lenard Harbor for the Suna-X hovercraft. This vessel cost $8.8 million and can transport up to 50 passengers, an ambulance, and cargo. The permanent hovercraft dock was to be built another 13 miles further—right up to the edge of the Izembek NWR. However, the AEB ran out of money in January 2006 and did not complete the road to the distant hovercraft dock. The road-hovercraft link from King Cove to Cold Bay has been used since late 2006 and has provided 16 successful emergency medical evacuations as of July 2007.

Impacts to Wildlife

Constructing a road through the Izembek National Wildlife Refuge would have numerous negative impacts on wildlife and would degrade the critical wetlands habitat and wilderness quality of the refuge. The isthmus through which the road would be constructed is extremely narrow; standing in the center, one can see the Izembek Lagoon to the north and the Kinzarof Lagoon to the south. Pacific black brant gorge on the eelgrass beds of Izembek Lagoon before their non-stop journey to wintering grounds in Mexico. Birds and wildlife, such as brown bears, travel between the two lagoons, sometimes more than once a day, in search of food exposed by receding tides. Caribou use the isthmus as a wintering ground and as a corridor when traveling to and from wintering grounds beyond the refuge, and brown bear traverse the area to reach their winter dens.

The Refuge Improvement Act of 1997 mandates that in administering a refuge, the Secretary of the Interior, through the Refuge Manager, shall ensure that the biological integrity, diversity, and environmental health of the System are maintained. Under this mandate, a road through the heart of the refuge is incompatible with the mission of the refuge and must be rejected. Road construction, traffic, and maintenance could cause irreversible harm to the eelgrass beds and wetlands that are vital to many migratory birds. Every passing vehicle would flush birds, wasting their valuable energy as they work intensively to build up enough strength and resources for their migration. A road through this isthmus would also disrupt wildlife movement and result in increased animal mortalities. The Department of Interior has repeatedly rejected this proposed road. Only three weeks ago during the October 9, 2007 oversight hearing on the National Wildlife Refuge System Improvement Act, in response to a question about a road proposed through Waccamaw National Wildlife Refuge in South Carolina, FWS Director Dale Hall stated that roads through refuges typically cause problems and do not contribute to the purposes of refuges.

Quantity vs. Quality

H.R. 2801 offers a land exchange in an attempt to buy support for this unwise proposal. In exchange for 206 acres upon which the road would be built, the legisla-

tion would provide 61,000 acres to the refuge. At first glance, this might appear to be a beneficial proposal, but the offered lands do not provide comparable habitat value to compensate for the major, irreversible impacts of the proposed road on fish, wildlife, and wetlands. While these lands may have value to wildlife, we are unaware of any threats that would compromise their integrity. Consequently, even for biological reasons alone, there is no compelling justification for Congress to consider such an exchange.

A Problem Already Solved

Aside from the substantial and tangible threats to wildlife embodied in this proposal, the road proponents ignore the crucial point: Congress solved this problem when it appropriated $37.5 million in 1998. Despite their expenditure of these funds that met their stated needs, King Cove and AEB officials continue to maintain that this road is necessary for medical emergencies.

When Congress considered and denied a similar proposal in 1998 for a road through the Izembek National Wildlife Refuge, they cited the significant anticipated habitat and wildlife losses described in the Environmental Impact Statement by the Army Corps of Engineers. Instead, Congress appropriated $37.5 million to fund a road-hovercraft link between the two villages and improvements to the King Cove Airport and clinic. Of the $37.5 million in federal funds, $2.5 million was spent to improve the King Cove Medical Clinic and $9 million was used to purchase the hovercraft that is currently operating successfully between nearby Lenard Harbor and Cold Bay. The remaining $26 million in American taxpayer dollars was spent to build 15 miles of a planned 17-mile, one-lane gravel road from the King Cove Airport to a hovercraft dock more distant from King Cove and adjacent to the Izembek Wilderness.

The interim hovercraft dock in Lenard Harbor, just five miles from King Cove Airport, has been the launch point for at least 16 successful medevacs aboard the impressive Suna-X, where ailing King Cove residents have quickly and safely reached the Cold Bay Airport. In such cases, the ambulance drives directly aboard the hovercraft for a 20-minute ride across Cold Bay on a cushion of air. The 98-feet-long and 50-feet-wide Suna-X travels at speeds up to 58 mph and can carry 50 passengers and 22 tons of freight, including cars, trucks and an ambulance in case of emergency. As of July 19, 2007, the Suna-X had transported more than 1,090 passengers, 110 vehicles, and 110,000 lbs of freight.

In the event of a medical emergency, traveling all the way around Cold Bay on a 26-mile gravel road could have life or death consequences, particularly in winter when conditions include avalanches, high winds, ice, and blowing and drifting snow. In contrast, the hovercraft can travel in wave heights of up to 10 feet 6 inches and in winds over 45 miles per hour. Historical data indicate that winds exceeding this velocity occur less than 1% of the time. Despite the success of the hovercraft and the exorbitant costs of building and maintaining a road without a clear purpose, King Cove is once again asking Congress to permit and fund the previously denied 9 miles of road through the heart of the Izembek Refuge Wilderness.

A Costly and Challenging Road

The route of the proposed Izembek Isthmus road is through fragile rolling tundra dotted with wetlands and prone to high snowdrifts. The rest of the road traverses areas of steep slopes and unstable volcanic soils prone to avalanches. Gravel is scarce in remote areas of Alaska and must be shipped in, and re-routing and construction delays raised the cost of the already-completed 15 miles of road to $26 million in 2006. At the rate of more than $1.73 million per mile, the additional 9 miles would have cost at least $15.6 million in 2006 and will be more by the time it could be constructed.

Construction cost alone is adequate justification to reject the proposed road. However, this does not even include the cost of maintenance, which in this harsh climate could be exorbitant. In addition, it does not include the costs of installing and maintaining the required cable barriers on both sides of the one-lane road that would be designed to offer some protection to the refuge wilderness from illegal and damaging off-road vehicle traffic. According to the Washington State Department of Transportation, cable-barrier protectors cost an estimated $44,000 per mile, with an additional $2,000-$5,000 per mile for annual maintenance. That amounts to at least $400,000 to install the barriers and up to $45,000 annually to maintain them.

Frequent snowstorms, avalanches, icing conditions, and extreme high tides, coupled with high winds would pose serious dangers for drivers and would be especially hazardous for ill passengers subjected to an arduous and lengthy trip on this rugged and remote road. The claim that a road would improve health and safety totally ignores statistics from other parts of Alaska that show remarkably high rates of fa-

talities due to inclement weather and hazardous road conditions. According to the Alaska Department of Transportation, motor vehicle accidents in the year 2000 cost Alaska $475 million dollars. Even when conditions would allow travel, the journey would be slow and dangerous. Contrary to the stated purpose of the road, it is likely that using the proposed road would increase dangers and travel time, thereby posing additional health and safety risks to King Cove residents. Although the hovercraft may not operate during the infrequent periods of extremely high winds, the road would be subject to the additional hazards of ice, drifting snow, and poor visibility. Such conditions could make the road impassable and would likely close the Cold Bay Airport to jet traffic, rendering rapid medical evacuation moot.

Transportation in Remote Areas

The Friends of Alaska NWRs understand the difficulties faced when living in such a remote area and the challenges presented by such a harsh environment. Indeed, some of our own members live and have lived in Cold Bay and even more remote parts of Alaska. Many members of the Friends of Alaska NWRs, including myself, have volunteered our time to visit and complete projects at the Izembek NWR. We are familiar with the area, the habitat and wildlife, the weather and terrain, and the problems that confront the citizens of King Cove and Cold Bay. To that end, the Friends of Alaska NWRs have offered to help our fellow Alaskans to obtain needed access to medical services.

If the issue is funding the operation of the hovercraft, we suggest that King Cove and AEB officially request that the State of Alaska maintain the hovercraft just as they do for the vessels of the Alaska Marine Highway System. Instead of spending a substantial amount of State road maintenance funds for an unnecessary, undesirable, dangerous, and ineffective road, it makes more sense to spend far less money to subsidize and maintain a faster and safer mode of transport, just as the State does for marine transportation throughout Southeast, Southcentral, and Western Alaska. If a physician is needed at the King Cove Clinic, that is a different, effective, and less costly problem to solve than to build the proposed road. We have offered to assist the citizens of King Cove to solve that problem.

It is neither fair nor reasonable for the people of King Cove to have received and expended $37.5 million of American tax dollars that solved their expressed needs for health and safety and then come back again with the request for a road. The Suna-X hovercraft has already demonstrated that it is a successful operational solution to the problems the Aleutians East Borough raised in 1998. Although we recognize that the residents of King Cove may occasionally have difficulty obtaining emergency healthcare, millions of Americans nationwide suffer from not having access to any healthcare whatsoever. During the ongoing debate over the State Child Health Insurance Program or SCHIP, the Congressional Budget Office estimated that the cost of providing basic health care to one child for one year is $1,335. With the additional dollars needed just to construct the additional 9-miles of road, Congress could fund health care for nearly 12,000 children next year.

Conclusion

Congress should reject H.R. 2801, the Izembek and Alaska Peninsula Refuge and Wilderness Enhancement and King Cove Safe Access Act. Congress already solved this problem in 1998 with an appropriation of $37.5 million to upgrade the King Cove Airport and medical clinic, purchase a state of the art hovercraft, and build a road to the hovercraft dock. In 2003, the Final Environmental Impact Statement completed by the Army Corps of Engineers evaluated several alternatives for transportation between the communities of King Cove and Cold Bay. The King Cove Access Project EIS considered for comparison the "Isthmus road alternative" and concluded that a 9-mile road would inflict the most harm on this environment.

