

King Cove's Need for a Road to the Cold Bay Airport

January 2011

Project History

This history summarizes six decades of events, legislative actions and human hopes for a road to connect the City of King Cove with the Cold Bay Airport. This history is about perseverance, politics, misunderstandings, and an evolving hard-fought campaign for permission to build a road that for seven miles will cross a federal Refuge.

This section has been written from the perspective of the City of King Cove. The current city administrator has thirty years of direct involvement in helping King Cove and its partners to achieve a road. Twenty of these years have been during his tenure as the city's administrator (1989-present). Prior to this, he was involved in this capacity as a senior-level employee with the State of Alaska Department of Transportation and Public Facilities (1981-1983).

What follows is a summary of the significant chronological events and decisions which form the political and legislative underpinnings of this road debate. They reveal how this project rose to a level of national and state prominence for more than 15 years. This account supplements and expands the project's history as documented in the 2003 King Cove Access Project EIS.

As with most histories, the background of this one is inexorably linked to other histories: those of an Aleut culture and community, the war time location of an airport, and three subsequent acts of Congress. The first act created the Izembek National Wildlife Refuge (Refuge) on Alaskan soil, a place which is a living, breathing example of what conservation looks like when sustained over many centuries. The second was the Senate's approval and ultimate compromise of the *King Cove Health & Safety Act of 1998*. The third was the *Omnibus Public Lands Act of 2009* which authorized the possibility of a major, unprecedented land exchange for a modest road corridor through wilderness land in the Refuge.

1940 – 1960 (The War Years and Beyond)

The history of the airport begins with World War II. Facing the realized threat of a Japanese invasion in the western Aleutian Islands, the push was on by the United States to quickly and quietly construct an air base from which fighter pilots could rest and refuel for reconnaissance missions to the Aleutian Islands. Cold Bay¹ was chosen and Fort Randall was hastily constructed to house troops in order to provide support for the mission, which was to

¹It is important to note that Cold Bay as a community did not exist at this point in history. The town of Cold Bay developed after World War II and exists today primarily because of the state's third longest civilian airport located here.

route the Japanese from US soil. Thousands of troops were stationed there by the end of the war. Roads were pushed through as necessary and became prolific in the area.²

Many of the construction materials for the Cold Bay Airport arrived on steam ships too large to safely anchor and off-load in Cold Bay. Instead, ships offloaded in King Cove and materials were stored in the cannery building until smaller landing crafts and local residents delivered them to Cold Bay in an often-difficult three-hour journey by boat. Military personnel took up residence in the cannery to coordinate these efforts.

Aleuts worked as laborers to help construct the airstrip. Elders in King Cove can still recall working long days, remembering a sense of urgency and pride in playing such a strategic role in America's war effort. Residents remember conversations with Army engineers talking about pushing a road through to King Cove but it never materialized. Other infrastructure was built however, as noted in this quote from the Corps of Engineers report³ on use of Cold Bay during the war: "At King Cove, considered a part of Cold Bay, repair facilities for small craft were constructed, including a 150-ton marine railway and an adjacent machine shop. Diesel-oil storage was in tanks totaling 65,000 gallon capacity."

The war ended with the total victory of the Allies over Germany and Japan in 1945.

In September 1949, King Cove became an incorporated city in the Territory of Alaska. King Cove was about the 20th community to be incorporated at this point in the state's history. Given its population of around 250 people and its remote access, this was a noteworthy accomplishment.

By 1953, the military had deactivated the Aleutian airfields. Soon after, Reeve Aleutian Airways (RAA) saw an opportunity to begin passenger and cargo service to Cold Bay and a number of other Aleutian Islands and Alaska Peninsula communities.

On July 7, 1958 Congress passed the *Alaska Statehood Act* accepting Alaska as the 49th state on January 3, 1959.

1960-1980

King Cove continued to grow and expand in these decades. RAA provided air service to the community, using a Gruman Goose on floats. The severity of the weather, particularly high winds, frequently prevented the Gruman from landing either on the bay in front of or in the lagoon behind the community. A permanent airstrip to accommodate wheeled aircraft was a City priority by the late 1960s.

²"There are more than 14 miles of roads, traversing the Izembek Wilderness and another 35 miles in the Izembek Refuge, dating back to World War II when thousands of GIs traveled throughout the area. In fact, there are roads used today, roads that lead to the real heart of the Izembek Refuge." Della Trumble, King Cove Corporation President in her testimony before Congress, Oct. 31, 2007.