President Theodore Roosevelt created the National Wildlife Refuge System in 1903 to provide safe havens for wildlife. The Izembek National Wildlife Refuge has been repeatedly recognized internationally for its globally significant wetlands and values and importance for migratory birds. It was the first wetlands area in North American to be recognized under the Ramsar Convention as a Wetland of International Importance in 1986. The Wilderness Act of 1964 called upon Americans to set aside places "where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain." When Congress has already conferred such protections on federal lands, it is incumbent on decision-makers to utilize creative alternatives that satisfy other stated needs. We believe that the current solution has met the needs of the citizens of King Cove. The success of the hovercraft has proven that it is the simplest, fastest, safest, and most cost-effective way to provide reliable emergency access to medical facilities while protecting one of America's and the world's great natural treasures.

The CHAIRMAN. Thank you, Mr. Raskin.

Ms. Evans, we will hear from you, and then the Committee will recess for votes on the House Floor and return for questioning.

STATEMENT OF NICOLE WHITTINGTON-EVANS, ASSISTANT REGIONAL DIRECTOR, THE WILDERNESS SOCIETY

Ms. WHITTINGTON-EVANS. Good afternoon, Chairman Rahall and Committee Members. I am Nicole Whittington-Evans with the Wilderness Society's Alaska office, which works with a number of interests throughout the state, including tribal interests.

I appreciate the opportunity to comment on H.R. 2801. I offer this testimony on behalf of the Wilderness Society, the Blue Goose Alliance, Environmental Defense, National Audubon Society, Sierra Club and Trustees for Alaska. To date, over 20 national and Alaska based groups have opposed H.R. 2801. This road would be incompatible with the primary purposes of the Izembek National Wildlife Refuge and fragment the ecological heart of the refuge.

I have been fortunate to spend time at the Izembek National Wildlife Refuge, and my most recent trip was about two weeks ago. I have visited both the communities of King Cove and Cold Bay, talking with people about the proposed road.

Thanks to Aleutians East Borough representatives and the generosity of Della Trumble, I toured King Cove, flew through its airport and drove the completed portion of the new 17 mile road. I also flew over the proposed exchange lands during my visits.

The history of wilderness designation in the refuge demonstrates overwhelming support for wilderness, including Alaska Governor Keith Miller. The 10 years preceding designation of the Izembek Wilderness included an extensive public process, including extensive outreach to the public and the state, Federal and joint governmental proposals spanning several congressional sessions. Throughout that time, a road between King Cove and Cold Bay did not surface as a priority issue in the public debate.

On many occasions, the Fish and Wildlife Service has consistently declared any such road and its construction through the refuge to be incompatible and extremely damaging, and there has been no assigned space changed in those findings and conclusions to this day. In fact, protecting Izembek's wilderness habitat has been a priority of every Administration since it was identified by President Ronald Reagan as a wetlands of global significance.

However, the current Administration at the Department of the Interior apparently believes that the well documented incompatibility and subsequent ongoing damages from construction and operation of such a road can be mitigated by an exchange of lands now outside the refuge.

Past Administrations have considered exchanges to be in the public interest if the lands being received by the Fish and Wildlife Service are of higher quality than those being excised from a refuge, among other things. This is not the case with this exchange.

Izembek Refuge is not only internationally renowned for its hundreds of thousands of migratory waterfowl and shorebirds, but also for its brown bear, moose, caribou, wolf, seal, sea lion, sea otter and all five species of salmon, among other wildlife species.

The Steller's eider, sea lion and sea otter are listed as threatened under the Endangered Species Act, and their habitat must be protected according to provisions in the Endangered Species Act.

These sensitive, internationally significant and ecologically valuable wetlands and waterfowl will face irreparable damage and significant impacts from a road. Frequent road traffic will cause the birds to flush, decreasing the ability to build up the reserves required for their arduous migration south.

The 2003 Army Corps of Engineers environmental impact statement analyzing transportation alternatives for King Cove stated that such a road project would involve the following impacts: Destruction of tundra and wetlands habitat through fill and dredge activities for the road footprint, staging areas and gravel pits; accelerated erosion and stream sedimentation, decreasing water quality;

Behavioral changes in animals, such as avoidance of the road area due to noise and activity and/or attraction to camp garbage; increased consumptive use, reducing waterfowl, caribou, wolf and brown bear populations; increased highway vehicle and ORV access, significantly expanding the area experiencing human disturbance; an overall increased human presence, resulting in increased energy expenditures by disturbance sensitive species;

Decreased productivity of habitat and food base, for example, impacts of road dust and reduced productivity of eel grass beds due to siltation; continued wind and water erosion and introduction of sediments and contaminants needed to reduce water quality; animal behavioral changes, such as avoidance of the road corridor, disruption of migratory patterns, increased likelihood of vehicle and wildlife collisions; increased vehicle accidents; littering; and violations requiring response by the Fish and Wildlife Service and other agencies.

The EIS also highlights the impacts from the proposed road on subsistence opportunities and the numerous small streams and coastal wetlands along the northern shore of Kinzarof Lagoon which are used by salmon to reach spawning areas.

The potential impact to subsistence resources, namely the Pacific black brant and other migratory waterfowl, have spurred the Association of Village Council Presidents to oppose the road.

Just 11 days ago President Bush expressed concerns over the nation's migratory bird habitat. The President stressed that this is a national issue and instructed Interior Secretary Kempthorne to produce a State of the Birds report by 2009. The question leads me to ask will this report measure our country's protection of one of the world's critically important migratory waterfowl sites?

We believe the road does not offer a reliable or safe transportation link. I have brought a photo of a maintenance crew attempting to clear the Grant Point Road in the Cold Bay area in winter as quickly as it was filling back in. I have brought copies for committee Members and would like to submit this photo for the record.

The community of King Cove now has two consistent transportation options—airplane and hovercraft—to Cold Bay, and we would gladly help them obtain funding for a third consistent option, namely Coast Guard transport between these two communities for emergency situations with a year-round Coast Guard sta-

tion in Cold Bay. Compared to other communities that are also dependent on the Cold Bay Airport, the residents of King Cove have a good situation.

For all of these reasons, including legal and other concerns regarding the bill outlined in greater detail in our written testimony, we believe the road and land exchange proposal should be rejected.

Thank you very much for this opportunity to comment.

[The prepared statement of Ms. Whittington-Evans follows:]

Statement of Nicole Whittington-Evans, Associate Regional Director and Alaska Refuge Program Director, Alaska Office, The Wilderness Society

Good Morning Chairman Rahall and Committee Members. I am Nicole Whittington-Evans, Associate Regional Director and Alaska Refuge Program Director of The Wilderness Society's Alaska office. I appreciate the opportunity to address the panel today, October 31, 2007, regarding the hearing topic H.R. 2801.

I offer this testimony on behalf of The Wilderness Society (TWS), an organization with over 300,000 members and supporters. Joining TWS in our comments are the Blue Goose Alliance, Environmental Defense, National Audubon Society and the Sierra Club. Many of these groups and 18 other associations sent a letter to Congress in June stating our united opposition to the land exchange for the purposes of building a road between the two small communities of King Cove and Cold Bay. This road would be incompatible with the primary purposes of the Izembek National Wildlife Refuge and fragment the ecological heart of the Refuge; violating the very foundation of its congressionally designated Wilderness and place at risk the integrity of its internationally significant and strategically vital waterfowl wetlands habitat for many species of waterfowl located at the tip of the Alaska Peninsula

As a long-time resident of Alaska, I have been fortunate to visit many of the special places that characterize the beautiful, wild landscapes and spectacular wildlife habitat of Alaska. On two occasions, I was fortunate to spend time at the Izembek Refuge and see firsthand the lands and water holding the distinction of being nominated by President Ronald Reagan as the first U.S. site to be recognized under the Ramsar Convention as an internationally important wetland. I have stood at the edge of the wilderness to see the narrow peninsula where the proposed road would be constructed. From that vantage point, I could see both the Izembek and Kinzarof Lagoons (the Lagoons Complex). In between these lagoons are rolling hills and valleys of soft, spongy and fragile tundra dotted by abundant marshes, lakes and pools of water.

While visiting Izembek Refuge, I witnessed the Lagoons crowded with Pacific black brant, Emperor geese, and the threatened Steller's eider. At that time, I did not see them, but a local expert described to me the wildlife that use the isthmus as a travel corridor, foraging area and home in vivid detail. I could picture the caribou, wolves, grizzly bears, foxes and other wildlife that use the isthmus as a travel corridor, hunting zone and home during winter or summer.

During my trips to Cold Bay, I chartered a small plane to view the lagoon complex from the air and looked down on the lands proposed for excision in H.R. 2801. In order to build the proposed road, the bill would remove Wilderness protection from 206 acres of critical wildlife habitat on that narrow wetland isthmus between the Izembek and Kinzarof Lagoons ultimately removing them from the refuge via an exchange. In return, the Refuge would get almost entirely unrelated and notably dissimilar habitat. Only some of the parcels included in the exchange would qualify to be designated as Wilderness.

Important Historical Context Regarding This Wilderness and Proposed Road

When at the Izembek Refuge, I read through the historical files that chronicled the extensive outreach during the 1970s to State officials and policymakers, the Alaska media, and the public. I reviewed many of the comments submitted regarding what was then proposed Wilderness. The files show overwhelming support for the Wilderness, including a letter from the Governor of Alaska. In total, ten years transpired from the time the Izembek wilderness was proposed to when Congress granted Wilderness designation to the recommended Refuge lands. That decade-long process included town meetings, hearings, debates, numerous editorials and opinion pieces, outreach to multiple Native organizations, and state, federal, and joint governmental proposals spanning several Congressional sessions. All this outreach and discussion provided ample time and opportunities for public discourse and final deci-

sions, eventually leading to the comprehensive 1980 Alaska National Interest Lands Conservation Act (ANILCA).