³ Cold Bay in World War II: Fort Randall and Russian Naval Land Lease" (D. Colt Denfield, US Army COE, Alaska District, May 1988)

The community's first Comprehensive Plan⁴ noted that: "In King Cove there are no cars, nor is there currently any need for such land transportation systems as streets and highways. The construction of the airstrip five miles from town will change the ambulatory pattern of King Cove living, however, since the distance to the airstrip is too great for walking while carrying baggage."

Spanning the construction seasons of 1969 and 1970, the State built a small 3,500 gravel runway in the Delta Creek Valley five miles north of the community. The location was the only available piece of land for an airstrip to serve the growing population of King Cove, but its geography was problematic from the start. Positioned in a narrow valley between volcanic mountains, it had Belkofski Bay to the south and Lenard Harbor to the north, challenging pilots with both a rugged topography and the perfect funnel for the region's legendary winds.

A connecting road from King Cove to the new airstrip was part of the project. The need for automobiles followed as a natural solution for residents needing access to the airstrip. As noted above this need had been predicted in the community's first Comprehensive Plan.

While decisions about Izembek were underway in Washington D.C., Aleut residents⁵ from King Cove and the then-viable Belkofski community, were walking the lands of the Izembek, as their grandfathers had before them. They subsistence hunted and gathered, using in part the existing military road system. From these excursions, their dream of a road was reinforced – it seemed completely plausible to utilize the roads and trails left behind by the military, and by adding to them, connect King Cove to the Cold Bay Airport. What they could never have imagined was that permission for such a road would require a thirty year journey to Washington D.C., hundreds of thousands of dollars, acres of their ancestral lands, and an act of Congress, just to begin.

Our Roots Are Deep

Archaeologists have located human remains that suggest that the indigenous people of this region, we call ourselves Unangan, have history that dates back 4000 years.

Izembek got its name from a Russian count, one of many Russian traders to invade the coastline in the late 1800s, with voracious appetites for sea otter pelts. Indigenous people were enslaved to feed those appetites.¹ Unable to say Unangan, we were renamed Aleuts.

The modern community of King Cove traces its origins to the late 1800s with the arrival of English immigrant Robert King who married a local woman and moved to the Cove to make a home for his family. Of the 10 founding families, 5 were comprised of a European husband and Aleut wife¹.

The present structure of the community and its economy extends back to 1911 when Pacific American Fisheries built a salmon cannery and members of Aleut and Yupik tribes came to find work.

⁴ Comprehensive Plan for King Cove, Alaska: Alaska State Housing Authority, Anchorage, AK – May 1968

⁵ These subsistence hunters would have been members of the federally recognized Agdaagux or Belkofski Tribes (now known as the Village of Belkofski.) As economic opportunities in the Pribilofs, King Cove or Sand Point pulled residents away from their cash-poor village, Belkofski is used now primarily as a summer fish camp. The last of the Belkofski residents moved to King Cove in the early 1980s, taking their church bell with them.

While local support for the road was progressing, in Washington D.C. decisions that would profoundly affect the project were underway. Foremost among these was the creation of the Izembek National Wildlife Range per a Presidential Executive Order, signed December 6, 1960. Then in 1964, the *Wilderness Act*⁶ passed. It defined the management policy for the entire National Wilderness Preservation System of which Izembek was a part.

In the late 1960s and early 1970s, oil was discovered in Prudhoe Bay on Alaska's North Slope. The dream of an oil pipeline that would traverse the 800 miles from Prudhoe Bay to a deep-water port in Valdez was taking shape. Leaders understood that a pipeline could never become a reality, without first resolving thousands of private and public land ownership issues, many of them contentious and disputed claims between the State of Alaska and indigenous Native land users. Provisions of the *Alaska Statehood Act* added to the confusion.

To address this uncertainty, in 1971 Congress passed the *Alaska Native Claims Settlement Act* ("ANCSA"). ANCSA created regional and village Native-owned corporations and authorized these corporations to select 44 million acres of federal lands in Alaska. It was an ambitious effort to resolve all claims and convey quiet title to the thousands of acres that comprised traditional subsistence hunting and gathering grounds of Native Alaskans. As a result, the pipeline project was enabled to move forward.

ANCSA authorized the King Cove Village Corporation (KCC) to select around 100,000 acres of federal land in and around the community, as well as traditional subsistence lands in the Cold Bay and Izembek Refuge area. However, some of these selections became problematic when they conflicted with the newly proposed "wilderness" land status, the result of the 1971 National Wilderness System legislation.

Public comment on the "wilderness" designation was solicited and two hearings were conducted in May 1971⁷, one in Anchorage and one in Cold Bay. There is nothing in the available record to substantiate that any outreach effort was made or notice sent to city or tribal leaders or the general public in King Cove. Nor does the available record suggest any other tribal representatives for the area, or any other native community in the area most directly affected by the proceedings, were notified. Many of the testifiers represented governmental interests intent on assuring for the record that Izembek was not an area known for its mineral or oil deposits, thereby classifying the region as "non-mineral in nature."

⁶ "The 1964 Wilderness Act established the National Wilderness Preservation System and directed that only Congress can designate federal lands as part of the national system. Designations are often controversial because commercial activities, motorized access, and roads, structures, and facilities generally are restricted in wilderness areas. Similarly, agency wilderness studies are controversial, because many uses also are restricted in the study areas to preserve wilderness characteristics while Congress considers possible designations." From report entitled: Federal Lands Managed by the Bureau of Land Management (BLM) and the Forest Service (FS): Issues for the 110th Congress - Updated May 9, 2008

⁷ Synopsis of Wilderness Proposal pages 16-21- Even if King Cove residents had heard of the hearing going on in Cold Bay that May, which the record reflects no notice of, it would have been prime fishing season and the worst possible time for local residents to attend.

However, at the hearing in Cold Bay, local resident Robert Livingston stated⁸, “I only had one question and that is the future possibilities of King Cove. King Cove and Cold Bay are sort of close relatives. Would it be possible to build a road between the two if it ever became desirable through the wilderness area?” The federal government’s representative replied, “If the area was established as a wilderness in order for a public road to be established through it, it would require a Congressional modification. He further said that “it (road) could be included as a provision of the establishment of a wilderness area. Yes.”

Then State of Alaska Commissioner of Highways, Robert Beardsley, provided written testimony encouraging federal overseers to create a road corridor exclusion thereby allowing a road to be built at some future date between the two communities. This idea was rejected as not having “local support” and because the State was unable to provide sufficient detail about their plans to build this road⁹.

Roads that were allowed to continue to exist were defined as “the primary road system located within the area excluded from the proposed wilderness area.” The boundaries of the refuge were then carefully drawn so as to stay away from those roads and such that the Refuge boundaries would not interfere with current airport operations or future expansions.

The community of King Cove continued to grow. With that growth came the need for improved schools and more community infrastructure. This prompted the community, in 1974, to pursue first class status as defined by State statute and to hire their first professional city manager in 1976. Also in 1976, the City passed its first formal resolution in support of a road connection to the Cold Bay Airport.

Then in 1979, the King Cove airstrip experienced its first airplane crash attributable to bad weather. The single-engine plane landed short of the King Cove runway. Fortunately, no one died but passengers and pilot were injured. This crash reminded local residents of the perilous topography and ever-changing weather surrounding the Delta Creek Valley airstrip.

1980- 1995

In the early 1980s, residents experienced two fatal crashes which killed ten people. Both crashes were due to bad weather. These tragedies significantly increased residents’ apprehension of flying in and out of the King Cove air corridor.

The crash in 1980 was a medivac flight from King Cove to Cold Bay. A fisherman had his foot severed when a crab pot fell on him. The assessment was that he would bleed to death unless he could be transported to Anchorage fast. The only nurse in town, along with an assistant, boarded the injured fisherman, and the pilot took off from King Cove in blizzard

⁸ Synopsis of Wilderness Proposal

⁹ Pg 5 of the Synopsis of Wilderness Proposal - “His request was rejected because his department’s plans...are much too indefinite to justify a road corridor exclusion...Most people, including Mr. Robert Reeve of Reeve Aleutian Airways, felt that adequate opportunity now exists for public use and enjoyment of the Range.”

conditions. They crashed before reaching the Cold Bay Airport, with their connecting medivac flight already en route to the Cold Bay tarmac.

Less than a years later, a charter flight searching for the King Cove airstrip, went down in the mountains adjacent the airstrip . All six on board died. Again, bad weather (fog and rain) in the vicinity was blamed for the crash.

In 1980, President Carter signed the *Alaska National Lands Interest Conservation Act* (“ANILCA”.) This act officially designated as “wilderness” about 300,000 acres of what would be renamed the Izembek National Wildlife Refuge.