Yet, throughout that time a road between King Cove and Cold Bay was not an issue of debate and was raised only once at the Cold Bay wilderness hearing in 1970, posed as a question which was politely answered by an official. Further, throughout the many House and Senate hearings leading to passage of ANILCA, the road issue was not raised nor was it advocated by the very able members of the Alaska Congressional delegation. In fact, the next time a road was discussed as a possible link between the two towns, occurred during the Bristol Bay Cooperative Management Plan studies and planning sessions, circa 1982-83. The detailed analyses in that plan made clear that such a road would be incompatible with the purposes for which Izembek NWR had been established, adding that it would cause significant, long-term, ongoing and irreparable damage to important fish, wildlife, habitat and wilderness values of that refuge. That analysis and discussion was authored by several U.S. Fish and Wildlife Service (FWS) biologists and then approved and supported by their Alaska Regional Director. From that time to today, the compatibility determination, descriptions and likely impacts from building a road between the two towns has remained unchanged. On many occasions and in many published and circulated documents, the FWS has consistently declared any such road and its construction through the refuge to be incompatible and extremely damaging. There has been no change in those findings and conclusions to this day.

What has changed is the administration at the Department of the Interior, which apparently feels that the well-documented incompatibility and subsequent ongoing damages from construction and operation of the road can be "mitigated" by an exchange of lands now outside the Refuge for the relatively small amount of Refuge Wilderness land immediately, directly and harmfully impacted by building the currently described road. This exchange would give thousands of acres of mostly undeveloped land to the refuge, and most of this land is under no threat of development.

Mr. Chairman and members, The Wilderness Society and each of the organizations joining our testimony today endorse and support the original 1982-83 statements of incompatibility and the numerous similar subsequent declarations by the FWS throughout the past 25 years. Further, we strongly believe that the resulting damages would not be mitigated to any measurable or satisfying extent by the proffered exchange lands—given their disjunctive locations, generally lower wildlife and habitat values, and type of developments on some parcels and lack of documented threats to any of the offered lands.

Summary

The Alaska community of King Cove is asking for costly and damaging road access to the Cold Bay airport. The proposed road would cut through Izembek National Wildlife Refuge and Wilderness, raising serious concerns about impacts to fish and wildlife populations. Izembek National Wildlife Refuge is a globally significant wildlife sanctuary and has been recognized on the Ramsar Convention List of Wetlands of International Importance.

Congress already rejected the Izembek road proposal in 1998, approving instead a marine connection between King Cove and Cold Bay, a connection that is operational today, and that has already proven itself in completing several emergency evacuations. Recently renewed efforts to construct the road include a proposed land exchange that would nominally compensate for any loss of Wilderness as a result of the road. Equally important, is that the lands being offered in the exchange do not represent comparable wildlife habitat value.

The proposed land exchange would add acreage to the refuge but not wildlife value. More specifically, the value of any exchange lands would be diminished if the ecological heart of the refuge is lost. More specifically, the value of any exchange lands would be made de minimus if the negative impacts described by FWS biologists for more than 25 years become reality. The road would sever these fragile refuge wetlands, leading to the degradation of significant ecological habitats. Construction, operation and maintenance will entail filling wetlands, modifying drainages, potential spillages and pollution, dust, noise, on-land barriers and over-land turmoil and disruptions.

A road would destroy wilderness values and create serious threats to sensitive bird populations, brown bears, caribou, and many other wildlife species. Citing potential harm to the critical habitat of the Pacific black brant is why the Association of Village Council Presidents, which represents 56 indigenous Native villages within Western Alaska, opposes the King Cove Road.

Recently, on Saturday, October 20, President Bush expressed concerns over the nation's diminishing migratory bird habitat. The President stated, "I don't know if you know this or not, but each year more than 800 species of migratory birds brave

stiff winds, harsh weather and numerous predators to fly thousands of miles. Their final destination is the warm climate of the American south, the Caribbean or Mexico, where they stay for the winter. These amazing travelers will then return to their breeding grounds in the north. And as they span these distances, they fascinate and bring joy to millions of our citizens. A lot of folks across the country love to watch birds. One of the things we've discussed here is a significant environmental challenge we face here in America, and that is birds are losing the stopover habitats they need and depend on for their annual migrations."

The President stressed that this is a national issue requiring national attention. He also announced an initiative to have Department of the Interior Secretary Kempthorne produce a State of the Birds Report by 2009. This report will help the U.S. bring more of America's bird species into a healthy and sustainable status. The question we need to ask is will this report measure our country's protection of one of the world's critically important migratory waterfowl sites; lands that the U.S. now protects, but would put at risk by constructing a road adjacent to the Kinzarof Lagoon, which is heavily used by brant and other waterfowl.

Furthermore, a road through Izembek's Wilderness will cost taxpayers millions of dollars. Congress has already helped finance the most cost effective mode of transport between King Cove and Cold Bay—a specially designed marine hovercraft-ferry system.

Our organizations support helping the people of King Cove improve their transportation link to Cold Bay and have consistently encouraged them to seek a safe and dependable marine transportation link. The currently available hovercraft-ferry system provides a reasonable, financially feasible, safe and practical transportation link between King Cove and Cold Bay. It avoids the need to complete a road across multiple avalanche zones, unstable volcanic soils and a designated Wilderness area. Further, a road would not ensure a safer, reliable transportation link. Keeping the roads open during winter months would be extremely difficult, if not impossible, when snow is drifting. Even routine maintenance of a road that is built on wetlands would be challenging and very costly to taxpayers. The hovercraft reportedly has already successfully transported a number of med-evac patients from King Cove to Cold Bay.

The road proposed in H.R. 2801 would cut through the protected Wilderness of the Izembek National Wildlife Refuge. Over a decade of public debate and meetings were held prior to the Congressional designation of these lands as Wilderness, to be sure that qualified lands were added into the Wilderness System, that watersheds were permanently protected, and known conflicts were addressed. A road is incompatible with the purposes of Izembek refuge, and would legally contradict the King Cove Health and Safety Act, which Congress adopted to specifically prohibit a road through Izembek Wilderness. Continuing the Congressional protection of this internationally significant wildlife habitat and important public land for future generations makes sense. The road and land exchange proposal should be rejected.

The remainder of my testimony provides greater detail on the issues I have mentioned and describes additional legal concerns raised by the bill's provisions as well as other matters of deep concern to The Wilderness Society and other opponents of this unneeded measure.

The Heart of the Wildlife Refuge

Congress established the Izembek National Wildlife Refuge and Wilderness in 1980 as part of the Alaska National Interest Lands Conservation Act to safeguard the refuge's extraordinary value. The Izembek refuge was established to protect the Pacific black brant and its habitat along with other migratory waterfowl and other birds.

At the center of the 417,533-acre Izembek National Wildlife Refuge are two lagoons, the Izembek and Kinzarof. These lagoons are separated by a narrow isthmus just 3 miles wide. Combined, the lagoons, their immediate watersheds, and the isthmus—the Lagoons Complex—make up the ecological heart of the refuge. The area has been recognized internationally for having some of the most striking wildlife and wilderness values in the northern hemisphere.

The Izembek/Kinzarof Lagoons Complex has been repeatedly recognized internationally for its global significance. Specifically, the refuge was:

- Identified under the RAMSAR Convention in 1986 and was the first wetlands area in North America on the List of Wetlands of International Importance;
- Included as a Marine Protected Area in order to provide lasting protection for this Lagoon Complex;
- Recognized as an Important Bird Area (IBA) of global significance in 2001 by Birdlife International in partnership with National Audubon Society;

- Listed as a Sister Refuge with Russia's Kronotskiy State Biosphere Reserve in 1991 through a U.S.—Russian Governmental Agreement on Cooperation in Environmental Protection; and
- Celebrated as globally significant for its habitat value and role in biodiversity protection by World Wildlife Fund (WWF) and The Nature Conservancy (TNC).

The refuge also qualifies as a Western Hemispheric Shorebird Reserve Network Site. Izembek National Wildlife Refuge is best known for its world-class waterfowl and shorebird habitat. The Lagoons Complex provides breeding, molting, nesting, refueling, staging and resting grounds for:

- virtually the entire world's populations of Pacific black brant (150,000) and Emperor geese (55,000);
- a significant portion of the world's "threatened" population of Steller's eiders (150,000) which were listed as threatened under the Endangered Species Act in 1997; and
- many other migratory and resident waterfowl, including Pacific golden plovers, rock sandpipers, dunlins, ruddy turnstones, semipalmated plovers, western sandpipers and Izembek tundra swans, which are the only essentially non-migratory breeding population in North America.

The Izembek/Kinzarof Lagoons Complex is important for so many bird species due to the presence of some of the world's largest eelgrass beds. More than 98 percent of the world's Pacific black brant converge on Izembek Lagoon each year to feed on the eelgrass in preparation for their 3,000 mile, 55 hour non-stop flight to wintering grounds in Mexico. The birds feed on eelgrass for approximately eight weeks before their long flight south that usually begins in early November. Emperor and Canada geese rely on the eelgrass in the lagoons for nutrients as do invertebrates, and marine mammals.

A road through this ecologically sensitive habitat would fragment and degrade the integrity of the Lagoons Complex. This will result in impacts that extend well beyond the road and affect the integrity of the entire refuge. Birds and mammals use the lagoons, isthmus wetlands, tundra and tidal flats to nest, feed, transit and forage—the species hardest hit will be those whose essential habitat would be directly or indirectly impacted by road construction, maintenance, and traffic. In particular, Pacific brant, Steller's eiders, Emperor geese, caribou, tundra swans, brown bears, sea otters, sea lions, seals and whales would be impacted. Many of these species are rare, declining or even listed as Threatened under the Endangered Species Act.

In addition, the narrow isthmus between Izembek and Kinzarof Lagoons is a crucial travel corridor—the only path between the west and east sides of the refuge—for wide-ranging species such as bears, caribou, and wolves. The Alaska Peninsula Caribou Herd, a population that has declined from about 10,000 to fewer than 1,000 in the last 10 years, uses the isthmus as the only migration corridor between calving and wintering grounds. The isthmus is also an important winter foraging area for these animals. Moreover, the caribou are known to spend the entire winter on the isthmus.