In 1981, the City published its first city-authored Comprehensive Plan, which identified a road link to the Cold Bay Airport as a priority for the community. The Alaska Department of Transportation/ Public Facilities (“DOT/PF”) pursued the initial funding for this road reconnaissance study. However, this study was not funded at that time.

In 1982, Cold Bay incorporated as a second-class city. Today, the community remains generally as it was described in the US Bureau of Sport Fisheries & Wildlife¹⁰ Izembek Wilderness Proposal of 1970 – a town that developed after World War II and functions primarily as an aircraft service stop. Since that time employees from other federal agencies, i.e. park rangers overseeing the Refuge, FAA, and NOAA have been stationed in Cold Bay.

The Bristol Bay Regional Management Plan/EIS began in 1985. This was an ANILCA-required report on current and future federal land uses in the Bristol Bay region, to include the Alaska Peninsula communities. The report was to have been written in consultation with the State of Alaska, however the State withdrew from the study and the Record of Decision was never finalized. The Department of Interior issued its report nonetheless, in which a 32-mile road connecting King Cove and Cold Bay communities was considered. The road as envisioned then is similar to the same low-impact road that is proposed now: “The gravel road was to be constructed to Alaska secondary highway standards and have a right-of-way of about 200 feet. An estimated footprint of 805 acres, including 30 acres of borrow pits, would have been required. The road would have crossed approximately 7 miles of Congressionally- designated Wilderness area, located within the boundaries of the Izembek NWR.”¹¹

Similarly, the Izembek Refuge in 1985 was also the subject of a Comprehensive Conservation Plan. Summarized testimony from governmental partners and interested parties are included in the report. The State’s position encouraged the parties to adopt “a liberal approach to public access.”¹² The State voiced strong objections to inconsistencies between the Izembek Plan and the Bristol Bay Comprehensive Management Plan (“BBCMP”), particularly on their determination that a road from Cold Bay to King Cove was incompatible with refuge

¹⁰This was the early name for the USF&WS.

¹¹ Pg 10 -July 2003 King Cove Access Project EIS

¹² See pg 17-18 of Izembek National Wildlife Refuge Comprehensive Conservation Plan & EIS (SK367.I92 U54f 1985)

purposes. The State asked USF&WS to stop short of an incompatibility determination and instead allow the processes established by ANILCA Title XI and National Environmental Policy Act ("NEPA") to control. The State specifically noted: "Further, the refuge plan should acknowledge some of the legitimate reasons for considering a road, including the poor access to King Cove during the frequent periods of bad weather. A number of fatal air crashes have been attributed to this poor access, and medical evacuations from King Cove have, at times, been impossible."¹³

Testimony was solicited from the King Cove Corporation, but not from the City of King Cove. In a letter signed by Harvey Mack on behalf of King Cove Corporation, he states: "I am writing in response to the conference that was held in King Cove earlier this month. I feel that Fish & Wildlife should keep their comprehensive refuge plan down to a minimal refuge plan. I would also like to see this corporation having some/more say so as to the lands that are selected."

In 1989 the city's current administrator was hired. At his first City Council meeting in December, the council informed him that one of their highest community priorities was the road connection to the Cold Bay Airport. The city administrator working with its consultant city engineer (Duane Hippe, Vice President of HDR Alaska) was successful in convincing DOT/PF to conduct an initial road reconnaissance study using "special case study" funding from the 1991 federal highway funding bill, entitled: *Intermodal Surface Transportation Efficiency Act (ISTEA)*.

In 1990, a plane crashed northwest of the King Cove airstrip, in the mountains that surround Lenard Harbor, the narrow passageway leading to the airstrip, killing the pilot. There were no other passengers on board. Again, weather was the factor that forced the pilot to discontinue flying through this passageway (Lenard Harbor), and when he tried to climb out of it he crashed about 20 feet from a clearing on the mountainside.

By the end of 1994, DOT/PF completed a draft of the ISTEA-funded case study. The study concluded that federal highway funding for a road connection between the port community of King Cove and the Cold Bay Airport was an excellent example of how to use this funding to achieve "multi-modal connectivity." This study's focused on both the economic benefits of this potential transportation link, as well as general transportation accessibility issues that faced King Cove residents.

King Cove officials and residents were now starting to believe that their long awaited road connection to the Cold Bay Airport might be about to happen.