Some of the highest densities of brown bears on the Lower Alaska Peninsula are found in the Joshua Green River Valley, an area within three miles of the isthmus and proposed road corridor. Low levels of human disturbance have helped maintain the high habitat value of this area for brown bears. Bears use the isthmus frequently to forage and roam in their search for food. Harbor seals, sea otters, Steller's sea lions, and whales frequent the productive waters surrounding the refuge. Sea otters, seals, and sea lions spend time along the coast and in the lagoons. Both sea otters and Steller's sea lions are listed as Threatened under the Endangered Species Act.

Lagoons

Recognizing that both Izembek and Kinzarof lagoons are essential to the wildlife is an imperative first recognized by the establishment of the Izembek Refuge in 1960. Brant fly back and forth between the lagoons to forage, Emperor geese use Kinzarof Lagoon while often foraging in the upland tundra area for crowberries; and the endangered Steller's eider's prefer Kinzarof. Last winter, Izembek Lagoon froze-over several times, making Kinzarof Lagoon particularly important for the survival of the wildlife. Both lagoons are essential to wildlife, and the Lagoon Complex comprises vital, high quality habitat for many species. Degradation or loss of this habitat complex cannot be mitigated by offering distant uplands or areas not used by those species. Population declines will occur in many species that rely on this habitat complex. Such losses may be substantial.

Studies Detail the Harmful Impacts of the Road

In August 1999 the FWS prepared the King Cove Briefing Report. And once again in an unchanged affirmation of the 1982 conclusions found that the road alternative is contrary to the purposes of the refuge and foresaw unacceptable environmental impacts if a road was constructed on refuge lands through the wilderness area. The Service supported further study and consideration of other alternatives, such as a marine link, which would provide increased travel safety, economic growth and fewer ecological impacts. Other State and Federal studies of the same period also documented the road as the most destructive and costly alternative and similarly favored the marine ferry concept.

A June 2003 draft Environmental Impact Statement (EIS), conducted by the Army Corps of Engineers, examined the potential threats of the proposed road from King Cove to Cold Bay. The report stated that there is sufficient information available to conclude that the road alternative would not qualify as an environmentally preferable alternative. The report noted that the determination is based in part on the largest footprint (287.0 acres) among the alternatives. The report documented the potential scope of the construction, noting the need for 36.7 acres of placement of fill material in waters of the U.S. including wetlands, of which 2.09 acres are below HTL; 254 stream and drainage crossings requiring 8 bridges and 19 culverts across fish bearing streams. There would be direct, indirect and cumulative impacts on the lands and on wildlife—citing caribou, swans, bears and wolves.

The report also stated that if the road between King Cove and Cold Bay were completed, it would be open for travel by all residents, placing no restrictions on the numbers or types of vehicles. Estimates of traffic rates on the road are unavailable, but vehicular traffic is likely to be variable both on a daily and seasonal basis. Increased traffic is also expected beyond that needed for access to Cold Bay Airport (for example, the Peter Pan Seafood's Corporation has previously indicated that it would truck about 1 million pounds of products per year to the Cold Bay airport via the road). Increased traffic and transit by large and noisy vehicles would further exacerbate the impacts on waterfowl usage of those vital habitats, thereby increasing unnecessary stress and negative effects.

The report also noted that the road has the greatest potential of any alternative to adversely affect subsistence harvest due to its potential to create great competition between residents of Cold Bay and King Cove. Greater access could lead to distributional changes in wildlife, such as caribou, brown bear, and wolves. This impact on subsistence use due to enhanced access would be negative and potentially significant.

Other Native Stakeholders Oppose the Road

The potential damage to subsistence use is a primary reason that the Association of Village Council Presidents (AVCP), the recognized tribal organizations and non profit Alaska Native Regional Corporation for its 56 member indigenous Native villages within Western Alaska, has opposed the King Cove Road. In 1998, the AVCP passed a resolution opposing the road. On October 17, 2007, I received a letter from Myron Naneng, President of the AVCP reaffirming their opposition and citing their interest and concern for the critical habitat of our Pacific black brant that use the area for staging and feeding during their long and treacherous spring and fall migrations.

The resolution notes that "the people of the Y-K Delta are primary stakeholders of waterfowl, our customary, and traditional use of birds has long been used as part of our diet and culture and because of the destructive development and habitat loss conducted by those areas in the Pacific Flyway through out the 1960's, 70s, and 80's significantly affect waterfowl populations resulting in curtailing our subsistence hunters and gather's practice."

Congress already rejected a road and funded an alternative

Congress determined that a road through Izembek Wilderness is not in the public's best interest when, in 1998, it passed the King Cove Health and Safety Act. With this legislation, Congress addressed King Cove residents' health and safety concerns by providing $37.5 million to upgrade King Cove's medical facilities, improve the airstrip in King Cove, purchase a hovercraft, construct marine terminals in King Cove and Cold Bay, and build an unpaved road between the town of King Cove and the connecting marine terminal.

Congress reiterated its intention not to permit a road through Izembek's designated Wilderness in the King Cove Health and Safety Act, Section 353:

In no instance may any part of such road pass over any land within the Congressionally-designated wilderness (d) All actions undertaken pursuant to this section must be in accordance with all other applicable laws.

After passage of the King Cove Health and Safety Act, Alaska Senator Ted Stevens sponsored a rider on an appropriations bill that directed a 17-mile road be built from King Cove to a hovercraft terminal. Construction for this road began in March, 2004. More than $25 million dollars have been spent for this road, which remains unfinished. Construction costs continued to escalate as crews confronted numerous obstacles, including unstable volcanic soils in the area. Avoiding the unstable soils has meant rerouting the road onto the sensitive shores of Cold Bay, where winter ice scouring and spray will increase maintenance costs. All of that effort and additional cost remains puzzling to observers since it would move the existing ferry terminus in Lenard Harbor, which is only seven miles from King Cove, to a point 10 miles further away and requires longer transits across steep mountainous terrain where winter travel conditions would be made even more treacherous.

Hovercraft Ferry is as Successful as Congress Intended

A portion of the $37.5 million in taxpayer funds was used to acquire and equip a hovercraft, a type of vehicle most often used by commercial and military operators in such conditions as ice floes, mudflats, beaches and tundra. Unique to the hovercraft is its ability to land without a traditional dock or harbor.

The near 100-foot hovercraft has been operating for about a year and in the past year has been used successfully in 15 medical evacuations helping King Cove residents cross the 20 miles across the bay to reach the Cold Bay airport. The hovercraft, powered by four MTU 2000 diesel engines, is the largest hovercraft ever built in the U.S. The craft seats 49 passengers and travels an average of 52 mph. On flat water with a light load, the hovercraft can maintain speeds in excess of 578 mph. In reasonable weather, fully loaded, cruise speed is around 40 mph and the hovercraft can complete the one way trip from King Cove to Cold Bay in 15 minutes. The hovercraft can operate routinely in waves of more than 6 feet and winds up to 46 mph.

Road Extension Would be Costly; Wouldn't Consistently Be Available.

The road now being proposed to extend the incomplete $25 million 17 mile segment and connect King Cove and Cold Bay could be an additional cost to taxpayers that does not make sense. Due to high winds and drifting snow, roads in Cold Bay are difficult to keep open in winter months. Last year several roads in Cold Bay, including the current road to the airport, were closed due to the inability to keep the road plowed. Throughout the year, the cost of keeping another road open and maintained would require a significant financial increase of staff and equipment, as well as extravagant use of scarce materials such as gravel and fill.

Quality v. Quantity of Lands Offered for Exchange

The exchange lands being proposed would not provide habitat comparable to or able to compensate for loss or degradation of the Lagoons Complex. Indeed, no amount of exchange lands can compensate for the irreversible impacts a road would have on these globally significant and unique wildlife habitat values.

State Townships: The two townships offered by the State (approximately 43,000 acres) do not include comparable wetlands habitat. The southernmost state township is entirely uplands, with some bear denning habitat, but virtually no value for waterfowl. The more northern township has some wetlands with viable caribou and brown bear habitat, but is of little value for the many species of waterfowl found in the lagoons and isthmus wetlands complex. The state townships also have no current development threat, and offer minimal conservation benefit. They are located entirely outside the watershed of the Izembek National Wildlife Refuge and will be costly to inventory and administer due to access limitations.

King Cove Corporation lands: Corporation owned lands offered along the eastern shore of Cold Bay (relinquished ANILCA selections, approximately 5,430 acres, are primarily uplands with little to no value for caribou or important waterfowl species, such as Pacific Brant, Emperor geese and Threatened Steller's eiders.

Lands offered in the Mortensen Lagoon parcel, approximately 10,800 acres, include wetlands with some swan and shorebird habitat value, but this area does not attract the high level levels of use by key species such as Pacific brant, Emperor goose or the Threatened Steller's eider compared to the Lagoons Complex. The FWS 1997 King Cove Road Briefing Report indicates that the Mortensen Lagoon area is a "medium use" area for Canada goose and Northern pintail, whereas the lagoons and isthmus complex is a "high-use" area for the Threatened Steller's eider and virtually the entire world's population of Pacific brant and Emperor geese. Additionally, the Mortensen Lagoon parcel contains significantly less tidelands, especially important for shorebirds, and is inadequate compensation for the tremendous impact a road would have on the critically important Lagoon Complex. Further, a road

already bisects these Corporation lands, and will continue to be used, which likely precludes wilderness qualification and diminishes further the conservation value of these lands.

The "bookend" parcels at the mouth of Kinzarof Lagoon, about 2,500 acres, contain high waterfowl habitat value, but currently have no development threat. As such, these lands offer limited compensation. These parcels are located within the zone of influence of road construction, operation and maintenance and therefore may sustain diminished usage and reduction in value.

State Refuge Lands: The exchange proposal includes an offer to make Kinzarof Lagoon a State refuge. Although Kinzarof Lagoon is valuable from a conservation perspective historically Alaska has not made State Game Refuge management a priority. For example, Izembek State Game Refuge was established in 1972 and still has no management plan and virtually no state refuge personnel overseeing refuge activities. In state ownership, the future of Kinzarof Lagoon would remain in question and may sustain unavoidable negative impacts from road construction, operation and maintenance thereby limiting its benefit to Izembek refuge.

Legal Concerns

As currently written, H.R. 2801 also raises a number of legal and policy concerns. More specifically, before Congress adopted ANILCA in 1980, its committees and members spent hours debating the proper balance between access and conservation on the bill's conservation lands. The result was Title XI, the access and transportation title, which provides a process for authorizing the construction of transportation corridors through conservation lands like the Izembek Wilderness. That process requires the FWS to detail findings about the potential impacts of the road on the refuge that it would cross. Because the proposed road would bisect designated Wilderness, the process would also require presidential review and congressional approval of the proposed road corridor. These important protections designed by Congress to balance access with the need to protect designated Wilderness would be stripped under these bills.

The bills would convey to the State fee title to the 206-acre road corridor through Wilderness, instead of merely an easement as the State originally requested. Conveying fee title to the State would not only allow road construction through the Wilderness, but opens the road corridor to possible future developments, such as pipelines. Although construction of a road under any circumstances would be bad news for the Izembek Wilderness, if the road proposal goes forward, the FWS would be better able to protect the wilderness area from excessive harm if an easement were conveyed to the State rather than full fee title to the road corridor. An easement would give the State the right to construct and maintain a road along the chosen route but would leave full ownership of the corridor under the management of the FWS.

Equally problematic is that the legislation would not provide for appraisals or valuation of land. Under existing law, the federal government must undertake an appraisal before proceeding with a land exchange, in order to ensure that the exchange is based on equal value; an exchange that is not based on equal value may proceed only if the Secretary determines that the exchange is in the public interest. FLPMA § 206; ANILCA § 1302(h). Most of the lands proposed to be exchanged under S. 1680 and H.R. 2801 have never been formally appraised or valuated. If these bills become law, they likely never will be formally appraised or valuated, as Section 4(d) (1) waives any such requirement. Without an appraisal, neither the landowners nor the public can effectively evaluate the fairness and relative benefits of the proposed exchange.

The bills provide (Sec. 4(c)(2)(B)) that support facilities for a road constructed under this subsection shall not be located on federally owned land in the Izembek NWR, but do not disclose what facilities will be needed or where they will be located. Such facilities could be substantial, and could potentially be located on State tide lands in the Kinzarof Lagoon or within lands to be conveyed to the Fish and Wildlife Service under the exchange agreement. Without treatment or specific parameters in the bills, these sites have no physical or environmental constraints and could be located in any number of sensitive areas, resulting in significant impacts to refuge values. If the road proposal moves forward it is imperative that the location, size and parameters of these sites be fully disclosed in the legislation and reasonable constraints invoked.

Other policy questions center on:

Section 4(c) (3) (C) would deem the as-yet undetermined road route to be compatible with the purposes for which the Izembek National Wildlife Refuge was established. This language would circumvent the existing requirement that any activity

proposed within a National Wildlife Refuge be approved only if it is found to be compatible with the purposes for which the refuge was established. See 16 U.S.C. § 688dd. The compatibility review provides an important mechanism for the Fish and Wildlife Service to evaluate the impacts of proposed activity, such as construction and operation of a road, wildlife, and habitat resources of the refuge. By bypassing this requirement, the bills remove important protection of existing law from a Wilderness area in a refuge.

Section 4(d)(2) would deem the use of existing roads and the construction of new roads on King Cove Corporation land located within the Izembek National Wildlife Refuge to access the proposed road to be consistent with ANCSA § 22(g) and not to interfere with the purposes for which the refuge was established. ANCSA § 22(g) applies the "compatibility" requirement to lands within certain National Wildlife Refuges that are conveyed to Native corporations pursuant to ANCSA. By bypassing the compatibility requirement on these lands, the bills remove an important protection of existing law.

Section 4(c)(3) provides for a multi-entity cooperative planning process for the proposed road across the Izembek Wilderness, and Section 4(c)(3)(D) provides that construction of the road along the route recommended by the Secretary pursuant to that process "is authorized in accordance with this Act." This language could be used by road proponents to seek to avoid compliance with federal legal requirements—in addition to those that are explicitly waived—that usually govern construction of new roads.

Section 4(c)(4) provides for the reconveyance of land by the Secretary to the State or the King Cove Corporation if a court enjoins use or construction of the road, or if the State or the King Cove Corporation chooses not to proceed with construction of the road. There is no parallel provision for the reconveyance of land by the State or the King Cove Corporation to the United States. Land within designated Wilderness of the Izembek National Wildlife Refuge should not be conveyed outside the refuge; but if it is conveyed and road construction does not go forward, the land should be returned to the United States.

Section 4(g) provides that the Secretary must administer the land acquired pursuant to the land exchange "subject to valid existing rights." Information about any valid existing rights must be disclosed and considered before the land exchange is approved; as such rights could subject the new Wilderness lands to incompatible access and other claims that may undermine their value as additions to the Izembek Wilderness.

For all of these and other reasons we oppose the land exchange and proposed road from King Cove to Cold Bay through Izembek National Wildlife Refuge's lagoons complex and designated Wilderness. Thank you for this opportunity to bring these important concerns to the Committee.

The CHAIRMAN. Thank you.

The Committee will stand in recess for approximately 15 minutes.

[Recess.]

Mr. INSLEE [presiding]. We will reconvene the meeting.

Thank you very much. I have assumed the chair from our great Chair, and I want to thank the witnesses for being here. I have a couple questions, if I may.

Mr. Hall, I wanted to ask about your testimony about the NEPA analysis. Your written testimony says, "The Administration could support passage of this legislation if it were amended to ensure a full NEPA analysis on the exchange."

For the purposes of your question, does a full NEPA analysis mean inclusion of the no action alternative, or do you contemplate that the road would be mandated by the legislation subject to consideration of alternatives such as location?

Mr. HALL. Well, I think that really depends on how the bill is passed. If a bill is passed that says you will have a road then the alternatives would be on how to build the road, but if the legislation simply authorizes the construction of a road then we would do the full NEPA per NEPA guidelines that start with an election and go through the other alternatives.

Mr. INSLEE. I just want to make sure I understand the Administration's position on that.

Would you support legislation that in effect mandated construction of the road and allowed a NEPA analysis only to alternatives such as location, or would you insist on at least evaluating a no action alternative no matter what?

Would you encourage us to pass legislation that would allow a no action alternative as part of the NEPA process? I guess that is the way to ask the question.

Mr. HALL. Well, in the negotiations with the Administration on what their position is, because they have not come out with a statement of Administration position other than this testimony, and we talked about NEPA. At least my understanding was we would look at NEPA as NEPA is mandated by its own law, which includes all alternatives.

The discussions really evolved around making sure that there was a fair analysis of what we are gaining and what we might be losing, the impacts, the values gained and maybe the assets lost so that the public could see the full disclosure of what is going on there. That was the gist of my discussions with the Administration.

Mr. INSLEE. I appreciate that. I think I understand what you are saying. I think it is an important point.

Some of today's testimony suggests that the refuge is a very difficult place to build a road—the topography, volcanic soils, some of the wetlands. I wanted to ask Mr. Mylius—I hope I have pronounced that name right—from the state.

I just wondered if you could address the engineering feasibility and the cost of completing the construction from King Cove to Cold Bay and maybe just address some of the challenges for administering the road as far as maintenance, policing, accidents, melting tundra from global warming and the like.

Mr. MYLIUS. Mr. Chairman, in terms of road costs there was an estimate done in 2003 that it would be a $23 million construction

cost for the road. With current prices going up, it would be a little bit more than that.

In terms of construction, I am not sure if this represents any more significant challenges than large parts of Alaska. A lot of Alaska is very wet. This area is not underlain by permafrost, so the global warming and melting permafrost would not be an issue down there.

There has been some reconnaissance work done for possible routes, and they have identified a route that would be the least I guess probably wet and the least impact on the wetland, so it is feasible to build a road. It has been looked at.

In terms of maintenance, the state already does road maintenance out of both King Cove and Cold Bay, so we have already got maintenance staff in those communities.

Mr. INSLEE. I just wonder if any of the other witnesses want to comment on any of those issues. We would welcome your comment.

Mr. RASKIN. Yes. Thank you very much. This is a difficult area as I understand it from the descriptions and the environmental impact statement. It is an area that is not very flat. There are a lot of big depressions and difficult soils and areas that would have to be filled a great deal.

It would require a substantial amount of gravel, and gravel is not in abundant supply in these areas. It would require, therefore, a lot of maintenance, more so than a typical road, you know, that would be put on a hard bed. This is not a hard bed.

So the challenges for building this road, as well as for preventing it from impacting the lagoons and so on, as Ms. Whittington-Evans alluded to, are I think substantially greater.

I have lived in Alaska a long time. I have visited a lot of places. I have been to many refuges. I have been to Izembek and looked at the areas. This is not an easy place to build a road.

Mr. INSLEE. Go ahead.

Mr. MACK. Mr. Chairman?

Mr. INSLEE. Yes?

Mr. MACK. Stanley Mack. I was born and raised in King Cove. I have hunted and fished in the Izembek area all my life. I beg to differ on the road construction.

There is gravel available. There are a network of roads throughout the refuge and into the wilderness that was built by the military in World War II. Those roads still exist with minimum maintenance, so to that degree I believe that everything for road construction is readily available.

Thank you.

Ms. WHITTINGTON-EVANS. Thanks, Mr. Chair. I would just like to add that what we understand, from the $37.5 million that was appropriated under the King Cove Health and Safety Act, $26 million of those were spent on the 17 mile road, of which approximately one-third is completely finished.

We believe that continuing the road through the isthmus, through the wetlands of the isthmus, will be considerably more challenging than the terrain that they have experienced in most of that 17 mile road portion with the exception perhaps of the mountainous region with the unstable volcanic soils where right now the

road does not connect because they haven't been able to build that section of it.

It is an average of $1.7 or so, as I understand it, or $1.5 million per mile, and I think that that would be increased somewhat, if not significantly, for the isthmus portion of the road.