1995 - 2004

In 1995, in a speech to the Anchorage Chamber of Commerce and covered as front page news in the Anchorage Daily News, Governor Knowles announced his support for a road from King Cove to the Cold Bay Airport. This announcement was part of his speech, entitled "A

¹³ See pg 165 of Izembek National Wildlife Refuge Comprehensive Conservation Plan & EIS – Letter from Robert Grogan, Associate Director of Office of Management & Budget, State of Alaska , to Dr Robert Putz, Regional Director of USF&WS.

Transportation Plan for Alaska's Future." The Governor used this road as one of three rural Alaska transportation projects which his new Administration supported. He explained that a road would boost local and state economies by getting Alaska's premium seafood more quickly to an international market. This speech planted in some minds the idea that the predominant reason for the road was a commercial one, this in spite of King Cove's consistent position that dependable airport access was a quality-of-life issue and their focus was health and safety. Unfortunately, the theory that King Cove was a pawn for Peter Pan Seafoods became a key component in the national campaign that was later waged to halt the legislation. To this day, Peter Pan Seafoods has never requested or supported an official position on a road connection to the Cold Bay Airport.

The City of King Cove responded immediately to the Governor's Office and DOT/PF within a day of his speech and offered a local match to state funding in order to quickly begin a detailed project assessment. The city was also able to garner financial participation from the Aleutians East Borough and City of Cold Bay. With City of King Cove as lead, city leaders grew ever more optimistic that previous advocacy efforts, in conjunction with the ISTEPA case study, were coming to fruition.

Months later, however, in a disheartening blow to the City of King Cove and AEB, Governor Knowles withdrew his support for the project, allegedly out of a concern that he would alienate environmental groups if he continued to advocate for the project. His concern was reportedly due to the unprecedented possibility of a road being constructed through a small portion of congressionally mandated wilderness.

Even though the news of the Governor's change of mind was discouraging, city and borough leaders were determined to press on with their efforts. AEB provided the assistance of their Washington, DC lobbyist to assist in the advocacy and legislative progress that would be necessary to make the road a reality. A land exchange was proposed – an offer to transfer 650 acres of King Cove Corporation (KCC) land to the federal government in exchange for a 206 acres road right-of-way through the Izembek Refuge. The lands which KCC were offering to exchange were adjacent the mouth of Kinzarof Lagoon, and commonly referred to as the "bookends." These were lands that USFWS had previously shown an interest in acquiring.

With unanimous support from the Alaska Delegation, King Cove took their case to the 105th Congress. The result was the introduction of a land exchange bill¹⁴ entitled the *King Cove Health and Safety Act of 1998*. It directed the Secretary of the Interior to accept the lands offered in trade and modify the Refuge's boundary in order to grant a 60-foot right-of-way for a road. The bill included provisions to ensure that construction and location of the road would be accomplished to minimize the effect on wildlife, and migratory birds in particular. It allowed for the agreement that during periods of high concentrations of birds, all but non-emergency traffic would be prohibited. King Cove agreed to all of those provisions.

¹⁴ King Cove Health and Safety Act of 1998

Environmental opposition to the bill was fierce and accusations flew about the ulterior motives of the proponents. The land exchange was denounced as inadequate and there were many who expressed alarm over what they saw as a dangerous precedent. Nonetheless, the bill passed the Senate by a 59-38 vote. Interior Secretary Bruce Babbitt said he would recommend that President Clinton veto the bill.

However, with the help of then-Alaska Senator Ted Stevens, Chairman of the influential Senate Appropriations Committee, and White House Chief of Staff, Leon Panetta, a significant compromise was reached to provide \$37.5 million for a combination road and marine link to connect the two communities, or to relocate the King Cove airstrip to a better location, plus a \$2.5 million upgrade to the King Cove clinic.

The compromise was presented to the Mayor of the Aleutians East Borough in a phone call as a take-it or leave-it deal, and he had 30 minutes to decide. The short timeframe was driven by the fact that this legislation was of very high priority to the Alaska Delegation, and Senator Steven's position as Chairman of the Senate Appropriations Committee was sufficiently powerful as to persuade the parties to work something out quickly.

The compromise was accepted. However, it was not until months later that the parties gained a more in-depth understanding of the provisions and nuances contained in the legislation. Partners identified in the legislation, namely the U.S. Dept. of Interior, U.S. Indian Health Service, and Alaska Department of Transportation and Public Facilities, had not been part of the final draft or related negotiations and, as a consequence, had to be educated on the legislation's contents.