Mr. INSLEE. Thank you.

I would like to yield to the gentleman from Alaska, Mr. Young.

Mr. YOUNG. Thank you, Mr. Chairman. I looked over there and thought gee, Nick, you have grown in the last 15 minutes.

I have a little bit of a problem. Mr. Raskin, are you an engineer?

Mr. RASKIN. Actually, I have had engineering classes.

Mr. YOUNG. Are you an engineer?

Mr. RASKIN. I do not practice in engineering.

Mr. YOUNG. OK. Nicole, are you an engineer?

Ms. WHITTINGTON-EVANS. No, I am not an engineer.

Mr. YOUNG. I want to ferret that out because we are talking about costs.

This is the state's road. Is that correct, Mr. Mylius?

Mr. MYLIUS. Yes.

Mr. YOUNG. It will be a state road?

Mr. MYLIUS. Yes, this would be a state road.

Mr. YOUNG. And the state will build this road with the cost, and if they didn't think it was a worthwhile project the stat would not build it. Is that correct?

Mr. MYLIUS. Correct.

Mr. YOUNG. So I want to make that perfectly clear.

Mr. Raskin, are you a resident of Homer or of Arizona?

Mr. RASKIN. I am a resident of Homer.

Mr. YOUNG. You are? How come your phone numbers all are in Arizona?

Mr. RASKIN. That is because I just went down there to work on a home that——

Mr. YOUNG. Oh, we have a home in Arizona? That is interesting.

Mr. RASKIN. Yes, because it is so icy in the wintertime.

Mr. YOUNG. I understand that.

Mr. RASKIN. We go down there.

Mr. YOUNG. The reason I ask that is because if you had a residence in Homer, the road from Homer to Anchorage goes through what?

Mr. RASKIN. I am sorry?

Mr. YOUNG. The road from Homer to Anchorage goes through what?

Mr. RASKIN. Through what?

Mr. YOUNG. What does it go through?

Mr. RASKIN. It goes through the Kenai Refuge.

Mr. YOUNG. The Kenai Refuge. OK.

Having said that, Mr. Mayor, and I also heard the testimony about how the hovercraft was working. I was in the room when that road was rejected, and the hovercraft and the clinic and the airport extension was to try to save lives because the roads were rejected by the Senate side and a couple senators.

The community of King Cove, Mr. Chairman, had no input, but it was my decision at that time and Senator Stevens' that we were

going to try to save lives. We didn't know whether that hovercraft would work. I want to make that clear.

We did not think, even if we improved the clinic, that we could get a doctor to stay there. As far as improving the airport, I have flown out of the airport in 100 mile an hour crosswinds, which I will never do again, by the way, so I know the danger there I am going to say.

The statement that the hovercraft works. Now, Mr. Mayor or any one of you who are involved, why doesn't the hovercraft work. If it does work, in what conditions?

Mr. MACK. Congressman Young, thank you. The hovercraft, the best I could explain it, and this is one of the first hovercrafts of this size built in the United States. We had no idea what we were getting into in regard to the hovercraft. The best way to describe this hovercraft is like a hockey puck on an air hockey platform.

As it floats around there you could blow it with your breath in a different direction, so the turbulence on this hovercraft or the turbulent weather that the hovercraft is going to encounter and has already encountered demonstrates that it is very unstable.

The area in Cold Bay is so turbulent. I think I best describe it as where the storms are born, and it just is very unstable. That is the best I can describe it, Congressman.

Mr. YOUNG. Again, I have heard testimony here today that traffic could support the hovercraft with $700,000 a year. How many cars are in King Cove?

Mr. MACK. When they are fully running I would say in the neighborhood of 200.

Mr. YOUNG. OK. Now, what do you charge for a car to go to Cold Bay?

Mr. MACK. Oh, I would have to defer to my administrator.

[Pause.]

Mr. MACK. Roughly $150.

Mr. YOUNG. OK. So we would have to take 200 cars, every one of them to travel back and forth every day for 365 days to pay for the hovercraft.

Now, why would anybody want to take a car to Cold Bay anyway unless they wanted to fly them out?

Mr. MACK. That is the only reason they would want to go there.

Mr. YOUNG. So there is no market to sustain the cost of that hovercraft with Cold Bay?

Mr. MACK. That is correct.

Mr. YOUNG. Now, it was also stated there were 16 medivacs by the hovercraft. We saw the film. How many were not able to be made by the hovercraft? We saw one on the film.

Mr. MACK. There have been—well, let us see. Maybe I can defer to you, Della.

Ms. TRUMBLE. Congressman, technically since the hovercraft has been in operation, and just to step back a second we are thankful that we have it. It has helped and contributed more than what we had in the past. It just unfortunately isn't the answer.

We have had 19 to 20 medivacs this past 10 months. You know, we almost average two a month. Technically all of them made it because of one thing. The contributing factor was that the weather was good and it allowed us. There was one occasion where it was

iffy, and they technically pushed it to get over there. It took them two hours.

Mr. YOUNG. They took a chance is what you are saying?

Ms. TRUMBLE. They took a chance.

Mr. YOUNG. Just like the airplane, and we lost 11 lives on the airplane because we don't have a road.

Ms. TRUMBLE. Exactly.

Mr. YOUNG. My time is up, Mr. Chairman. I want to have a second round probably.

Mr. KILDEE [presiding]. Thank you, Mr. Young.

Mr. YOUNG. Every time I turn around. I mean, I did take a shower this morning. I can tell you that right now.

Mr. KILDEE. We all love you so much, Don. We just don't want to sit next to you.

The gentleman from Utah?

Mr. BISHOP. Thank you. Mr. Young, why do you think I am sitting way down here?

Let me ask a couple of questions. I apologize for not being here for the verbal testimony as well. First, Mr. Mylius from the Alaska Department of Natural Resources. Do state laws and regulations ensure that roads are going to be designed and constructed to minimize potential impacts in Alaska?

Mr. MYLIUS. Mr. Chairman or Congressman, when the state builds, most of our roads are built with highway trust funds and they require environmental impact statements as part of their construction and so they address environmental impacts as part of their design and construction.

Mr. BISHOP. There are those who have said that none of the lands that the state exchanges are threatened, and therefore they have no real wilderness value.

Do you want to comment on the value of the lands the state is willing to exchange?

Mr. MYLIUS. Congressman, the State of Alaska owns over 100 million acres of land, and a lot of those lands don't have immediate development prospects for them, but the state was given that land with the idea that some day a lot of those lands could be developed.

When you look it over, a large part of Alaska doesn't have immediate development threat, including most of the wilderness land that is already designated. When Congress set aside those lands as wilderness in ANILCA in the Lands Act, that wasn't a criteria that they be threatened with development.

Nonetheless, these specific lands have been looked at for oil and gas development in the past. The state actually included them in a recent oil and gas lease sale, so they do have some potential for development.

Mr. BISHOP. OK. Mayor, if I could just ask you, and once again I apologize for not having been here for the verbal testimony, but I am intrigued by the line in the background statement or the briefing statement about the number of fatal accidents. The King Cove Airport is located between mountains, adverse conditions, and fatal accidents or delays in transportation of some of the sick.

You have been talking about that with the Ranking Member. How many fatal accidents have occurred? Can you give me some

estimation of the number and the kinds of things we are talking about here as far as loss of life by the present situation?

Mr. MACK. There has been recorded 11 of them, sir, in traffic.

Mr. BISHOP. Multiple accidents or single accidents?

Mr. MACK. One multiple accident there on the approach to Cold Bay. Weather conditions were such, and it was in the night. This was several years ago. That quickened our desire for a connection between the two airports.

Mr. BISHOP. So the contention is a road would have alleviated that concern? It would not have happened?

Mr. MACK. Yes, it would have.

Mr. BISHOP. So it is a matter of life that we are talking about?

Mr. MACK. Yes, sir.

Mr. BISHOP. Thank you. I appreciate those answers.

I yield back.

Mr. KILDEE. We will have a second round.

Mr. YOUNG. Mr. Chairman, I wasn't going to bring this up, but I think it is very frustrating when I see the type of propaganda that is put before the Congress.

This is on the press table. That is a doctored picture. That is a doctored picture. That is a dishonest picture. That road does not even exist, and that mountain is there, but it is nowhere near this road.

This is an attempt to make propaganda to take and convey the untruths about this road. In fact, I believe this letter was sent in to Evan Hirsche, President of the National Wildlife Refuge Association, and it explained all the inaccuracies. They never got a letter back.

[NOTE: The picture referred to can be found on page 35.]

Mr. YOUNG. If anybody in the press wants to look at this letter, I think you ought to do it and ask groups why they put out this kind of nonsense. If you are honest and you have a legitimate point of view, you don't need to use propaganda. This is truly propaganda. I am just disappointed frankly. In fact, Mr. Chairman, it diminishes the credibility of witnesses who would use this type thing.

If I am not mistaken, Mr. Hall, and this is not for you as far as this article goes, but in fact you are the one that is deciding and has decided that the 61,000 acres does have wildlife potential and it has in fact wilderness potential, and 41,000 acres under this bill would be in fact, would it not, a wilderness?

Mr. HALL. That is correct, sir.

Mr. YOUNG. And we would be giving up how many acres of wilderness?

Mr. HALL. Two hundred and six.

Mr. YOUNG. Two hundred and six. And analyzing it, you decided that was what the right thing was to do?

Mr. HALL. Yes, sir.

Mr. YOUNG. Not about the road. Just the exchange, the value for 200 acres for every acre that the Aleut Corporation and the King Cove was giving up. I believe it is 200 acres I believe for every acre they get back. Is that about right?

Mr. HALL. It is a little over 200.

Mr. YOUNG. And there have been statements that it would disturb wildlife, brant geese, et cetera, et cetera, and your analyses

of the land exchanged, it improves the habitat of waterfowl and wildlife?