Then-Alaska Senator Frank Murkowski was also a major ally in moving the legislation through the Senate. As Chairman of the Senate Energy and Natural Resources Committee, he worked tirelessly to persuade his fellow Senators to support the road. Members of the King Cove, Agdaagux Tribe and AEB team watched from the visitor's gallery while the Senate debated their future for 5 hours. After the vote, Senator Murkowski met with the team. He shared both a political premonition and pledge - the premonition was that this legislation was in trouble once it reached the White House; and, the pledge was that he would like to revisit this issue sometime in the future, if we wanted to. He was outraged that the interests of people who would never have to experience the perils of travel that King Cove residents experience on a regular basis had managed to thwart King Cove's chances for a road. Both the premonition and the pledge would come true.

Prior to the King Cove Health & Safety bill enactment, DOT/PF the released its draft report: "King Cove-Cold Bay Transportation Improvement Assessment: Assessment of

"The proposed road from King Cove to Cold Bay across the Izembek National Wildlife Refuge, as touted by Don Young and Frank Murkowski, is an absurdity, and tying it to health and safety considerations for King Cove residents is no more than a diversion from the true purpose, which is easy access to the fish and game in the Cold Bay area and en route."

Robert P. Spinde
Ltr to Anch Daily News
7/4/98

Transportation Need¹⁵.” The report rated the road as high importance for the “convenience, reliability, and peace of mind” for the residents of King Cove.

The *King Cove Health and Safety Act* required an EIS to determine the most practicable and feasible alternative for a road and marine link. Prior to the EIS, the legislation required the State of Alaska to determine if a new King Cove airstrip location could minimize safety and weather challenges and improve the viability of air travel in and out of King Cove. The State concluded that there was no reasonable alternative location for an airstrip to serve King Cove.

In 2004, the final King Cove Access Project EIS (KCAP EIS) selected a road and marine link to include hovercraft service from the northeast corner of Cold Bay to a terminal in Cold Bay. The EIS required consideration of a range of transportation alternatives. One of those alternatives, a road link between King Cove and Cold Bay, evoked strong reactions during the EIS process.

It was also 2004 when Senator Frank Murkowski became Governor Murkowski. True to his pledge, he approached King Cove to see if the team remained interested in getting a land exchange bill through Congress for the construction of a road. Governor Murkowski and the residents of King Cove continued to believe that a road was the most logical, sustainable, and fiscally responsible answer to the community’s safety concerns. A small flame of hope was rekindled and plans to begin again were in motion.

2005 - 2010

To help quantify the community’s level of interest in having the city continue its advocacy for a road to Cold Bay, the firm of Cordova Consulting was hired in 2005 to develop, administer, and report on a community survey¹⁶. Trained surveyors personally visited 130 households (80% of the total households) in King Cove. Ninety- three (93%) percent of the households reaffirmed the road was “very important” to them.

In November 2005, Governor Murkowski met with then-Secretary of Interior, Gale Norton, to discuss this issue. The Governor’s first proposal was an offer of over 4,400 acres of State land in Kinzarof Lagoon for 206 acres in the Izembek Refuge for the road corridor. This offer was contained in a March 13, 2006 letter¹⁷ from the Governor to the Secretary. Murkowski wrote: “We have been advised that Rowan Gould has communicated the state’s offer, as we discussed it with you, to the director of the United States Fish and Wildlife Service. While Mr. Gould did not make a formal statement recommendation, we understand that he opined that the state’s offer of a land exchange is definitely worth considering.”

¹⁵ This was the study initiated by the Cities of King Cove and Cold Bay and Aleutians East Borough in 1995 after Governor Knowles had raised hopes with his identification of the road as a priority for his administration. See page “i” of the Preliminary Draft 12/10/97.

¹⁶ Cordova Consulting, March 2006

¹⁷ Letter from Governor Murkowski to The Honorable Gale A. Norton, Secretary of the Interior, March 13, 2006.

Secretary Norton resigned shortly thereafter. However, Governor Murkowski continued his pursuit of a land exchange with the new Secretary, Dirk Kempthorne. In a June 30, 2006 letter¹⁸ to Secretary Kempthorne, the Governor offered a revised land exchange “involving parts of two townships (41,500 acres) of state land which abuts Izembek National Wildlife Refuge for a 206 acres corridor through refuge lands, including some wilderness.” He went on say in this letter, “Previously, the USFWS appeared unwilling to pursue a land exchange. Recent conversations indicate that this position may have changed. It is my understanding that a meeting has been scheduled in mid July to renew the discussions.”

Discussions of a land exchange commenced later that year between the national Director of USFWS (Dale Hall), the Alaska USFWS region, and community leaders of King Cove and the Aleutians East Borough. A series of meetings were held in Anchorage, Cold Bay, King Cove, and Washington, DC. These meetings were very direct, yet cordial, discussions attempting to create a satisfactory land exchange proposal for Mr. Hall to endorse.

The KCC initially agreed to: 1) re-offer the “bookends” 650 acres which were in the *King Cove Health and Safety Act*; 2) increase the bookends and adjacent lands with approximately another 1,650 acres; and, 3) reaffirm their willingness to relinquish about 5,400 acres of their ANCSA¹⁹ land selections in the Izembek Refuge wilderness. Since these discussions took place at Izembek Refuge headquarters in Cold Bay, a fly-over was arranged for Director Hall and AEB Mayor Stanley Mack, to see the proposed lands.

The fly-over allowed Mr. Hall to view an adjacent 11,000 acres of KCC land, called Mortsensen Lagoon. This land was very attractive to Mr. Hall due to its ideal location adjacent the Refuge and the City of Cold Bay. Also, Mr. Hall was able to view the excellent road access to Mortsensen Lagoon from the existing road system in Cold Bay and observe the existing road traversing the Mortsensen Lagoon land. The land exchange discussions resumed after the fly-over.

Mr. Hall took the new position that if the KCC would be willing to include the Mortsensen Lagoon land in their offer, he may be able to take the KCC offer, in conjunction with the existing State offer, to the Secretary of Interior as a viable package in trade for a federal government land right-of-way and possible road link. Mayor Mack told Mr. Hall that he was not authorized to commit on behalf of the KCC any permissions regarding their Mortsensen Lagoon land, but he agreed to deliver the request for their consideration.

KCC held a special board of directors meeting to discuss this latest proposal from Mr. Hall. After considerable discussion, KCC agreed to do “whatever it takes” to reach a land

¹⁸ June 30, 2006 letter from Governor Murkowski to Secretary Kempthorne.

¹⁹ Ultimately, about 18,000 acres of KCC’s ANCSA conveyed land were included in the offer.

exchange agreement with the federal government²⁰. The prevailing KCC board attitude was that because this road to the Cold Bay Airport was their shareholders' highest priority, they were willing to agree to this final land exchange provision.

Now with a total land exchange offer of 61,000 acres, i.e. 43,000 acres of State land and 18,000 acres of KCC land, the King Cove team moved forward to seek legislation to formalize the offer. Of these 61,000 acres, approximately 45,000 acres of this land, if the bill passed, would become new wilderness lands in the Izembek Refuge.

On June 20, 2007, the Izembek & Alaska Peninsula Refuge & Wilderness Enhancement Act²¹ was introduced in the House. Dale Hall, testifying and writing on behalf of USF&WS in support of the proposal, described the lands offered as of "considerable value" to the Service. The offer, if approved by Congress, would represent the first new wilderness lands in Alaska in more than 25 years.

The King Cove team reactivated its advocacy and lobbying support for this new legislation. Numerous personal meetings with the Alaska Delegation and Governor occurred. Many trips to Washington, DC and Juneau took place. Lobbyists on "both sides of the aisle" were engaged to help inform and educate members of Congress. The strategy was to build a bipartisan coalition of support in Congress based on our belief that the merits and magnitude of the revised land exchange offer were a win-win for the federal government and the residents of King Cove. Members of the team personally visited all 535 Congressional offices during this time. Seventy-five of these visits were face-to-face meetings with U.S. Senators and Representatives. Information packets with maps, narrative, and a 6-minute video were provided to each office.

On October 31, 2007 the bill was heard by the House Natural Resources Committee and was successfully passed out of the committee.

Also, during the fall of 2007, the King Cove team secured the support of the National Congress of American Indians and the Alaska Federation of Natives. Personal visits were made by the team to these organizations to educate, advocate, and request their support. Part of our overall legislative strategy was to achieve the support of these two nationally recognized advocates for Native American rights. We believe this was crucial in being able to demonstrate that our particular issue (i.e. decisions about federal land classifications with restrictive use determinations made without our input), at its core, is about fairness and equity for the Aleut residents of King Cove.

²⁰ Message relayed by AEB Mayor Stanley Mack to Mr. Hall/USF&WS after Mack's discussion with Dean Gould, KCC President in fall 2006

²¹ Bill numbers - S. 1680 & H.R. 2801 entitled: "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."