Mr. HALL. We haven't done that analysis yet. That is part of what we are talking about having an analysis

There is an analysis discussed in the bill. The Administration would just like it to be identified as NEPA. That is the sort of thing that we believe and I believe that once the facts are out it will show in an honest, unbiased analysis that there is a real benefit, a net substantial gain for the American people, for the refuge system and for wilderness as a result of this trade.

In order to be fair and recognize other viewpoints, we are saying let us do NEPA and let us have a full disclosure document that talks about it.

Mr. YOUNG. My good state man, the state agrees with that or you wouldn't be giving up that land?

Mr. MYLIUS. Yes, Congressman Young. The state believes that the land we are giving up clearly has wilderness values. They are similar in the sense that both areas are valuable for caribou and brown bear.

Mr. YOUNG. Mr. Mayor or Madam Chairman, would you like to comment on anything before I excuse myself. Mr. Chairman?

Mr. MACK. Thank you, Congressman Young. Yes. In regard to the isthmus and its relationship to the migratory birds, in our attachments we have a letter from the refuge manager in 1995 demonstrating the impact on the Pacific black brant in the Izembek Refuge, and that is referring to the Izembek Lagoon. It also demonstrates the migratory pattern of the Pacific black brant that is in question in regard to endangered or threatened species.

I sat on the Co-Management Council of the Alaska Migratory Birds, and we have tried to prohibit or tried to gather more information because of the fact that in our relationship with Mexico and with Russia we are having a difficult time trying to capture the exact numbers that are being taken in these areas.

In our attachment the refuge manager, Greg Sekanik, writes and tells about the impact and what is happening in the Izembek Lagoon today. It has nothing to do with the roads that are there already. If there was a question about the traffic on the roads, it certainly would have been demonstrated there.

There is a request to address the impacts on these waterfowls coming from the aircraft traffic over the area at this particular time and the boat traffic in the Izembek Lagoon.

Mr. YOUNG. Della?

Ms. TRUMBLE. Thank you, Congressman. I technically don't have anything to comment on except to say one thing that has been a concern and just kind of reinforces a little bit what you said in the beginning.

We have lived in this region for thousands of years. We continue to do so. We want to protect whatever is in that refuge system probably more so than anybody in this United States because we subsist off of those lands. We will never do anything that is going to contribute to us not being able to.

If anybody doesn't believe that and wants to really understand what it is like to live up there, don't come out and visit us for a day or two. Spend the year. Bring your family. You come out there

and spend a year. If something happens, and God willing it doesn't, then you will know exactly what we go through and what we have for decades and continue to go through every day.

Mr. YOUNG. Mr. Chairman, I have one more question. I am out of time.

Mr. Hall, where do you live?

Mr. HALL. Well, now I live in Springfield, Virginia.

Mr. YOUNG. OK. I ask this question because I am being a little bit tongue in cheek, but we worry about the brant, and we should, you know. They are shooting them in Mexico and they are shooting them in Russia, and we are worried about the brant.

I ask you. How many times have you driven by on a highway? Now, maybe these brant here are a little dumber. I don't know, but we have maybe not the brant we are talking about. We have a goose that lives right along the George Washington Parkway by the hundreds. I mean, cars go zoom, zoom, zoom. Not 200 cars, but thousands of cars. You see them every day. They come from Springfield.

If anybody has ever been near any highway where there is grass year-round you have geese. They seem to wave at the cars. By the way, does anybody play golf around here? I mean, they own the golf course.

The idea that this little nine-mile road now is going to destroy or deter or change the brants' habitat or pattern is just not understanding waterfowl.

Mr. HALL. I think a more fair analysis, because what you are seeing when you are driving around the road are wintering waterfowl, and what we are talking about in Alaska is the production, the nesting and the breeding.

Mr. YOUNG. I beg to differ. That is where you are wrong, Mr. Hall.

Most of these geese here winter here, and they have goslings here. If you haven't seen any goslings, you will see hundreds of goslings. They take care of the goslings, and the goslings grow up to be even more geese, and we have more geese than we know what to do with and a lot of other geese you know what, but go ahead.

Mr. HALL. I think the fairness part is because you do have geese that overwinter and then oversummer as well and nest even in the lower 48, but I think a more fair analysis is to say in the prairie pothole country of the United States where a lot of nesting birds nest and in Canada, you know, there are roads through those areas, and I think that that is the kind of thing that in fairness let us talk about it.

I am not sure that there is a refuge in the lower 48 that doesn't have roads on it really to get to almost any part of it that you want.

Mr. YOUNG. Mr. Chairman, along those lines, if I am not mistaken the Izembek is the smallest refuge we have in the State of Alaska. We have 47 million acres, is that correct, in the state?

Mr. HALL. We have over 50 million.

Mr. YOUNG. Over 50 million acres of refuge in the State of Alaska.

I got to thinking when someone told me that 300,000 acres of land. There is only one state that has a larger refuge, and that is

the State of Louisiana. This is the largest refuge in the lower 48 other than one in Louisiana, yet it is considered a small refuge. I just want to sort of put that together.

Mr. Chairman, I don't have any other questions.

Mr. KILDEE. Thank you very much, Mr. Young.

Mr. YOUNG. I will let the Chair conclude now. Thank God you are back. I looked over and Inslee was there. I said my God, Nick grew up.

The CHAIRMAN [presiding]. Let me ask one final question. It is for all of the witnesses on the panel.

What are the potential risks of building a road through this refuge, and why do you consider these to be acceptable or unacceptable? Who wants to take the first crack?

Male VOICE. Start right down the line.

The CHAIRMAN. All right.

Mr. HALL. Are you starting with me? In looking at the risks, there are always risks involved in any kind of construction, especially near water, and this road pathway certainly skirts the lagoon. There are risks with the potential for erosion.

There are risks—and I think the risks are always you put a calculation on them as how high the risk is—about traffic interfaced with caribou or even bears crossing across. There are risks associated with anything that you do in construction.

Our responsibility in the Fish and Wildlife Service is to really look to see what are the levels of those risks and how do they compare with the rest of the package, as it were, 'and the benefits that are gained against the risks of possible losses.

In my opinion, as I said earlier when you were out of the room, Mr. Chairman, I believe going through NEPA and having a full disclosure and an unbiased analysis in my opinion I think it will show a very clear net benefit to the American people and to the refuge system and to the wilderness program to have this kind of exchange on this very high bar that has been set of 200 plus to one.

But I think that is why we in the Administration are asking for NEPA to be done so the people that disagree with that can see the facts.

The CHAIRMAN. Thank you.

Mr. Mylius?

Mr. MYLIUS. Mr. Chairman, I think Mr. Hall summed up the risks pretty well. From the state's perspective, additional risk could be that the cost for building the road could be higher than we estimate that it is.

I think a lot of the environmental risks can be minimized. The road location isn't nailed down. You know, partly because of construction costs, as well as environmental reasons, the goal would be to minimize the impact on waterfowl habitat. The proposed corridor that is shown on maps largely does try to stay as far away as it can from the key waterfowl areas, which are Izembek Lagoon and Martinson's Lagoon, the actual wetland areas.

I think you also have to consider the risks of not building the road, which is the health and safety concerns; that there could be lives lost because people can't be medically evacuated, so I think you have to look at both the risks of proceeding, as well as the risk of not proceeding.

The CHAIRMAN. Mayor Mack?

Mr. MACK. Thank you, Mr. Chairman. Yes, I agree with The Honorable Dale Hall and his analysis, and I too agree that a good NEPA process and an EPA or environment impact statement is done to demonstrate exactly the impacts you are going to have and design this road.

The benefits to me just for the safety and reliable access to that runway that connects King Cove to the outside world is a tremendous benefit and a health concern.

For the migration of wildlife, I have lived in Cold Bay for 15 years building a power plant and operating it over there after the first one burned in 1985. I watched the caribou run back and forth across the runway. In fact, the Department of Transportation had to scare them off before the airplanes came in. You know, every Sunday I would take my family out. We would watch the caribou run back and forth across the roads. Traffic doesn't bother the aircraft.

I have hunted out there for wildlife or birds, and I have watched them fly over the top of the roads. Many of the sports hunters come out there. That is the only impact there is on wildlife and birds.

Thank you.

The CHAIRMAN. Thank you.

Ms. Trumble?

Ms. TRUMBLE. Thank you, Mr. Chair. I strongly believe and agree on behalf of the community of King Cove that the risk is that this road doesn't get built and we will lose more people. That is something that we live with and are concerned about every day.

As far as any risks associated, I agree with Mr. Hall and Mr. Mylius and Mayor Stanley that we do go through a good process, that we make sure that we don't do anything to harm the wildlife because, like I say, we have protected them and will continue to protect them for as long as we are out there and will live out there.

Thank you.

The CHAIRMAN. Mr. Raskin?

Mr. RASKIN. Thank you, Mr. Chairman. I would like to address my comments to the risk to health and safety. In fact, the risk to health and safety is increased by constructing and attempting to utilize this road.

Right now if we look historically, there has been some inaccuracy in what has been presented. Of those 11 deaths that occurred since 1979 through 1990, only one crash involved a medical evacuation, and that crash occurred near the so-called all-weather Cold Bay Airport, which is not an all-weather airport.

The other crash, the other major crash, was on a flight from Kodiak to King Cove with sportsmen with a pilot who had never flown into the area and should never have been flying in that area, so we have only one fatal crash involving a medivac by air, and it occurred near the so-called Cold Bay all-weather airport.

Now, when you compare that to the risk of this road the problem is that you have a hovercraft now that can operate not in just 30 mile an hour winds, but in excess of 45 mile an hour winds and in excess of 10 foot seas.

I have discussed this with the experts. This has been demonstrated both in Alaska and in the North Sea out of Scotland.

This is an extremely durable, reliable craft that can endure all of these conditions. So the hovercraft has proven itself and, as Ms. Trumble said, they have had 19 successful or 20 successful medivacs with the hovercraft. It has not failed.

Traveling that road—I live in Alaska. I know what road conditions are like, and I live in a much milder area than King Cove and Cold Bay, and yet our roads are icy. We have accidents all the time. That is why in response to Congressman Young's question, now that my wife and I are in our seventies we can't deal with that ice very easily where we live.