Finally, on Sept. 11, 2008 the bill was marked up in the Senate Energy Committee. On March 19, 2009, the *Omnibus Public Land Management Act of 2009*, which included *Subtitle E--Izembek National Wildlife Refuge Land Exchange*, passed the US Senate on a 77-20 vote. A week later, the bill passed the US House of Representatives on a 285-140 vote. President Obama signed it into law on March 30, 2009, on the occasion of the 142nd anniversary of the signing of the Alaska Purchase Treaty.

The law required compliance with the National Environment Policy Act of 1969 (i.e. an EIS) and provided the Secretary of Interior with the final authority to “. . . determine that the land exchange (including the construction of a road between the City of King Cove , Alaska, and Cold Bay Airport) is in the public interest.”

With the federal legislation signed into law, the King Cove team next turned its attention to the State of Alaska. The State Legislature had to officially approve the land exchange offer of 42,000 acres of state land for the 206-acre road corridor. HB 210, *Izembek State Game Refuge Land Exchange*, was introduced during the first session of the 26th Alaska Legislature (March 2009) in the House by Representative Bryce Edgmon (D).

As part of the City of King Cove’s 60th year celebration of being a first-class city, held in September 2009, Governor Parnell sent a video commemorating the significance of this event. He acknowledged the forward-thinking attitudes and expectations of the residents of King Cove to incorporate as one of the first, smallest, and most remote cities in what was then still the Territory of Alaska. The highlight of the video was the Governor’s direct message to the community that he fully supported the road, and that his administration would aggressively work with the community to make it happen.

2010 – Beyond

The Izembek Land Exchange EIS process started in early 2010. The City of King Cove, Agdaagux Tribe of King Cove and Aleutians East Borough were all named in the legislation as “Cooperating Agencies” in this EIS process. All of these organizations have individually entered into a Memorandum of Understanding (MOU) with USFWS documenting the expectations, responsibilities, and authorities as cooperating agencies. Together, we have a cadre of staff and consultants assisting our efforts that have major EIS credentials covering engineering, environmental, socioeconomic, and cultural disciplines. Many of these team members were involved in the prior KCAP EIS.

Scoping meetings for the EIS were conducted in March and April 2010 in Anchorage, Washington, DC, and Sand Point, Nelson Lagoon, False Pass, and King Cove. The Izembek Partnership team had representatives at all of these meetings, except False Pass, providing testimony on the importance of the land exchange and desired road connection between King Cove and the Cold Bay Airport.

In April 2010, the Alaska Senate approved HB 210, *Izembek State Game Refuge Land Exchange* with a 40-0 vote. Governor Parnell signed the bill into law on August 19, 2010. In a

press release²² from the bill's sponsor, Bryce Edgmon (D-Dillingham) he said "HB210 passed the House and Senate with a combined unanimous vote of 60 to zero, sending a strong message to the Secretary of Interior that the state of Alaska solidly supports the King Cove-Cold Bay link."

The Izembek Partnership team also encouraged the Federal Highway Administration's Western Federal Lands Highway Division (WFLHD) to accept an active role in the EIS as a "Cooperating Agency." WFLHD and USFWS recently signed an MOU for their participation.

A companion agreement between WFLHD, DOT/PF, AEB, and City of King Cove has been signed to define additional roles for providing EIS data and information on road engineering, location, construction, and operations. This agreement also provides timely and technical support to satisfy the law's requirement for all subsequent and required federal permits within one year of the land exchange, if it is determined by the Secretary to be in the public's best interest.

On December 16, 2010, President Obama convened the second annual Tribal Nations Summit at the White House. The voices of hundreds of tribal members were heard in numerous discussions about improving the health, education and the well being of tribal nations. Alaska was highlighted as a place where the federal government's trust relationship is falling short of its responsibilities to Alaska Natives. While a proposed summit specific to the unique issues of Alaskan tribes is a great idea, the Agdaagux Tribe's hope is that a direct and far more immediate gesture of that trust relationship is to acknowledge that the Aleut people of King Cove deserve the safety and peace of mind of a road to the Cold Bay Airport.

The City of King Cove, AEB, Agdaagux Tribe, and KCC are optimistic that the draft EIS scheduled to be released in late summer 2011, followed by the final EIS in the spring of 2012, and the Record of Decision and Public Interest Finding by summer 2012 will conclude with a finding that the land exchange is in the public's best interest, finalize the land exchange, and thus allow for the construction of the road.

²² See Vol. IV, Issue 19, August 19, 2010 – Legislative Update from Rep. Bryce Edgmon