King Cove and Cold Bay are much more difficult, and that road would go through extremely difficult terrain. The entire road would comprise 33 miles, and to travel 33 miles under winter conditions with ice, wind and so on is going to increase the health risk and encourage people to undertake health risks that they should not take. We are very sympathetic to the concerns of the people in King Cove, and we feel that the road is only going to cause them more health risks rather than less.

Furthermore, it took $26 million to complete only one-third of the 17 mile road, and we are talking about a total of 33 miles. It will cost at least three times that to complete the proposed 33 mile road.

So all of these are risks—economic, health safety—which argue against that road, and we are always happy to try to help those people that live out there to work on the problem because we are concerned about their issues out there, but this is not the solution.

The solution, if they need one extra safety valve, it is a Coast Guard helicopter that would be available to conduct medical emergency evacuations on those rare days like the one percent of the time when the winds are too great for the hovercraft to operate. That is the solution, not this road.

The CHAIRMAN. Ms. Whittington-Evans?

Ms. WHITTINGTON-EVANS. Thank you, Mr. Chair. I think there are a variety of risks associated with building this road.

One of these areas I have already talked a little bit about earlier today, which is the financial risk of building the road to the Federal coffers. We have spent $26 million on a road, a 17 mile road, that is now one-third completed.

The average cost per mile that I mentioned earlier today, actually the jury is not out yet. We don't know how much the average cost per mile of the 17 mile road is going to be because two-thirds of it still needs to be finished, and we really don't have a sense for that.

I believe that building the road through the wetlands area of the isthmus is going to take more money because of many culverts, bridges, stream crossings, pools of water that will need to be diverted around, the undulations within the tundra that will affect all kinds of things—soils, gravel, the amount of gravel that is needed, the type of road that would need to be built in order to deter snow from accumulating in these valleys, if you will, within the tundra area.

I think that we are looking at an extremely expensive project, and it is an expensive project that potentially those funds could be used to better serve other individuals and many more individuals

such as the health care issue that Mr. Raskin brought up earlier today. We have many people in the United States who don't have access to good health care.

I say this knowing that the residents of King Cove do have alternatives, and they have more alternatives right now than the other communities that depend on the Cold Bay Airport to get to Anchorage. They are in a pretty good situation considering the remote area that they live in. So I think financial costs are a significant risk and one that Members of Congress should be considering in making this decision.

I think human safety issues, as Mr. Raskin brought up, are also considerable. We will see vehicles stranded. Roads have a way of creating accidents. You know, this is going to be a very remote road. There is going to be a lot of blowing snow, poor visibility in the winter months and particularly cars will end up going off the road.

Some of them may be stranded, people trying to get somewhere perhaps consider leaving their cars when the wind child is extraordinary out there. The mountainous terrain could see rock slides and other types of land slides, potential avalanches. Again, the worst case scenario is the road will create collisions and ultimately deaths as a result of putting it in, so I don't see the road being the best alternative for human health and safety.

I think there are risks to subsistence resources, and the draft and final EIS that was put together by the Army Corps of Engineers discusses these. Again, this is why the Association of Village Council Presidents, which represents 56 native villages in western Alaska, opposed this in the late 1990s and are opposing it again today. They recognize that there will be potential impact to Pacific black brant and other migratory waterfowl that they depend on for their subsistence culture and resources.

I went through a whole list of environmental impacts that would occur as a result of building this road. Without going through all those again, I will just highlight some. We will see the destruction of habitat to tundra and wetlands, accelerated erosion and stream sedimentation that will decrease water quality. We will see behavioral changes in animals.

We will see increased access and consumptive use as a result of this, reducing wildlife population numbers over time. We will see increased highway vehicle and ORV access, which will without a doubt impact the area in a variety of different ways.

One of the things that hasn't been brought up yet is the whole concept of putting a cable barrier along the road to try to stop people from taking their ORVs off of the road and into the wetland or the wilderness area of the isthmus. I think the cable barrier itself presents a lot of problems both for wildlife migration, as well as risk to health and human safety.

In the Palmer area of Alaska where I live we have witnessed a person being decapitated by a cable when they were driving too quickly on their ORV and did not see the cable. I don't think that that is out of the realm of possibility that people will be driving quickly under certain conditions on this road on their ORVs.

There will be an overall increase of human presence; decreased productivity of habitat; continued wind and water erosion; animal

behavior changes, as I already mentioned; increased likelihood of collisions; increased vehicle accidents.

Overall right now the caribou population in the area, the Southern Alaska Peninsula herd, has suffered some significant reductions, and I believe the hunting season has been called off for that population. They use the isthmus area as a significant migration corridor. It is the only way that they get from their wintering grounds to their calving grounds.

Sometimes they overwinter on the isthmus, and this road will without a doubt affect some of their migration patterns and could potentially disturb them on a regular basis during some of the harshest environmental conditions during wintertime that they need to live through.

Brown bears and other carnivores will be affected by this. Water quality, you know, affected stream areas and spawning areas could reduce the number of salmon in the area. The road itself with additional human access will affect brown bears, change behavior patterns for them.

Overall the human access into brown bear population areas generally results in increased mortality from things like hunting and defense of life and property, so I think overall there are many, many types of risks associated with this road, and we would encourage the Congress to not agree to passing this legislation and reject the idea of this road.

Thank you.

The CHAIRMAN. Thank you. I think you listed some responses.

I am going to recognize Mr. Young first, and then I will go to the panel.

Mr. YOUNG. Mr. Chairman, thank you.

I apologize to my King Cove residents. I have a gentleman who lives in Homer who has access through a refuge on a road to Anchorage hospitals or to the Homer hospital. I have another witness that lives in Palmer that has access to the hospital in Palmer—brand new, by the way—and to Anchorage.

We are talking about nine miles of road like it is the end of the earth. They did not, the people of King Cove, ask to be put near a wilderness area. They were never consulted. There was never a hearing in King Cove. There was no comment from the people in King Cove.

Now we have basically outside organizations and those that do not live there nor understand the potential threat to their children, their mothers and fathers and their lives themselves. There would not be this problem if in fact that area hadn't been declared a wilderness.

For what reason I do not know, a huge airfield in the area. This is expansion, not the original Izembek. A huge expansion with roads in it and declared a wilderness area. They actually have isolated a community from the rest of the world.

And you talk about the hovercraft. The hovercraft is an old hovercraft, Mr. Chairman. You say it is new. It is old, and the people that use it say it doesn't work. The state will tell you it costs $700,000, so we ought to go to the state and have the state subsidize it. They are not going to do it because there are only a few people out there.

Every life that is lost, and remember someone said well, there were only 10 lives and one was an accident and the pilot shouldn't have been flying, yada-yada-yada, but they didn't count those that didn't get off the ground and those that were sick and lost their lives. That wasn't counted.

I think it is unfair, Mr. Chairman, to not do this when the state agrees with it, the Aleut Corporation agrees with it, the Borough agrees with it, the Fish and Wildlife Department says it is the best exchange they got pound for pound. To have interest groups that have no contact with the area say we can't do this because it might hurt wildlife is wrong.

Now, I lived the pipeline battle, and they said the caribou couldn't and wouldn't cross the pipeline. We spent over $50 million building walkways for the caribou over the pipeline. The caribou never use that pipeline. Never have They go under the pipeline.

Now, I will tell you what does use the pipeline and those walkways is the brown bear or the grizzly bear. They get up there and run down the pipelines like a highway.

So if we start deciding how animals and birds are going to react there is little science to prove in fact that man itself is the cause for the deterioration or destruction of wildlife unless it is actually the taking of wildlife.

Now, we just heard someone say there is a tremendous amount of traffic that will be increased. There is no highway to Homer from King Cove. There is no highway to Anchorage. There will be no one who goes down there because that is a long way down there. There will maybe be 100 cars maximum that will use that road. Maybe.

I think the mayor and the president will probably say this road will be used for different reasons, but the primary reason will be for the evacuation of our loved ones when they are ill.

I think it behooves this Congress to act in a positive way instead of people and organizations that have no contact with them and have to live there. Like Della said, if you go out and live a year and go through this then you have a right to say something. Until that time, let them live their lives as they should.

Mr. Chairman, thank you for having this hearing. I have said enough. I am not filibustering. It is time to get out of here.

The CHAIRMAN. Thank you.

OK. I will let you have the final word, Ms. Trumble.

Ms. TRUMBLE. Thank you. I was hoping that was the case.

In all due respect, Nicole and David, you know, we have asked time and time again when we are going through this process come talk to us. Work with us because we are willing to work with everybody.

When we look at these statements it is really hurtful and discouraging to see what is happening here and at the level that it does. We live our there. You don't. When you talk about driving from Homer to Anchorage for medical services on an icy road you are driving on pavement. We are driving on a gravel road with snow and ice, and that is worse conditions because of the gravel.

We have a resolution from AFN. When we talk about the hovercraft you said there is only one-third of that road complete. That is wrong. This is a 17 mile road. Fourteen of those miles are complete.

I had tried to make so many—I have this list. This issue, yes, is about health and safety, but it is also about the peace of mind. When you looked at that video and saw that airplane landing at the airstrip in King Cove—you left Cold Bay. You made it out of there. The weather was fine. That is what you put up with. Ten minutes later is what we are talking about because we live in a mountainous area.

This is about the freedom and just the peace of mind to go from one community to the next. Cold Bay is the only way that we can get out to the outside world.

We thank you very much, Mr. Chair, for your time and the Committee.

The CHAIRMAN. The Chair wishes to thank the entire panel and to remind them the record will be open for an additional 10 days following today's hearing.

I will have additional questions to submit for the record. Other Members may have additional questions as well. You will have those 10 days to submit responses and any additional material you desire to submit.

Any further comments from my colleagues?

[No response.]

The CHAIRMAN. If not, the Committee stands adjourned.

[Whereupon, at 4:22 p.m., the Committee was adjourned.]

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